



MAJOR PROJECT ASSESSMENT:

Concept Plan for residential development

***Crowle Home site at 74-76 Belmore Street,
Ryde (8 Junction Street, Meadowbank)***

MP10_0110



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

October 2012

ABBREVIATIONS

| | |
|------------------|--|
| CIV | Capital Investment Value |
| Council | City of Ryde Council |
| Department | Department of Planning & Infrastructure |
| DGRs | Director-General's Requirements |
| Director-General | Director-General of the Department of Planning & Infrastructure |
| EA | Environmental Assessment |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> |
| EP&A Regulation | Environmental Planning and Assessment Regulation 2000 |
| EPI | Environmental Planning Instrument |
| MD SEPP | State Environmental Planning Policy (Major Development) 2005 |
| Minister | Minister for Planning and Infrastructure |
| PAC | Planning Assessment Commission |
| Part 3A | Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> |
| PEA | Preliminary Environmental Assessment |
| PPR | Preferred Project Report |
| Proponent | Achieve Australia |
| RtS | Response to Submissions |

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EXECUTIVE SUMMARY

This is a report on a Concept Plan application seeking approval for residential development of the Crowle Home facility and site at 74-76 Belmore Street, Ryde (also known as 8 Junction Street, Meadowbank). The proposal is permissible in the B4 Mixed Use zone prescribed for the site and has a CIV of \$155,000,000. The site is located within the Ryde Local Government Area.

The proposal, as exhibited, sought Concept Plan approval for:

- 5 residential flat building envelopes ranging in height from 2 to 7 storeys and a 1 storey communal facility building envelope;
- maximum Gross Floor Area (GFA) of 35,000m²;
- 3 level basement car park envelope for 584 car parking spaces;
- retention and reuse of the Tellaraga cottage and other associated significant features; and
- landscaping and open space areas.

The Environmental Assessment (EA) was publicly exhibited for a 31 day period from Wednesday 24 August 2011 until Friday 23 September 2011. The Department received 6 submissions from public authorities, including City of Ryde Council. 89 submissions were received from the general public, of which 7 submissions supported the proposal and 82 submissions objected to the proposal including a petition containing 839 signatures.

The key issues raised in submissions relate to social impacts as a result of decommissioning the residential care facility, the level of public consultation undertaken by the Proponent, built form, traffic and car parking, and residential amenity.

In response to these submissions, the Proponent submitted a Preferred Project Report (PPR) which amended the scheme by:

- changing building envelope heights and setbacks across the site;
- committing to retaining a minimum of 15 adaptable apartments within the development to house people living with a disability under the care of Achieve Australia; and
- provision of a pedestrian/bicycle through site link and road upgrades at the intersection of Constitution Road and Belmore Street.

The Department has thoroughly considered the social impacts as a result of decommissioning the residential care facility on site. As part this process, the Department consulted with the Proponent, Department of Aging Disability and Home Care, and Friends of Crowle, and undertook site inspections of the existing facility, new day program facility, and care accommodation offered by the Proponent. Through this process the Department's initial apprehensions have been alleviated. Through a careful assessment it is noted that the proposal is consistent with current best practice for accommodation and care of persons with a disability. Rather than having a negative social impact as a result of relocating residents, the Department considers the proposal will achieve the goal of delivering improved care for residents of Crowle Home and is therefore considered to be in the public interest. Notwithstanding, an appropriate future assessment requirement is recommended to ensure that resident relocation does not result in dislocation from their families.

In addition, the Department has considered the merits of the proposal in accordance with the objects of the Environmental Planning and Assessment Act 1979 (EP&A Act) and ecologically sustainable development, also taking into consideration the issues raised in all submissions. Overall, the Department is satisfied that the impacts of the proposal have been addressed in the EA, PPR, Statement of Commitments, recommended modifications and future assessment requirements. It is considered that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental and social performance. In this regard, the Department recommends that the Concept Plan be approved, subject to recommended modifications and future assessment requirements.

The Concept Plan application is referred to the Planning Assessment Commission for determination, as more than 25 public submissions objecting to the proposal have been received.

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1. BACKGROUND

1.1 Site Location and Context

The subject site, known as 74-76 Belmore Street (also known as 8 Junction Street, Meadowbank), is located at the south eastern corner of the Belmore Street and Junction Street intersection (refer to **Figure 1**) in Ryde (within the Ryde Local Government Area). The site is generally rectangular in shape comprising six allotments of land and holds frontages to Belmore Street (164 metres in length), Junction Street (98 metres in length), and Porter Street (167 metres in length).



Figure 1: Subject site and surrounding Context (Base source: Google Maps)

The site has historically been used as a residential care facility (for persons with a disability) from the 1950s to present, known as the Crowle Home. The site is currently in the process of being decommissioned with residents on site being relocated as part of this process to contemporary accommodation.

The site is located within the Meadowbank Employment Area which is an area straddling the Shepherds Bay foreshore and has a fall of some 20 metres from the northern boundary, at Constitution Road and Junction Street, to the foreshore. The Meadowbank Employment Area is currently in transition from the industrial/employment area of Meadowbank to more recent high density residential land use. To the north of this area are low density residential areas occupying the upper slope of Ryde leading back up to the ridge at Victoria Road.

The site is well serviced by public transport being located 150-400 metres from a number of local and regional bus routes running along Church Street and Victoria Road which provide connections to regional and major centres including Top Ryde, Macquarie Park, Hurstville CBD, Parramatta CBD, Chatswood CBD and Sydney CBD. The Meadowbank railway station and the Meadowbank ferry wharf are located approximately 1km walking distance from the site. In addition, the Meadowbank village centre is located 1.1 kilometres from the site.

The site is located approximately 8 kilometres east of the Parramatta CBD; 9 kilometres south west of Chatswood CBD; and 14 kilometres north west of the Sydney CBD (**Figure 2**).



Figure 2: Site location in context of Sydney (Base source: Google Maps)

The Department is currently considering a transitional Part 3A application for a Concept Plan for development of residential/commercial and retail uses at a nearby site known as Shepherds Bay (MP09_0216). The Shepherds Bay Concept Plan applies to approximately 30% of the Meadowbank Employment Area.

1.2 Existing Site Features

The subject site, known as Crowle Homes, has an area of 16,143m² and slight fall of 3 metres from midway through the site towards the south and north (with a slight cross fall from Porter Street to Belmore Street). The site comprises a number of buildings scattered across the site that range in height from 1 to 3 storeys. The main buildings include (**Figure 3**):

- a federation cottage located centrally on the site known as Crowle Home (formerly Tellaraga cottage) is a locally listed heritage item and is currently being used as an administrative building for Crowle Homes. Two additions are attached to the heritage item at the eastern and western façade (**Figure 4**);
- a war memorial garden comprising various garden features and monuments fronting the western entrance at Belmore Street (**Figure 5**);
- a two storey L shaped building used as a large residential home for persons with a disability located along the eastern boundary (**Figure 6**); and
- single storey building located along the southern boundary, formally used as part of the day program facility for persons for a disability (**Figure 7**).

The residential building and the day care building are in a state of disrepair. These buildings generally occupy the southern portion of the site. The northern half of the site comprises a turfed open space area with three single storey buildings located at the north western and northern boundary edges including a vacant administration building (formerly used as part of the German School on site), an indoor swimming pool and a dwelling.

The Proponent currently operates and provides residential care services and housing for persons with a disability in some of the buildings on the site. The residential care facility is currently in the process of being decommissioned with residents on site being relocated to other forms of contemporary accommodation as part of this process. At the time of submission of the PPR, 22 residents remained on site.

Mature trees are located predominantly along the northern and western frontages, with scatter trees through the remainder of the site. These trees range in size, however are generally large in size and provide significant shading and screening to the street.

Vehicular access is available from all street frontages with one at Belmore Street, one at Junction Street and two at Porter Street.



Figure 3: Aerial of current site improvements (Base Source: Nearmap)



Figure 4: Tellaraga Cottage with addition to the left. (Source: EA)



Figure 5: Crowle War Memorial Garden (Source: EA)



Figure 6: Two storey L Shaped building current used as a large residential home for persons with a disability



Figure 7: Single storey building formally used for Proponent's day programs for persons with a disability

1.3 Surrounding Development

The surrounding areas to the south and south west form part of the Meadowbank Employment Area and are currently in a state of transition from predominantly manufacturing and industrial uses to high density residential and employment activities.

The area north of Constitution Road and north of the site does not form part of the Meadowbank Employment Area and consists mainly of low density detached residential dwellings. More specifically, surrounding development comprises:

- To the west of the site along Belmore Street are the Meadowbank Public School and Ryde Council depot. Both of these sites have predominantly 1 to 2 storey buildings with substantial areas of open space.
- Further to the west are primarily industrial uses which make up the rest of the Meadowbank Employment Area. The Shepherds Bay Concept Plan seeks to change a large portion of this area to high density residential development. Beyond this is the Meadowbank railway station and ferry wharf. Mixed use residential, retail and commercial uses rising up to 8 storeys in height are located opposite the station including the Meadowbank village centre.
- To the south, adjoining the site are 1 and 2 storey industrial buildings currently being used as a place of worship (80 Belmore Street) and industrial use (2-4 Porter Street). Two x 6 storey residential flat buildings have been approved for the site (**Figure 8**).
- Further south along Belmore Street is the Bay One development comprising recently completed residential flat buildings of 4 to 7 storeys in height (**Figure 9**).
- To the north of the site along Junction Street and beyond are generally low density detached single and two storey dwelling houses (**Figure 10**).
- To the east, opposite the site along the northern part of Porter Street are a small group of single storey residential properties. Along the remaining southern part of Porter Street towards Shepherds Bay are one and two storey industrial buildings including a pedestrian thoroughfare connecting to Church Street (**Figure 11**).
- Further east beyond Church Street are generally low density detached single and two storey dwelling houses.



Figure 8: Frontage of 80 Belmore Street currently used as a place of public worship (Source: Google Maps)



Figure 9: View looking north along Belmore Street showing Bay One Development of 5-6 storey residential flat buildings



Figure 10: View looking east along Junction Street showing 1-2 storey low density residential dwellings (Source: Google Maps)



Figure 11: View looking south along Porter Street showing 1-2 storey low density residential dwellings transitioning into industrial units towards Shepherds Bay (Source: Google Maps)

2. PROPOSED PROJECT

2.1. Project Description (as exhibited)

The proposal, as exhibited in the Environmental Assessment (EA) sought Concept Plan approval for the following:

- 5 residential flat building envelopes ranging in height from 2 to 7 storeys;
- a 1 storey communal facility building envelope;
- retention and reuse of the Tellaraga cottage;
- maximum Gross Floor Area (GFA) of 35,000m² including a maximum indicative dwelling yield of 470 dwellings;
- 3 level basement car park envelope for 584 car parking spaces;
- landscaping and open space areas; and
- 2 vehicular access points to the basement car park at Porter Street.

2.2 Preferred Project Report (PPR)

Following the public exhibition of the EA, the Department advised the proponent of a number of issues which required further consideration, and requested the submission of a PPR. The main issues to be addressed were in relation to social impacts, traffic, car parking provision, residential amenity, heritage, public domain and built form.

The following chronology illustrates the key aspects in the evolution of the final PPR:

- on 28 May 2012, the Proponent submitted a response to submissions and a Preferred Project (PPR);
- on 27 June 2012, the Proponent submitted additional information in relation to social impacts;
- on 6 August 2012, the Proponent submitted a response to submissions received in response to PPR; and
- on 23 August 2012 and 7 September 2012, the Proponent submitted additional information in order for the Department to finalise its assessment.

The proposal as refined within the PPR is detailed in **Table 1**.

Table 1: Key Components of the Concept Plan

| Aspect | Description |
|--|---|
| Concept Plan Summary | Concept Plan for a residential development |
| Land Uses | Residential flat building and residential care housing |
| Building Envelopes / Heights | <p>6 residential building envelopes as follows:</p> <ul style="list-style-type: none"> residential flat building A – maximum RL of 45.5 metres AHD (4-7 storeys + plant); residential flat building B – maximum RL of 43.5 metres AHD (2-7 storeys + plant); residential flat building C – maximum RL of 43.8 metres AHD (4-6 storeys + plant); residential flat building D – maximum RL of 46.8 metres AHD (Part 7/8 storeys + plant); residential flat building E – maximum RL of 46.8 metres AHD (7 storeys + plant); and communal facility building F – maximum RL of 28.5 metres AHD (1 storey + plant). |
| Heritage | <ul style="list-style-type: none"> Retention and adaptive reuse of the Tellaraga Cottage for residential communal facilities. Retention of the existing Crowle war memorial garden, circular driveway, gate posts, palisade fence, landscape hedging, and tree line fronting Belmore Street. Establishment of a heritage curtilage for the retained features of heritage and cultural significance. |
| Gross Floor Areas (GFA) and Dwellings | <p>Maximum GFA of 35,000m² including:</p> <ul style="list-style-type: none"> 10% adaptable dwellings; and commitment to retaining 15 adaptable apartments within the development to house people living with a disability under the care of Achieve Australia. |
| Floor Space Ratio (FSR) Site Area = 16,143m² | 2.17:1 |
| Parking | <p>3 level common basement car park envelope down to a maximum depth of RL 15.0 metres AHD. The car park will provide bicycle parking facilities and a total of 584 car parking spaces comprising:</p> <ul style="list-style-type: none"> 490 residential car parking spaces; and 94 visitor car spaces. |
| Vehicular Access and Roadworks | 2 indicative driveways at Porter Street and upgrades to the intersection of Constitution Road and Belmore Street. |
| Landscaping and Public Domain | <ul style="list-style-type: none"> Approximately 8,421m² of potential communal open space including: <ul style="list-style-type: none"> retention and adaptive reuse of the memorial garden as open space; and 6,476m² of deep soil planting. Removal of trees impacted by the development. Dedication and construction of a public pedestrian/bicycle access way along the southern boundary. Dedication and construction of a public pathway along eastern boundary. |
| Green Star Rating | Minimum 4 Star Green Star rating for buildings. |
| Staging | <p>Stage 1: Building C; Stage 2: Building B; Stage 3: Building D; Stage 4: Building F and restoration of Tellaraga cottage and memorial gardens; Stage 5: Building A; and Stage 6: Building E.</p> |

Key changes in the PPR include:

- reduction in the number of indicative apartments from 470 to 430 (proposed 35,000m² GFA remains the same);
- change in building envelope heights and setbacks across the site including increased building height at the southern boundary;
- commitment to retaining a minimum of 15 adaptable apartments within the development for Achieve Australia. The PPR indicates these will be used to house people living with a disability under the care of Achieve Australia;
- provision of a pedestrian/bicycle through site link; and
- proposed road upgrades at the intersection of Constitution Road and Belmore Street as a result of the development.

Images of the PPR are shown in Figures **12**, **13** and **14**.

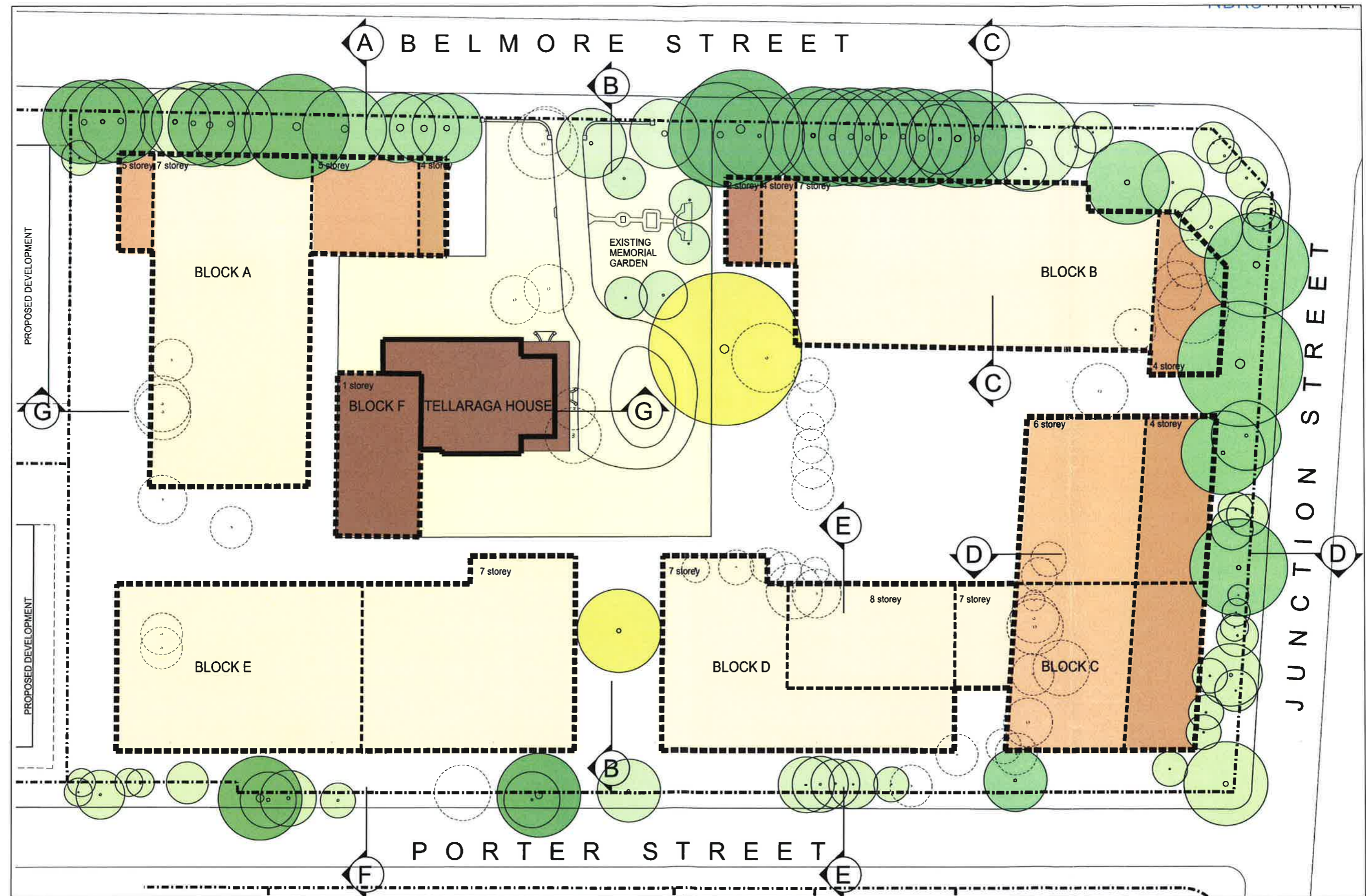


Figure 12: Concept Plan Layout and building heights (Source: PPR)

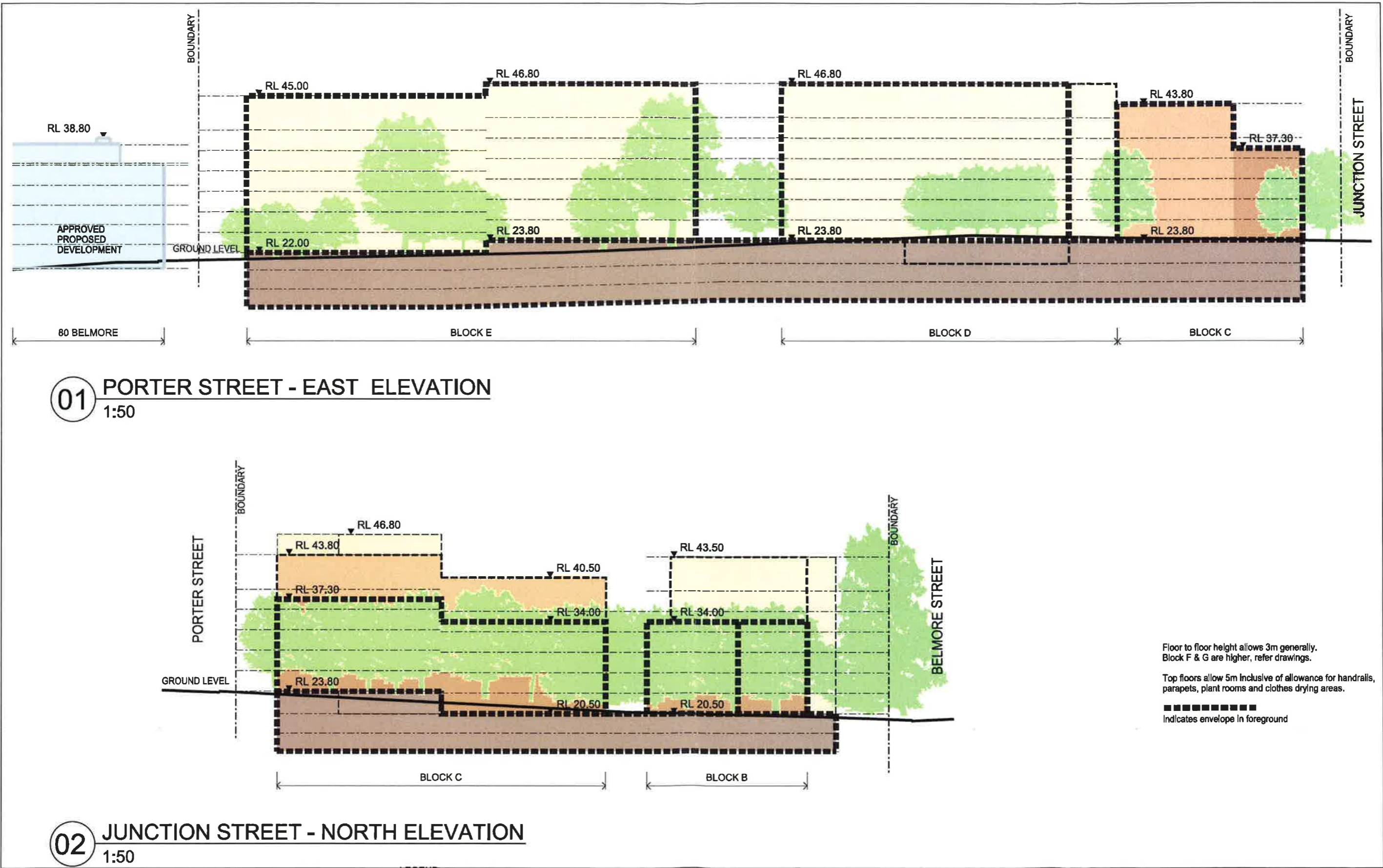


Figure 13: East elevation from Porter Street (top) and North elevation from Junction Street (bottom) of proposed building envelopes (Source: PPR)



Figure 14: West elevation from Belmore Street (top) and South elevation from southern boundary of proposed building envelopes (Source: PPR)

2.3 Project Need and Justification

NSW 2021

NSW 2021 is the NSW Government's strategic business plan for setting priorities for action and guiding resource allocation. NSW 2021 is a ten year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability and strengthen the local environment and communities.

The site's good access to public transport including proximity to a number of local and regional bus routes, ferry and railway services will contribute to the Plan's goal of building liveable centres. Further, the contribution of additional high density residential flat buildings within the locality will increase the supply and variety of housing stock to help provide more affordable housing in the Ryde Local Government area.

Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 is a strategic document that guides the development of the Sydney Metropolitan area towards 2036. The Plan aims to sustainably manage growth, enhance Sydney's position in the global economy, achieve greater housing affordability, enhance liveability and ensure equity for future generations.

The Plan forecasts a population increase for Sydney of 1.7 million people by 2036, taking the total population to 6 million. As a result, Sydney will need 770,000 additional dwellings by 2036, a 46% increase on the current housing stock of 1.68 million dwellings. The Plan further refines Sydney wide targets for the Inner North Subregion for an additional 44,000 new dwellings by 2036. The Plan seeks at least 70% of new dwellings to be located within existing urban areas.

The proposal will assist in the achievement of a number of the Metropolitan Plan targets. Specifically, the proposal will contribute to dwelling targets, providing potentially up to 430 dwellings, provide a broader mix of housing choice including provision of adaptable dwellings to cater for changing household demographics, ageing in place, and achieving urban renewal/consolidation aims.

The proposal will also contribute to the achievement of the Plan's environmental targets by providing housing with good accessibility to public transport and retail facilities and achieving a minimum 4 star green star rating for future buildings.

Draft Inner North Subregional Strategy

The Metropolitan Plan places the site in the Inner North subregion. The Draft Inner North Subregional Strategy identifies Meadowbank as a small "Village" comprising a small strip of shops at the railway station and adjacent high density residential area.

The draft Strategy targets an additional 30,000 new dwellings for the Inner North subregion by 2031. Within this, the Ryde Local Government Area has a target of 12,000 new dwellings. These targets are superseded by the Metropolitan Plan targets of 44,000 new dwellings for the subregion between 2006 and 2036. As discussed previously the proposal will contribute to achieving these dwelling targets.

A key action of the draft Strategy is to provide additional self care housing for seniors or people with a disability. The proposal contributes to this by providing a minimum of 10% of dwellings as adaptable dwellings (potentially up to 43). 15 of these adaptable dwellings are proposed to be used as housing for persons with a disability under the care of the Proponent.

Additional key actions of the draft Strategy include renewing local centres and improving housing affordability. The provision of high density residential development in an area with good accessibility to transport, services and employment will assist in renewing the Meadowbank village centre and improve housing options available, contributing to improving housing affordability.

The proposal is considered to be consistent with the key directions and will assist in meeting the targets within the Draft Inner North Subregional Strategy.

Meadowbank Employment Area

The site falls within the Meadowbank Employment Area (**Figure 1**). A Masterplan for the Meadowbank Employment Area was first completed in 1998 and established the guiding framework and strategic intent for future development in Meadowbank over a twenty-year period.

The Masterplan has since evolved following the changes in strategic direction for the Meadowbank Employment Area and wider Ryde Local Government Area. Council's current adopted framework and strategic intent for the Meadowbank Employment Area is provided in Ryde Development Control Plan 2010 (RDCP 2010). The more recently exhibited draft Ryde Local Environmental Plan 2011 (draft RLEP 2011) and draft Ryde Development Control Plan 2011 (draft RDCP 2011) further refine the framework and strategic intent for the area.

The strategic intent and objectives of developments for the Meadowbank Employment Area seek to increase the viability of the Employment Area by broadening its traditional industrial character to include a vibrant mix of light industry, housing, retail and recreation activities.

The proposal is consistent with the desired strategic development of the Meadowbank Employment Area by revitalising an existing site through provision of high density residential development that is consistent with the desired built form of the area as discussed in **Section 5.2**.

Local Planning Controls

Ryde Local Environmental Plan 2010 (RLEP 2010)

The Ryde Local Environmental Plan 2010 (RLEP 2010) prescribes a maximum height of 9.5 metres for the site but does not prescribe any maximum Floor Space Ratio (FSR).

Draft Ryde Local Environmental Plan 2011 (Draft RLEP 2011)

The draft Ryde Local Environmental Plan 2011 (draft RLEP 2011) is the draft comprehensive LEP for the Ryde Local Government Area and is based on the outcomes of the City of Ryde Local Planning Study 2010. The purpose of the draft RLEP 2011 is to guide development for the next 10 years in the Ryde Local Government Area. The draft RLEP 2011 was exhibited from 30 May 2012 to 13 July 2012 and Council is currently considering public submissions received during public exhibition.

The draft RLEP 2011 proposes changes to the planning controls for the broader Meadowbank Employment Area which includes the subject site. These include a maximum FSR of up to 2.3:1 and increased maximum heights of up to 21.5 metres for the site.

Consideration of Local Planning Controls

In consideration of the planning controls applicable to the site, the Department is of the view that the planning controls proposed in draft RLEP 2011 should be given weight over the RLEP 2010 and controls in consideration of the proposal as the draft RLEP 2011 encourages development that is in keeping with the future desired density and use of the Meadowbank Employment Area in recognition of the wider strategic objectives. Council has also requested that the proposal be considered in accordance with the planning controls proposed under draft RLEP 2011.

The Department considers that the proposal generally complies with the intent of Draft RLEP 2011 by providing a substantial amount of high density residential development within the Meadowbank Employment Area. In addition the proposed building envelopes are generally consistent with the prescribed height and density controls for the site as discussed in **Section 5.2**.

Current Policy for Care and Accommodation for Persons With a Disability

Stronger Together: A new direction for disability services 2006-2016

Stronger Together is the NSW Government and of Department of Aging, Disability and Home Care (ADHC) current policy in providing support and services for people with a disability. The policy seeks to achieve the standards and principles outlined in the *Disability Services Act (DSA) 1993*, *National Disability Strategy*, and the *United Nations Convention on the Rights of Persons with Disabilities* in providing social inclusion and full community participation for persons with a disability.

The Stronger Together policy outlines a person-centred approach in provision of support and services for persons with a disability to enable people with a disability to be the key determiners in how support resources are used. Principles of the approach include:

- people with a disability, their families and carers are the primary determiners;
- people with a disability are supported in their planning and decision-making;
- people with a disability are offered choice, portability and flexibility in funding and supports; and
- the allocation of resources to a person is based on assessed needs.

The proposal demonstrates that the support and services offered by Achieve Australia in the care and accommodation for persons with a disability adopts the person-centred approach, and ADHC has advocated its support for Achieve Australia in this regard, as discussed in **Section 5.1**.

In addition, the policy notes that large residential centres, such as the Crowle Home, are at the end of their economic life and cannot continue to operate. The antiquated hospital style structure does not allow for people with a disability to fulfil their potential as readily as in other settings. The policy seeks to progressively close remaining large residential centres by no later than 30 June 2018 and acknowledges that a centre-by-centre approach is required in the closure of such centres. A highly consultative approach that is carefully managed is to be applied in closure of centres under the guiding principles:

- one size does not fit all – alternative accommodation models will be designed to meet the current needs of residents with a view to also being appropriate within the overall needs of the disability service system;
- economic feasibility – the extent to which any resources freed by the closure are appropriately redeployed to benefit the specialist disability service system; and
- ongoing need – the extent to which the replacement accommodation assets are an appropriate fit within long term plans for the specialist disability service system.

As discussed in **Section 5.1**, the Department considers the proposal is consistent with the Stronger Together policy for devolution of large residential centres and the Department is satisfied that a highly consultative approach has been adopted by Achieve Australia in the process, as advocated by ADHC. The proposal also seeks to redeploy part of the proceeds of the redevelopment of the Crowle Home site to move from mainly accommodating clients in rented group home properties, to using housing owned by Achieve Australia and will provide Achieve Australia and its residents more certainty in regard to long term tenure in keeping with the policy.

The policy also seeks to increase the options available for accommodation and support offered to persons with a disability. This includes varying levels of support provided to people in a range of settings and accommodation models. These programs support people with a disability to live in the community and can range from minimal drop-in support and assistance to intensive support delivering 24 hour care depending on individual care needs.

The proposal is consistent with the policy by providing care for persons with a disability based on individual needs and providing a mix of contemporary accommodation options.

Overall, the Department is satisfied the proposal is consistent with current policy for care and accommodation for persons with a disability.

2.4 Concept Plan

The Proponent has applied for approval of a Concept Plan under Section 75H of the EP&A Act. The Concept Plan application seeks approval for the building envelopes and land uses described in **Section 2.2**. Any future applications under the Concept Plan will be assessed by City of Ryde Council.

3. STATUTORY CONTEXT

3.1 Major Project

The proposal is a major project under Part 3A of the EP&A Act because it is development for the purpose of a residential, commercial or retail project under the former provisions of Clause 13 Schedule 1 of *State Environmental Planning Policy (Major Development) 2005*. The proposal has a capital investment value of more than \$100 million.

Part 3A of the EP&A Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A to the Act, continues to apply to transitional Part 3A projects. Director-General's environmental assessment requirements (DGRs) were issued in respect of this project prior to 8 April 2011, and the project is therefore a transitional Part 3A project.

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

Council has not objected to the development and no political donations have been disclosed in relation to the major project. However as more than 25 public submissions objecting to the proposal have been made, the Planning Assessment Commission may determine the application on the Minister's behalf under delegation.

3.2 Permissibility

The site is zoned B4 Mixed Use under the Ryde Local Environmental Plan 2010 (RLEP 2010). The proposed residential uses are permissible within the zone.

In addition, the Draft RLEP 2011 retains the existing B4 Mixed Use zone.

3.3 Environmental Planning Instruments

The proposal is generally consistent with relevant Environmental Planning Instruments (EPIs). The Department's consideration of relevant SEPPs and EPIs is provided in **Appendix D**.

3.4 Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the EP&A Act, as set out in Section 5. The relevant objects are:

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*

- (v) *the provision and co-ordination of community services and facilities, and*
- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats,*
- (vii) *ecologically sustainable development,*
- (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The proposal is consistent with the objects of the EP&A Act as it will facilitate the orderly and economic development of the site; provide an ecologically sustainable development, and contribute to more affordable housing and promotes the social and economic welfare of the community through the provision of appropriate residential dwellings and residential care housing for persons with a disability.

3.5 Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The Department considers that the proposal represents a sustainable use of the site as it will provide residential dwellings within proximity of a village centre with access to public transport, ensuring that the proposal will benefit future generations.

The proposal commits to ESD principles in its future design and commits to achieving a 4 Star Green Star rating for all future buildings.

Noting the above, the Department considers the proposal is consistent with the key principles of ESD. A further detailed assessment against ESD principles is set out in **Appendix D**.

3.6 Statement of Compliance

In accordance with section 75I of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment Requirements (DGRs) have been complied with. In particular, the Department is satisfied that sufficient information has been submitted in the EA and PPR addressing DGR 17 relating to consultation undertaken by the Proponent, and DGR 18 relating to social impacts, for the Department to undertake a merit assessment of the proposal.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

Under section 75H(3) of the EP&A Act, the Director-General is required to make the Environmental Assessment (EA) of an application publicly available for at least 30 days. In this regard, after accepting the EA, the Department publicly exhibited it from Wednesday 24 August 2011 until Friday 23 September 2011 (31 days) on the Department's website, and at the Department's information centre, City of Ryde Council's customer service centre and West Ryde library. The Department also advertised the public exhibition in the Sydney Morning Herald, the

Daily Telegraph and the Ryde/Gladesville weekly times on 24 August 2011 and notified landholders and relevant State and local government authorities in writing.

The Preferred Project Report (PPR) was made publicly available for comment from 8 June 2012 until 26 June 2012 on the Department's website, and at the Department's information centre, City of Ryde Council's customer service centre and Ryde library. The Department also notified nearby landholders, persons who made a submission in response to the EA and relevant State and local government authorities in writing.

The application, Director-General's Environmental Assessment Requirements, Environmental Assessment, and Response to issues raised in submissions (in Preferred Project Report) were placed on the Department's Website. This satisfies the requirements in Section 75H(3) of the EP&A Act.

The Department received 6 submissions from public authorities including City of Ryde Council. 89 submissions from the general public were received in response to the EA. Of these 82 submissions objected to the development including a petition containing 839 signatures. A further 26 public submissions objecting to the development were received in response to the PPR (being a total of 108 public submissions objecting to the proposal).

4.2. Public Authority Submissions

6 agency submissions were received from public authorities in response to the EA, and a further 4 submissions were received in response to the PPR. The submissions from public authorities are summarised in **Table 2**.

Table 2: Summary of public authority submissions

| City of Ryde Council | |
|-----------------------------|--|
| EA | <p>Council raised several concerns with the proposal with respect to built form and urban design, environmental and residential amenity, transport and accessibility, heritage and stormwater management. More specifically:</p> <ul style="list-style-type: none"> the proposed building envelopes should comply with the prescribed height and floor space ratio controls in Draft RLEP 2011 and the RFDC requirements; the assessment should consider the cumulative traffic impacts as a result of the proposal and the proposed Part 3A Shepherd's Bay Concept Plan; parking provision should comply with relevant Council controls and demonstrate how use of sustainable forms of transport will be encouraged for future residents; the proposed 12 metre driveway widths are excessive; further consideration of social impacts, in particular those raised in the Friends of Crowle submission; a pedestrian/bicyclist through site link shall be provided between Belmore Street and Porter Street; dedication of a publically accessible pathway along portions of the Porter Street frontage; the proposed heritage curtilage should be extended at Belmore Street, and the corridors between Block D and E and Block C and B should be increased; a Conservation Management Plan (CMP) and archival recording of the heritage item shall be prepared; service vehicles should not park within the circular driveway; a future assessment requirement should be imposed requiring achievement of a 4 Star Green Star rating for future buildings; payment of Section 94 contributions will be required for all future applications; Onsite Stormwater Detention (OSD) is not supported and future applications shall comply with Council's stormwater and drainage requirements; an integrated water cycle plan shall be prepared for the development; and consideration of waste collection management, particularly along Porter Street. |

| | |
|------------|--|
| PPR | <p>Council made a further submission to the PPR. Council commented that the issues raised in Council's EA submission have generally been addressed in the PPR and Council do not oppose the Concept Plan. Notwithstanding Council requested consideration of the following:</p> <ul style="list-style-type: none"> proposed building envelopes should demonstrate compliance with Draft RLEP 2011 height and FSR controls; the proposed building envelopes should comply with the Residential Flat Design Code, particularly building width; service vehicles should not park within the circular driveway; payment of Section 94 contributions in accordance with Council's plan be required for all future applications; a Conservation Management Plan (CMP) and archival recording of the Tellaraga Cottage and other significant site features shall be prepared in accordance with NSW Heritage Office guidelines; an archaeological assessment for future applications; provide a full view of the heritage item from Belmore Street; the 3 metre wide through site link at the southern edge of the site should be provided irrespective of the provision of a through site link at 2-4 Porter Street; traffic upgrades shall be provided in accordance with the PPR recommendations and at no cost to Council or the RMS; and consideration of social impacts in particular, the relocation of residents and consultation undertaken. |
|------------|--|

Department of Ageing, Disability & Home Care (ADHC)

| | |
|-----------|--|
| EA | <p>ADHC commented that the proposed redevelopment will have a positive social impact on current residents as a result of their relocation. ADHC consider that the current Crowle Home residential care facility is incapable of complying with the relevant standards under the NSW Disability Services Act. The Proponent has demonstrated to ADHC that it is currently adopting best practice guidelines for individualised support services for persons with a disability. In addition, ADHC is working closely with the Proponent in the implementation of relocation strategies for all stakeholders.</p> |
|-----------|--|

Roads and Maritime Services (formerly Roads and Traffic Authority)

| | |
|------------|---|
| EA | <p>The RMS raised the following concerns:</p> <ul style="list-style-type: none"> the trip rates, of 0.3 trips per dwelling, used in calculation of traffic generation is not supported. The RMS traffic generation rate of 0.4 trips per dwelling should be applied in the modelling of traffic generation for the development; consideration of improvements to the intersection of Victoria Road/Bowden Street should be considered to ameliorate proposed intersection delays; and consideration of improvements to the intersection of Constitution Road/Belmore Street should be considered to ameliorate proposed intersection delays. |
| PPR | <p>RMS raised no objection with the proposal and recommended a number of standard conditions relating to traffic noise, pedestrian/bicycle pathway design, potential developer contributions to road upgrades, future traffic assessment requirements and principal approval for proposed road upgrades subject to detail design.</p> |

Transport for NSW

| | |
|------------|---|
| EA | <p>Transport for NSW support measures proposed as part of the Concept Plan including:</p> <ul style="list-style-type: none"> bicycle parking for residents and visitors within the basement car park at grade; provision of a bicycle/pedestrian link between Belmore Street and Porter Street; and preparation of travel plans for residents to encourage public and active transport use. <p>These measures were requested to be imposed as conditions of consent.</p> |
| PPR | <p>Transport for NSW is satisfied with the proposal.</p> |

Heritage NSW

| | |
|-----------|---|
| EA | <p>Heritage NSW raised the following concerns:</p> <ul style="list-style-type: none"> the Tellaraga House curtilage should be extended to provide full view of the item from Belmore Street and a transition area for reduced building heights of two storeys around the heritage item curtilage; and a conservation management plan and baseline archaeological assessment should be prepared. |
|-----------|---|

| | |
|---------------------|--|
| PPR | Heritage NSW raised no further concern and acknowledge Council has the required expertise to provide comments on the heritage assessment of the development. |
| Sydney Water | |
| EA | Sydney Water advised that the existing water and wastewater system will need to be upgraded to service the development. Details of required upgrades have been provided. |

4.3. Public Submissions

89 submissions were received from the public in response to the EA. Of the 89 public submissions, 7 submissions supported the proposal and 82 submissions objected to the proposal including a petition containing 839 signatures. A further 26 public submissions objecting to the development were received in response to the PPR.

The key issues raised in all public submissions are listed in **Table 3**.

Table 3: Summary of issues raised in public submissions

| Issue | Proportion of submissions in total (%) (excludes supporting submissions) |
|--|--|
| Social impacts as a result of decommissioning the residential care facility / relocation of residents to other forms of care | 76% |
| Proposal is an overdevelopment | 42% |
| Traffic and car parking impacts | 37% |
| Proposal will wipe away the history and legacy of the site as a place of good will and institution for persons with a disability | 28% |
| Impact on bed bonds for existing residents | 27% |
| Staffing issues relating to care for residents on site | 24% |
| Need for greater provision of housing for persons with a disability on site | 23% |
| Proponent has not undertaken appropriate levels of consultation (to residents of Crowle Home and their families) | 21% |
| Lack of facilities for persons with a disability | 12% |
| Poor accessibility to public transport | 7% |
| Ecologically sustainable development | 3% |
| Heritage impacts | 2% |
| Future amenity impacts | 1% |
| Impact on property values | 1% |

The Department has considered the issues raised in submissions in its assessment of the proposal as detailed in **Section 5**.

4.4. Proponent's Response to Submissions

The Proponent provided a response to the issues raised in submissions in the form of a PPR (**Appendix C**). The Department considers that the PPR adequately addresses concerns raised in submissions as discussed in **Section 5** of this report.

5. ASSESSMENT

The Department considers the key environmental issues for the proposal to be:

- social impact;
- built form;
- residential amenity;
- traffic and car parking; and
- heritage.

5.1. Social Impact

The subject site (known as Crowle Home) has been used as a residential care facility for persons with a disability including housing accommodation and care, and day program facilities and services, since the 1950s to present. The Crowle Home is currently operated by Achieve Australia (Proponent), a non government operated disability accommodation and service provider. The Proponent currently operates the residential care facility of Crowle Home in various buildings on site as highlighted in **Section 1.2**.

The residential care facility is currently in the process of being decommissioned with residents on site being relocated to other forms of accommodation as part of this process. At the time of submission of the EA (August 2011), 31 residents resided on the site. This has declined to 22 residents at the time of the submission of the PPR (May 2012). In addition, it is noted that in January 2012, the day program facility and services previously operated at Crowle Home were relocated to a purpose fitted facility being a refurbished heritage item known as "Araluen" in Epping.

The proposal itself will not result in the closure of the existing residential care facility as it is already being gradually relocated. However the Department considers that as the Concept Plan does not seek to retain the existing facility, the relocation of existing residents to other forms of accommodation and care offsite, and the resultant social impact is a matter of the public interest and a key consideration in the assessment of the Concept Plan. In particular, the Department initially had concerns due to a lack of detail in the EA surrounding the relocation of existing residents, forms of care and accommodation being offered to relocated residents, and current best practice guidelines in providing care and accommodation for persons with a disability.

The Concept Plan commits to providing a total of 10% adaptable dwellings and retaining 15 of the adaptable apartments within the development. PPR documents indicate that the 15 adaptable apartments will be made available to house people living with a disability under the care of Achieve Australia and notes that these apartments have the potential to accommodate 25-30 people with a disability

Public Submissions

A significant proportion of public submissions raised concern about potential adverse social impact, particularly in regards to the relocation of existing residents off site and relocation of day care programs and facilities. A number of these submissions stress that Crowle Home has been a home for many residents for the most part of their lives and their relocation will cause adverse social impacts due to unnecessary stress and uncertainty regarding their on going care needs being met. Submissions also raised concern at the potential dislocation of residents from their families if residents were to be relocated significant distances from their families.

Broadly, the majority of submissions raising this concern requested that the site be redeveloped to provide a mix of private housing, and redevelopment of a similar facility/housing accommodation to the Crowle Home to allow existing residents to remain on the site.

In addition, a detailed submission from the Friends of Crowle, a group associated with family and carers of residents of the Crowle Home, and participants of day programs included a detailed social impact review of the proposal, prepared by Judith Stubbs and associates, which makes the following key points:

- the EA fails to demonstrate that an appropriate and justified level of consultation has been undertaken by the Proponent in accordance with the DGRs;
- the devolution of existing large residential centres (similar to Crowle Home) and relocation of residents to other forms of accommodation is current best practice, however the proposal provides no evidence of a detailed relocation strategy for residents including individual transition plans for residents to mitigate adverse social impacts as required under best practice guidelines;
- the current best practice guidelines for disability care is for a person-centred approach for people with a disability, their families and carers where they are the primary determiners and decision makers in the services, care and support offered to them. The proposal fails to address how this is achieved in the relocation of residents;
- the proposal fails to consider whether existing services, social infrastructure, employment opportunities and open space are sufficient to meet the needs of disadvantaged residents. The proposal should identify a range of new services required to meet the needs of these residents as part of the development;
- the proposal needs to provide greater consideration for provision of affordable housing as part of the development; and
- the proposal should provide the option for residents to be accommodated on site as part of the redevelopment through appropriate accommodation and support arrangements in accordance with best practice guidelines to mitigate potential distress to existing residents and their family.

Proponent's justification

In response to issues raised the Proponent submitted a Social Impact Review (SIR) prepared by Elton Consulting. The SIR notes that the closing of the day program facilities and services on site, and relocation of residents to different forms of accommodation are not a direct result of the proposed development but is part of an ongoing process initiated by the NSW Government in reforming the disability services sector. In this regard, the SIR notes that the relocation of residents into other forms of community living has occurred since 1992 (**Figure 15**). The SIR considers that the strategic relocation of residents being undertaken by the Proponent is largely a continuation of previous policies implemented by the Crowle Home. The recent increase in relocation of residents is in keeping with the Department of Aging, Disability and Home Care (ADHC) efforts to close large residential centres including the Crowle Home.

| Period | Controlling organisation | Residents at period start | Moved to community Living Options | Moved to a nursing home | Moved to live with their family | Bereavements | Residents at period end |
|--------------|--------------------------|---------------------------|-----------------------------------|-------------------------|---------------------------------|--------------|-------------------------|
| 1992-2008 | Crowle Foundation | 98 | -31 | -1 | -1 | -16 | 49 |
| 2009-2012 | Achieve Australia | 49 | -18 | -3 | -3 | -3 | 22 |
| Total | | | -49 | -4 | -4 | -19 | |

Figure 15: Changes in Crowle Home resident numbers 1992-2012 (Source: PPR)

The SIR notes the current best practice in care and housing for disabled persons supports the closure/deinstitutionalisation of large residential centres similar to the Crowle Home and dispersal of residents into other forms of accommodation that provide greater opportunity for community integration and living.

The SIR finds that the desire in public submissions to provide a mix of private housing and redevelop a new facility/housing accommodation on site, similar to the Crowle Home to allow existing residents to remain on the site, is not in keeping with the current disability care best practice model for greater community living accommodation.

The SIR considered the social impacts as a result of relocating residents and notes that the Proponent has put in place key measures to manage and mitigate the social impacts including:

- undertaking detailed consultation with affected stakeholders including existing residents, families, carers, staff and volunteers, to understand individual needs during the relocation of residents and closure of Crowle Home;
- development of individual transition plans for Crowle Home residents where families have agreed to a move. The individual transition plans comprise of two phases as follows:
 - phase 1 - detailed consultation with all affected stakeholders to set out expectations, aims and objectives, examine accommodation options etc.; and
 - phase 2 - managing the transition in the relocation process to ensure that appropriate care is provided for relocated residents.
- the SIR notes that 21 of 22 existing residents on site have undertaken phase 1 of their respective individual transition plans;
- the primary form of accommodation offered by the Proponent is group homes comprising 3-5 residents occupying their own bedroom, with shared common areas and support facilities which facilitate greater social integration into the community. A variety of group home accommodation options are available to cater to the individual needs of residents with regards to location and building type including houses, apartments, villas and town houses. This also includes varying levels of support based on individual resident needs ranging from drop in support to 24 hour full staff support. The general location of different types of group homes accommodation and drop in support accommodation are identified in **Figures 16 and 17**, respectively;
- the transition of day program participants to a dedicated facility in Epping (known as Araluen) was completed in January 2012 and has been successfully implemented in accordance with the change management policies for staff and individual transition plans negotiated for each day program participant in consultation with their families and carers; and
- the SIR contends that despite a reduction in staffing numbers since Achieve Australia's tenure as operators of the site, the average hours of care and ratio of employees to residents is higher than before.

The SIR also notes that the Proponent intends to use part of the proceeds of the redevelopment of the Crowle Home site to move from mainly accommodating clients in rented group home properties, to using housing owned by Achieve Australia. New properties will also be acquired for residents being relocated from Crowle Home. These changes are planned to occur over a number of years with completion scheduled by 2015-16 and will provide Achieve Australia and its residents more certainty in regard to long term tenure.

In addition, the Proponent has committed to retaining a minimum of 15 adaptable apartments in the development and notes that these apartments have the potential to accommodate up to 25-30 people with a disability. This will potentially provide the opportunity for existing residents to return to the site as the different stages of the development are completed, should they wish to do so.

Overall the SIR considers that the measures, plans and strategies implemented by the Proponent are adequate in mitigating the potential adverse social impacts as a result of relocating residents from the Crowle Home and relocating the day program facility and service off site.

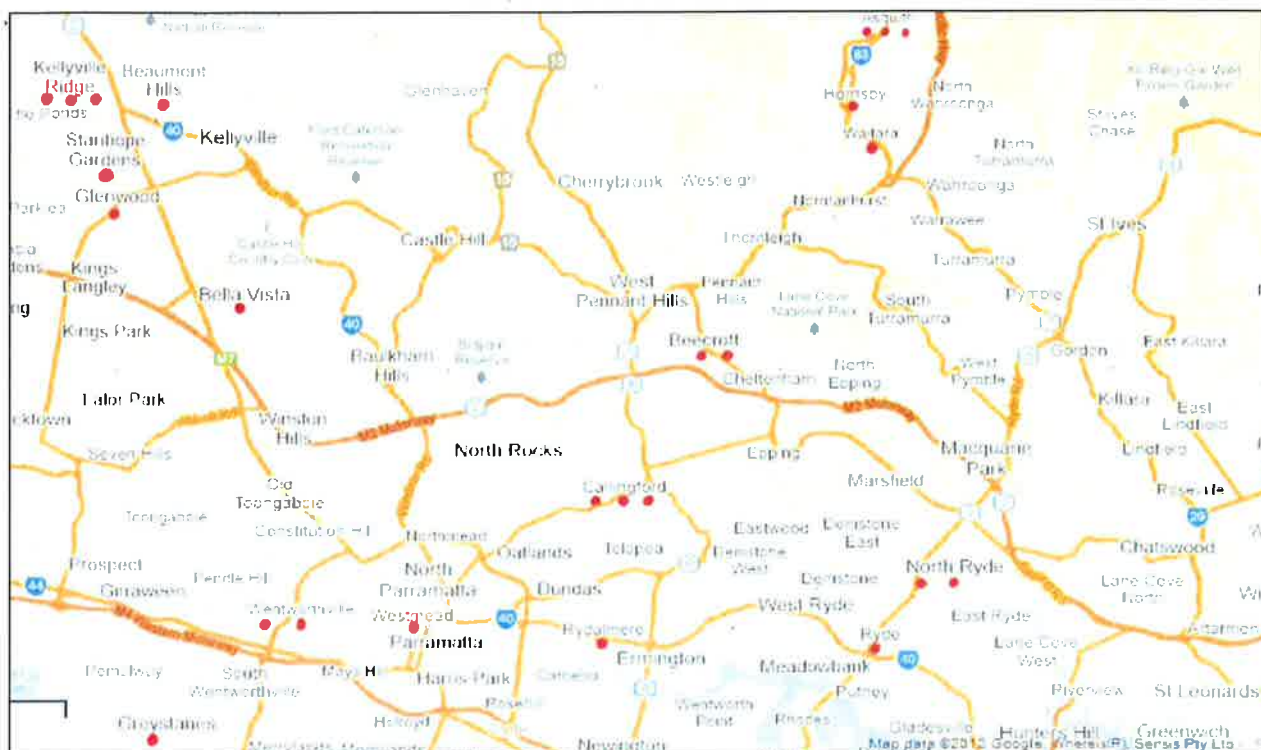


Figure 16: General location of Achieve Australia group homes accommodation for persons with a disability highlight in red (Source: PPR)

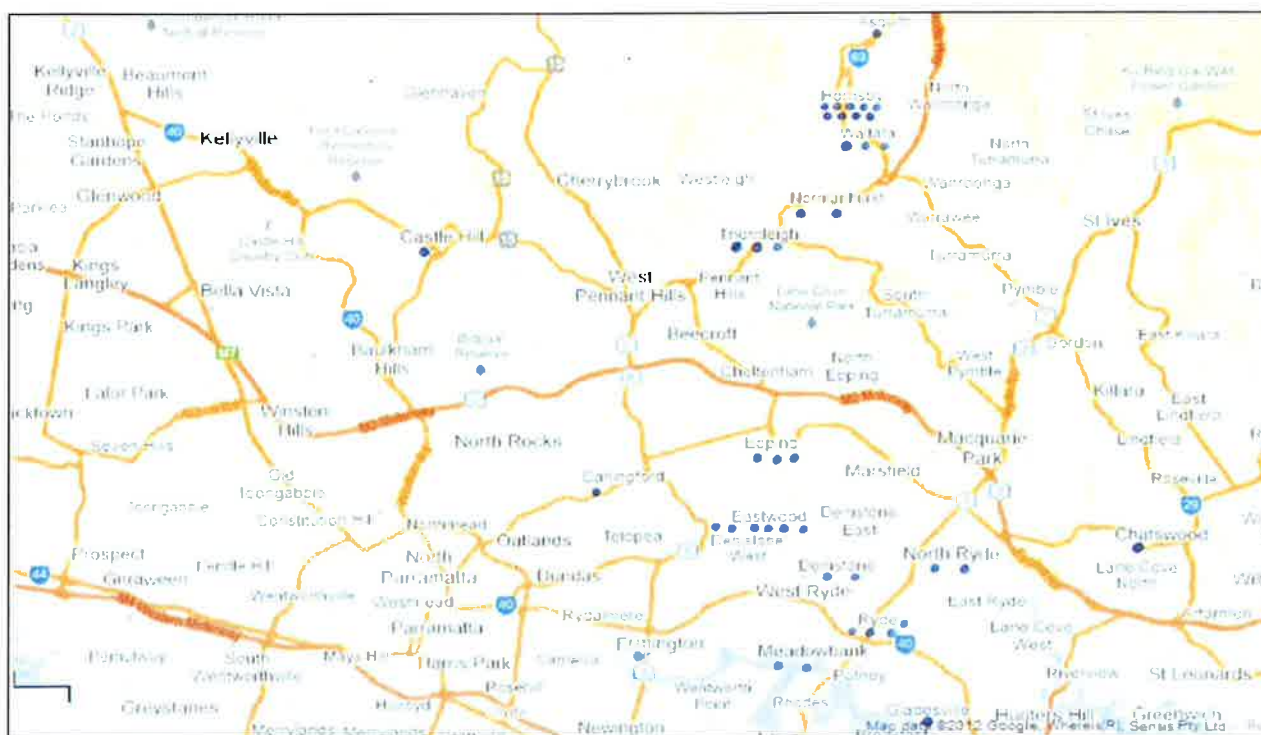


Figure 17: General location of Achieve Australia drop in support accommodation for persons with a disability highlighted in blue (Source: PPR)

Department of Ageing Disability and Home Care (ADHC) comments

ADHC supports the proposed development and considers that the proposal will result in positive social outcome for 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.

ADHC also advised that the current form of housing provided by Crowle Home fails to comply with the NSW Disability Services Act 1993 with key principles in regard to disability accommodation as it does not enable people with a disability to experience:

- norms and patterns of every day life that are as similar as possible to the rest of the community;
- maximum physical and social integration in the life of their local community;
- opportunities and lifestyles which are valued by the community generally and that are appropriate to their age; and
- services provided in a way that results in the least restriction of their rights and opportunities.

The proposed accommodation to be offered in relocation of existing residents will be required to comply with ADHC Design Standards for disability accommodation.

ADHC also notes that they have worked intensively with the Proponent in preparing its change management and stakeholder management plans. The change management and stakeholder management plans contain specific strategies for the relocation of residents and identify the challenges and approaches to overcome them, clear objectives with key performance indicators to measure the success, stakeholder engagement principles, specific approaches for engagement of each stakeholder category, a delivery plan and realistic budget.

Department's assessment

The Department has carefully considered the public, agency and Proponent's comments and has thoroughly considered the social impacts as a result of decommissioning the residential care facility on site. As part of its assessment, the Department consulted with the Proponent, Department of Aging Disability and Home Care, and Friends of Crowle, and undertook site inspections of the existing facility, new day program facility, and care accommodation offered by the Proponent.

The Department notes that buildings currently used for the residential care facility and previous day program facility are significantly outdated and in very poor condition. The buildings are at the end of their economic lives and are no longer fit for their intended purpose as they do not comply with current building code or industry standards for persons with a disability.

In this regard, the Department notes the day program facility has been relocated offsite to a new facility known as Araluen, Epping. The Araluen day program facility has been appropriately refurbished and fitted to comply with relevant accessibility requirements and is a significant improvement compared to the previous day program facility operating at Crowle Homes.

Similarly the Department notes that the off site residential accommodation currently provided by the Proponent is a significant improvement in comparison to Crowle Home with regards to amenity and general compliance with ADHC Design Standards for disability accommodation.

In consideration of the social impacts as a result of relocating the day program facilities and services, and relocating residents off site to other forms of accommodation, the Department notes that these changes are in keeping with the current best practice model for disability care and accommodation in the devolution of large residential centres such as the Crowle Home. This is advocated by ADHC which advises that all large residential centres are no longer appropriate forms of accommodation as they do not conform to the NSW Disability Services Act 1993 key principles with regard to disability accommodation.

The Department notes that the Proponent has provided a number of examples of closure of similar large residential centres and relocation of residents into a more decentralised care model of accommodation that have successfully occurred in the past. In particular, the Department notes the successful closure of the Greystanes Children's Home in Leura into a decentralised care model, similar to that currently being experienced by residents of Crowle Home. The Greystane's Children's Home provided accommodation and care for up to 40 intellectually

disabled children, and was successfully closed/decommissioned in 2005 with existing residents relocated to other forms of group home accommodation as a result.

The Social Impact Report prepared by Judith Stubbs and Associates notes that the mitigation of social impacts from closure of large residential centres such as the Greystane's Children's Home and relocation of residents relies significantly on appropriate consultation between affected stakeholders during the closure and relocation process and beyond.

The Department notes the Proponent has established detailed transition plans for relocation of residents which provide significant emphasis on appropriate consultation and the current best practice person-centred approach in consideration of care and accommodation options. These have been developed in close consultation with ADHC. Further, a commitment has been provided which commits the Proponent to working with the existing Crowle Home residents and their families to ensure that their individual needs and preferences are respected when considering the relocation of existing residents. This may include some residents returning to the live in the apartments on the site as stages of the development are completed.

Notwithstanding, the Department shares the concerns of some resident's families regarding the potential dislocation that may occur if residents are relocated significant distances from their families. In this regard, the Department recommends a future assessment requirement be imposed to ensure this does not occur.

The Department acknowledges the strong attachment of many existing residents, family members and staff to Crowle Home given the longstanding history of the facility. However the redevelopment of the site for the purpose of providing a similar type of care facility that currently exists (as sought in public submissions) is not in keeping with current disability care policy and best practice.

The Department considers the proposed closure of Crowle Home and relocation of residents to other forms of contemporary accommodation is in keeping with the current best practice for accommodation and care of persons with a disability. In addition, the Department notes that the Proponent has committed to retaining a minimum of 15 adaptable apartments in the proposed development with the potential to accommodate up to 25-30 people with a disability. The Department notes that the Proponent has indicated opportunities will be made available for residents under the care of Achieve Australia to reside on the site, once the development is complete.

The Department recommends that a future assessment requirement be imposed to ensure that appropriate numbers of adaptable apartments are developed through each stage of the development to ensure ongoing opportunities for persons with a disability to reside on the site as the development of the site progresses.

In addition, as discussed in **Section 5.6.2**, the Department is satisfied that the Proponent has undertaken appropriate community consultation in accordance with DGRs.

Overall, the Department supports the proposed relocation of residents noting that this is an ongoing process in line with reforms in the disability services sector and the current substandard conditions of current accommodation. Further, detail and commitment has been provided to the Department to ensure that residents will be appropriately relocated and cared for, and also have the opportunity for rehousing in the future development. In considering this issue, the Department notes the specific advice provided by ADHC in support of this application and advises that the proposal will have a positive social impact on current residents as a result of their relocation.

The Department is satisfied that appropriate measures are in place to ensure any adverse social impacts as a result of relocating residents can be appropriately mitigated. Rather than having a negative social impact as a result of relocating residents, the Department considers the proposal will achieve the goal of delivering improved care for residents of Crowle Home and is therefore considered to be in the public interest.

5.2. Built Form

The proposed built form is a key issue in consideration of the proposal. The Department considers that the built form is most appropriately tested through an assessment of:

- density; and
- height and bulk of built form and compatibility with the surrounding streetscape.

As part of the assessment of these issues, the Department considers it appropriate to consider the relevant planning controls for the site as provided by draft RLEP 2011 rather than the RLEP 2010 planning controls for the following reasons:

- the Meadowbank Employment Area is currently in a state of transition from a predominantly light industrial business park to a mixed use high density area and draft RLEP 2011 seeks to realise this transition by providing an uplift in height and floor area;
- draft RLEP 2011 allows for development that is in keeping with the desired urban form and future role of the former Meadowbank Employment Area as identified in the Draft Inner North Subregional Strategy; and
- Council has also requested that weight be given to draft RLEP 2011 controls in consideration of the proposal as the controls reflect the future direction of the site and greater Meadowbank Employment Area.

5.2.1 Density

The Concept Plan proposes a maximum Gross Floor Area (GFA) of 35,000m² across 5 building envelopes (refer to **Figure 12, 13 and 14**). The site has an area of 16,143m². The proposal achieves a Floor Space Ratio (FSR) of 2.17:1 across the site.

Draft RLEP 2011 prescribes a maximum FSR of 2.0:1 for the northern portion of the site facilitating a maximum GFA of 14,746m², and FSR of 2.3:1 for the remaining southern portion of the site facilitating a maximum GFA of 20,171m² (**Figure 18**). This provides a maximum achievable GFA of 34,917m².

The proposal exceeds the overall allowable FSR and GFA allowable for the site by 0.01 (83m²).

Council has raised concern that the overall FSR for the Concept Plan has been averaged across the site. Specifically, Council comment that as no detailed building plans are proposed at this time and the high level nature of the Concept Plan, Council request that any approval be required to comply with the draft RLEP 2011 FSR controls for the relevant part of the site.

The Proponent contends that, given the large size of the site, the applicable FSR controls under draft RLEP 2011 should be averaged across the site as it allows the proposed bulk and mass of the Concept Plan to be best distributed according to the context and potential impacts. Specifically, the Proponent notes that the lower FSR of 2.0:1 at the northern portion of the site is assumed to reflect the lower height control of 4 storeys (15.5 metres) in response to the lower scale of 1 to 2 storey housing at the northern side of Junction Street. The Proponent contends that height is more relevant than FSR when considering the lower scale residential interface and complying with the FSR controls at the northern end of the site will not necessarily change the built form outcomes.

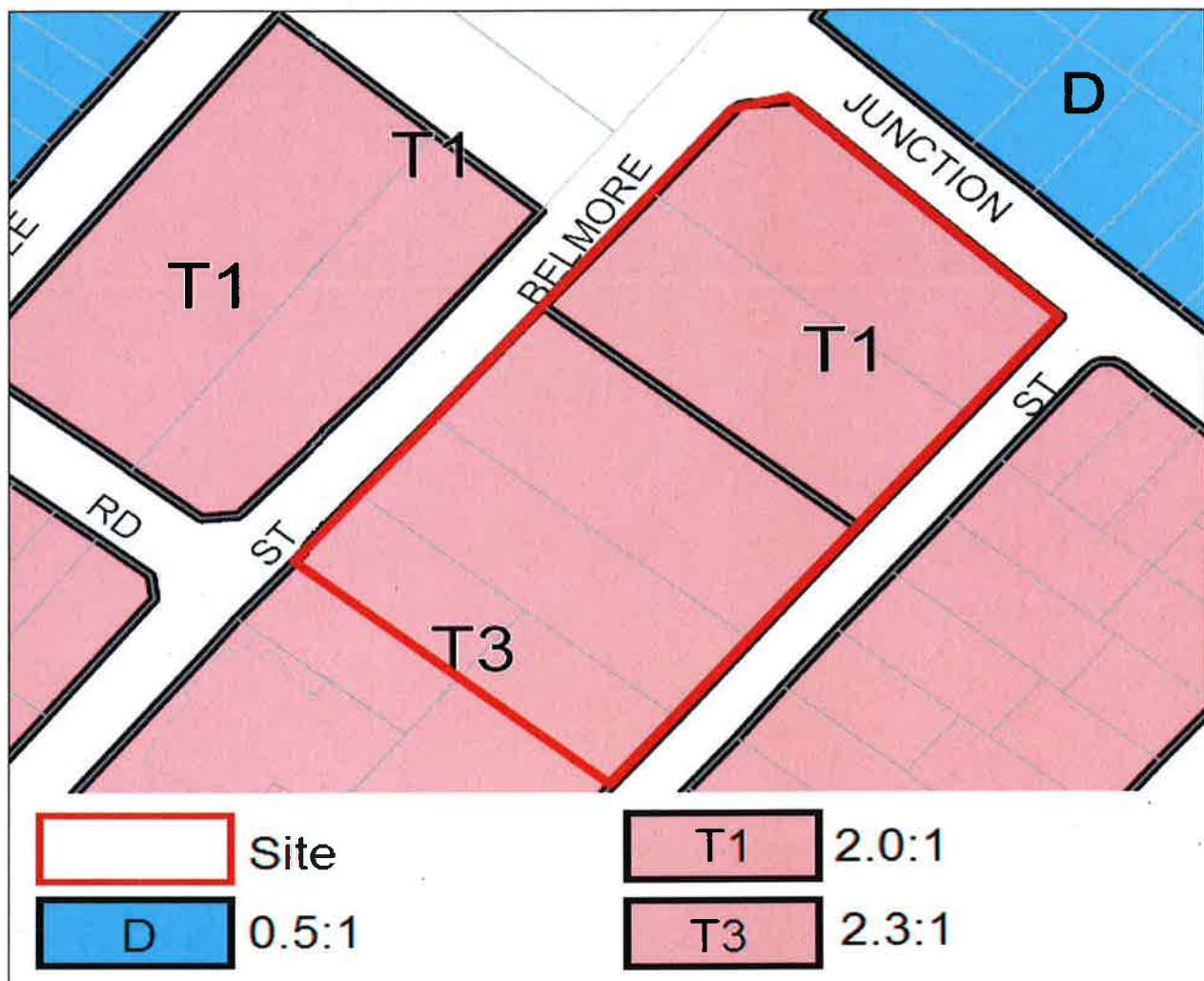


Figure 18: FSR Controls under draft RLEP 2011 (Base Source: Draft RLEP 2011 FSR Maps)

The Department has considered both the Proponent and Council's comments. The Department considers that despite the non compliance with FSR controls and the proposed development not achieving an exact fit with the relevant densities at relevant parts of the site as identified in the draft RLEP 2011, the proposed FSR is acceptable given that:

- the proposal marginally exceeds the density and resultant allowable GFA for the site by 0.01 (83m²) and is a particularly minor non compliance;
- the height, bulk and scale of proposed building envelopes is compatible with the envisaged context of the locality, subject to modifications and future assessment requirements as discussed in **Section 5.2.2**;
- the density of the proposal will not result in any significant impacts on the amenity of adjoining buildings as discussed later in **Section 5.6.3**;
- the proposal contributes to a number of the wider State strategic planning objectives by potentially providing approximately 430 additional dwellings with good access to public transport and existing centres; and
- the buildable area at the southern portion of the site is constrained by the existing heritage item (Tellaraga Cottage) and proposed to be retained heritage curtilage.

Overall, the proposed quantum of floor space is supported as it is generally in keeping with the density envisaged for the site and greater Meadowbank Employment Area.

5.2.2 Height and bulk of built form and compatibility with the surrounding locality

The Concept Plan proposes 5 building envelopes across the site ranging from 1-8 storeys (4.9 metres-24.8 metres) in height (refer to **Figures 12, 13 and 14**).

The draft RLEP 2011 prescribes two maximum height controls across the site being 15.5 metres on the northern section of the site and 21.5 metres for the remaining southern section of the site (**Figure 19**).

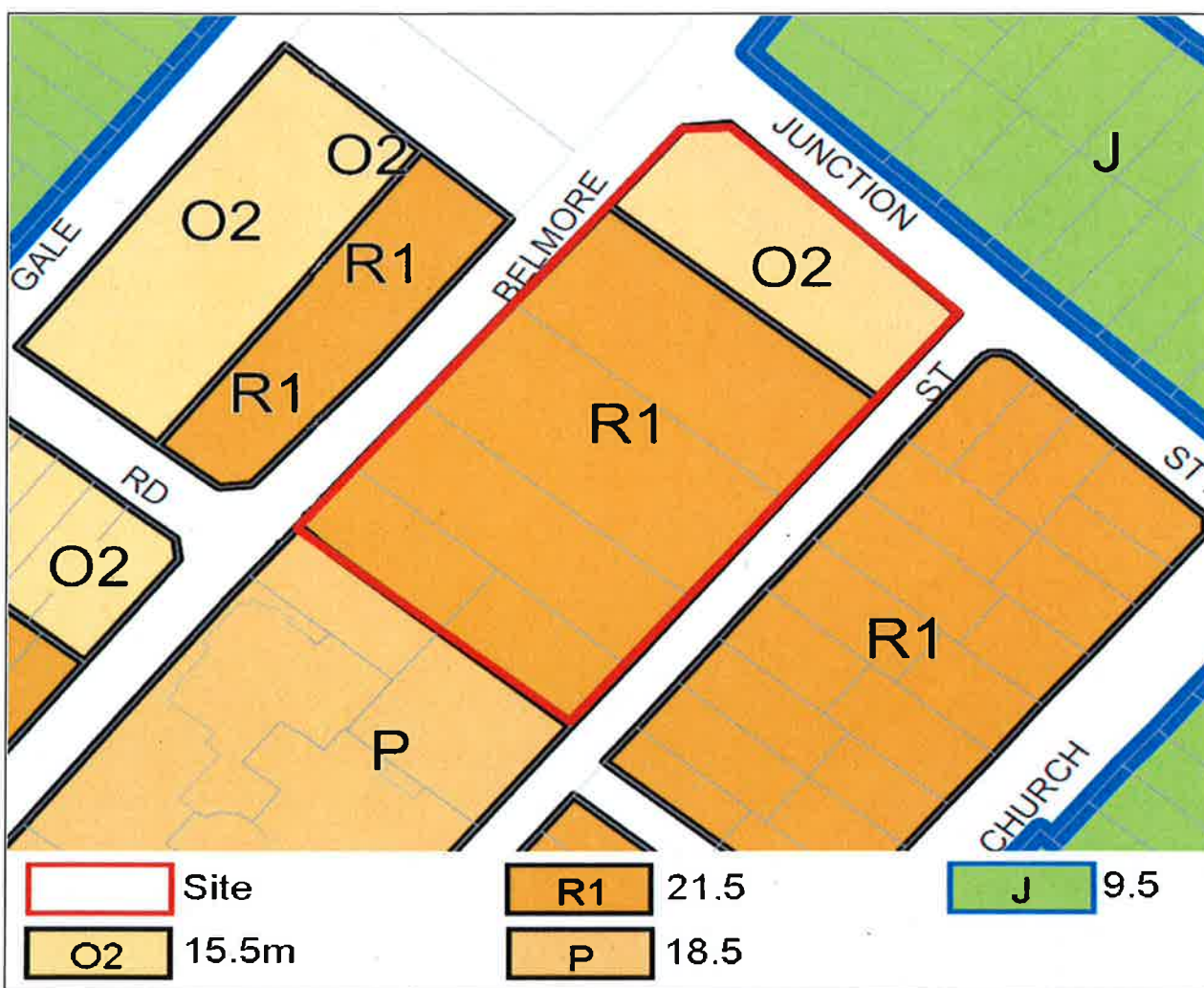


Figure 19: Height Controls under draft RLEP 2011 (Base Source: Draft RLEP 2011 Height Maps)

A summary of the proposed building heights against the relevant height controls is provided in **Table 5**. The height of proposed building envelopes exceed the maximum building heights prescribed under the Draft RLEP 2011.

Table 5: Summary of proposal against draft RLEP 2011 height controls

| Building | Draft RLEP 2011 | Proposal (Maximum Height) |
|-----------------------------------|---------------------------------------|--|
| Building A | 21.5 metres | Approximately 24 metres (4-7 storeys+plant) |
| Building B | Part 15.5 metres/ Part 21.5 metres | Approximately 23.5 metres (2-7 storeys+plant) |
| Building C | 15.5 metres | Approximately 20 metres (4-6 storeys+plant) |
| Building D | Part 15.5 metres/ Part 21.5 metres | Approximately 23.5 metres (Part 7/8 storeys+plant) |
| Building E | 21.5 metres | Approximately 24.8 metres (7 storeys+plant) |
| Building F (Communal Facility) | 21.5 metres | Approximately 4.9 metres (1 storey+plant) |

Council comment that whilst building heights should be considered on their merits for individual buildings at the time of development approval, Council requests that the proposed building envelopes be consistent with the building heights prescribed in draft RLEP 2011 from the respective existing ground levels.

The Department considers that despite the non compliance, a more appropriate means to assess the suitability of the proposed height and bulk of building envelopes is through a merit based assessment of the proposed building envelopes against the existing and proposed future character of the surrounding locality, and the impacts on the amenity of surrounding properties.

In this regard, the Department notes that the site is situated at the north western corner of the broader Meadowbank Employment Area. The site provides a transition between recently constructed high density residential developments located to the south east, and west, and the more traditional low density residential areas located to the north occupying the upper slope leading back up to the ridge at Victoria Road.

The Department considers that the general height of proposed building envelopes is consistent with the intended principle of a transitional building height character for the site by providing 4 storey building envelopes at the northern part of the site which transition to higher building envelopes of 7 storeys for the remaining southern portion of the site. The Department notes that Building D has a proposed height of 8 storeys for part of the building facing the internal courtyard but provides the same maximum RL height as the 7 storey element.

Overall, the Department considers the proposed building heights to be an appropriate fit within the existing and future context of the locality.

Notwithstanding, the Department considers it appropriate to further assess the form of individual building envelopes to more closely analyse their relationship to the surrounding streetscape, adjoining properties and internal courtyard.

Building B and C at Junction Street (northern site frontage)

The northern side of Junction Street opposite the site is generally characterised by low density detached one and two storey dwelling houses with setbacks of approximately 7 to 9 metres.

Whilst Buildings B and C are proposed at a height of 6 and 7 storeys respectively, these buildings present a 4 storey facade to Junction Street as the upper 2-3 storeys are setback by 10 metres from the northern alignment of the lower floors (**Figure 20**).

The Department notes that portions of Buildings C and B do not comply with the maximum height control of 15.5 metres. The Department notes that the building height prescribed relates to the entire northern lot and the intent is to provide a transition in building heights from the lower scale residential developments to the north. The Department considers that the control does not make allowance for single development of this larger site where an appropriate transition in building heights can still be achieved without utilising the entire lot width.

In this regard, the Department considers that the proposed form of Buildings B and C is an appropriate contextual fit into the visual character of Junction Street for the following reasons:

- the proposed building envelopes are setback 6 metres from the street allowing the existing trees along the frontage to substantially screen and soften the height and bulk of the buildings;
- the upper levels are setback a further 10 metres from the building line so that it will not be readily visible at the street level;
- the building envelopes step down with the natural fall of the street level to reduce the visual bulk, particularly for Building C;
- the proposed building envelopes both achieve a similar maximum RL building height despite the difference in storeys; and

- as discussed in **Section 5.3**, the building separation between Buildings B and C is recommended to be increased to 9 metres to provide an appropriate break between the buildings, further reducing the visual bulk of the buildings at Junction Street.

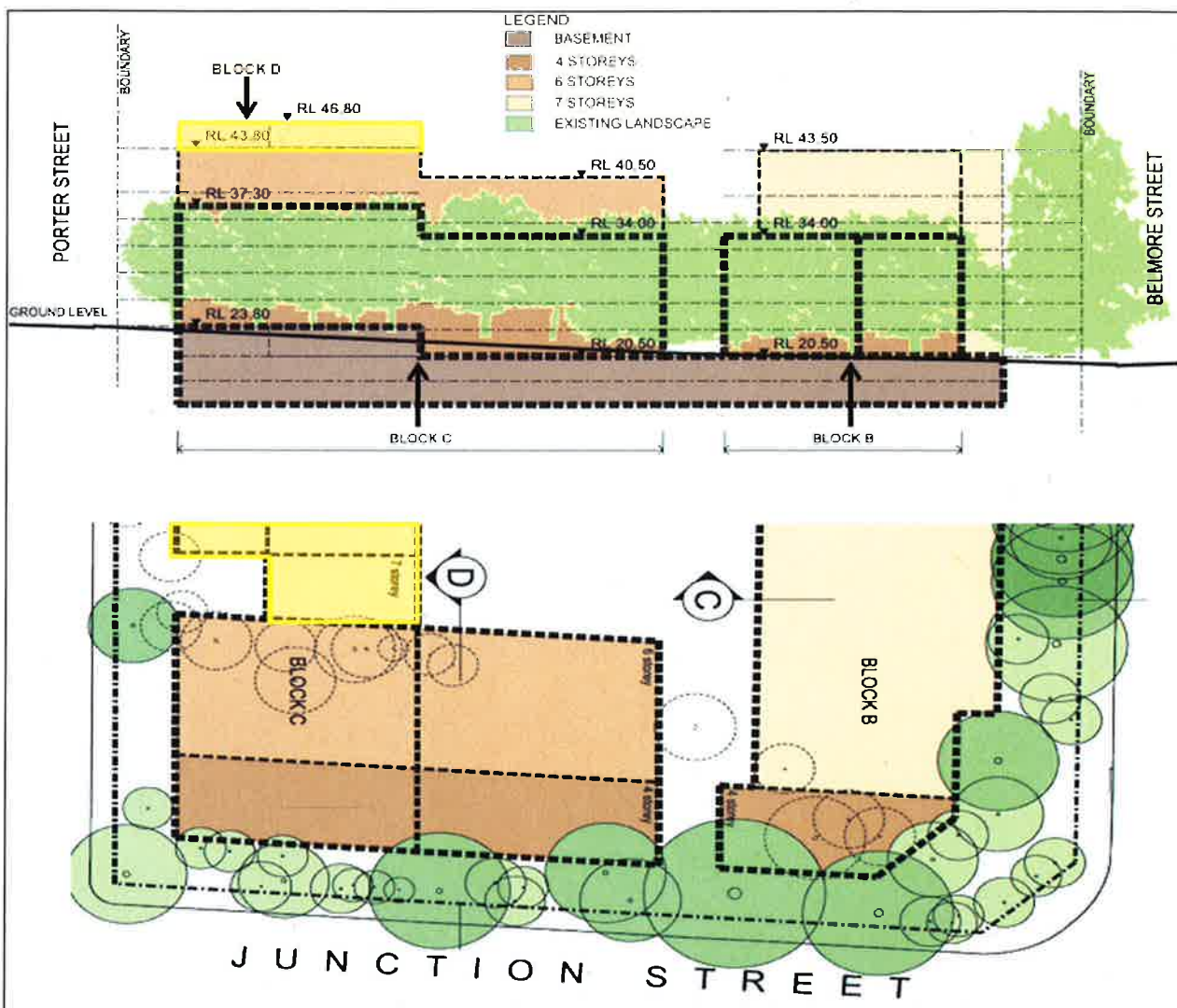


Figure 20: Northern elevation (top) and sectional site plan (bottom) from Junction Street showing Block C (left) and Block B (right) and Block D (left) in the background (yellow) (Base source: PPR)

Notwithstanding, the Department recommends that a future assessment requirement be imposed requiring all storeys above the 4th storey to be appropriately designed to provide a light weight appearance that further reduces the visual bulk of the buildings.

In summary, the Department considers that the proposed building form of Buildings B and C at Junction Street provide an appropriate contextual fit to the current and future character of the locality.

Buildings A and B at Belmore Street (western site frontage)

Belmore Street is characterised by a variety of building types and forms. This includes:

- the Meadowbank Public School and City of Ryde Council depot to the west of the site along Belmore Street. Both of these sites have predominantly one to two storey scale buildings with substantial areas of open space;
- 1 and 2 storey industrial buildings adjoin the site to the south at 80 Belmore Street and 2-4 Porter Street. Two x 6 storey residential flat buildings have been approved for the site; and
- 5 to 7 storey residential flat buildings which reduce to 4 storeys in height closer to Parramatta River are located further south along Belmore Street.

Buildings A and B are 7 storeys in height stepping down at either end of the buildings as shown in **Figure 21**. The buildings are set behind the existing tree line fronting Belmore Street with the initial 6 storeys being substantially screened by the existing tree line. Buildings A and B are substantially separated by 39 metres.

The majority of building envelopes do not comply with respective building height controls prescribed under Draft RLEP 2011. However, as discussed previously for the Junction Street frontage, the Department considers that despite the non compliance with the 15.5 metre height control for Building B at the northern section of the site, the building provides an appropriate transition in building height from the lower density residential development to the north.

The Department notes the proposed maximum 24 metre (7 storey) building height at Belmore Street exceeds the 21.5 metre height limit by 1.5-2.5 metres (**Figure 21**). The Department notes that the 7th storey is 5 metres in height with the upper 2 metres of this storey comprising plant, lift cores and parapets which would generally be setback from the building line so as not to be readily visible from the street. Therefore the maximum visible building height presented for both buildings at Belmore Street would generally comply with the 21.5 metre height limit with the exception of a minor variation of up to 0.5 metres at the southern end of Building A.

The Department considers the 7 storey height to be acceptable but recommends that the upper 7th level be setback a minimum of 4 metres from the building façade so as not to be readily visible from the street level for the following reasons:

- this is the portion of the building above the draft RLEP 2011 height control;
- the stepping back of the 7th storey will reduce the visual bulk and height of both buildings at Belmore Street and will provide an appropriate contextual relationship with the maximum building heights at Belmore Street noting the visible 6 storey building form at Belmore Street is consistent with the building height and form prescribed by the draft RLEP 2011 for the sites on the opposite side of Belmore Street;
- the visible 6 storey building form at Belmore Street is consistent with the maximum RL height of the residential flat buildings to the south; and
- the 4 metre setback recommended is in keeping with the general setbacks imposed for the upper levels of residential flat buildings to the south and as required in draft RDCP 2011.

The Department considers that subject to the recommended modifications, the form and height of building envelopes at Belmore Street are acceptable.

Buildings C, D and E at Porter Street (eastern site frontage)

Porter Street is typically characterised by:

- a small group of single storey residential properties to the east, opposite the site along the northern part of Porter Street; and
- 1 and 2 storey industrial buildings including a pedestrian thoroughfare connecting to Church Street along the remaining southern part of Porter Street towards Shepherds Bay.

The proposal presents three building envelopes to Porter Street, which are setback 5 metres from the boundary comprising Buildings C, D and E. In particular:

- Building E presents a 7 storey frontage which steps down following the fall of Porter Street to the south;
- Building D also presents a 7 storey frontage which recesses back at the northern end providing an indent between buildings D and E; and
- Building C presents a 6 storey building which steps down to 4 storeys (**Figure 22**).

Building E and D are separated by a minimum of 12.5 metres while Building D and C are connected presenting a single continuous building frontage to Porter Street.

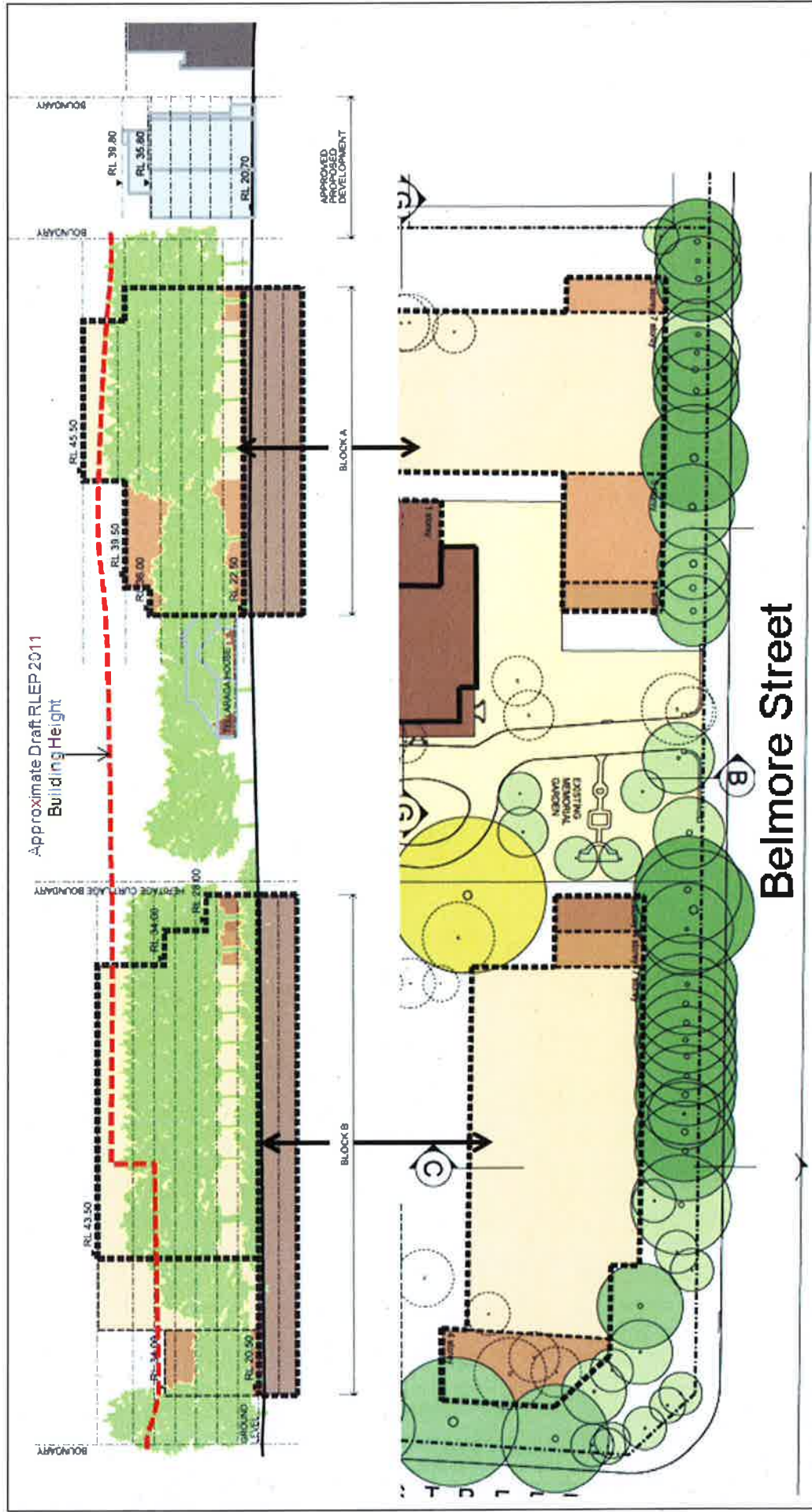


Figure 21: Western elevation (top) and sectional site plan (bottom) from Belmore Street showing Block B (left), Block A (right) and the approved 5 storey residential flat building at 80 Belmore Street (right) (Base source: PPR)

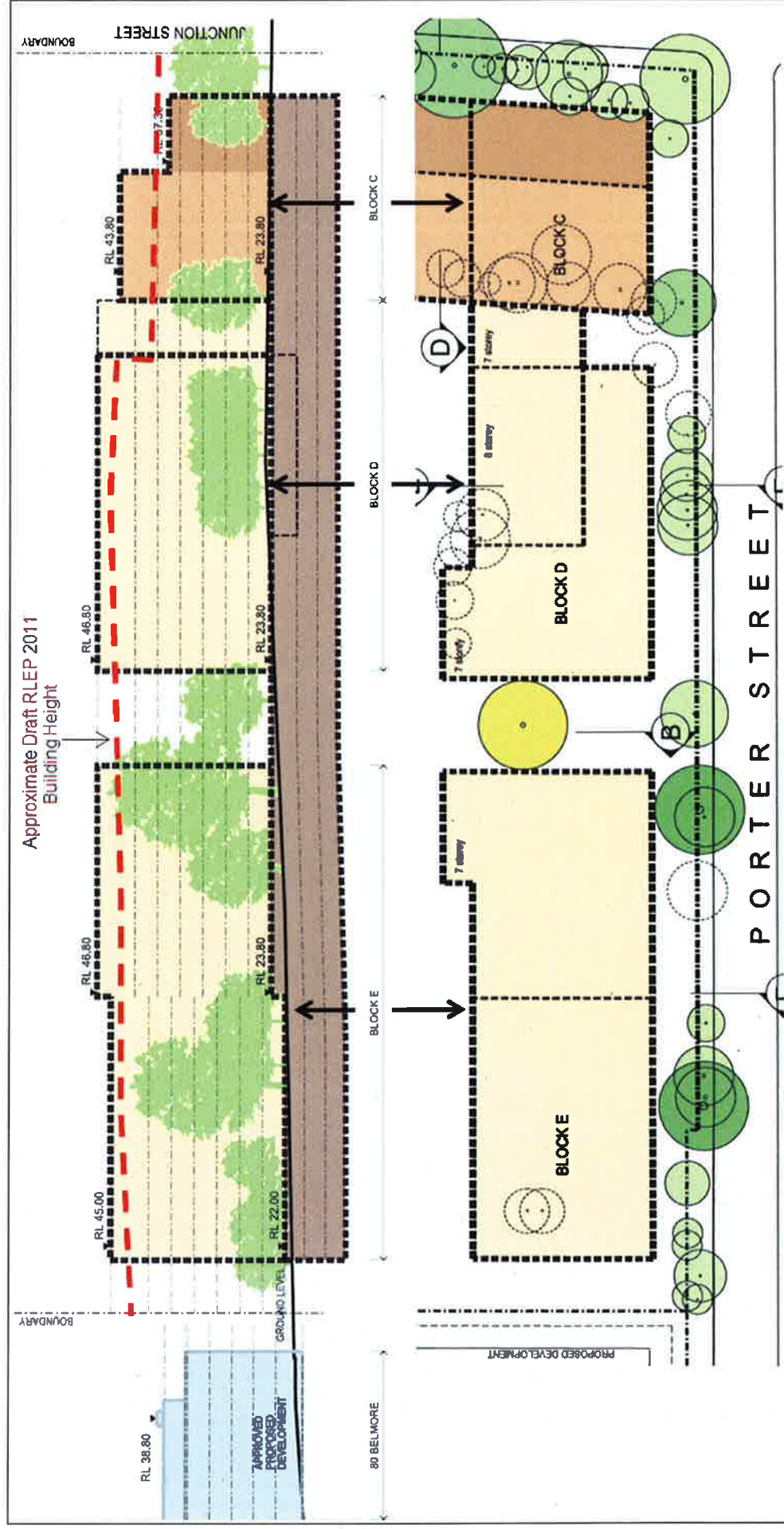


Figure 22: Eastern elevation from Porter Street (top) and sectional site plan (bottom) showing Block C (right), Block D (middle), Block E (left) and the approved 5 storey residential flat building at 80 Belmore Street (left) (Base source: PPR)

The majority of the building envelopes do not comply with respective building height controls prescribed under Draft RLEP 2011. However, as discussed previously for the Junction Street frontage, the Department considers that despite the non compliance with the 15.5 metre height control for Building C at the northern section of the site, the building provides an appropriate transition in building height from the lower density residential development to the north.

The Department notes the proposed maximum 24.8 metre (7 storey) building height at Porter Street exceeds the 21.5 metre height limit by 1.5-3.3 metres (**Figure 22**). The variation in building height is largely a result of the cut and fill proposed to provide a consistent finished floor level.

The Department notes that the 7th storey is 5 metres in height with the upper 2 metres of this storey typically comprising plant, lift cores and parapets which would generally be setback from the building line so as not to be readily visible from the street. Therefore the maximum visible building height presented for buildings at Porter Street would generally comply with the 21.5 metre height limit with the exception of the northern half of Building E exceeding the height limit by up to 0.8 metres.

The Department considers the 7 storey height to be acceptable but recommends that the upper 7th level be setback 4 metres so as not to be readily visible from the street level for the following reasons:

- the stepping back of the 7th storey will reduce the visual bulk and height of buildings at Porter Street and will provide an appropriate contextual relationship with the maximum building heights at Porter Street noting the visible 6 storey building form at Porter Street is consistent with the building height and form prescribed by the draft RLEP 2011 for the sites on the opposite side of Porter Street;
- this is the portion of the building above the draft RLEP 2011 height control; and
- the 4 metre setback recommended is in keeping with the general setbacks imposed for the upper levels of residential flat buildings to the south and as required in draft RDCP 2011.

In addition, the Department notes that the length of Building E and the attached form of Buildings C and D present long bulky façades at the Porter Street frontage. Building E presents a continuous 65.6 metre facade, and Buildings D and E together present a continuous 76.0 metre façade.

The Department notes that building lengths for the Bay One development to the south reach up to approximately 100 metres, far greater than the building lengths proposed at the Porter Street frontage.

In consideration of the above, the Department accepts the length of buildings presented at Porter Street to be a function of the large site and considers the building lengths to be acceptable in the context of other developments in Porter Street.

Notwithstanding, the Department notes that the detailed design of future building envelopes will provide the opportunity to reduce the visual bulk and length of buildings through appropriate articulation and modulation. In this regard, a future assessment requirement is recommended requiring appropriate articulation and modulation of the building facades to reduce the bulk of the buildings. Specifically, the use of light colours and materials should be used for the 5th storey and above, and appropriate building recesses to reduce the visual bulk of the building envelopes at Porter Street.

The Department considers that subject to the recommended modifications and future assessment requirements, the building form of the buildings at Porter Street will provide an appropriate contextual fit to the current and future streetscape.

Buildings A and E at southern boundary

Adjoining the site to the south are 1 and 2 storey industrial buildings at 80 Belmore Street (west) and 2-4 Porter Street (east). Two x 6 storey residential flat buildings have been approved for the site.

Two buildings are proposed fronting the southern boundary being Building A and Building E. Building A presents a 5 storey and 7 storey façade setback 7 metres and 12 metres from the boundary respectively. Building E presents a 7 storey façade setback 7 metres from the boundary. The Concept Plan proposes a public right of way for a pedestrian/bicycle through site link, running adjacent to the southern boundary, connecting Belmore Street and Porter Street (Figure 23).

In consideration of the bulk and form of the two building envelopes presented at the southern boundary, the Department notes that the Building separation between Buildings A and E, and the approved development at 2-4 Porter Street and 80 Belmore Street comply with the minimum separation distances between the buildings as recommended by the RFDC. The Department considers that the Building form of Building A provides an appropriate contextual fit to the southern boundary with suitable separation distances to reduce the visual bulk of the 5 and 7 storey building form presented.

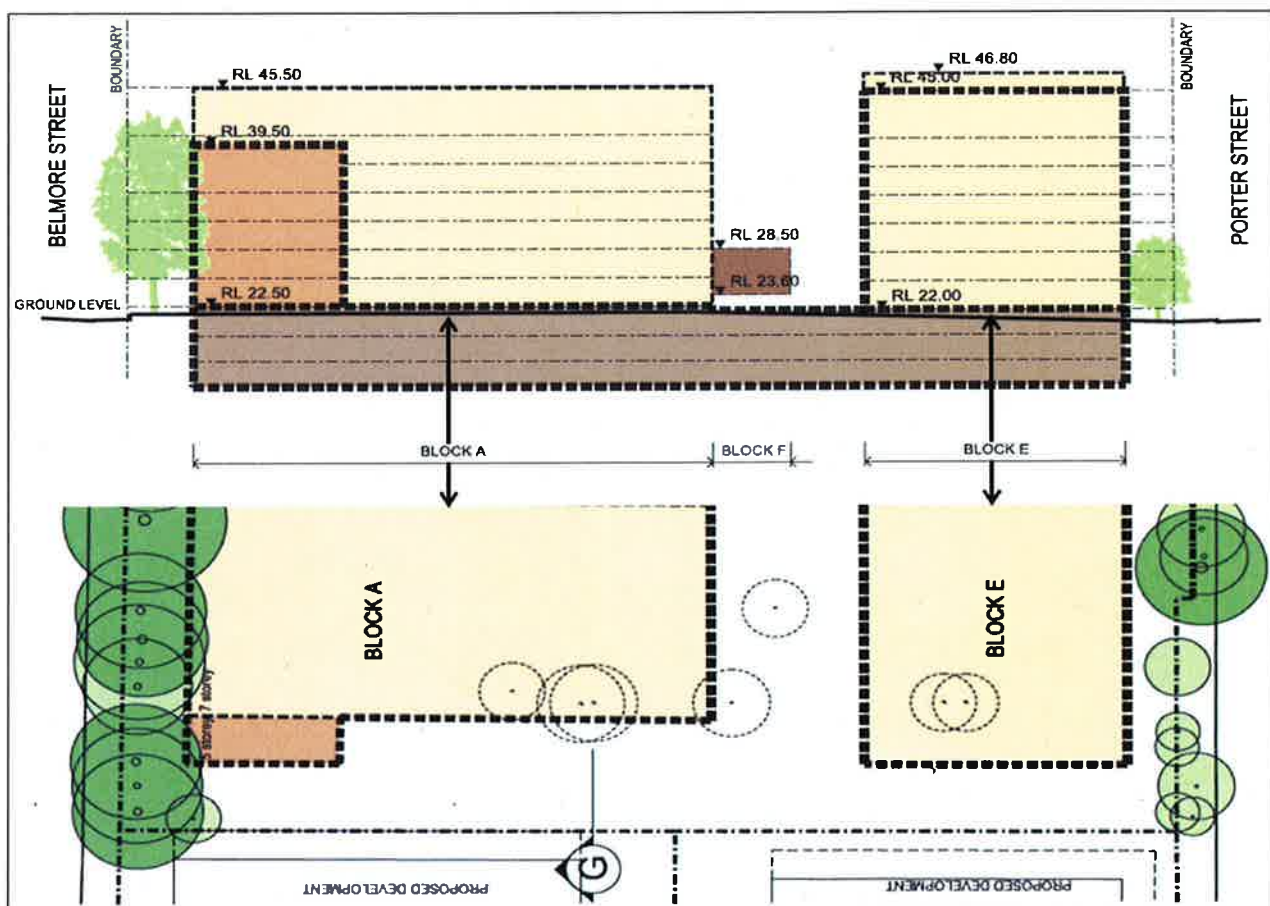


Figure 23: Southern elevation from the boundary (top) and sectional site plan (bottom) showing Block A (left), Block E (right) (Base source: PPR).

The Department however considers that the form of Building E to be visually bulky and dominant at the southern elevation. This is a result of the limited setback of 7 metres from the boundary provided for the 7 storey building form, compared to 12 metres provided for Building A. In this regard, the Department considers it appropriate to setback the upper two levels of Building E by a further 5 metres to appropriately reduce the visual bulk presented to the southern adjoining boundary. This provides a predominantly 5 storey façade at the southern boundary stepping up in height as the building moves away from the boundary, hence reducing the bulky form and

presence of Building E to a more contextually acceptable level. A future assessment requirement has been recommended accordingly.

The Department considers that subject to the recommended modifications and future assessment requirements, the building form of the buildings at the southern boundary will provide an appropriate contextual fit to the current and future streetscape.

Conclusion

Overall, the Department considers that the bulk and height of the proposed buildings, subject to the recommended modifications and future assessment requirements, will provide an appropriate contextual fit with the existing and desired urban character for the site and greater locality by providing an appropriate transition in building heights and bulk from the low density residential dwellings in the north to the higher density residential developments in the Meadowbank Employment Area.

5.3. Residential Amenity

The Concept Plan has provided indicative floor plan layouts for the proposed building envelopes. Whilst the floor plan layouts are indicative, the Department considers it appropriate to assess whether building envelopes are able to achieve a reasonable level of residential amenity in accordance with relevant policies including *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65)* and the accompanying *Residential Flat Design Code (RFDC)*.

The proposed building envelopes largely achieve the numerical guidelines of the RFDC with indicative floor plan layouts demonstrating 71% of apartments achieving 3 hours or more of daylight during the winter solstice. The Proponent has also committed to achieving a minimum 4 Star Green Star rating for all future buildings. Areas of strict non-compliance with the RFDC guidelines are detailed below.

Building Depth

The RFDC recommends that building depth should be no greater than 18 metres (glass line to lines). The aim of the control is to maintain residential amenity within apartments and to reduce the bulk and visual appearance of buildings. The proposed building envelopes have building depths ranging from 14-26 metres.

The Department considers the proposed building envelope and indicative apartment depths are acceptable at the Concept Plan stage, noting that the provision of lift core and circulation corridors within buildings will result in apartment depths generally 10 metres or less which will ensure that the apartments will receive satisfactory solar access and natural ventilation.

In addition, it is noted the building envelopes proposed are generally 25% greater than the allowable gross floor area in order to allow some flexibility in the final design. The future detailed design of buildings at application stages will introduce greater building articulation and recesses in the facades to reduce the depth of the buildings and provide satisfactory residential amenity to apartment layouts. A future assessment requirement is recommended accordingly.

Natural Ventilation

The RFDC recommends that 60% of apartments should be naturally cross ventilated. The Proponent states that 55% of apartments can be naturally cross ventilated based on indicative floor plan layouts.

The Proponent notes the non compliance but contends that the building envelopes are close to meeting the RFDC rule of thumb. In addition the Proponent notes that the plans are one of many possible layouts and the final layout is likely to change as a result of a varied apartment mix, layout and yield affecting the percentage of apartments being naturally cross ventilated. The

Proponent also notes satisfactory levels of natural ventilation for apartments can still be achieved in the future detailed design of apartments through provision of ventilated skylights and ventilation stacks in building cores.

The Department has reviewed the indicative floor plan layouts and considers that only 47% of apartments will be capable of being naturally cross ventilated. The Department considers despite the non compliance with natural cross ventilation guidelines, the future detailed design of building and apartment layouts can still achieve the recommended 60% of apartments being naturally cross ventilated through appropriate reconfiguration of apartment layouts, or through provision of suitable design alternatives to afford good natural ventilation to apartments. These include providing dual openings and floor to ceiling glazing adjoining living areas and bedrooms with apartment depths of 10 metres or less. In this regard, a future assessment requirement is recommended accordingly.

Southern facing single aspect apartments

The RFDC recommends that single aspect southern facing apartments should be limited to a maximum of 10% of apartments. The Department has reviewed the indicative floor plan layouts and notes that 16% of apartments are single aspect south facing apartments. The Code states that any variation to this shall demonstrate how the site constraints and orientation prohibit the achievement of these standards and how energy efficiency is addressed.

The Department notes that the proposed building envelopes orientate main façades towards the north and south, in line with the site orientation and to maximise sunlight. Also, the indicative floor plan layouts demonstrate that the single aspect southerly apartments have been minimised where possible. In addition, the Department notes the proposal commits to achieving a minimum 4 Star Green Star rating for all future buildings.

The Department notes that the majority of single aspect southern facing apartments are provided with dual aspect openings which provide for good natural ventilation. The Department is satisfied that despite this non compliance, the number of single aspect south facing apartments can be limited and will achieve satisfactory levels of energy efficiency and residential amenity, subject to future detailed design.

Building Separation

The RFDC recommends minimum building separation distances, dependent on building height, in order to maximise visual and acoustic privacy between residential flat buildings and to minimise the bulk and scale of buildings. The proposed separation distances between building envelopes are illustrated in **Figure 24**.

The PPR indicates that subject to appropriate detailed design by appropriately configuring and locating habitable and non habitable spaces within apartments, satisfactory building separation can be achieved in accordance with the RFDC requirements. This is demonstrated in indicative floor plan layouts submitted with the PPR.

The Department notes that the proposed building envelopes allow for flexibility in the future detailed design of the buildings as they are 25% bigger than the proposed maximum 35,000m² gross floor area. As demonstrated in the indicative floor plan layouts, the detailed design of buildings will allow for increased separation distances between buildings in order to comply with RFDC requirements.

The Department is satisfied that subject to the appropriate detailed design of individual buildings, the buildings can comply with the minimum building separation distances. The Department recommends that a future assessment requirement be imposed requiring buildings comply with recommended separation distances of the RFDC. Notwithstanding, the Department considers that the proposed 6 metre building separation distance between Buildings B and C is not adequate.



Figure 24: Summary of building separation distances between buildings (Base Source: PPR)

The Proponent contends that the 6 metre separation for the front four storeys between Buildings B and C will comply with the RFDC recommended minimum separation distance for non habitable rooms to non habitable rooms. The Department notes that indicative floor plan layouts show that 2 apartments are proposed at the relevant northern and southern elevations of these buildings. The Department does not consider it reasonably feasible to provide non habitable rooms on both elevations of these buildings. This would detrimentally limit the useable space available to these apartments and impact on the amenity of these apartments. The Department therefore recommends the separation distance be increased to a minimum 9 metres to allow for a mix of habitable rooms and non habitable room at these elevations. A condition has been recommended accordingly.

Summary

On balance the Department is satisfied that the proposal is capable of achieving the aims and objectives of SEPP 65 and the RFDC subject to future detailed design. A detailed assessment of the indicative floor plan layouts against the provisions is provided in **Appendix D**.

5.4. Traffic and Car Parking

5.4.1 Traffic Generation and Road Capacity

Public and agency submissions raised concern with the proposal's potential traffic generation and impact on the road network. Specific concerns were raised with regards to the traffic study prepared by Halcrow and submitted with the EA. In particular RMS commented that the traffic generation rate utilised in the traffic study of 0.3 trips per dwelling is inadequate and should be amended to adopt the RMS rate of 0.4 trips per dwelling. The RMS also raised particular concern with the proposal's impact on the signalised intersections of Victoria Road/Bowden Street and Constitution Road/Belmore Street.

In addition, Council requested that the traffic study consider the cumulative traffic impacts as a result of the proposal and the proposed Shepherd's Bay Concept Plan (MP09_0207 – currently being assessed by the Department).

A revised traffic study was submitted with the PPR utilising the RMS recommended traffic generation rate of 0.4 trips per dwelling and predicted that the proposed development would generate a maximum additional 158 vehicles per peak hour based on a worst case scenario of an indicative dwelling yield of 470 dwellings for the site.

An assessment of traffic impacts on the local road network was undertaken by modelling the cumulative traffic impact on the road network as a result of the proposal and the potential development allowable under the Meadowbank Employment Area Masterplan which includes the Shepherd's Bay Concept Plan. This included modelling key intersections including the signalised intersections of Victoria Road/Bowden Street and Constitution Road/Belmore Street. The traffic study finds that the Victoria Road/Bowden Street intersection will continue to operate at similar levels of service with an increase of some 8 vehicles per peak hour, and the additional traffic generated by the development will contribute to capacity constraints at the signalised intersection of Constitution Road/Belmore Street.

The study recommended two options involving road upgrades be provided including:

- the existing right turn lane length at Belmore Street be increased from 45 metres to 90 metres; or
- the provision of a dual right turn facility at the Constitution Road/Belmore Street intersection with an additional exit lane on Constitution Road.

The traffic study concluded that the proposal will not have any material traffic implications in terms of road network capacity, subject to adoption of either of the recommended road improvements at the Constitution Road/Belmore Street intersection.

The Department has considered the findings of the traffic study and notes that both the RMS and Council are satisfied with the veracity of the revised traffic study and raise no objection with the proposal with regards to traffic generation and road capacity. Council consider that the preferred upgrade option is for the existing right turn lane length at Belmore Street be increased from 45 metres to 90 metres.

Noting Council's preferred option for road upgrades at the Constitution Road/Belmore Street intersection, a future assessment requirement is recommended accordingly.

The Department notes the traffic assessment is based on traffic generation for 470 dwellings (as per the EA). The Department notes that the Concept Plan seeks approval for 35,000m² of GFA and the indicative 470 dwellings assessed is a potential maximum. The Department notes the PPR has since revised the indicative number of dwellings to 430 dwellings. Notwithstanding, the Department considers that subject to the proposed road upgrades, the local road network will continue to operate at satisfactory levels.

RMS has requested that the future assessment of Development Applications be required to consider the cumulative traffic impacts of the proposal and the Shepherd's Bay Concept Plan.

The Department notes that the proposed density of the Concept Plan, is consistent with that allowable under the draft RLEP 2011, as discussed in **Section 5.2.1**, therefore the traffic impact proposed by the Concept Plan is consistent with that anticipated under the draft RLEP 2011. As such no further strategic level traffic study is considered necessary.

The Department notes that the Shepherd's Bay Concept Plan is still being assessed and yet to be determined. The Department considers it appropriate that the Shepherd's Bay Concept Plan assess the cumulative traffic impacts in the context of future development allowed by the draft RLEP 2011 and the greater densities proposed by the Concept Plan.

5.4.2 Car parking

The proposal seeks to provide 3 levels of common basement car parking down to a maximum depth of RL 15.0 metres AHD. The car park includes bicycle parking facilities and a maximum of 584 car parking spaces comprising an indicative 490 residential car parking spaces and an indicative 94 visitor car spaces (based indicative dwelling numbers applied to the rates shown in Table 6).

Table 6: Comparison of Council and proposed car parking rates

| | Proposed rate | RDCP 2010 | Draft RDCP 2011 |
|---|------------------------------|------------------------------|------------------------------|
| 1 bedroom apartments | 1 car space | 1 car space | 0.6-1.0 car space |
| 2 bedroom apartments | 1 car space | 1.2 car space | 0.9-1.2 car space |
| 3 bedroom apartments | 2 car spaces | 1.6 car space | 1.4-1.6 car space |
| Visitor parking | 1 car space per 5 apartments | 1 car space per 4 apartments | 1 car space per 5 apartments |
| Total based on indicative dwelling in EA | 584 car spaces | 690 car spaces | 460-621 car spaces |

Council initially requested that the proposal provide car parking at the rate applicable under the Draft RDCP 2011. Council note that these rates are in draft form having recently been exhibited and request that should these not be adopted in the future, car parking should be provided in accordance with the rates prescribed under RDCP 2010. A summary of the proposal against the relevant controls is provided below.

The Proponent notes that the proposed car parking rate provides car parking within the range allowable under the Draft RDCP 2011 of 460-621 car spaces and is less than that would be required under RDCP 2010 of 690 car parking spaces. The Proponent contends that the proposed car parking rate is therefore acceptable.

Council's PPR submission has not provided further comment in relation to car parking.

The Department has considered the Proponent's justification and notes that the PPR dwelling yield and mix is indicative at this stage and likely to be refined in future applications. As such the Department considers it appropriate to approve a future assessment requirement based on a relevant car parking rate, rather than a maximum number of car parking spaces.

In this regard, the Department notes that the proposed car parking rates for 1 and 2 bedroom apartments and visitor car parking rates fall within the range permitted under Draft RDCP 2011. The Department notes that the rate proposed for 3 bedroom apartments of 2 car spaces per 3 bedroom apartment is well above the Draft RDCP 2011 rate for 3 bedroom apartments of 1.4-1.6 car spaces per 3 bedroom apartment.

Director General's Requirements (DGRs) issued for the proposal required a minimalist approach to car parking having regard for the site's accessibility to public transport. This requirement has regard to the fact that the site is located within less than 400 metres walking distance to regional bus services and 1km walking distance to rail and ferry services. In this regard, the Department considers it appropriate to reduce car parking to a lesser rate as provided within the Draft RLEP 2011 of 1.6 car spaces per 3 bedroom apartment.

The Department considers subject to the modified car parking rate for 1.6 car parking spaces per 3 bedroom apartment the proposal will adopt a sustainable approach towards car parking provision that is reflective of the site's good access to public transport and will reduce any future traffic congestion in the local area. In total 576 spaces will be required to be provided (based upon indicative dwelling mix and numbers).

In addition, Council note that the commitment for provision of bicycle parking on site is for visitor bicycle parking only. Council request that bicycle parking be provided for both residents and visitors.

The Department agrees with Council's request and considers it appropriate to provide bicycle parking on site for residents and visitors to encourage sustainable forms of transport to and from the site. A future assessment requirement has been recommended accordingly.

5.5. Heritage

The Concept Plan seeks to retain and restore the Tellaraga Cottage, a locally listed heritage item under the RLEP 2010 and draft RLEP 2011, and associated landscaping elements for use as a communal facility. The proposal also seeks to retain other existing site features of historical and cultural significance to the site including the Crowle war memorial garden, circular driveway, gate posts, palisade fence, landscape hedging, and tree line fronting Belmore Street. These will be retained through establishment of a heritage curtilage for the site (**Figure 25**).

The restoration of the Tellaraga Cottage involves removal of two additions to the building located on the eastern and western elevations of the Tellaraga Cottage and improving the heritage curtilage to the Tellaraga Cottage from Belmore Street (**Figure 25**).



Figure 25: Proposed heritage curtilage for Tellaraga Cottage and associated significant features (Base Source: EA)

Heritage Curtilage and Transition Area

The NSW Heritage Office and Council initially requested the proposed heritage curtilage be increased to provide full view of the Tellaraga Cottage from Belmore Street. The NSW Heritage Office also requested the establishment of an area of transition around the proposed curtilage requiring building envelopes be no more than 2 storeys in height to prevent unacceptable visual impacts on views to and from the heritage property.

The PPR responded to concerns raised by amending the building form and further justifying the design and heritage curtilage proposed.

The NSW Heritage Office submission to the PPR did not raise further concern and commented that Tellaraga Cottage is a local item and Council has the required expertise to provide comments on the heritage assessment of the development. In this regard, it is noted that Council has not raised any concern with the area of transition initially requested by the NSW Heritage Office but remain of the view that the heritage curtilage should be increased to provide full view of the Tellaraga Cottage from Belmore Street.

The Department has considered all comments and notes that the heritage curtilage proposed from Belmore Street provides full view of the Tellaraga cottage at various points along Belmore Street, and that the building envelope of Building A has been modified in the PPR so as not to impact on these sight lines. The Department also notes that the heritage curtilage follows the historical significance of the site's landscape hedging and any further reduction to Building A will provide minimal additional views to the Tellaraga Cottage as the existing tree line fronting Belmore Street substantially screens the Tellaraga Cottage from Belmore Street.

The Department considers that the heritage curtilage proposed satisfactorily retains and restores the heritage significance of the Tellaraga Cottage and other historically and culturally significant features on the site. The Department considers that the Concept Plan will substantially improve the current access and views to the Tellaraga Cottage which are currently obstructed at Belmore Street by an addition at the northern elevation of the Tellaraga Cottage.

Service Vehicles

Council notes that the proposal seeks to allow future service vehicles to access and park within the circular driveway in front of the Tellaraga Cottage. Council do not support this function as it considers this will detract from the amenity of the Tellaraga Cottage, associated significant features and surrounding landscaped area.

The Proponent notes that the current driveway is already accessed by service vehicles and also provides vehicular access for Achieve Australia staff and visitors. In addition, the Proponent contends that there will be a low number of service vehicles utilising the driveway which are less than currently occurs. The Proponent contends that the use of the driveway for maintenance and servicing is a practical and sensible use of the driveway and reflective of its original function.

The Department has considered both Council and the Proponent's comments. The Department notes the existing use of the circular driveway on site and notes that service vehicles for residential developments are generally infrequent and vehicle sizes are generally limited to small rigid vehicles. The Department considers that given the periodic frequency of vehicles and their limited size, the use of the circular driveway for service vehicles will have a limited visual impact and is considered acceptable.

Conservation management plan and archaeological assessment

The NSW Heritage Office and Council have requested that a Conservation Management Plan be developed for the conservation and adaptive reuse of the Tellaraga Cottage and associated curtilage. In addition, a baseline archaeological assessment for locally significant archaeology is required prior to any development.

The Proponent has agreed to providing both a conservation management plan and baseline archaeological assessment as part of future applications. A future assessment requirement has been recommended accordingly.

5.6. Other

5.6.1 Public Domain

The Concept Plan proposes the following public domain works:

- dedication of a strip of land at the southern boundary fronting Porter Street to Council, and construction of a public footpath for the full frontage of Porter Street and other associated embellishments such as street trees; and
- subject to the through site link approved at 2-4 Porter Street (adjoining property to the south) not being provided, a 3 metre wide publically accessible pedestrian/bicycle through site link will be established along the southern edge of the site (**Figure 26**).

The Proponent has provided a commitment that the public domain works will be provided as part of future Development Applications.

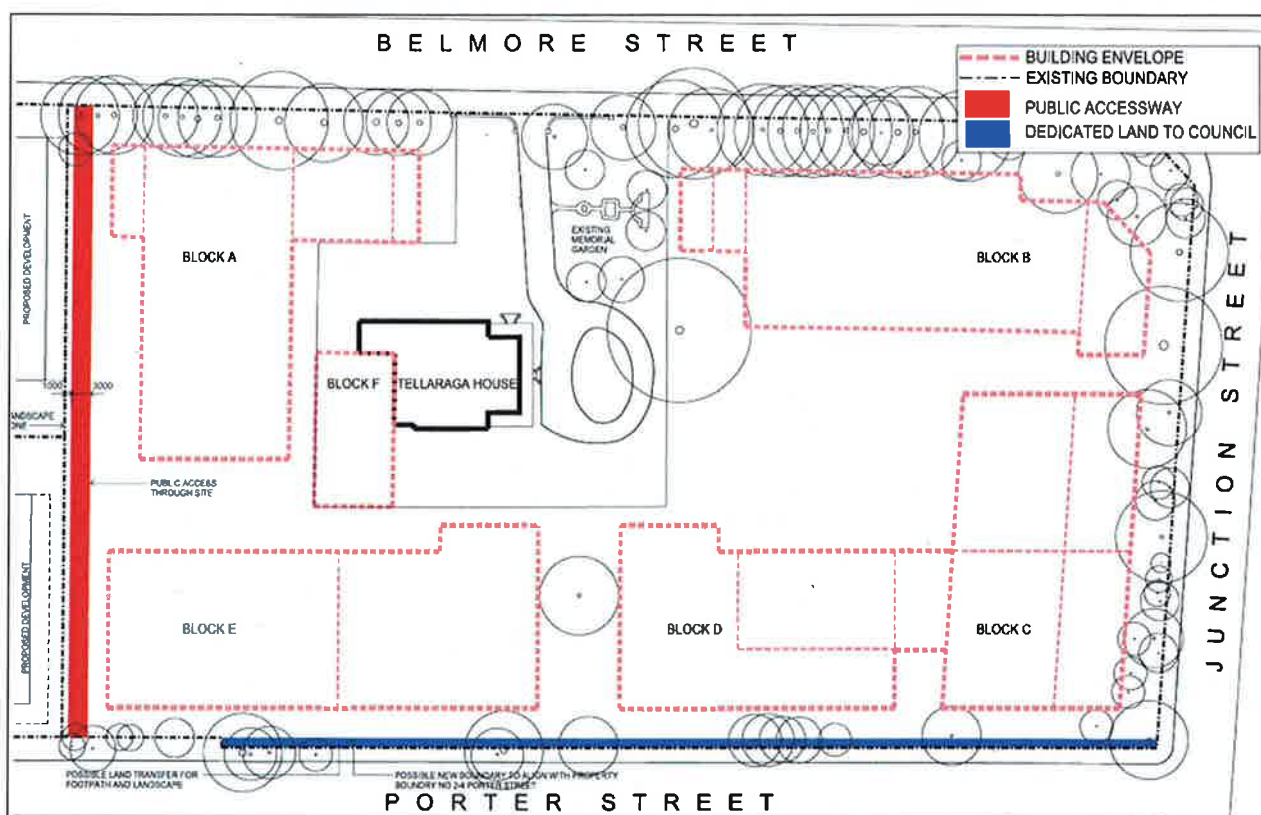


Figure 26: Public Domain works proposed (Base Source: PPR)

Council provided the following comment with regards to the public domain works proposed:

- Council acknowledge the commitment to establishing a through site link along the southern edge of the site but comment that the through site link should be provided irrespective of the through site link approved at 2-4 Porter Street to improve connectivity with the surrounding areas; and
- Section 94 contributions shall be paid for in accordance with Council's Section 94 contributions plans with no offsets to be provided for any land dedications, public domain improvements, infrastructure provisions, access and pedestrian/cyclist amenity works that would be required under the Draft RDCP 2011 or RDCP 2010, notwithstanding any future planning agreements.

The Department concurs with Council's comments regarding establishment of a publically accessible through site link and considers it appropriate that the Concept Plan provide the proposed through site link to improve connectivity for the public from the railway station located to the west and bus services to the east at Church Street. In this regard, a future assessment requirement has been imposed accordingly.

The Department also agrees with Council that any works identified in the Draft RDCP 2011 or RDCP 2010 should not offset any Section 94 Contributions applicable to the development as the public domain works are considered to be standard streetscape improvements required for developments of this scale. Notwithstanding the Department considers that these matters can be further refined and discussed with Council at the Development Application stage. A future assessment requirement has been imposed accordingly.

RMS has also requested that the future detailed design of the site should be designed in accordance with the Planning Guidelines for Walking and Cycling to encourage casual surveillance from adjoining dwellings to the pedestrian/bicycle through site link and as visually attractive as possible. The Department agrees with the RMS request and a future assessment requirement has been recommended accordingly.

In addition, the RMS has also requested that the Proponent contribute to the relocation of the mid-block pedestrian signal near Church Street/Well Street closer to Church Street/Riverside Avenue which is to be undertaken when the pedestrian/bicycle connection between Constitution Road and Riverside Avenue is realised.

The Department notes the relocation of the pedestrian signal is required to facilitate the pedestrian/bicycle connection planned to improve connectivity between Constitution Road and Riverside Avenue, and not a direct result of the development. The Department notes the Concept Plan already contributes to the pedestrian/bicycle connection between Constitution Road and Riverside Avenue through provision of a pedestrian/bicycle through site link. The Department does not consider it appropriate for the Proponent to further contribute to the relocation of the pedestrian signal as the proposed works are not a direct result of the development.

5.6.2 Proponent's Public Consultation

A number of public submissions raised concern that the Proponent had not undertaken sufficient community consultation in accordance with the Department's Major Project Community Consultation Guidelines October 2007 as required in Director Generals Requirements (DGRs).

The Proponent contends that satisfactory public consultation has been undertaken since 2009 in a variety of formats with the community and relevant interest groups. This consultation includes:

- consultation with family members of Crowle Home regarding the de-institutionalisation of the Crowle Home residential care facility;
- transition meetings with residents, families and carers in development of individual transition plans for relocation of residents;
- community information sessions regarding the Concept Plan including distribution of 2,300 flyers to residences around Crowle Home site;
- consultation with the Meadowbank West Ryde Progress Association; and
- consultation with the Friends of Crowle facilitated by the John Alexander, Federal member for Bennelong.

Details of the public consultation have been included in the PPR, Social Impact Review report and Community Engagement Outcomes report prepared by Elton Consulting. The Department considers the public consultation undertaken by the Proponent satisfies the Department's Major Project Community Consultation Guidelines October 2007.

5.6.3 Overshadowing impacts on adjoining and nearby properties

Public submissions raised concern over the proposal's potential overshadowing impact on adjoining and nearby properties to the south, in particular 2-4 Porter Street, 80 Belmore Street and 82 Belmore Street.

The overshadowing diagrams submitted with the proposal indicate that 70% or more apartments at 2-4 Porter Street, 80 Belmore Street and 82 Belmore Street will achieve 3 hours of solar access or more to living areas during the winter solstice satisfying the general rule of thumb of the Residential Flat Design Code. In addition, it is noted that all surrounding properties will also achieve 3 hours of solar access or more to living areas during the winter solstice. The Department also notes the recommended modifications to the Buildings A, E and D, as discussed in **Section 5.2.2**, will further reduce the overshadowing impact of the development.

In this regard, the Department is satisfied the proposal will not have any unacceptable overshadowing impacts to adjoining and nearby properties.

6. CONCLUSION

The Department has assessed the merits of the proposal taking into consideration the issues raised in public and agency submissions. The key issues raised in submissions relate to social impacts as a result of decommissioning the residential care facility, an inadequate level of public consultation, built form, traffic and car parking, and residential amenity. The Department notes the following key findings:

- appropriate measures are in place to ensure any adverse social impacts as a result of decommissioning the residential care facility and relocating Crowle Home residents can be appropriately mitigated and the proposal is consistent with current best practice for accommodation and care of persons with a disability. Rather than having a negative social impact as a result of relocating residents, the Department considers the proposal will achieve the goal of delivering improved care for residents of Crowle Home and is therefore considered to be in the public interest;
- subject to the recommended modifications and future assessment requirements, the proposed built form, residential amenity, and traffic impacts of the proposal are satisfactory; and
- an acceptable level of public consultation has been undertaken in relation to the Concept Plan and the relocation of existing residents.

The Department is satisfied that the impacts have been addressed in the EA, PPR, Statement of Commitments, and recommended modifications and future assessment requirements. It is considered that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance.

The Department considers that the proposed development is in the public interest as it will provide public benefits including:

- delivering and facilitating improved care for existing residents of Crowle Homes and persons with a disability;
- contributing to greater housing and care options for persons with a disability;
- urban renewal/consolidation of a site within the Meadowbank Employment Area through development of residential housing;
- contributing to the housing stock by providing 35,000m² of residential floor space with good access to public transport infrastructure;
- greater supply and range of housing options for future residents of varying household sizes;
- providing high quality and environmentally efficient buildings that will achieve a 4 Star Green Star energy efficiency rating;
- reducing car dependency and encouraging use of public transport;
- providing greater bicycle/pedestrian connectivity in the locality; and
- providing employment opportunities through the construction and operational phase of the development;


7. RECOMMENDATION

It is therefore recommended that the Planning Assessment Commission, as delegate for the Minister for Planning and Infrastructure:

- A) **consider** the recommendations of this report;
- B) **approve** the Concept Plan, subject to conditions, under Section 75O of the *Environmental Planning and Assessment Act 1979*; and
- C) **sign** the attached Instrument of Approval (**Appendix E**).

Prepared by: Simon Truong ^{S.T.}
Acting Senior Planning Officer, Metropolitan & Regional Projects South ^{2/10/12}

Endorsed by



2/10/12

Ben Lusher
Team Leader
Metropolitan and Regional Projects South

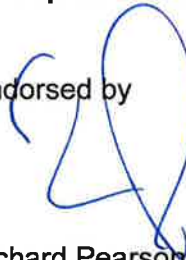
Endorsed by:



2.10.12

Chris Wilson
Acting Deputy Director General
Development Assessment and Systems
Performance

Endorsed by



3/10/12

Richard Pearson
Acting Director General

APPENDIX A ENVIRONMENTAL ASSESSMENT

See the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4098

APPENDIX B SUBMISSIONS

See the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4098

APPENDIX C PROPONENT'S RESPONSE TO SUBMISSIONS

See the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4098

APPENDIX D CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

The Department has considered the Objects of the Act, including the encouragement of ESD in the assessment of the proposal. The balancing of the application in relation to the Objects is provided in Section 5 of this report.

Ecologically Sustainable Development (ESD) principles

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The Department has considered the proposed development in relation to the ESD principles and has made the following conclusions:

- **Integration Principle** – The proposal will have positive environmental effects in providing high density housing. The environmental impacts of the proposal can be appropriately mitigated as discussed in this report and, on balance, it is considered that the overall effect of the proposal will be positive.
- **Precautionary Principle** – The application is supported by technical and environmental reports which conclude that the proposal's impacts can be successfully mitigated. No irreversible or serious environmental impacts have been identified. The site has a low level of environmental sensitivity and does not contain any threatened or vulnerable species, populations, communities or significant habitats. Mitigation measures are outlined in the Proponent's Statement of Commitments and/or the recommended conditions of approval. No significant climate change risks are identified as a result of this proposal.
- **Inter-Generational Principle** - The site's development for residential use, incorporating ecologically sustainable design principles and implementation of environmental management practices to be employed during construction of the new development, will ensure that the environment is protected for future generations. The redevelopment of an existing brownfield site for residential purposes will minimise the impacts on the environment for future generations.
- **Biodiversity Principle** – There is no threat of serious or irreversible environmental damage as a result of the proposal. The site has a low level of environmental sensitivity and does not contain any threatened or vulnerable species, populations, communities or significant habitats.
- **Valuation Principle** – The valuation principle is more appropriately applied to strategic planning decisions and not at the scale of an application for a single building. The principle is not considered to be relevant to this particular Project application.

The Department considers that the proposal represents a sustainable use of the site as it will provide residential dwellings within proximity of a village centre with access to public transport, ensuring that the proposal will benefit future generations. The proposal commits to ESD principles in its future design and commits to achieving a 4 Star Green Star rating for all future buildings.

Consequently, the Department is satisfied that the proposal is consistent with the principles of ESD

Section 75I(2) of the Act / Clause 8B of Regulations

Section 75I(2) of the Environmental Planning and Assessment Act 1979 and clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director General's Report is to address a number of requirements. These matters and the department's response are set out below:

| Section 75I(2) criteria | Response |
|---|--|
| Copy of the proponent's environmental assessment and any preferred project report; | The Proponent's EA is at Appendix A and Preferred Project Report Appendix C . |
| Any advice provided by public authorities on the project | A summary of the advice provided by public authorities on the project is set out in Section 4 of the report. |
| Copy of any report of a panel constituted under Section 75G in respect of the project; | No statutory panel was required or convened in respect of this project. |
| Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project; | Each relevant SEPP that substantially governs the carrying out of the proposal is identified below, including an assessment of the proposal against the relevant provisions of the SEPP. |
| Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division, | An assessment of the proposal against relevant Environmental Planning Instruments is provided below. |
| Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate; | The environmental assessment of the Concept Plan is this report in its entirety. |
| A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project. | In accordance with Section 75I of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with. |
| Clause 8B criteria | Response |
| An assessment of the environmental impact of the project | An assessment of the environmental impact of the proposal is discussed in Section 5 of this report. |
| Any aspect of the public interest that the Director-General considers relevant to the project | The public interest/public benefits are discussed in Section 5 and 6 of this report. |
| The suitability of the site for the project | The development of the site will provide high density residential housing with good access to public transport infrastructure. The site is suitable for the proposed development. |
| Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions. | A summary of the issues raised in the submissions is provided in Section 4 of this report. |

Under Sections 75I(2)(d) and 75I(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy (SEPP) that substantially governs the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that would (except for the application of Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project. The Department's consideration of relevant SEPPs and EPIs is provided below.

State Environmental Planning Policy (Major Development) 2005

The Project remains a Part 3A project under the former provisions of Schedule 1, Clause 13, Group 5 of the Major Projects SEPP, "*residential, commercial or retail projects*" as DGRs were issued prior to 8 April 2011. The project has a capital investment value (CIV) of more than \$100 million and has been determined as an important project in achieving State and regional planning objectives.

State Environmental Planning Policy 55 – Remediation of Land

State Environmental Planning Policy 55 requires a consent authority to consider whether the land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose. The Proponent has undertaken a Stage 1 and 2 Environmental Site Assessment in respect of the development. The assessment finds that the site is suitable for the proposed high density residential use. The Proponent has also adopted a commitment to adopting the recommendations of the report requiring further soil testing in future applications. The site can be made suitable for the proposed development, subject to further future assessment.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 requires that relevant public authorities be consulted with about certain development during the assessment process or prior to development commencing. As such, the RMS has been notified and given the opportunity to make representations in respect of the proposed development. **Section 4.2** and **Section 5.4** of this report details the RMS's comments. The Department will also notify the RMS of its determination of the subject proposal.

State Environmental Planning Policy No. 65 (SEPP 65 – Design Quality of Residential Flat Buildings

SEPP 65 seeks to improve the design quality of residential flat development through the application of a series of 10 design principles. A Design Verification Statement has been provided by Rose Architectural Design, stating that the subject development has been designed having respect to the design quality principles. Notwithstanding, an assessment against these principles is given in the table below.

| Key Principles of SEPP 65 | Department Response |
|--|---|
| Principle 1: Context | The proposal is consistent with the existing context of the site (subject to modifications) as discussed in Section 5.2 . Future assessment requirements have also been imposed ensuring the future detailed design of buildings respond to the existing and future context of the site and surrounding area, maintaining adequate levels of amenity for existing and future adjoining developments. |
| Principle 2: Scale | The buildings are consistent with the desired height and scale of development for the area (subject to modifications) as discussed in Section 5.2 . |
| Principle 3: Built Form | The buildings as proposed are consistent and compatible with the overall appearance and character of the area. Future assessment requirements have also been imposed ensuring the future detailed design of buildings respond to the existing and future context of the site and surrounding area. |
| Principle 4: Density | The proposed density is consistent with that envisaged for the site as discussed in Section 5.2.1 . |
| Principle 5: Resource, Energy and Water Efficiency | The buildings will achieve a minimum 4 Star Green Star Rating and will be required to comply with BASIX requirements. |

| | |
|--|--|
| Principle 6: Landscape | The proposal includes a substantial amount of landscaped area including retainment of existing significant vegetation. The future detailed design of the site will provide greater detail of landscape treatment proposed. |
| Principle 7: Amenity | The proposal generally complies with the requirements of SEPP 65 and the recommended standards of the RDFC in terms of achieving satisfactory residential amenity. Any non-compliances have been discussed further in Section 5.3 . The proposed dwellings will achieve satisfactory levels of solar access, natural ventilation and privacy. |
| Principle 8: Safety and Security | The buildings as proposed at a conceptual level allow for passive and active surveillance of the surrounding area in future detailed design. The future detailed design will further address other safety and security issues around public and private areas. |
| Principle 9: Social Dimensions and Housing Affordability | The development has the ability to provide a mix of apartment types and includes 10% adaptable dwellings. In addition, a minimum of 15 adaptable dwellings will be retained for use as accommodation for persons with a disability under the care of Achieve Australia. The delivery of these apartments provides for a greater dwelling mix and will aid in the creation of a mixed and balanced community. |
| Principle 10: Aesthetics | The future detailed design of the buildings will allow for appropriate articulation of facades through a use of appropriate materials and finishes to complement the existing and desired character for the site and surrounding area. Future assessment requirements have been recommended to facilitate this. |

Residential Flat Design Code

The Residential Flat Design Code (the Code) is closely linked to the principles of SEPP 65. The Code sets out a number of “rules of thumb” which detail prescriptive standards for residential flat development that would ensure the development complies with the intent of the Code.

| | RFDC requirement | Proposed | Complies? |
|--|---|-----------------------------------|---|
| Part 1 Local Context | | | |
| Building Separation (habitable rooms & balconies) | Up to 4 storeys: 12 metres between habitable rooms/balconies Above 5 storeys: 18 metres between habitable rooms/balconies; | See Section 5.3 | Yes *See Section 5.3 for further discussion |
| Street Setbacks | Compatible with desired streetscape character | See Section 5.2 | Yes (Subject to modifications) *See Section 5.2 for further discussion |
| Part 2 Site Design | | | |
| Deep Soil Landscaping | Min 25% of open space | Greater than 25% | Yes |
| Fences | Provide privacy and security Contribute to public domain | Subject to future detailed design | Compliable |
| Communal Open Space | Larger and brownfield sites potential for >30% | Greater than 30% | Yes |
| Private Open Space (ground floor) | 25m ² with minimum width of 4m | Subject to future detailed design | Compliable |
| Part 3 Building Design | | | |
| Building Depth | Max 18m | Depth ranges between 14-26 m | No * See Section 5.3 for further discussion |

| | | | |
|---|--|---|---|
| Acoustic Privacy | Separate noisier spaces from quieter spaces | Subject to future detailed design | Compliable |
| Solar Access | 70% of living rooms & private open space to achieve 2hrs (for dense urban areas) sunlight between 9am-3pm on 21 June (Winter solstice) | 71 of apartments achieve 3 hrs of sunlight during 21 June | Yes |
| Single aspect units | Limit those with southerly aspect to no more than 10% | 16% of apartments have southerly aspect. | No *See Section 5.3 for further discussion |
| Naturally cross ventilated | Min 60% of apartments cross ventilated | 7% apartments are cross ventilated. | No * See Section 5.3 for further discussion |
| Kitchens with natural ventilation | Min 25% | Subject to future detailed design | Compliable |
| Max No. of apartments off a circulation core | Max 8 apartments per lift core | Maximum of 8 apartments per lift core | Yes |
| Apartment Size (min) | 1 bed cross through= 50m ² 2 bed= 89m ² 1 bed single aspect= 63 ² 2 bed corner= 80m ² 2 bed cross over= 90m ² | Subject to future detailed design | Yes |
| Balcony Depth | Min 2m | Min widths provided | Yes |
| Floor to ceiling heights | ≥2.7m | 3m provided to habitable rooms | Yes |

Ryde Local Environmental Plan 2011 and Draft Ryde Local Environmental Plan 2011

The site is zoned Mixed Use B4 under the Ryde Local Environmental Plan 2010 (RLEP 2010) and draft Ryde Local Environmental Plan 2011 (draft LEP 2011). The zone promotes development which provides for the housing needs of the community and provides for a variety of housing types and densities.

The proposed residential flat buildings and ancillary communal facility is a permissible use within the zone.

The Ryde Local Environmental Plan 2010 (RLEP 2010) prescribes a maximum height of 9.5 metres for the site but does not prescribe any maximum Floor Space Ratio (FSR). The draft RLEP 2011 proposes changes to the planning controls for the broader Meadowbank Employment Area which includes the subject site. These include a maximum FSR of up to 2.3:1 and increased maximum heights of up to 21.5 metres for the site.

The Department considers that the proposal generally complies with the intent and controls of Draft RLEP 2011 by providing a substantial amount of high density residential development within the Meadowbank Employment Area. In addition the proposed building envelopes are generally consistent with the prescribed height and density controls for the site as discussed in **Section 5.2**.

APPENDIX E RECOMMENDED INSTRUMENT OF APPROVAL
