



Planning &
Infrastructure

***MODIFICATION REQUEST:
Crowle Home/Achieve Australia Site
Concept Plan***

74-76 Belmore Street, Ryde

MP10_0110 MOD2



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

May 2013

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*NSW Government
Department of Planning & Infrastructure*

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1. BACKGROUND

1.1 The site and surroundings

The subject site is located at the south eastern corner of the Belmore Street and Junction Street intersection (refer to **Figure 1**) in Ryde (within the Ryde Local Government Area). The site is generally rectangular in shape and fronts Belmore Street, Junction Street, and Porter Street. The site has an area of 16,143m² and slight fall of 3 metres from midway through the site towards the south and north (with a slight cross fall from Porter Street to Belmore Street).

The site has historically been used as a residential care facility commencing in the 1950s, known as the Crowle Home.

The site is located within the Meadowbank Employment Area, which is currently in transition from the industrial/employment area of Meadowbank to more recent high density residential land use. To the north of this area are low density residential areas occupying the upper slope of Ryde leading back up to the ridge at Victoria Road.



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

The site is located approximately 8 kilometres east of the Parramatta CBD; 9 kilometres south west of Chatswood CBD; and 14 kilometres north west of the Sydney CBD (**Figure 2**). It is well served by public transport being located 150-400 metres from a number of local and regional bus routes running along Church Street and Victoria Road. The Meadowbank railway station and the Meadowbank ferry wharf are located approximately 1 kilometre from the site. In addition, the Meadowbank village centre is located 1.1 kilometres from the site.



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

1.1 Existing Buildings and Uses

The site currently accommodates a residential care facility and housing for persons with a disability. The residential care facility is currently in the process of being decommissioned with residents on site being relocated to other forms of contemporary accommodation as part of this process.

The existing site is occupied by a number of buildings that range in height from one to three storeys (refer to **Figure 3**)

The site accommodates:

- a federation cottage (locally listed) located centrally on the site known Tellaraga House;
- a two storey L shaped building used as accommodation for residents;
- single storey building formerly used as a day program facility located along the southern boundary;
- a war memorial garden and large expanse of open grassed area;
- three single storey buildings including a vacant administration building, an indoor swimming pool and a dwelling located at the north western and northern boundary edges;
- vehicular access available from Belmore Street, Junction Street and two at Porter Street.
- mature trees located predominantly along the northern and western frontages, with scatter trees through the remainder of the site.

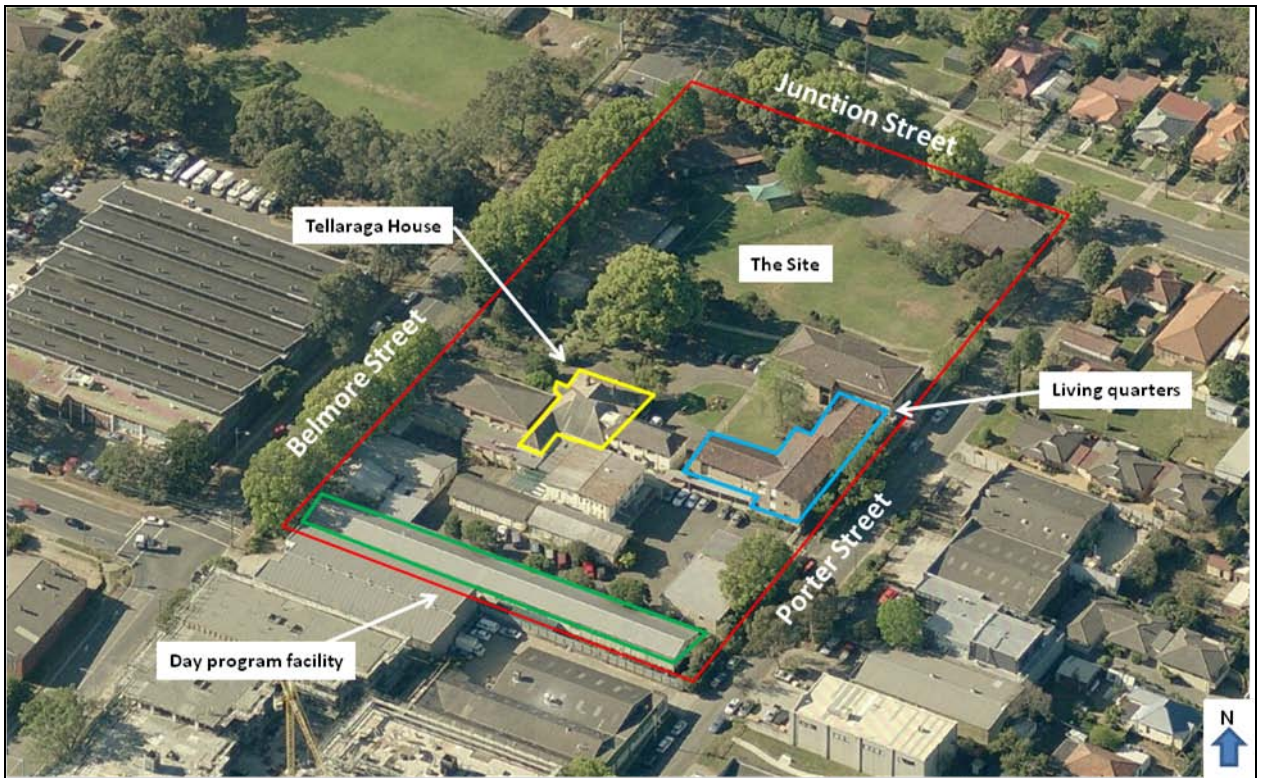


Figure 3: Aerial view of existing site and its buildings (Base source: BingMaps)

1.2 Previous Approval

On 14 November 2012, the Planning Assessment Commission (PAC) approved the Concept Plan (MP10_0110) for the redevelopment of the site for some 430 apartments, conservation of the heritage item and provision of housing for the disabled subject to modifications and future assessment requirements (refer to **Figure 4**).

The Concept Plan approval comprises the following:

- 35,000m² of residential gross floor area;
- 5 residential building envelopes and communal facility building envelope;
- 3 level basement car park envelope;
- retention and reuse of the Tellaraga house; and
- public domain works including a through site link and road upgrades.

On 14 March 2013, a modification was approved (MP10_0110 MOD1) by the Director of Metropolitan and Regional Projects South, which increased the number of dwellings to be approved (from 150 to 160) before a conservation management plan and application for the restoration of Tellaraga House is required.



Figure 4: Approved Concept Plan layout (Source: Proponent's Environmental Assessment)

2. PROPOSED MODIFICATION

2.1 Modification Description

The proposal seeks to modify the Concept Plan (MP10_0110) by. The specific amendments to the Concept Plan include (refer to **Figures 5, 6, 7, 8 and 10**):

- an increase in height of the building envelope at the southern end of Building B from 2 to 4 storeys;
- reduction of the 7th floor setback of buildings fronting Belmore and Porters Streets from 4 metres to a minimum of 3 metres, as measured from the building facade;
- an increase in the height of any lift overruns to Building B by an additional 300mm above the maximum of envelope height (to RL 43.8); and
- vehicular servicing for the apartments to be carried out at grade (instead of within the basement) and within the building.

The Proponent has submitted a detailed Development Application to Ryde City Council seeking approval for Stage 1 of the development, being Buildings B and C. The current modification request relates to matters that have arisen out of Ryde City Council's initial assessment of that Development Application.



Figure 5: Comparison of the building envelope of Building B (western elevation as seen from Belmore Street): approved (above) and modified (below) (Source: Proponent's Environmental Assessment and original approval MP10_0110)



Figure 6: Increase of lift overrun by 300mm to Building B (Source: Proponent's Environmental Assessment)



Figure 7: Modified loading dock location, ground floor Building C (Source: Proponent's Environmental Assessment)

3. STATUTORY CONTEXT

3.1 Continuation of Part 3A

Under Clause 3C of Schedule 6A of the *Environmental Planning & Assessment Act 1979* (the Act), Section 75W of the Act (as in force immediately before its repeal on 1 October 2011) continues to apply for the purpose of the modification of a project application approved before or after the repeal of Part 3A. The PAC approved the Concept Plan on 14 November 2012. The Director-General's Environmental Assessment Requirements (DGRs) were issued with respect to the original Concept Plan on 16 September 2010, therefore the project is a transitional Part 3A project.

This report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Department may approve or disapprove of the modification to the project under Section 75W of the Act.

3.2 Modification of the Minister's Approval

The modification application has been lodged with the Director-General pursuant to Section 75W of the Act.

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval. However, in this instance, the proposal seeks to modify the terms and conditions of the existing Concept Plan approval, and therefore, approval to modify the application is required.

3.3 Delegated Authority

On 14 September 2011, the Minister delegated his powers and functions under Section 75W of the EP&A Act to Directors in the Major Projects Assessment Division in cases where the application has not been made by or on behalf of a public authority and:

- the relevant local council has not made an objection;
- a political disclosure statement has not been made; and
- less than 10 public submissions in the nature of objections have been received.

The Director may determine this modification request under delegated authority as:

- Ryde Council has not made an objection;
- a political disclosure statement has not been made; and
- no public submissions were received.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under Section 75W of the Act, a request to modify an approval does not require public exhibition. However, under Section 75X(2)(f) of the Act, the Director-General is required to make publically available requests for modifications of approvals given by the Minister.

The Department referred the application to Ryde City Council for comment. The application was also made publically available on the Department's website.

Ryde City Council provided a submission advising that it does not object to the proposed changes. However, raised concerns about the proposed increase in height of the southern portion of Building B (refer to **Section 5.1.1**).

The Department has considered the issues raised in the submission in its assessment of the proposed modification.

5. ASSESSMENT

The Department considers the key issues for the proposed modification to be:

- built form; and
- loading/servicing facilities

5.1 Built Form

5.1.1 Building envelope at the southern end of Building B

The proposal seeks to modify the Concept Plan by increasing the height of the building envelope at the southern end of Building B from 2 storeys to 4 storeys.

The currently approved Building B building envelope provides for a 7 storey building, which steps down to part 4, part 2 storeys at its southern end (the southernmost 5 metres of Building B is approved at a 2 storey height). The building envelope for Building A provides for a 7 storey building stepping down to part 4 storeys opposite the southern end of Building B (refer to **Figures 5 and 8**).



Figure 8 Approved building envelope storey heights (Source: original Concept Approval MP10_0110)

The separation between Buildings A and B is equal to 40 metres and allows for Tellaraga House to be readily visible to the public domain along Belmore Road. Furthermore, the opposing ends of Building A and B will frame the view of Tellaraga House from Belmore Street.

As originally submitted, the opposing ends of Buildings A and B proposed a symmetrical stepped façade (part 2, part 4 storeys). In response to NSW Heritage Office's concerns, the 2 storey northernmost element of Building A was removed to further better allow views to Tellaraga House from Belmore Street. The proponent's justification for the current modification is to restore symmetry to the opposing ends of Buildings A and B, to improve their appearance from the Belmore Street and to better frame the entrance to the site. The modification does not include an increase or decrease in gross floor area or dwelling yield, the alterations a just limited to architectural form.

Ryde City Council has raised the following concerns about the height increase at the southern edge of Building B:

- the Concept Plan intention is to have a 2 storey step-down to maximise viewing corridor to Tellaraga House;
- NSW Heritage Council recommended building envelopes of no more than 2 storeys as part of the original Concept Approval; and

- an increase above 2 storeys would be detrimental to the establishment of an area of transition around proposed curtilage to prevent unacceptable visual impacts.

With reference to the viewing corridor, the Department considers that the modification would not impede the view corridor or appreciation of Tellaraga House from the public domain or street level vantage points as changes are at upper floors only.

The Department acknowledges that the NSW Heritage Council's initial submission on the Concept Approval suggested an amendment to include a 'transitional space' around Tellaraga House in which new buildings would be limited to a 2 storey height. However, the Department notes that the Preferred Project Report (PPR) responded to the comments raised by further justifying the design and heritage curtilage proposed and deleting the 2 storey element from the originally proposed part 2, part 4 projection at the northernmost end of Building A. The NSW Heritage Council submission to the PPR did not raise further concern on this matter. The Department considers that bulk created by the increase in height of the southern element of Building B is sufficiently separated from Tellaraga House (by 26 metres) as to not appear overly dominant or harmful to the setting of the heritage item. The Department notes that the building footprint remains outside the heritage curtilage of Tellaraga House. The increase in height is therefore considered acceptable in this regard.

With reference to Council's comments on potential visual impacts, the Department considers that the proposed increase in height from 2 to 4 storeys would not have an unacceptable visual impact or adverse impact on the setting of Tellaraga House, as:

- the proposed increase in height is limited to a small section of Building B;
- the increase would not rise above the approved adjoining 4 storey element of Building B;
- the creation of new building with a more closely aligned symmetry would better frame the entrance to the site from Belmore Street and more appropriately reconcile the appearance of those buildings when seen from the street; and
- existing mature tree planting along Belmore Street would, in part, visually screen Building B from general view.

The proposed modification to the height of the building envelope at the southern end of Building B is therefore considered acceptable. It is recommended that Condition A6 be revised accordingly.

5.1.2 Upper storey of buildings fronting Belmore and Porter Streets

Future Environmental Assessment Requirement C1(a) relates to the 7th storey of the buildings fronting Porter and Belmore streets and requires a minimum setback of 4 metres from the building façade. The objective of this requirement is to ensure that the upper floor of the subject buildings is adequately setback so that this storey is not readily visible to the street and to reduce the visual bulk of the future building. C1(a) is extracted below:

C1. Built Form

Future Development Applications shall demonstrate that the development achieves a high standard of architectural design incorporating a high level of modulation/articulation of the buildings and range of high quality materials and finishes. In particular:

- (a) the upper 7th storey of buildings facing Belmore and Porter street are to provide a minimum setback of 4 metres from the building façade;*
- (b) ...*

The modification seeks approval for the reduction of the minimum setback from 4 to 3 metres. The modified proposal includes comparison computer generated images (refer to **Figure 9**) that show both scenarios of a 4 metre and 3 metre setback to the 7th storey of Building B where it fronts Belmore Street. The Proponent argues that a 3 metre setback achieves the intended purpose of C1(a) and provides a suitably recessive top floor level.



Figure 9: 7th floor setback: approved 4 metres from façade (top), modified 3 metres from façade (bottom) (Source: Proponent's Environmental Assessment)

Council have raised no objection to the reduction of set back reduction to 3 metres.

Having considered the additional information provided with the application (**Figure 9**), the Department considers that the reduction of the 7th storey setback to a minimum of 3 metres would not result in a noticeable change to the appearance of the proposed buildings or result in buildings that are unduly dominant within the Belmore Street streetscape. With reference to Porter Street, the Department notes that this road is much narrower than Belmore Street and therefore views of the upper storey of the resulting building would be more restricted by comparison. The proposed alteration is therefore considered acceptable.

Further, the Department notes that the Belmore Street frontage is densely planted with existing mature trees that would largely obscure the proposed development from view.

It is recommended that C1(a) be amended accordingly.

5.1.3 Lift overrun

Two lift overruns are proposed for Building B, which are to be centrally located within the roof at the northern and southern halves of the building respectively. The maximum approved height of the building envelope for Building B is RL 43.5 metres (7 storeys) (refer to **Figures 6 and 10**).

The proposal seeks to increase the height of the building envelopes to RL 43.8 metres (being 300mm higher than the maximum height of 43.5 metres) to accommodate the two lift overruns for Building B.

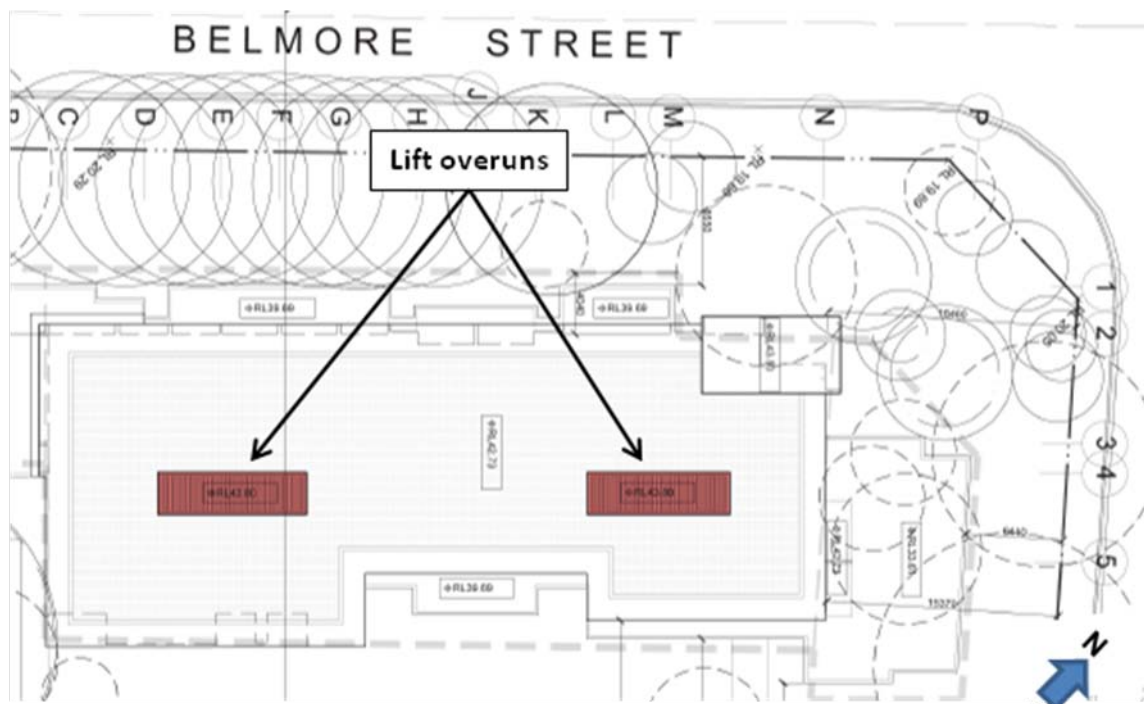


Figure 10: Location of lift overruns for Building B (Source: Proponent's Environmental Assessment).

The Proponent, following the detailed design of Building B, has noted with concern that the difference in floor level and natural ground level (the ground floor level is set lower than the natural ground level in this location) could result in flooding issues for the ground floor accommodation and in response has raised the ground floor level (and consequently, the overall height of the building) to address this risk.

Council raised no objection to increase of the height of the lift overruns of Building B by 300mm.

The Department considers the increase of the height of the lift overruns of Building B by 300mm to be modest relative to the scale of the approved building envelope. Furthermore, the resulting lift overruns would be generally obscured from view and not visible from a pedestrian perspective from Belmore Street due to:

- the central location of the lift overruns;
- the low height of the overruns;
- the projection of the architectural features and articulation of the façade of the building; and
- the existence of mature tree planting along Belmore Street.

The proposed modification of the height of the lift overruns for Building B is therefore considered acceptable. It is recommended that A6 be amended accordingly.

5.2 Loading/servicing facilities

Future Environmental Assessment Requirement C13 relates to servicing of the apartments and requires service vehicles to be accommodated within the basement area. C13 is extracted below:

C13 Apartment Servicing

Future development applications shall demonstrate that vehicular servicing and waste receptacles and collection for the residential apartments can be accommodated within the basement car park.

In response to the original Concept Plan Council raised concern about the potential use of the curtilage of Tellaraga House for waste collection and vehicle servicing and the harmful impact this would have to the setting of the heritage item. Following its assessment of the original proposal the PAC agreed with Council's concern and imposed C13 to secure off-street vehicular servicing, away from Tellaraga House.

The proposed modification seeks approval for the provision of servicing facilities, being storage area and vehicle turning plate, at the ground floor level of Building C (i.e. wholly within the building envelope) and accessed from the Porter Street vehicular entrance (refer to **Figure 7**). The servicing facilities within Building C would service both Buildings B and C (Stage 1). Detailed plans have not yet been developed for subsequent Stages 2 - 6 and therefore no information is available relating to the servicing locations within future Stages.

Council raised no objection to the revised servicing facilities within Building C.

The Department considers that the inclusion of servicing facilities at ground floor level, within the building envelope of Building C, represents an acceptable alternative to providing those facilities at basement level (as required by C13). The Department notes that the proposed servicing facilities would be wholly contained within Building C behind a vehicular/roller shutter and flank wall. The facilities would be further obscured from view by landscaping along the Porter Street frontage. The point of access is unchanged from the original approval and would continue to be via the private road leading to the entrance of the basement car park from Porter Street. The Department considers that the proposed alteration would achieve the objectives of C13 and is therefore considered acceptable.

It is recommended that C13 be amended to allow flexibility for the provision of servicing facilities at basement or at ground floor level within approved building envelopes. Further, as no detail currently exists of the provision of servicing facilities within future Stages 2 – 6, it is

recommended that C13 also be amended to ensure that future servicing facilities are appropriately designed

6. CONCLUSION AND RECOMMENDATIONS

The Department is satisfied that this modification application falls within the scope of section 75W of the Act and does not change the original assessment as to the site's suitability for this development.

The Department has assessed the Proponent's request to modify the Concept Plan and has considered the Council's submission in response to the proposal.

The Department supports the:

- reduction of the upper storey setback from 4 to 3 metres for buildings fronting Belmore and Porter Streets;
- increase in height of the building envelope at the southern end of Building B from 2 to 4 storeys;
- provision of servicing facilities at grade instead of within the basement;
- increase of the height of the building envelope of Building B by 300mm to accommodate lift overruns.

The Department supports the proposed modifications as outlined within this report and it is therefore recommended that the application be approved subject to the modified conditions.

It is recommended that the Director, Metropolitan & Regional Projects South:

- (a) **consider** the findings and recommendations of this report;
- (b) **approve** the modification request under delegated authority, subject to modified terms of approval and conditions; and
- (c) **sign** the attached Instrument of Modification for MP10_0110

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APPENDIX A MODIFICATION REQUEST

See the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5763

APPENDIX B SUBMISSIONS

See the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5763

APPENDIX C RECOMMENDED MODIFYING INSTRUMENT

APPENDIX D RELEVANT REPORTS OR DOCUMENTS

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