



DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REPORT (SECTION 75I(2))

PROPOSED REDEVELOPMENT OF ROYAL REHABILITATION CENTRE SYDNEY RYDE (RRCS)

1. BACKGROUND

RRCS (the proponent) has provided specialised rehabilitation and aged care services on the Victoria Road site for more than a century. The centre is a not-for-profit Affiliated Health Organisation within the *Health Services Act 1997*. It is located on privately owned land but operates as an independent public hospital as part of NSW Health State-wide speciality services network. The centre provides specialist rehabilitation services in spinal cord injury, brain injuries, burns, adult and aged care rehabilitation, including specialist Extended Care Services (Weemala). The majority of revenue for the centre currently originates from NSW Health subsidies and funding from the Department of Ageing, Disability and Home Care (DADHC).

The entirety of the site is zoned "Special Uses 5(a) Hospital" under Ryde Planning Scheme Ordinance (Ryde PSO). The proponent submitted an application to Ryde City Council on 30 April 2002 to rezone the entire site to accommodate a medium density residential precinct without retaining the health related services as it was envisaged at that time that the organisation would be relocating to the Royal North Shore Hospital. On 18 March 2003, Council resolved not to prepare a draft Local Environment Plan and considered the accompanying Master Plan to be inappropriate. The proponent reapproached Council on various occasions over the next two years without success.

The proponent now intends to retain its operation by consolidating its existing services and investing some \$45 million to develop a new state of the art, specialised rehabilitation and research facility on 2 hectares of the site. The proponent intends to dispose of the residual land (some 15.7 hectares) for residential redevelopment to provide funding for the new centre and associated infrastructure whilst securing the long term future of the service. Implementation of the concept plan proposal will facilitate the service delivery of an autonomous State significant rehabilitation and research facility for public usage and reduce the level of public subsidy being directed to the centre from the State Government's purse.

The proponent approached the Department on 21 June 2005 in the hope that its development proposal would constitute State significant development under State Environmental Planning Policy (State Significant Development) 2005 (SSD SEPP) (as it was at that time). The submission outlines the reasons for the proposed listing of the site in Schedule 3. It notes that the proposed development on the site would meet the criteria of a "Construction Project" under Group 5 and a "Health and Public Service Facilities" under Group 7 of the SSD SEPP and that the site and its proposed redevelopment meet various State and regional objectives.

On 14 July 2005, the former Minister for Planning, Infrastructure and Natural Resources, the Hon. Craig Knowles MP, agreed that the site be considered for inclusion within Schedule 3 of the SSD SEPP as a potential State significant site and directed that a study be undertaken pursuant to Clause 8 of the SSD SEPP for the purposes of determining whether any development on the site should be declared to

be State significant and to establish the appropriate development controls for the site (including rezoning).

On 1 August 2005, Part 3A of the Environmental Planning and Assessment Act 1979 (The Act) commenced and the SSD SEPP was amended to become State Environmental Planning Policy (Major Projects) 2005 (Major Projects SEPP). Part 3A of the Act, amongst other things, provides that concept plans can be approved for Part 3A projects provided they are declared to be projects by a State Environmental Planning Policy or by order of the Minister published in a Gazette pursuant to Clause 75B(1)(b) of the Act.

The proponent has expressed a desire to seek concept plan approval under Part 3A of the Act whilst requesting that the site be listed within Schedule 3 of the Major Projects SEPP to facilitate its rezoning. The Department agreed that these two processes be concurrently undertaken. The plans and documentation submitted by the proponent (Documents 1 to 4 in Attachment A) are intended to both be the study to assess whether the site should be added to Schedule 3 of the Major Projects SEPP pursuant to Clause 8 of the Major Projects SEPP and the environmental assessment for the concept plan pursuant to Section 75N of the Act.

The purpose of this submission is for the Director General to provide a report on the project to the Minister for the purposes of deciding whether or not to grant approval of the concept plan pursuant to Section 75O(2)(a) of the Act. Section 75N of the Act provides that the scope of the Director General's environmental assessment report for a concept plan is the same as with respect to approvals to carry out a project as set out in Section 75I(2) of the Act. This report recommends the Minister should grant concept approval subject to conditions of approval set out in the instrument of approval set out at Attachment B.

The Department also recommends that the Major Projects SEPP be amended by adding the RRCS site to Schedule 3 as it is deemed to be a matter of significance for the environmental planning of the State. This is subject to a separate process which is currently being undertaken. This does not preclude the Minister granting concept plan approval as the concept plan proposal is not wholly prohibited given the sites current zoning under Ryde PSO as this is provided by Section 75O(3) of the Act.

The plans and documentation before the Minister for his consideration are set out in Documents 1 to 4 in Attachment A whilst the instrument of approval is set out at Attachment B.

2. SITE DESCRIPTION

The site originally formed part of the eastern farms agricultural lands set aside in 1793. An Italianate mansion, "Weemala" was constructed on the site near Morrison Road in 1885 and in 1906 the building and grounds were sold to the NSW Home for the Incurables. In 1954, the Home was renamed the Royal Ryde Homes and new buildings were built over the succeeding years. Spine Care and Riding for the Disabled were established over the mid 1990's. Various buildings have been subject to alteration and modification over a considerable period of time.

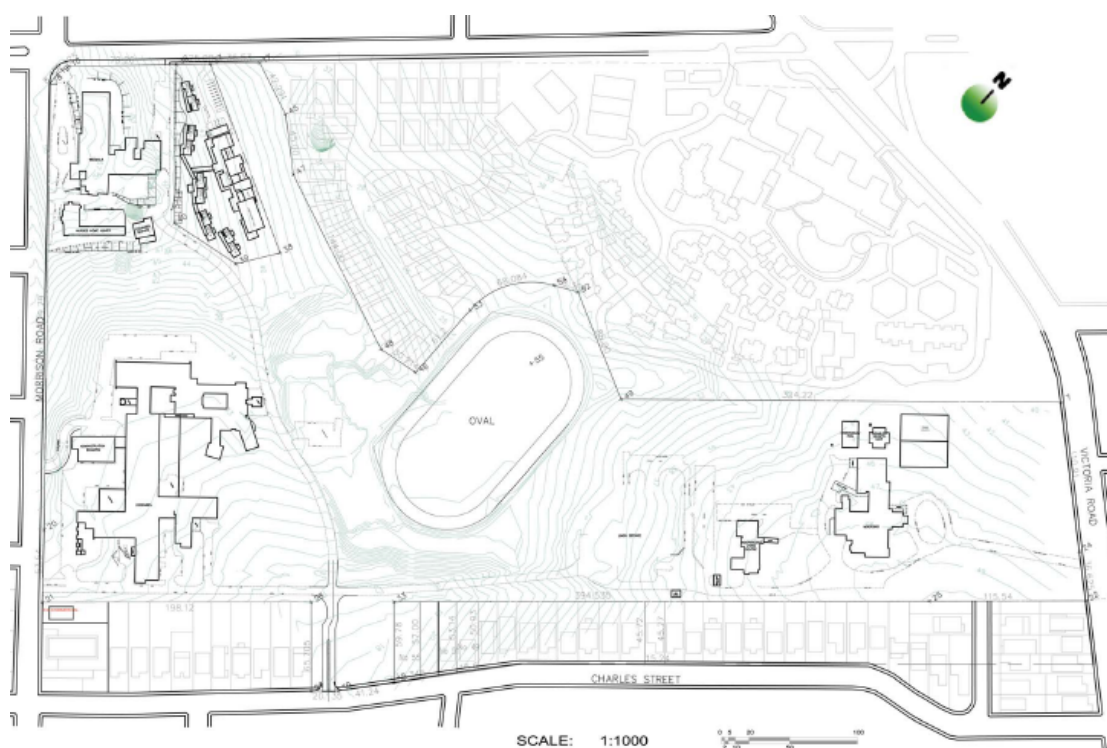
The site comprises approximately 17.7 hectares, the primary frontage being Victoria Road forming the site's northern boundary. Access is also gained via Morrison Road to the south and Charles Street to the east whilst Princes Road abuts the site to the west. The site is predominantly surrounded by low to medium density residential development of up to two storeys. Calvary Retirement Community is located to the north in close proximity to the intersection of Victoria Road and Princes Street, and includes a range of one and four storey buildings.

Putney shopping centre is located at the intersection of Charles Street and Morrison Road adjacent to the site's Morrison Road access point. Existing retail uses are of a small scale and therefore functions as a local neighbourhood centre. Other commercial uses lie on the opposite side of Victoria Road. The site is considered to

be well served by public transport given its location adjacent to Victoria Road and in close proximity to Ryde bus depot and two local train stations. Details of the site's availability to public transport infrastructure is set out in Section 8.3.

Topographically, the site is undulating with a low central valley in the centre sloping towards the highest points being in the extremities of the site at the intersection of Morrison Road and Princes Street and the Victoria Road frontage (RL55 and RL50 respectively) as shown in Figure 1 below. Part of the site has been disturbed by earthworks previously undertaken to accommodate a sports oval and detention basin but this remains incomplete due to funding issues (Ryde DA 268/93). Development consent was also granted for the construction of a motel on the Victoria Road frontage (Ryde DA 612/95).

Figure 1: Site Plan



3. RRCS EXISTING SERVICES AND FACILITIES

The proponent is a non-profit Affiliated Health Organisation providing State wide rehabilitation and disability support services. The Centre provides individual rehabilitation programs for adults with acquired disabilities arising from age related illness and disease, amputations, occupational injury, orthopaedic injury and illness, neurological illness, spinal cord injury and traumatic brain injury.

The centre provides services for people across NSW and directly employs approximately 500 full time staff comprising medical, nursing, allied health, corporate support and community support professions. The centre receives 550 new admissions, and treats approximately 9,000 patients, annually through its community and home-based programs. The centre has an ongoing role to support over 100 patients living independently or semi-independently in the community through the Community Integration Program.

The proponent operates its specialist rehabilitation and aged care services from three precincts within the site, namely Weemala, Coorabel and Moorong. The site is linked by internal access roads with existing car parking areas. The remainder of the site is grassed although there are some existing stands of trees present including a grouping of palm trees adjacent to the Victoria Road frontage.

A number of associated organisations co-located on the site have expressed a desire

to remain on site as part of the new development, including:

- Technical Aid for the Disabled (NSW)
- NSW Wheel Sports Association
- The Northern Sydney Health Seating Clinic
- The Biomedical Engineering Service
- Brain Injury Association (NSW)
- Australasian Rehabilitation Nursing Association (ARNA)
- Youthsafe

Riding for the Disabled Association – Ryde (RDA Ryde) has not been included within the concept plan proposal. This issue is discussed in detail in Section 8.7.

There are three Academic Research Centres operating on the site all of which have integral teaching links with the RRCS centre and the University of Sydney, namely, Rehabilitation Nursing Research & Development Unit (RNRDU), Rehabilitation Studies Unit (RSU), Centre for Developmental Disabilities Studies (CDDS) and FRS Dawes Library.

The proponent claims that existing facilities are outdated, inefficient and incur high maintenance costs and no longer meet new methods of delivering services to people with disabilities and presents potential risks to patient care. They are unacceptable in design and functionality and have a detrimental impact on the proponent in seeking to maintain its international reputation.

Figure 2: Aerial photograph showing existing facilities



4. PROPOSED DEVELOPMENT

The proponent intends to consolidate its existing services on the site and invest some \$45 million to develop a new state-of-the-art specialised rehabilitation and research facility. The proponent intends to dispose of the residual land for residential redevelopment of up to 900 dwellings to provide funding for the new centre and associated infrastructure on the site whilst securing the long term future of the

service.

The proponent intends to redevelop approximately 2 hectares of the site at the intersection of Charles Street and Morrison Road for the proposed specialist rehabilitation centre. It is intended to provide world class rehabilitation and disability support services and an associated academic and research centre. It is intended that these facilities will be non-institutional and seek to blend with new and existing development. It will be the primary campus from which the proponent will expand its network of community and home based services and programmes.

The proposed in-patient services provided within the proposed new centre will include:

- Specialised beds for severely injured people requiring treatment and therapy for brain injury, spinal cord injury, aged care and adult rehabilitation including stroke.
- An early intervention rehabilitation service integrated with trauma, medical and surgical teams, allowing rehabilitation to commence almost immediately after the accident, injury or illness.
- Advanced diagnostic technologies, such as MRIs and CT scans and the latest communication technologies such as teleradiology, telerehabilitation and teleconferencing.
- Improved access to 24-hour emergency medical cover.
- Improved opportunities for advanced clinical research, ensuring the staff provides therapy that is international best practice.
- Modern rehabilitation therapy and patient accommodation facilities fitted with the latest equipment and computer technology, including new mobility and gait assessment technologies.
- A range of cognitive impairment and communication devices to improve clinical practice.
- A full range of health and disability services such as physiotherapy, speech therapy, occupational therapy, hydrotherapy, medical consulting rooms, day activity centre and assessment centres.
- The headquarters for associated disability services and organisations will continue to operate within the health facility complex.

This area will include apartment-style high dependency units for people requiring extended care disability support and transitional and respite care, maximising opportunities for independent living and providing accommodation for people from rural areas and accommodation for carers, families, international lecturers and clinicians under training. Some detached dwellings will be provided for people living with a disability and those who are independent or semi-independent but require ease of access to the rehabilitation services and facilities.

A sporting, recreational and leisure complex is proposed which will include a lap pool and gymnasium, two multi purpose courts, rehabilitation training tracks and landscaped passive recreation and leisure areas for use by patients as well as new and existing residents in the area. Provision of some small scale office and retail floorspace is also proposed together with a range of primary health and community based activities for local residents, including a day activity centre, family general practice and speciality consulting rooms and diagnostic services (including pathology and radiology).

An indicative plan showing the extent of the proposed RRCS facilities is set out in Figure 3.

Figure 3: Proposed RRCS Campus (Indicative)



The proponent intends to dispose of the remaining 15.7 hectares of the site to a residential developer(s) to fund the development of its new rehabilitation facility. A concept plan has been produced which proposes a mix of detached dwellings, townhouses and apartments, public and private open space, and associated services and infrastructure. It is envisaged that the primary access point for the centre will remain as at present via Morrison Road, Charles and Princes Streets. Vehicular traffic associated with the residential element of the proposal will utilise the Victoria Road and Princes Street access points.

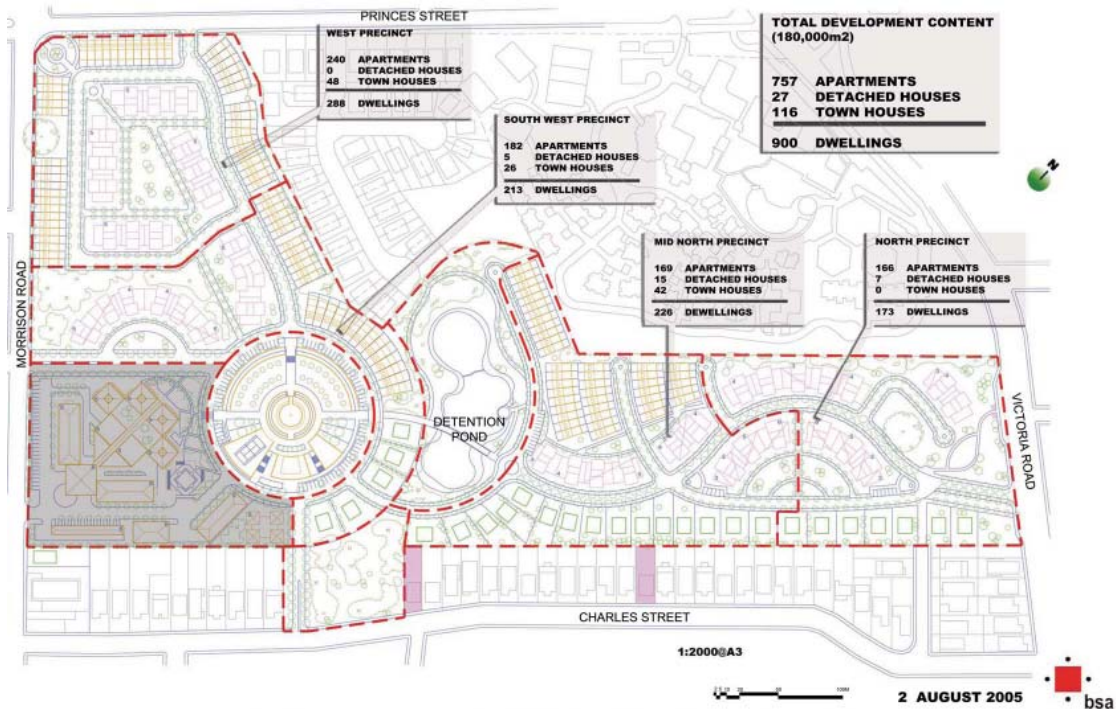
Low density development will be located at the boundaries of the site adjacent to the existing development in the surrounding area. Medium density development is proposed in the central areas of the site at varying heights depending on topography, the character of existing development and urban design principles. An area of public open space is proposed in the centre of the site. This will provide a buffer zone between the proposed rehabilitation facility and residential components of the development. It will also function as a detention basin when required. Smaller landscaped areas of open space are proposed elsewhere on the site.

RRCS intends to dispose of the residual land to a residential developer(s) to provide the necessary funding for the proposed rehabilitation facility either wholly or in parcels - staging of development is unknown at this stage. The means and timing of site disposal is dependent on a number of issues, including the aspirations of the future developer(s), possible funding and contractual issues, and the need to install utility services, infrastructure and a number of other issues. The proponent is seeking concept approval and rezoning of the site to gain the necessary economic certainty before approaching the market.

4.1 Concept Plan August 2005

The concept plan proposal shown in Figure 4 was submitted by the proponent on 10 August 2005 accompanied by an environmental assessment. The plans and documentation have been publicly exhibited for a period of thirty days from 31 August 2005 until 30 September 2005.

Figure 4: Concept Plan August 2005



A number of issues have been raised during the exhibition process, including urban design, building height, density of development, traffic generation, heritage, stormwater management and relocation of Riding for the Disabled Association (RDA Ryde). All relevant issues are discussed in detail in Section 8.

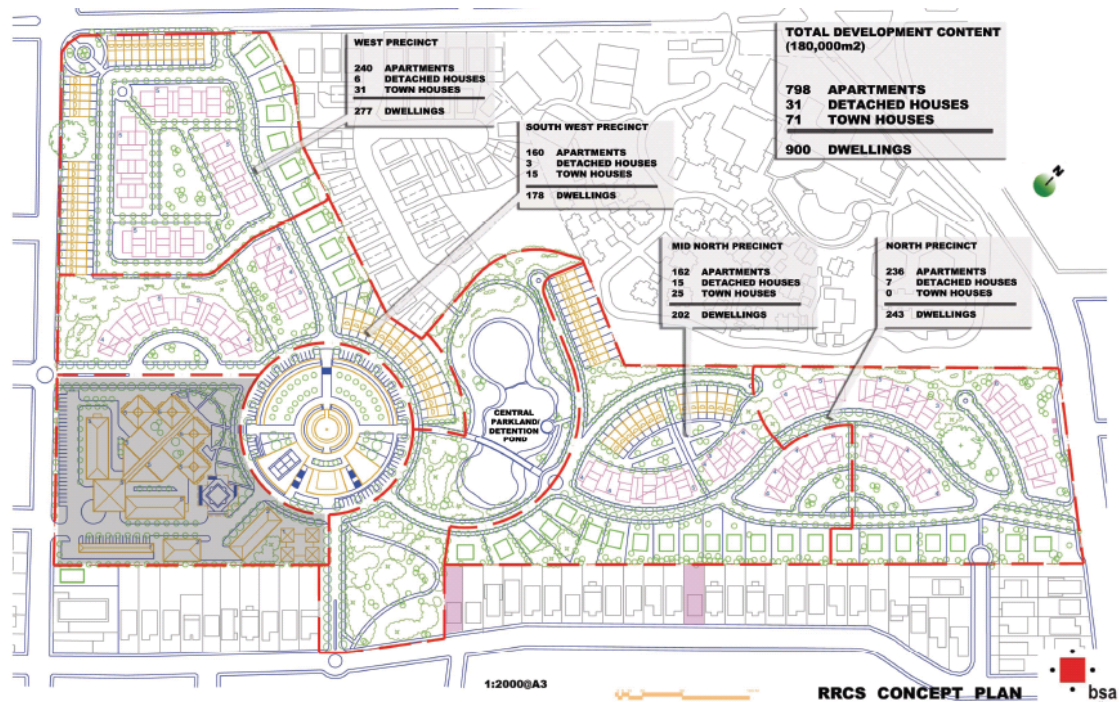
As a result of the public exhibition, the proponent has made the following amendments to the concept plan:

- Significantly more detailed justification provided in response to urban design issues raised.
- Detention pond to become central parkland area to provide more usable public open space and function as a detention basin when required.
- 48 townhouses deleted and replaced with 9 detached dwellings to the south of Linley Way.
- 5 storey building adjacent to the recreation circle reduced to a stepped 3-4-5 storey building.
- 5 storey apartment building to the north west of the recreation circle reduced to 4 storeys.
- 5 storey apartment building proposed next to Victoria Road increased to 6 storeys.
- 5 detached dwellings adjacent to the central parkland area next to Charles Street removed to provide improved legibility and access to future public open space.
- Proposed buildings better realigned to internal and external road networks.
- Retail zone incorporated into a multipurpose RRCS zone as an ancillary use.
- Construction of new roundabouts on Charles Street and Morrison Road.
- A turning circle at Kenneth Street.

Amended plans and documentation were submitted to the Department on 19 December 2005 in the form of a final response to submissions, preferred project

(including the preferred concept plan as set out in Figure 5) and a statement of commitments which seek to ameliorate and mitigate environmental impacts. The relevant plans and documentation are set out in Documents 1 to 4 in Attachment A.

Figure 5: Concept Plan Amendments (Indicative)



4.2 Concept Plan December 2005

In addition to the amendments referred to in Section 4.1, the status of the concept plan has been amended so as to function for indicative purposes only. A series of control plans have been submitted to the Department establishing maximum building heights and densities, development parcels and an associated internal street network and proposed land use distribution. It is this broader concept plan (Figure 6) which is before the Minister for his consideration and supersedes the previously submitted versions of the concept plan proposal.

The aim of this revision is to provide broad development controls to allow sufficient flexibility for a future developer(s) to redevelop all or part of the site without necessarily being tied to a more prescriptive concept plan such as that previously proposed. This will also reduce the chances of a future amendment being sought to the concept plan to facilitate an alternative proposal given the uncertainties associated with site delivery (see Section 9).

Part 3A of the Act provides that concept plans can be as broad or as detailed as a proponent seeks approval for. In this instance, an extremely broad approval has been sought given that the proponent is yet to approach the market. The concept plan approval will effectively establish a planning framework for the site together with the development controls set out in Schedule 3 of the Major Projects SEPP irrespective of the method of assessment adopted in respect of future applications (i.e. subject to assessment by the Department under Part 3A of the Act and/or Council under Part 4 of the Act).

The conditions have been framed so as to facilitate Council involvement during the assessment of future applications on the site providing an opportunity for Council to consider each proposal against its policies (e.g. development control plans). More detailed design aspects will be addressed when future applications are lodged.

Figure 6: Concept Plan December 2005 (Control)



5. STATUTORY FRAMEWORK

The purpose of this submission is for the Director General to provide a report on the project to the Minister for the purposes of deciding whether or not to grant approval of the concept plan pursuant to Section 75O(2)(a) of the Act. Section 75N of the Act provides that the scope of the Director General's environmental assessment report for a concept plan is the same as with respect to approvals to carry out a project pursuant to Section 75I(2) under Part 3A of the Act.

Section 75I(2) sets out the scope of the Director General's report to the Minister. Each of the criteria set out therein have been addressed below, as follows:

- (a) *a copy of the proponent's environmental assessment and any preferred project report; and*

The proponent's environmental assessment and preferred project report is set out for the Ministers consideration in Documents 1 to 4 at Attachment A.

- (b) *any advice provided by public authorities on the project; and*

All advice provided by public authorities on the project for the Minister's consideration is set out at Attachment C.

- (c) *a copy of any report of a panel constituted under Section 75G in respect of the project; and*

No independent hearing and assessment panel was undertaken in respect of this project.

- (d) *a copy of or reference to the provisions of any State Environmental Planning Policy (SEPP) that substantially govern the carrying out of the project; and*

A copy and brief assessment of each State Environmental Planning Policies that substantially govern the carrying out of the project is set out at Attachment D.

- (e) *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; and*

Environmental Planning Instruments (EPI's) comprise Local Environmental Plans (LEP's) and Regional Environmental Plans (REP's).

No LEP's govern the carrying out of this project. Notwithstanding this, the site is zoned as "Special Uses 5(a) Hospital" under Ryde PSO which prevents uses falling outside this zoning being granted development consent under Part 4 of the Act. Section 75O(3) under Part 3A of the Act provides that the Minister cannot grant approval for the concept plan for a project that would be wholly prohibited under an environmental planning instrument. Section 75O(3) does not apply in this instance as the concept plan proposal is not wholly prohibited on this site due to its zoning in Ryde PSO. Consequently, the concept plan proposal can be approved by the Minister under Part 3A of the Act without needing to rezone part of the site for residential purposes beforehand.

The proponent is seeking to add the site to Schedule 3 of the Major Projects SEPP, the process for which has been independently initiated by the Department. Adding the site to Schedule 3 will elevate it to State significant site status and enable new planning provisions to be endorsed which will in effect rezone the site from "Special Uses 5(a) Hospital" to a multipurpose RRCS zone, residential uses and associated open space provision. This will provide the necessary economic certainty for the proponent to approach a future residential developer(s). It is intended that the key development controls set out within Schedule 3 of the Major Projects SEPP will facilitate and fully compliment the concept plan proposal and vice versa. The planning provisions will operate in isolation to Ryde PSO until such time as a site specific future LEP is gazetted.

The site falls within the Sydney Harbour Catchment in Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. This provides a number of planning principles to be applied when plan making under Part 3 of the Act. Consequently, none of these principles apply to the concept plan proposal. As noted above, the Department recommends that the Major Projects SEPP be amended by adding the RRCS site to Schedule 3 of the Major Projects SEPP as it is deemed to be a matter of significance for the environmental planning of the State. This process has been independently initiated by the Department and these planning principles will be applied as part of that process where appropriate.

(f) *any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.*

The environmental assessment of the project is this report in its entirety.

6. STATE PLANNING POLICIES & REGIONAL STRATEGIES

An assessment of all relevant Environmental Planning Instruments, including State Environmental Planning Policies, Regional Environmental Plans and Local Environmental Plans is set out in Section 5 (and Attachment D). It is concluded that the concept plan proposal is in accordance with these planning policies.

The Metropolitan Strategy is the NSW Government's long term plan to maintain Sydney's role in the global economy and to plan for growth and change through a series of actions, plans and projects. An assessment of the concept plan proposal against the relevant documents is set out at Attachment D.

7. CONSULTATION

The proponent has expressed a desire for concept plan approval under Part 3A of the Act whilst seeking that the site be listed within Schedule 3 of the Major Projects SEPP to facilitate its rezoning. The Department agreed that both consultation processes be jointly undertaken. Documents 1 to 4 at Attachment A serve concurrent purposes given the potentially similar subject matter of the plans and documentation and the potential correlation of significant environmental issues.

In accordance with Section 75H of the Act, the environmental assessment was

publicly exhibited for a period of thirty days from 31 August 2005 until 30 September 2005 at the following locations:

- Department of Planning, Information Centre, 22 – 33 Bridge Street, Sydney
- Ryde City Council, The Civic Centre, 1 Devlin Street, Ryde

The environmental assessment was placed on the Department's website during the course of the exhibition period.

The approach to exhibition was based upon Council's notification policy. In excess of 250 local residents and local stakeholders within an appropriate radius of the site were informed of the concept plan proposal in writing and invited to make a written submission. Details of the concept plan proposal was placed in the public notices section of the local newspaper. The advertisement provided details of the proposal, exhibition locations and dates and how interested parties could make a submission. Government agencies, Ryde City Council and other public authorities were consulted.

The proponent made arrangements for the documentation to be viewed during the exhibition period in their Community Relations office on seven separate occasions during September 2005. A fact sheet to local residents in the area setting out the proposal and inviting members of the public to make submissions to the Department was circulated. It is also understood that the proponent has also previously undertaken other consultation processes with the local community.

In response to the exhibition period, the Director General received over 550 submissions, including 2 petitions. A significant proportion of the submissions were of a pro forma nature. Several submissions were received after the expiration of the exhibition period but these did not raise any further issues. A summary of submissions received is included at Attachment E.

Upon expiration of the exhibition period, several meetings between the Department, Council and the proponent took place to discuss the issues raised. The Department subsequently met with representatives from the resident's action group, Coalition Against Private Overdevelopment (CAPO), to discuss their concerns and facilitated a meeting between CAPO and the proponent.

Significant issues raised during the exhibition period are summarised below and assessed in detail under Section 8.1 to 8.7:

- Urban design
- Building height
- Density of development
- Traffic generation
- Heritage
- Stormwater management
- Relocation of Riding for the Disabled Association – Ryde

8. ASSESSMENT OF ENVIRONMENTAL ISSUES

The Department has reviewed the environmental assessment and the preferred project report and duly considered advice from public authorities as well as issues raised in general submissions in accordance with Section 751(2) of the Act.

Consideration of each of the issues as they relate to the concept plan proposal is provided in Sections 8.1 to 8.7.

The following section assesses each of the environmental issues associated with the concept plan proposal. Each relevant issue has been identified and duly considered followed by an explanation of how the proponent has sought to address the issue. Each subsection concludes with an explanation of how the Department has resolved

the issue through the imposition of various conditions of approval.

8.1 Urban Design

Issue

There are differing opinions between the proponent, local residents and Council in respect of the urban design philosophy adopted for the concept plan proposal.

Consideration

The proponent considers that the concept plan proposal represents an opportunity to adopt an iconic urban design philosophy based upon John Woods' Royal Crescent and Circus in Bath (UK) by creating a series of elegant built forms focused around a central circle providing community and recreational facilities with a curvilinear street pattern. It is argued that this is achieved through the provision of varying building heights across the site in response to the undulating topography, views and existing access points. Transitional low rise residential zones are proposed at the site boundaries to ensure effective integration into the surrounding area.

This is in contrast to responses received during the exhibition period. Many of the submissions suggest that the design of the concept plan should reflect and be better integrated into the surrounding area through the provision of low density residential development based upon a more conventional street pattern. Council is concerned that there is no legible structure to the built form or street pattern proposed and the concept plan proposal fails to respond to existing site conditions. It is considered that an alternative grided block and street pattern should be adopted to minimise the impact of the topography.

Despite the nature of the submissions received during the exhibition period, the proponent maintains that the urban design philosophy has merit and should be adopted. Aside from the amendments made to the concept plan (summarised in Section 4.1 above), the proponent has chosen to retain the overall nature of the concept plan proposal during the assessment process. An analysis of existing site conditions has been submitted as part of the revised concept plan proposal to justify the urban design principles adopted. This includes mapping and analysis of terrain, vegetation, hydraulics, vegetation and view corridors. Further information has also been provided at the request of the Department, including three dimensional modelling, shadow diagrams, sections and surveying.

The Department considers the intersection of Morrison Road and Charles Street to be a logical location for the development of the new rehabilitation centre. The area to the south of Linley Way appears to be a rational location for a central parkland area (and detention basin when required) as it will provide a buffer zone between the new rehabilitation facility and the area identified for residential redevelopment to the north. Similarly, the area of land to the west of the site towards the intersection of Morrison Road and Princes Street is suitable for residential purposes. There has been no suggestion that these elements of the concept plan proposal (or indeed the complimentary land use provisions set out within Schedule 3 of the Major Projects SEPP) should not progress on this basis.

Conclusion

The key revision the proponent has made to the concept plan proposal is to amend the status of the original concept plan so as to function for indicative purposes only. A series of control plans have been submitted to the Department setting maximum building heights and densities, development parcels and an associated internal street network. The aim of this revision is to provide broad development controls to allow sufficient flexibility for a future developer(s) to redevelop all or part of the site without necessarily being tied to a more prescriptive concept plan such as that previously proposed. Furthermore, this will reduce the chances of a future amendment being sought to the concept plan to facilitate an alternative proposal given the uncertainties

associated with site delivery (see Section 9).

Resolution

In addition to design amendments the proponent has provided several statements of commitment to address urban design:

- Adopt the Government's objective for a sustainable and compact city by ensuring that the concept plan proposal integrates into the surrounding community (Condition C2);
- Require that all future applications accord with the prescribed maximum heights, floorspace, number of dwellings, etc as set out in the amended plans and documentation (Condition C3);
- Ensure key urban design principles are adopted, including those advocated within SEPP 65, the Residential Flat Design Code (DIPNR) and the Residential Flat Design Pattern Book (DIPNR) (Condition C3);
- Achieve effective landscaping on the site through the implementation of a series of good practice and sustainability principles (Condition C4) set out within the BASIX SEPP (Condition C10).

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

All future applications will be generally in accordance with the concept approval irrespective of the consent authority nominated in Schedule 3 of the Major Projects SEPP. Notwithstanding this, the Department also recognises that a future developer(s) of the site may wish to deviate from the approved planning parameters set out within Condition A1. The Department has built some flexibility into the concept plan approval which will avoid the need for submission of a concept application afresh in the event that this occurs. Condition B1 provides that departures from Conditions A1 and A2 will require lodgement of further plans and documentation addressing, and where required, revising the internal road network and associated development envelopes in accordance with several good practice urban design principles:

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

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

Two other recommended conditions of approval seek to address other associated urban design issues. Condition B6 requires the submission of a development staging plan to ensure a meaningful and equitable mix of unit types is provided across the site whilst Condition B8 requires the submission of a site-wide landscape and public domain management plan to be prepared to the satisfaction of the Department. The management plan will need to demonstrate:

- A safe pedestrian environment that seeks to minimise contacts and conflicts with the road network, by providing green linkages/corridors to/from the main open space areas.
- Open space that is perceived unequivocally by members of the public, by its proper site planning and design, to be welcoming, accessible and inclusive.
- Well designed engineering functions that do not dominate or alienate the use and enjoyment of open space.
- Facilities that will attract users to the park, including facilities that normally associates with successful design of open space.
- Retention of significant vegetation that will enhance the amenity of the development, helping to place the development within its local context.

8.2 Building Height

Issue

Proposed building heights in the concept plan proposal are considered excessive and out of character with the surrounding area and will have an adverse impact on amenity.

Consideration

The concept plan proposal includes provision of five storey apartments in the central sections of the site gradually tiering down to two and three storey dwellings adjacent to the site boundaries. The aim of this is to provide a transitional buffer zone to ensure effective integration with the surrounding area. The existing topography will accentuate the height of the proposed buildings in some areas (e.g. the Morrison Road and Princes Road intersection) and extenuate the height of the proposed buildings in other areas (e.g. the Morrison Road and Douglas Street intersection). Minimum set backs have been provided to minimise the effect of the concept plan proposal on existing residential amenity.

The existing Weemala, Coorabel and Moorong buildings on the site range from one to three stories whilst the surrounding area is characterised by residential development of up to two stories although some buildings are considerably higher. The topography of the site and surrounding area emphasises the prominence of the three storey bricked Weemala building which can be viewed from a range of vantage points. The proponent's urban design principles appear to be based upon those employed at Calvary Retirement Home. The buildings are between one and four storeys in height but do not appear as visually obtrusive due to their clever design and associated landscaping.

At the request of the Department, the Weemala building has been surveyed which reveals that its total height is 18 metres. When a 3 metre floor to ceiling height is adopted (including provision of a lift and associated plant etc of 2.7 metres), the building is equivalent to a conventional 6 storey building. The total ground to gutter height (i.e. excluding the roof) is approximately 12 metres, which is equivalent to a 4

storey building, given similar assumptions are made. The maximum building heights in the concept plan proposal are between three and five stories in this part of the site so the proposed buildings will not appear higher than the existing building.

Conclusion

The Department requested that three dimensional modelling, shadow diagrams and sections be provided and surveying be undertaken to enable it to more thoroughly assess the potential visual impact of the concept plan proposal to ensure that the amenity enjoyed by existing residents is maintained. This exercise has informed the maximum building heights and set backs throughout the site as shown on the revised concept plan proposal. All applications for development will need to take into account the relevant conditions of approval as these will form the planning framework for future applications on the site. Whether these building heights are ultimately achieved will be subject to further detailed assessment when future applications for development are assessed under Part 3A (to be determined by the Minister) or Part 4 (to be determined by Council).

Resolution

As noted in Section 8.1, the proponent has amended the status of the original concept plan so as to function for indicative purposes only. A series of control plans have been submitted to the Department setting maximum building heights and densities, development parcels and an associated internal street network. The proponent has provided statements of commitment to ensure that the concept plan proposal integrates into the surrounding community (Condition C2), is in accordance with the development controls (e.g. maximum heights, floorspace, number of dwellings etc) set out in the submitted plans and documentation and key urban design principles are adopted, including compliance with State Environmental Planning Policy 65 – Design Quality of Residential Flat Development, Residential Flat Design Code (DIPNR) and the Residential Flat Design Pattern Book (DIPNR) (Condition C3).

Given the uncertainty associated with implementation of the residential element of the concept plan proposal, the Department recommends that a series of broad development controls be approved that are based upon the revised concept plan proposal (i.e. the control plans). The approval will outline the overall form of development by controlling the overall number of dwellings, land use distribution, building heights, densities and dwelling mix. The Department has introduced a level of flexibility in the approval which will avoid the need for submission of a concept application afresh in the event that a future developer(s) of the site may wish to deviate from the approved planning parameters. This is fully articulated in Section 8.1 above.

8.3 Density of Development

Issue

The excessive density of development may have a detrimental effect on public transport infrastructure and local services and facilities.

Consideration

The concept plan proposal assumes the development of up to 900 dwellings on approximately 15.7 hectares of the site. This equates to a density of approximately 56 dwellings per hectare or 1 dwelling per 178 square metres. The proponent has submitted a social impact report which states that an additional 900 dwellings on the site will result in an increase in population of 1,716 based upon projected occupancy rates. The report concludes that this estimated increase will not have a detrimental social impact as long as there is sufficient additional community and social infrastructure provided, traffic impacts arising from the concept plan proposal can be adequately managed and appropriate development controls are in place to ensure a

seamless interface is maintained between the site and surrounding area.

It has been asserted during the exhibition period that the additional 900 dwellings proposed will be added to the 1,500 dwellings currently present in the suburb of Putney, which will result in the suburb losing its local character. However, it is considered that the site does in fact fall on the boundary of Putney and forms a link from Putney's boundary to Top Ryde. The residential component of the concept plan proposal will primarily function as part of the suburb of Ryde. Furthermore, the proposed frontage and access for the residential component of the concept plan proposal will be Victoria Road.

This arterial road has been identified in the Metropolitan Strategy as a strategic bus corridor, providing regular links to the City, local routes to services and facilities and nearby train stations. It is also identified as an enterprise corridor adjacent to which some residential development should be facilitated. Top Ryde is identified as a Town Centre within the Metropolitan Strategy as set out in Section 6. Such areas are considered appropriate for medium density residential development such as that proposed provided that environmental impacts can be adequately mitigated and residential amenity can be satisfactorily maintained. Successful medium density residential developments have been achieved elsewhere in nearby LGA's, such as Meadowbank Employment Area (Ryde), Newington Apartments (Homebush Bay), Kings Bay (Five Dock) and Breakfast Point, Mortlake.

The Department considers the site to be well served by public transport given the regularity of bus services operating on Victoria Road providing routes to the City as well as routes to local services and facilities and nearby train stations. The residential component of the concept plan proposal will have access onto and proximity to Victoria Road. Bus services operate along Victoria Road providing services from Parramatta to the City (520/L20), Ryde to Circular Quay (500, 508, 510 and X00), Eastwood Station to Circular Quay (515/X15), Macquarie University to Town Hall Station (518/X18), Epping Station to QVB (288) and St Leonards Station (289) and West Ryde Station to Railway Square (501).

There is also a bus service which runs from Macquarie University to the City (Circular Quay) via Charles Street and Morrison Road, Putney (507) to the south of the site. The Department understands that all bus services are currently underutilised and consistently fail to operate at their projected capacity. There are several school bus services operating from Ryde Depot in close proximity to the site providing links to various schools across Northern Sydney including the settlements of Willoughby, Woolwich and Parramatta. There are collection points lying adjacent to the site, including Victoria Road and Morrison Road. A ferry service also runs from Kissing Point to the south of the site providing services to Parramatta, Olympic Park, Darling Harbour and Circular Quay in the City. Macquarie Park station on the Epping to Chatswood rail line is currently under construction and is due to open in 2008 providing a direct link to Chatswood and North Sydney.

Conclusion

The Department considers the rehabilitation facility to be of State and regional significance. The residential element of the concept plan proposal of up to 900 dwellings will fund the redevelopment of this facility and ensure its long term survival whilst reducing the financial burden on the State Government's purse. Any decision the Department makes in respect of density must strike the correct balance between achieving the State and regional planning objective of delivering a State significant health facility whilst ensuring the residential amenity of the area is maintained and environmental impacts are adequately mitigated.

These issues primarily focus on potential amenity impacts on existing residents, particularly additional local traffic (competing with existing through traffic) stemming from the increased residential density in the locality from what is perceived to be out-of-character development. The Department's advice, accounting for all the relevant

information and the appropriate weight of each, is that the balance of the benefits of the proposal to the State and the Sydney region outweighs the residual environmental planning issues, which can be mitigated and managed within acceptable limits subject to the imposition of an appropriate planning framework and associated recommended conditions of approval.

Resolution

The proponent has formulated a revised concept plan proposal which demonstrates that up to 900 dwellings could be achieved on the site. Whether this global figure will ultimately be achieved on the site is subject to the proponent satisfying the conditions of approval in all future applications for development on the site. The proponent has made several commitments in relation to density issues. Specifically, there is a commitment to comply with the development controls (e.g. maximum densities, heights and floorspace) set out in the submitted plans and documentation and any future application for development on the site will need to be in accordance with State Environmental Planning Policy 65 – Design Quality of Residential Flat Development, Residential Flat Design Code (DIPNR) and the Residential Flat Design Pattern Book (DIPNR) (Conditions C2 and C3) and accord with BASIX SEPP principles (Condition C10).

The Department is of the view that the concept plan approval satisfactorily mitigates the environmental impacts arising from the concept plan proposal, ensures a high standard of architecture and urban design and adequately maintains the amenity of the local area whilst providing sufficient social infrastructure. In assessing the proposal, the Department has resolved the environmental issues by seeking to preserve local amenity and improve the urban design of the proposal through conditions of approval that both amend the concept plan proposal and impose mitigation measures, in addition to building upon the proponent's own statement of commitments achieved through a combination of appropriately worded conditions of approval and negotiation of a planning agreement and/or development contributions.

Section 10 provides financial analysis of the overall number of dwellings proposed.

8.4 Traffic Generation

Issue

The concept plan proposal may lead to an unacceptable increase in vehicular traffic movements on the existing road network to the detriment of existing residential amenity.

Consideration

The proponent submitted a transport assessment as part of its original submission which concludes that the road network could accommodate the traffic generation associated with the concept plan proposal, resultant increases will not significantly affect existing residential amenity and the site is readily accessible by public transport. Furthermore, it asserts that implementation of the concept plan proposal will in fact strengthen the demand for public transport services in the area, including Victoria Road and Morrison Road. This has since been updated with the revised concept plan documentation lodged in December 2005. The conclusions echo the findings of the original transport assessment as summarised above.

A range of stakeholders have questioned the adequacy of the submitted information and remain unconvinced that the capacity of the local road network can accommodate the traffic generated by the number of dwellings proposed and the effects this additional traffic will have on existing residential amenity. Representatives from CAPO have met with the Department to discuss their specific issues. These primarily relate to vehicular capacities of local roads in the light of Roads and Traffic Authority (RTA) traffic guidelines and issues arising from the findings of a traffic study for the Tennyson and Putney suburbs prepared on behalf of Council by Geoplan

Urban and Traffic Planning Pty Ltd in March 2001 (the Geoplan study). The study, amongst other things, seeks to develop a traffic management plan for the study area to meet the needs of residents and local stakeholders. A copy of this report is set out at Attachment F.

Council is of the view that the modest increases in traffic flow on surrounding streets will not significantly affect the amenity of the area. Princes Street, Payten Street and Henry Street will continue to carry traffic flows within the environmental goal for local streets and traffic will effectively disperse into the surrounding road network through the three main access points and two secondary accesses. Council considers the increases in traffic to be relatively minor compared to existing traffic flows on Morrison Road, Charles Street and Victoria Road. The provision of roundabouts on Morrison Road and Charles Street coupled with a deceleration lane on Victoria Road will mitigate any potential access problems provided a number of other measures are adopted, including implementation of the traffic calming measures identified in Tennyson/Putney Local Area Management Plan (LATM). Council's submissions are set out at Attachment C.

The Department has independently instructed a transport consultant to provide definitive transport advice in respect of the indicative concept plan proposal (900 dwellings, see Figure 5 above) based upon the submitted plans and documentation and relevant transport assessments. The advice provides that the modest increases in traffic flows on surrounding streets as a result of the concept plan proposal will not significantly affect the amenity of the area. A number of recommendations are suggested, including provision of further information to address outstanding issues, detailed analysis of the capacity of arterial road intersections and employment of measures to manage vehicle speeds on Parry Street, Charles Street and Princes Street in accordance with the findings of the Geoplan study. A copy of the transport advice provided is set out at Attachment G.

Conclusion

The Department is aware from various submissions raised during the exhibition period that traffic issues have been prevalent in the locality prior to the proponent seeking concept plan approval. In fact, Council commissioned the Geoplan study in March 2001 to address localised traffic issues within the boundaries of Victoria Road, Punt Road, Parramatta River and Church Street. The Department has taken into account the findings of the relevant transport reports as well as the advice received from Council and the RTA. It is satisfied that the concept plan proposal can be satisfactorily accommodated on the site provided the recommendations of the independent transport advice are implemented. It is considered that this can be achieved through a combination of appropriately worded conditions of approval and through negotiation of a planning agreement and/or development contributions.

Resolution

The proponent proposes a statement of commitment which provides an obligation to work with all traffic and transport authorities and Council to optimise the design and safety of roads and intersections within and surrounding the site and to upgrade public transport. The proponent also commits to implementing all the recommendations and conditions set out by the RTA in its letter to the Department dated 5 October 2005, including provision of a deceleration lane off Victoria Road for the left turn into the site, provision of additional pedestrian facilities and technical guidelines in respect of vehicle noise, stormwater discharge and car parking areas are adhered to (Condition C7).

The Department has imposed further conditions of approval which have been categorised into five components; further issues to be addressed within three months from the date of concept plan approval (Condition B4.1), further issues to be addressed within three months of concept plan approval, or as otherwise determined by the Director General (Condition B4.2), traffic calming measures (Condition B4.3),

implementation of RTA recommendations (Condition B4.4) and technical issues (Condition B4.5). Each component is fully articulated below.

Condition B4.1 requires that the proponent will submit further plans and documentation addressing, and where revising, vehicular access points proposed on Morrison Road, increases in peak hour traffic flows and the operation of Charles Street under Council's hierarchy.

Condition B4.2 sets out the outstanding transport issues that need to be assessed further and, if necessary, resolved by the proponent, as summarised below:

- The distribution of RRCS traffic to reflect the proposed consolidation of its facilities, including car parking, in the corner of the site.
- The choice of approach and departure routes of traffic travelling to and from the site as a result of both the consolidated facility and residential redevelopment.
- Maximising access to and from the site via Victoria Road.
- Ability of the Princes Street access to accommodate westbound traffic leaving the site as a result of development proposed in the western corner of the site.
- Capacity constraints with a number of intersections along Victoria Road, notably at Meriton Street and Jordan Street, as identified in the Geoplan study.
- Existing or future traffic volumes on Parry Street which forms the bypass to Morrison Road.
- Existing traffic problems at the Princes Street and Morrison Road intersection and the road geometry of Princes Street and Cowell Street is unsatisfactory.
- A review of additional bus stop(s) that may be required, possibly on the Victoria Road and Morrison Road frontages.
- An analysis of increased pedestrian movements and the additional need for cycling provision resulting from the development proposal.

Condition B4.3 specifically identifies the wider site issues that are proposed to be dealt with through a planning agreement and/or provide developer contributions. The responsibility for provision of these measures may not solely fall upon the proponent. The condition has been framed to ensure an appropriate apportionment of commitment falls to the relevant party albeit to be determined at a later date. An explanation of the measures is set out below:

- Constraining of vehicle speeds in Princes Street, particularly between the site access and Morrison Road, to ensure volumes of traffic generated remain within the environmental capacity standards set out in the RTA guidelines to reduce impact on amenity.
- Constraining vehicle speeds in Charles Street given the downhill run and width of Charles Street as there is little to discourage traffic speeds in excess of the posted 50km speed limit.
- Implementation of the strategy identified in the Geoplan study for Charles Street north of Morrison Road should be implemented, including bike/parking land line markings and kerb extensions to delineate the vehicle travel path, protect cyclists and parked cars, stop overtaking in the inside lane, and to restrain vehicle speeds.
- Implementation of outstanding traffic calming measures identified in the Geoplan study to encourage low vehicle speeds on Morrison Road as a result of the forecast increase in traffic subject to community consultation.
- Provision of a roundabout at the site access at Morrison Road to assist in slowing traffic on Morrison Road subject to adequate sight distance and

queuing distance from the Charles Street intersection being available.

Conditions B4.4 and B4.5 have been imposed to ensure that all recommendations by the RTA are implemented to the Department's satisfaction, in consultation with Council where appropriate and future applications on the subject site provide detailed design of road cross sections, intersection of geometry and manoeuvrability of service vehicles in accordance with relevant guidelines.

Objective D1.2 of the City of Cities – A Plan for Sydney's Future (December 2005) states that the RTA will continue to coordinate road upgrades in existing areas. Some of the recommendations in the Geoplan study remain unimplemented due to funding issues. The Department considers this to be a good opportunity to attempt to resolve this issue and has therefore drafted a letter on behalf of the Minister for Planning to the Minister for Roads, the Hon. Eric Roozental MP, requesting that the remaining measures set out in the Geoplan study (i.e. the outstanding matters falling outside the remit of the concept plan proposal) be implemented (Attachment H).

8.5 Heritage

Issue

Concern has been expressed regarding the proposed demolition of the existing buildings to facilitate implementation of the concept plan proposal.

Consideration

The existing rehabilitation services currently operate from three buildings within the site, namely Weemala, Coorabel and Moorong. They are proposed to be demolished on the basis that they are outdated, inefficient and incur high maintenance costs. It is argued by the proponent that the buildings are spread over too wide an area which is not conducive to effective rehabilitation. The Department considers that existing buildings cannot continue to be used for the purposes of effective rehabilitation even if extensive refurbishment were to take place.

It has been stated during the exhibition period that the existing buildings have historical significance associated with the history of the rehabilitation centre and they should be adaptively reused for an alternative use. However, none of the buildings are listed on any State or local heritage register. Ryde City Council's Development Committee Agenda No. 4/03 (13 August 2002) states that the site was in fact removed from the Council's heritage register. The Department does not consider that any of the existing buildings are worthy of retention.

Conclusion

The proponent has undertaken a heritage survey and assessment which highlights the important historical, aesthetic and social significance of the site and several of the existing buildings, primarily owing to the long term occupation of the site by RRCS (originally the NSW Home for the Incurables). The report recommends a number of measures be implemented to ensure the cultural and heritage value of the site is maintained should the existing buildings be demolished, as summarised below:

- A professionally written history of the site commemorating the important historic, social and cultural significance of the centre in consultation with the Royal Australian Historical Society.
- Recordings of Moorong, the former Moorong staff quarters, the former Weemala Annexe and the circa 1885 former stable and cottage through the preparation of archival photographic recordings.
- An interpretation strategy recognising the important historical and social significance of the site, including a naming strategy and visual or textual interpretative material for parks, roads and new facilities.
- An archeological assessment to determine the extent and nature of any

remnants of the original Weemala building and retention of the original sandstone gateposts at the entrance.

- Significant landscape elements and vegetation identified in the landscape report to be preserved where appropriate.

The Department has carried out an internal examination of the buildings and conducted several site visits during its assessment of the concept plan proposal. It is considered that the existing buildings are not worthy of retention given they have limited architectural or aesthetic merit and several have been subject to significant alteration and modification. It is considered that the recommendations in the proponent's heritage survey and assessment report ensures the cultural and heritage value of the site is maintained. Notwithstanding this, the concept plan approval does not preclude a future developer(s) of the site retaining the buildings. Demolition of the existing buildings in either a piecemeal or comprehensive manner will require further approval.

Resolution

The proponent has provided a statement of commitment that in the event that a future approval is granted to demolish the existing buildings, the impacts be mitigated by a number of procedures. These appear to be based upon the recommendations provided within the proponent's heritage survey and assessment report as summarised above (Condition C5). The Department considers that this to be an appropriate course of action should a decision be made by a future developer(s) to demolish the existing buildings. However, an additional condition of approval has been imposed by the Department which ensures full compliance with the recommendations of the heritage survey and assessment report (Condition B11).

8.6 Stormwater Management

Issue

Concern has been expressed regarding stormwater management and whether the detention basin provides a satisfactory solution to this issue in this regard.

Consideration

The proponent's original submission proposed a detention pond designed as a permanent lake accompanied by technical engineering information setting out basic requirements for the proposed means of stormwater management. The revised concept plan proposal provides a central parkland which will function as a detention basin when required. Five detached dwellings adjacent to the central parkland areas have been removed to provide a clear swathe through the site to the east to accommodate an existing drainage easement.

Council has raised fundamental concern associated with the proposed design solution to this issue. Residential development and associated infrastructure is proposed on the formerly approved basin area. The central parkland/detention basin shown in the concept plan proposal is located in a different location giving rise to other issues. Firstly, the wetland will require adequately sloped earth barriers to the basin and a flat sloped perimeter to the wetland resulting in a significant increase in the overall storage depth and raises safety issues. Secondly, the relocation of the basin will necessitate the construction of the basin spillway.

Conclusion

Part of the site has been disturbed by earthworks previously undertaken to accommodate a sports oval and detention basin which is incomplete due to funding issues (Ryde DA 268/93). The Department considers that this concept plan proposal represents an opportune point to find a solution to this issue. Whilst Council has raised concerns regarding this issue conditions of approval have been suggested by Council which adequately address the outstanding issues of concern and have been

agreed between the Department, Council and the proponent. These are set out below.

Resolution

The proponent has committed to working with Council to develop the design of a stormwater management system to operate effectively to the standards for infrastructure, safety and public safety set out in Council standards by (Condition C8).

Consensus has subsequently been reached between Council, the Department and the proponent that prior to the issuing of certificates of occupancy for any building on the site a detention storage facility will be provided to the following agreed specifications, to the satisfaction of the Department, in consultation with Council (Condition B12):

- A storage of minimum capacity of 13,000 cubic metres is required to meet catchment needs for a 1 in 100 year ARI event, exclusive of the increased runoff generated by the RRCS redevelopment (additional features such as wetlands, water quality storage, or ornamental ponds will necessitate an increase in storage capacity).
- The design of the basin is to satisfy the requirements of Council's Stormwater Management Development Control Plan DCP 41 and the NSW Department of Planning publication "Better Drainage: Guidelines for the Multiple Use of Drainage Systems" as appropriate. Such design is to be submitted and endorsed by Council's Group Manager Public Works prior to construction.
- The detention storage and related facilities are to include appropriate health and safety measures to protect the public. These stormwater management facilities may not be capable of inclusion in open space provision calculations.
- Any relocation or adjustment of existing stormwater infrastructure related to the detention basin is to be undertaken at the property owner's expense and subject to the requirements of Council's Group Manager Public Works.
- The property owner is to enter into a suitable Deed of Agreement with the City of Ryde relating to the detention basin and related facilities which provides Council with rights of access and protects Council's interests.
- All internal stormwater design is to comply with the requirements of Council's Stormwater Management Development Control Plan DCP 41.
- Any structures located in close proximity to stormwater infrastructure including detention storages in which Council has an interest or overland flowpaths are to comply with the requirements of Council's Stormwater Management Development Control Plan DCP 41.

The Department is satisfied that Conditions B12 and C8 addresses this issue in principle at this stage.

8.7 Relocation of Riding for the Disabled Association – Ryde

Issue

The potential relocation of RDA Ryde when the concept plan proposal is implemented will result in the loss of a unique and invaluable community asset.

Consideration

RDA Ryde has been operating on the site for in excess of 20 years providing substantial therapy support and opportunities to many people with sensory and intellectual disabilities. There are approximately 60 volunteers who work at the centre per week providing help and support to enable over 100 individuals from across the Metropolitan area to participate in horse riding and social activities. The Department,

Council and the proponent recognises that the association is a significant community asset.

The decision has been made by the proponent to discontinue the operation on the site prior to any redevelopment as there are factors which prohibit the continued usage of their facilities, including local health and environmental planning controls, occupational health and safety regulations and public risk liability. There is no formal lease arrangement or occupancy agreement in place between any parties for RDA Ryde to operate on the site. Ongoing discussions between the proponent, the Department and Council have been taking place in an attempt to achieve a satisfactory outcome for this issue.

Conclusion

The timeframes associated with the assessment of the concept plan and future applications on the site are such that relocation of RDA Ryde is by no means an immediate proposition and they will certainly be retained on the site for the immediate future.

The Chief Executive Officer of RRCS has unilaterally approached some twelve local Councils and submitted numerous representations on behalf of your association to resolve this matter. Several options have since been identified, two of which appear to be feasible at this stage.

The first is Yaralla at Dame Edith Walker (Concord) Hospital. The site is located across Parramatta River within the City of Canada Bay LGA, has existing stables and appears to be underutilised. There are ongoing discussions between the Department, RRCS, Central Sydney Area Health Service and NSW Health.

The second option being considered is Ryde Pony Club at Marsfield Park which lies immediately adjacent Macquarie University's western boundary within the City of Ryde LGA. The club is wholly supportive of sharing its facilities with RDA Ryde given the resultant mutual advantages. Whilst it is understood that Council are supportive of this proposal in principle, two notices of motion were withdrawn when the matter was considered during its Council Meeting on 13 December 2005. This matter will be reconsidered by Council shortly.

Resolution

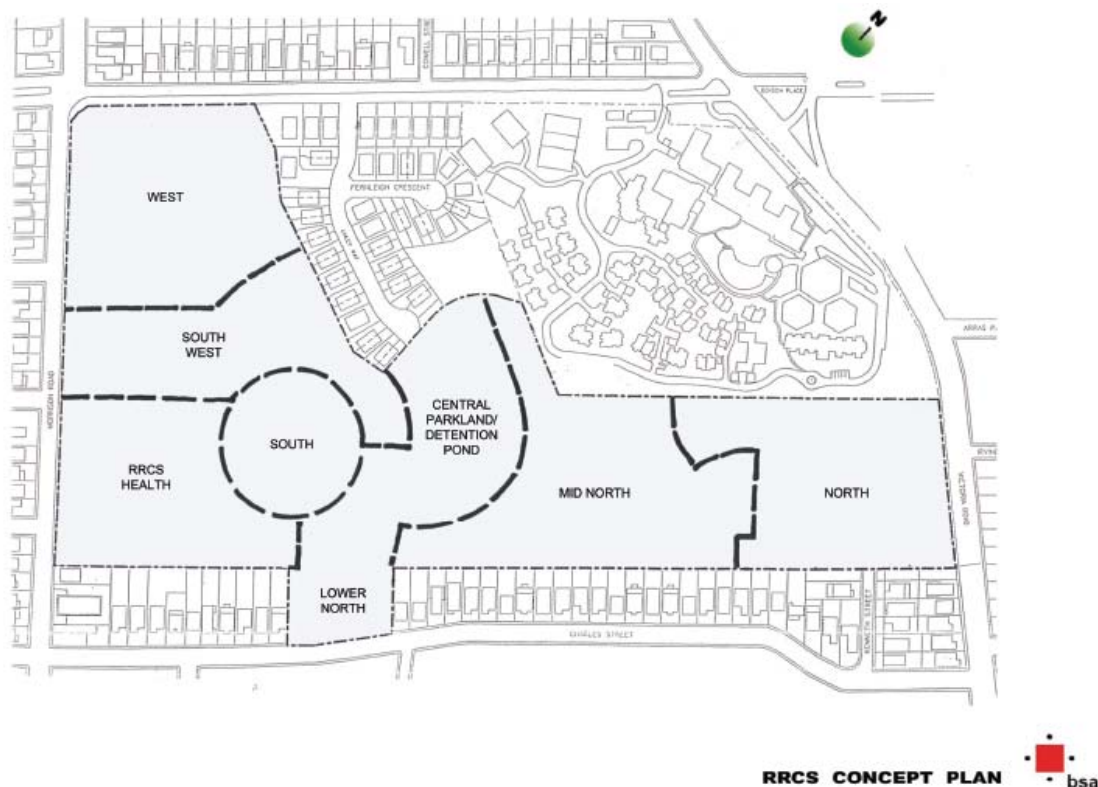
The proponent has committed to continuing to work with RDA Ryde, the Department and Council to achieve a timely relocation within the next two years (Condition C12). The Department has imposed additional conditions of approval which ensures the proponent continues to facilitate relocation of RRCS (Condition B14) and to enter into a planning agreement and/or provide developer contributions (Condition B5) to resolve this issue.

9. STAGING AND IMPLEMENTATION

Part 3A of the Act provides that concept plans can be as broad or as detailed as a proponent seeks approval for. In this instance, an extremely broad approval has been sought given that the proponent is yet to approach the market. The concept plan approval will effectively establish a planning framework for the site together with the development controls set out in Schedule 3 of the Major Projects SEPP irrespective of the method of assessment adopted in respect of future applications (i.e. subject to assessment by the Department under Part 3A of the Act and/or Council under Part 4 of the Act). The conditions have been framed so as to facilitate Council involvement during the assessment of future applications on the site providing an opportunity for Council to consider each proposal against its policies (e.g. development control plans or a future LEP). More detailed design aspects will be addressed when future applications are lodged with the future consent or approval authority.

As shown in Figure 7, the site has been provisionally divided into seven site development parcels. It is the proponent's intention to continue its operations on the site whilst it is redeveloped so it is likely that the site will be developed in the following order – north, mid north, central parkland / lower north, west, south west, south and RRCS Health.

Figure 7: Site Development Parcels (Indicative)



All future applications for development on the site will need to be in accordance with the prescribed conditions of approval set out within the instrument of approval (Attachment B) as required under Clause 75J(4) of the Act. Condition B2 provides that a development staging plan for the residential redevelopment be submitted for assessment by the Department in consultation with Council to ensure a meaningful and equitable mix of unit types is provided across the site through submission of a development staging plan.

10. INDEPENDENT ECONOMIC EVALUATION

In December 2005, the Department engaged APP Corporation Pty Ltd to undertake a review of the proponent's scheme and to provide an overview of the potential purchase price a developer(s) would pay for the RRCS site, excluding the 2 hectares proposed for the new \$45 million consolidated rehabilitation facility.

The basis for modelling the potential land purchase price was a range of development scenarios as follows:

- The RRCS proposal of 900 dwellings at a maximum height of 6 storeys;
- The RRCS proposal to a maximum height of 5 storeys (=884 dwellings)
- The RRCS proposal to a maximum height of 4 storeys (=778 dwellings)
- The RRCS proposal to a maximum height of 3 storeys (=609 dwellings)
- Ryde City Council's preferred low density scheme (=240 dwellings)

NB: Council officers have verbally informed the Department that development of the site for up to 900 dwellings and up to 6 storeys poses no significant loss of amenity in the area subject to appropriate urban design principles being adopted. Council's traffic engineer has indicated in writing that the proposal will generate modest increases in vehicular traffic generation.

The purpose of the request was to firstly ascertain what profit margin a 900 dwelling development scenario could generate for RRCS to pay for its new facility and to secure future self-sufficiency and investment capital. Related to this, the purpose of the request was also to determine the veracity of RRCS's claims for the need for this density.

Secondly, the request also sought to determine the financial / revenue impact of reductions in development height and density (these being key community issues in conjunction with their related traffic impacts) and also what density or number of dwellings would result in a "break-even" development for RRCS, that is, a profit or residual land value of \$45 million. Lastly, the request sought to determine what a Council-supported predominantly residential low-rise and low-density scenario could generate in terms of revenue for RRCS.

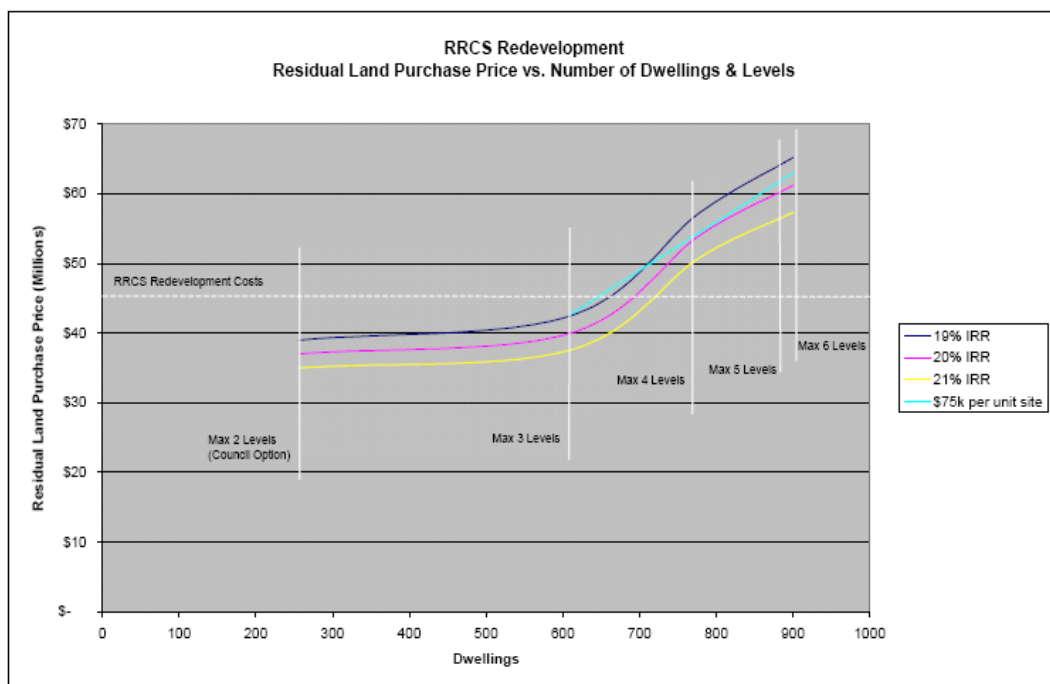
The results of the detailed APP study are graphed below and draw out key results when considering the various development scenarios and the RRCS "break-even" position of \$45 million required to construct the new rehabilitation centre on-site.

It should be noted that whilst the APP study was in itself very detailed, the results may vary depending on the Internal Rate of Return chosen (recommended at 20% IRR) and on the basis of a range of both known and unknown assumptions having been made. Accordingly, these figures should be treated as indicative only.

As the site is presently zoned for Special Uses (Hospital), the land currently has an inherently low economic value. Application of a Residual Land Purchase Price determines a land value based on a conceivable or permitted reuse and improvements such as infrastructure provision and residential development to varying densities. APP has indicated that an average cost per unit of \$75,000 be applied.

As can be seen on the graph above, the RRCS proposal before the Minister would generate a residual land purchase price of \$61.2 million, a profit in the order of \$16.2 million.

Figure 8: APP Table showing Residual Land Purchase Price



This should be weighed-up against RRCS's annual operating costs and margin. RRCS in its last two financial years has operated at a net loss of \$620,000 (2005)

and \$1.6 million (2004). It should be noted that of RRCS's annual revenue of about \$36 million, nearly \$30 million is through a NSW Health subsidy (\$20million), the Department of Ageing, Disability and Home Care (DADHC) funding (\$7.6 million) and other grants (\$1.5 million).

As the height and density of the proposal is reduced the residual land purchase price correspondingly diminishes. A maximum of 5 storeys (884 dwellings) could generate a profit of \$13.1 million, whilst 4 storeys (778 dwellings) could generate a profit of \$9 million.

Based on these assumptions, a "break even" position from the proponent's perspective equates to approximately 690 dwellings.

Council's low-density and low rise option (which is also supported in principle by CAPO – Rolf Clapham et al) would equate to 240 dwellings, largely separate houses and townhouses. This scenario would not pay for the new rehabilitation centre nor provide RRCS with added investment capital.

APP's detailed financial outputs are at Attachment I for reference.

11. DEPARTMENT'S CONSIDERATION

The Department considers the rehabilitation facility to be of State and regional significance. The residential element of the concept plan proposal of up to 900 dwellings will fund the redevelopment of this facility and ensure its long term survival whilst reducing the financial burden on the State Government's purse. Any decision the Department makes in respect of density must strike the correct balance between achieving the State and regional planning objective of delivering a State significant health facility whilst ensuring the residential amenity of the area is maintained and environmental impacts are adequately mitigated.

The Department has reviewed the environmental assessment and the preferred project report and duly considered advice from public authorities as well as issues raised in general submissions in accordance with Section 75I(2) of the Act. It has also commissioned two independent studies on traffic and economics. All the relevant environmental issues associated with the concept plan proposal have been extensively assessed. These issues primarily focus on potential amenity impacts on existing residents, particularly additional local traffic (competing with existing through traffic) stemming from the increased residential density in the locality from what is perceived to be out-of-character development.

The Department is of the view that the concept plan approval satisfactorily mitigates the environmental impacts arising from the concept plan proposal and adequately maintains the amenity of the local area. In assessing the proposal, the Department resolved all the environmental issues through conditions of approval that both amend the concept plan proposal and impose mitigation measures. This has been achieved by building upon the proponent's own statement of commitments through a combination of appropriately worded conditions of approval and future negotiation of a planning agreement and/or development contributions.

It should be noted that the proponent has yet to engage a developer or sell its residual land to facilitate the redevelopment. To that end, a future developer may seek to develop the site in a different manner. The conditions of approval also provide flexibility to enable a future proponent to revise the scheme within the approved parameters of number, mix, and density of dwellings, and height and distribution of buildings as set out in the concept plan's control drawings.

In the absence of the Department's and Minister's role in assessing and approving the proposal, the wider issue of service delivery within the health sector has the potential to continue to be compromised by localised issues. As a result of a comprehensive and consultative planning process the Department has been able to

balance local amenity impacts with service delivery outcomes of State and regional significance to achieve a concept approval that will provide certainty for RRCS.

Notwithstanding the outcomes of the Department's technical assessment, it may be appropriate for the density of residential development on the site to be reduced to a maximum of 50 dwellings per hectare (an overall reduction of over 100 dwellings to less than 800 in total). This would provide for greater confidence that the impacts of the development particularly with regard to traffic generation can be managed and mitigated. The proposed density of the residential component of the concept plan proposal was a key issue of concern expressed in submissions received from the local community. This reduction in dwelling numbers would not compromise the achievement of a new rehabilitation facility on the site. The reduction has been discussed with the proponent who has indicated that they are able to accommodate the limits albeit that this will directly impact on future income streams.

The Department's advice, accounting for all the relevant information and the appropriate weight of each, is that the balance of the benefits of the proposal to the State and the Sydney region outweighs the residual environmental planning issues, which can be mitigated and managed within acceptable limits subject to the imposition of an appropriate planning framework and associated recommended conditions of approval. The Department however recommends that a limit of 50 dwellings per hectare on any land proposed for residential redevelopment on the site be imposed as a condition of any approval of the concept plan to address public interest and provide greater certainty with regard to managing environmental impacts.

12. INSTRUMENT OF APPROVAL

The Department has prepared recommended conditions of approval in respect of this concept approval as described in Schedule 2 as set out in the instrument of approval at Attachment B. The reasons for the imposition of conditions are to encourage good urban design and a high standard of architecture, maintain the amenity of the local area and adequately mitigate the environmental impact of the development. The conditions of approval build upon the statement of commitments made in respect of the concept plan proposal.

The instrument of approval also requires that prior to the lodgement an initial application for development on the subject site a planning agreement and/or developer contributions between the proponent, Council and other agencies will be formalised by the proponent and agreed by the Department, in consultation with Council and agencies where appropriate. This will include (but not be limited to) community and educational facilities, public open space, traffic calming measures, relocation of RDA Ryde and provision of infrastructure.

13. RECOMMENDATION

It is recommended that the Minister:

- a) **consider** the findings and recommendations of this report; and
- b) **approve** the concept approval under Section 75O(2) of the Act, subject to the conditions of approval set out in the attached instrument of approval; and
- c) **sign** the attached instrument of approval (Attachment B) and
- d) **sign** the attached letter to the Minister for Roads requesting that the remaining measures set out in the Geoplan study be implemented (Attachment I).

Nicholas Hall

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Director General