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7 September 2012

Mark Schofield
A/Director Metropolitan and Regional Projects South
NSW Department of Planning and Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Natasha Harras (Town Planner)

Dear Mark

**SECTION 75W MODIFICATION TO CONCEPT PLAN MP05_0001
ROYAL REHABILITATION CENTRE SYDNEY**

We refer to your letter dated 23 August 2012 and our subsequent meeting on 24 August 2012 where a number of matters of clarification were raised in relation to the Section 75W Modification to the approved Concept Plan MP05_0001. This letter seeks to further address these issues and provide the necessary information to assist in the assessment of this modification. The matters explored in this letter include:

- Height and Scale;
- Victoria Road Setback;
- Victoria Road Bus Stop;
- Internal Amenity; and
- Comparison with the approved Concept Plan.

In your correspondence it was identified that additional information was sought to support your assessment of the application. As such, the following supporting documents have been provided:

- Response to Submissions Table prepared by JBA dated September 2012 (**Attachment A**);
- Shadow Diagrams prepared by Cox Richardson Architects dated August 2012 (**Attachment B**);
- Photomontage and Building Massing Diagram prepared by Cox Richardson Architects dated August 2012 (**Attachment C**);
- Landscape Concept Plan Diagram prepared by Environmental Partnerships NSW dated August 2012 (**Attachment D**); and
- Consolidated Concept Plan Drawings prepared by Cox Richardson Architects dated August 2012 (**Attachment E**).

1.0 RESPONSE TO SUBMISSIONS

During the exhibition period a total of six submissions were received consisting of three from local residents, two from government authorities and one from Council. These submissions raised several issues which have been addressed in the response to submissions table provided at **Attachment A**. The issues identified in the Department of Planning and Infrastructure's (the Department) letter are set out below.

2.0 HEIGHT, SCALE AND PRESENTATION TO VICTORIA ROAD

It is noted that Condition B2 of the Concept Plan approval (MP05_0001) envisaged future amendments to the built form and layout of building envelopes in the vicinity of Victoria Road in order to facilitate the realignment of the central spine road (Road 5). Further to this, consultation with the community and Ryde Council throughout the process has indicated a preference for greater concentration of building density and height towards the site's Victoria Road frontage and away from the lower density Putney locality.

The increased height and density along the Victoria Road Boundary is also generally consistent with Council's vision for development along this corridor. Ryde Council's strategic and statutory planning for the Victoria Road corridor promotes increased density along this corridor more generally, with the *Ryde Local Environmental Plan (Gladesville Town Centre and Victoria Road Corridor) 2010* which applies to land along vicinity of Victoria Road commencing 1.2km to the east of the site providing for building heights along this corridor of up to 22m at Victoria Road and up to 33m within the Gladesville centre. It is also noted that the *Draft Ryde Local Environmental Plan 2011* (Draft LEP) proposes to rezone several allotments on Victoria Road opposite the site, from Irvine Street to Princess Street, for higher density development. The Draft LEP proposes to rezone these allotments from R2 Low Density Residential with a maximum height of 9.5 metres to B6 Enterprise Corridor with a maximum height of 15.5 metres.

This increase in development potential along sites on the Victoria Road Corridor demonstrates the intent to provide higher densities along this corridor in closer proximity to public transport, consistent with the approach taken in the proposed Concept Plan amendment.

The approved BSA Concept Plan scheme included setbacks to Victoria Road ranging from an almost nil setback to depths up to 17 metres. The building form at the Victoria Road frontage included a 6-storey residential flat building with a long front facade length to Victoria Road (approximately 100m), as well as a small number of dwelling houses. The approved residential flat building envelope presents a hard edge to Victoria Road which restricts views to the interior of the site and results in substantial overshadowing of the approved landscaped open space to the south. In terms of residential amenity of the approved Concept Plan, it is considered that the orientation of a large number of apartments within the approved residential envelope towards Victoria Road (with very minimal setbacks) is a less than ideal outcome in terms of residential amenity.

It is understood that the primary drivers for the design of this northernmost residential flat building envelope was the concentration of dwelling density towards Victoria Road and the retention of the significant Blackbutt eucalypt tree. With these considerations in mind, Frasers and Cox Richardson have developed a revised masterplan which satisfies both of these objectives whilst also providing a superior outcome in terms of residential amenity and a higher quality public domain and aesthetic presentation to Victoria Road.

Cox Richardson has prepared visual material to aid in the assessment of the proposed building massing and aesthetics (refer **Attachment B**). The proposed building envelopes present a substantially narrower façade to Victoria Road and open up views to the substantial areas of landscaped open space located within Stage 1. This is in comparison to the approved BSA scheme which presented a long residential flat building facade to Victoria Road which served to limit views into the site and created a more imposing and impenetrable physical edge to this site frontage.

Orienting the residential flat buildings towards Road 5 will improve the residential amenity of the future apartments by limiting the direct interface with Victoria Road and will provide improved casual surveillance of public open spaces. The increased height which is associated with the rooftop plant and enclosures will have minimal impact on the visual bulk of these buildings when viewed from Victoria Road and will not result in any significant increase in overshadowing of the public parklands or surrounding properties.

The realignment of Road 5 from the originally approved BSA scheme allows for deeper views into the site when viewed from Victoria Road and emphasises the parkland setting of the proposed development. It is anticipated that through increasing the visual prominence of the parklands at this frontage, pedestrians and surrounding residents will be encouraged to follow Road 5 through to the significant new public parklands provided within the centre of the site surrounding the detention basin (which are to be dedicated by Frasers Putney to the City of Ryde Council under the terms of the Deed of Agreement).

3.0 INTERNAL AMENITY

3.1 Solar Access

Shadow Diagrams illustrating the potential overshadowing impacts have been prepared by Cox Richardson (**Attachment C**). These diagrams have modelled the worst case scenario if the maximum proposed building envelopes were filled. It is noted that as these are maximum envelopes, it is unlikely that the final building will completely fill the maximum envelope.

The proposed maximum envelope sought for Apartment Building 2A under the S75W Modification to the Concept Plan will result in the loss of some daylight access to apartments within the approved Apartment Building 1A (as amended). As a result of the proposed maximum envelope, an additional five (5) apartments within Apartment Building 1A will fall below the three hours of direct sunlight between 9am and 3pm. Four of these apartments will receive 2.5 hours of direct sunlight between the hours of 9am and 3pm and one will receive 2 hours of direct sunlight between these times. Of these apartments, two (2) apartments are dual-aspect and as such also benefit from parkland and lake views towards the south (a significant contributor to the residential amenity of these dwellings).

The proposed building envelope results in the total proportion of apartments within Apartment Building 1A which receive at least 3 hours of direct sunlight between 9am and 3pm falling from 69% to 59%. If an additional hour was included in the calculation (8am to 3pm) the total amount of apartments receiving three hours of direct sunlight would be 61%.

Furthermore, if the alternative measure of two hours of solar access between 9am and 3pm was adopted, the total percentage of units would be above 70%, consistent with the 'Rule-of-Thumb'. This alternative measure has been utilised in several other higher density developments in Ryde including Meadowbank Employment Area and 110-114 Herring Road, Macquarie Park.

Whilst it is noted that the percentage of apartments with three hours of direct sunlight access within Apartment Building 1A is less than the 70% 'Rule of Thumb' identified in the Residential Flat Design Code (RFDC), it is imperative to note that this perceived loss of amenity is more than compensated for by the high amenity of these apartment in other respects, including:

- district, lake and parkland views which generally face south and south east which does not enable these apartments to receive the optimal solar access;
- generous provision of public open space within the overall site (more than 40% of the Putney Hill site will be landscaped open space under the amended Concept Plan);
- generous apartment sizes;

- a mix of house and apartment sizes and configurations across the Putney Hill site to promote housing diversity;
- building separation distances which comply with the RFDC 'Rule-of-Thumb'; and
- close proximity and strong pedestrian connectivity to public transport and local centres.

The RFDC 'Rules-of-Thumb' recognise that residential amenity is the overall effect of a number of factors, not all of which are able to be quantified. In light of the very high amenity achieved within the Putney Hill site generally (and Apartment Building 1A specifically) as detailed above, it is considered that despite the variation with the daylight access 'Rule-of-Thumb' the affected apartments will still achieve a high degree of overall residential amenity which is significantly higher than is standard for new residential apartments within the Sydney region.

3.2 Building Separation and Privacy

The Departments letter identified the proposed building separation distances as a key issue, noting that building separation distances of less than 18 metres are proposed. Minimum building separation distances identified in the RFDC are specified on the basis of proposed residential layout and uses as follows:

Table 1 – RFDC Building Separation distances for development between 5 and 8 storeys

| Description of uses | Minimum Separation Distance |
|---|-----------------------------|
| Between non-habitable rooms | 9 metres |
| Between habitable and non-habitable rooms | 13 metres |
| Between habitable rooms/balconies | 18 metres |

Future Development Applications for the relevant buildings will demonstrate that building separation is appropriate for the uses and in accordance with the RFDC separation distances. The design of the future buildings will adopt several different strategies to improve privacy and minimise overlooking. These will include the inclusion of privacy features in the design, stepping of the built form and orientation of apartments away from surrounding buildings. It is noted that maximum building envelopes have been established which will most likely not be completely filled in future applications. These minimum separation distances will ensure that a suitable level of privacy is achieved which is consistent with the RFDC 'Rule-of-Thumb'.

4.0 VICTORIA ROAD BUS STOP

The location of the site entrance and deceleration lane to Victoria Road frontage was approved under the Stage 1 Phase 1 Project Application (MP10_0189) which precludes the provision of a bus stop at this location, and this was considered appropriate at the time of the Stage 1 Phase 1 assessment given the site's close proximity to existing bus stops (300m east from Road 5 on Victoria Road, 400m west from Road 5 on Blaxland Road). These bus stops are both within the 400 metre walkability criteria established in the *Planning Guidelines for Walking and Cycling* published by the Department of Infrastructure, Planning and Natural Resources in December 2004. Victoria Road forms part of the Parramatta to City (via Ryde) Strategic Bus Corridor, providing direct access to Parramatta and the Sydney CBD with a number of frequent and high capacity bus services operating throughout the day, and as such it is considered that future residents of Putney Hill. It is noted that Transport for NSW (previously Transport NSW) did not raise any issues in regard to this matter during the exhibition of the Stage 1 Phase 1 Project Application.

Notwithstanding the above, Frasers Property will continue to hold discussions with Ryde Council and Transport for NSW regarding opportunities to further improve access and connectivity to public transport services.

5.0 COMPARISON WITH THE APPROVED CONCEPT PLAN

5.1 Public Domain Plan

An Updated Public Domain Plan has been prepared by Environmental Partnership (**Attachment D**) which demonstrates that the proposed Concept Plan amendment will result in a net gain in the amount of total open space proposed under the exhibited Cox Richardson scheme (by 1,063m²) and the total approved under the original Concept Plan (by 422m²). Further to the above, the provision of this open space entirely at ground level (as opposed to the approved BSA scheme) will provide significant community benefits in terms of public access, deep soil planting and stormwater infiltration.

Table 2 – Landscaped Open Space – approved, exhibited and modified

| | Approved BSA Architects Scheme | Exhibited Cox Richardson Scheme | Amended Cox Richardson Scheme |
|-------------------------|---|--|---|
| Landscaped Open Space | 52,354m ² | 67,630m ² | 68,693m ² |
| Roof-top Open Space | 15,917m ² | - | - |
| Total Open Space | 68,271m ² (42.5% of residential site area ¹) | 67,630m ² (42.1 % of residential site area) | 68,693m ² (42.8% of residential site area) |

5.2 Distribution of density across the site

The proposed modification to the Concept Plan will result in a similar dwelling density in the Stage 1 area as the approved BSA scheme (prior to accounting for the 12% reduction in overall dwelling yield as a result of Condition A1(2)). Condition A1(2) of the Project Approval limits the density of the development to 50 dwellings per hectare. This has resulted in a total number of 791 dwellings permitted across the site, whereas the original BSA Concept Plan proposed 900 dwellings. A revised layout illustrating the location of the 791 dwellings was not prepared until the Cox Richardson scheme provided to the Department in support of the Stage 1 Phase 1 Project Application.

It is considered that the proposed building envelopes, FSR and height limits included within the Consolidated Cox Richardson drawings (**Attachment D**) provide an appropriate level of certainty regarding the development of this land to guide the assessment of future Development Applications on this site and that the approved Concept Plan Drawings PP05/05 and PP06/05 provide little additional utility in assessing or controlling the built form or density of either the approved or amended Concept Plan scheme.

The initial amended scheme prepared by Cox Richardson Architects was presented to the Department of Planning and Infrastructure and City of Ryde (Council). This scheme endeavoured to illustrate the proposed layout of the 791 dwellings, with 414 situated in Stage 1 and 377 in Stage 2.

The current proposed indicative density of Stage 1 is between 428 to 458 dwellings. The approximate site area of Stage 1 is 6.05ha, which results in a total of 71 to 76 dwellings per

¹ 'Residential site area' specified in the approved BSA Architects Landscaped Space Control Drawing includes the Central Parkland, Wetlands and Recreation Circle which have since been approved as part of the Health Facility Project Application (MP 08_0054). In order to compare 'like for like' the original calculation has been used as the basis for this modification.

hectare. Although this is above the limit of 50 dwellings per hectare established in Condition A1 of the Project Approval, this limit applies to the site wide Concept Plan area excluding the 2ha area for the new rehabilitation facility and it is not the intention of this control to achieve a consistent density across the site. It is noted that the maximum limit of 50 dwellings per hectare will not be breached across the site with the remainder of the 791 dwellings (333 to 363 dwellings) to be located in Stage 2. The indicative breakdown of dwellings is set out in **Table 1** below.

Table 3 – Dwelling Mix – approved and as proposed

| Dwelling Type | BSA Concept Plan | Amended Cox Richardson Scheme (Stage 1) |
|-----------------------------------|-------------------------|--|
| Apartments | 398 dwellings | 334 – 374 ² |
| Detached Houses | 22 dwellings | 15 |
| Semi-Detached Houses | - | 46 – 48 |
| Town Houses | 25 dwellings | 26 |
| Indicative Total (Stage 1) | 445 | 428 - 458 |
| Indicative Total (Stage 2) | 455 | 333 - 363 |
| Total | 900 | 791 |

The distribution of a larger proportion of the density within the Stage 1 site has been a direct result of community and Council feedback. Frasers have attempted to locate more dwellings near Victoria Road with minimal environmental impacts as outlined above and in the Section 75W Modification Report submitted for this application. The location of more density in Stage 1 closer to Victoria Road will allow for more dwellings closer to public transport, and ensure that the development is consistent with the surrounding development in Ryde along this arterial road.

5.3 Pedestrian Pathways and Cycleways

An updated Pedestrian Pathways and Cycleways Plan has been submitted which reflects the updated Cox Richardson scheme of Stage 1 (refer **Attachment E**). This diagram reflects the pedestrian and cyclist connections approved under the Stage 1 Phase 1 Project Approval (MP10_0189) along Road 5, as well as the proposed connections throughout the balance of the Stage 1 site.

5.4 Kenneth Street Pedestrian Access

During the public exhibition of the Stage 1 Phase 1 Project Application, the residents of Kenneth Street made a joint submission objecting strongly to the provision of a pedestrian access point to Kenneth Street from the Putney Hill site. In light of the community's viewpoint on this issue, and given that access to good pedestrian access to public transport stops is provided via the site's Victoria Road frontage, it is not considered that it is appropriate to provide pedestrian access at this point.

5.5 Overshadowing

The approved BSA Concept Plan resulted in some new overshadowing of the properties along Charles and Kenneth Street. These shadows arose primarily as a result of the large dwelling houses proposed along the length of this boundary between Victoria Road and the detention basin (PP24/05). The shadow diagrams assessed in the original Concept Plan scheme are based on

² Includes current modification for 7 new apartments to be included in the Stage 1 Phase 1 Project Approval (MP10_0189)

indicate buildings rather than the maximum development envelopes, and it is unclear whether additions such as rooftop plant were ever factored into this assessment.

The Shadow Diagrams for the amended Cox Richardson scheme (**Attachment B**) have been prepared based on the maximum building envelopes and heights sought (including building height to incorporate plant), and as such represent a 'worst case' scenario which is unlikely to be realised following detailed design of the actual buildings. Nonetheless the proposed building envelopes will result in a marginal increase in the overshadowing of dwellings in the vicinity of the north-western end of Kenneth Street. This additional overshadowing is largely limited to post-3pm during the winter period, and as such is considered relatively minor and outweighed by the privacy benefits gained to the affected dwellings by the removal of the four dwellings adjacent to this boundary and the introduction of additional open space adjacent to this boundary.

6.0 CONCLUSION

We consider the amended scheme to be superior to the approved BSA scheme in that it:

- increases the overall amount of landscaped open space within the Putney Hill site;
- improves pedestrian, cyclist and vehicular connectivity;
- provides for a greater density of residential dwellings adjacent to the Victoria Road in line with Council's vision and community feedback;
- provides an appropriate interface to Victoria Road which allows visual connection into and through the site; and
- responds to community and Council feedback over a number of different aspects.

We trust that this is all the information you require to complete your assessment of the proposed modification, if you have any queries about this matter, however, please do not hesitate to contact Clare Swan on 9956 6962 or cswan@jbaplanning.com.au.

Yours faithfully



Clare Swan
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Michael Oliver
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