



3.3 Existing & Surrounding Environment

The Site currently consists of several low density detached dwellings. These dwellings are in moderate condition and represent a form of development typical of post World War II developments. They are considered to be an underutilization of the Site.

The Site is within walking distance to a series of parks, West Ryde Urban Village and West Ryde Railway Station / Bus Interchange. Development adjacent the Site comprises of a mix of land uses

which range in densities. To the west of the Site, a lower form of density is evident than in the south where residential flat buildings are evident.

The Site is situated north and shares a common boundary with the West Ryde Urban Village. Further the Site borders the Transport Interchange Precinct of the Village which is of importance as the link not only serves to unite the precincts on each side of the railway but is also the connection linking pedestrians to regional public transport. A strong incorporation of mixed land use principles are encouraged within this precinct.

Development in the street containing the subject Site consists of varied uses with residential uses predominantly within the immediate vicinity of the site. The residential development adjoining the Site consists of single detached dwellings, medium density housing and 9 storey residential flat buildings. Further the Site adjoins a railway corridor and the whole of the land is within 400 metres of the railway station (shown below).



Photo 1 – This photograph depicts development at the West Ryde Railway Station / Bus Interchange.



Photo 2– This photograph was taken looking south along West Parade.



Photo 3 – This photograph was taken looking south along West Parade towards the stated adjoining RL 58 AHD (9 storey) Residential Flat Buildings.



Photo 4 – This carpark displayed within this photograph is a part of the Residential Flat Building development shown in Figure 6.



Photo 5 – This photograph was taken looking east towards the adjacent rail corridor.



Photo 6 – This photograph displays what appears to be 3 storey walk up flats adjacent to the site.



Photo 7 – This photograph depicts existing high rise development within the West Ryde Urban Village Precinct adjacent to the bus / rail transport interchange.

3.3.1 'CRI' development

On 17 January 2008, the Minister approved a development proposal submitted on behalf of CRI West Ryde Pty Limited for the construction of a mixed use development at 2, 2F, 1/2F and 2/2F Ryedale Road, West Ryde (MP 05_0130). The CRI site is directly opposite this Site on the other side of the railway track.

The approved development comprises:

- *195 residential dwellings contained within 4 buildings ranging in height from 7 to 12 storeys with a 2 storey podium along Ryedale Road;*
- *Basement car park over two levels containing 301 spaces for residents and occupants and users of the retail and commercial areas;*
- *Commuter car park over 2 levels with 90 spaces;*
- *Retail and commercial floor space;*
- *A childcare facility to accommodate approximately 50 children;*
- *Provision of two public squares including a soft landscaped area as part of the public open space at ground level;*
- *Shared facilities (gym & pool); and*
- *Consolidation of existing lots and Torrens title subdivision to create 5 new lots, some of which are partly limited in stratum.*

The CRI development will be of similar size and scale to the proposed development and should be used as a comparison when considering this application.

3.3.2 West Ryde Urban Village

The Site adjoins the West Ryde Urban Village. Clause 6.5 of the Draft Ryde Local Environmental Plan 2008 provides the following objectives for the West Ryde Urban Village:

- (a) to create a safe and attractive environment for pedestrians*
- (b) to create a mixed use precinct with emphasis on uses that promote pedestrian activity and safety at ground level (existing)*
- (c) to create a precinct that contains opportunities and facilities for living, working, commerce, leisure, culture, community services, education and public worship*
- (d) to increase the number of people living within walking distance of high frequency public transport services*
- (e) to increase the use of public transport*

The relevant controls for the West Ryde Urban Village contained in Appendix 18.

Although the Site falls outside the boundary of the West Ryde Urban Village, where relevant, consideration has been given to Council's objective to reinvigorate the West Ryde local centre having regard to its proximity to the railway station, bus transport, supermarkets, shops and community facilities.

It is noted that Housing NSW has been recognised as a major stakeholder by the Council and the Department of Planning in relation to the development of the West Ryde Urban Village. Housing NSW was invited to participate in workshops and meetings leading to the formulation of the Master Plan. See Part 13 of this EA.

4. DESCRIPTION OF THE PROJECT

This Concept Application seeks approval for a residential development (use, building envelopes and staging) comprising approximately 142 residential units (social housing, private housing and potential affordable housing), associated commercial and retail areas, parking and services in accordance with the architectural and supporting drawings:

The Concept Application will be configured in the following manner:

- Basement level – parking
- Ground floor - parking, office space and commercial/retail space
- Four towers – Approximately 142 residential units
- Landscaping and open space

The Concept Application will be carried out in accordance with the following plans:

- 'Ground Floor Plan - Concept Application' prepared by Caldis Cook Group dated 22/06/2009
- 'Section A:A – Concept Application' prepared by Caldis Cook Group dated 22/06/2009
- 'Section B:B – Concept Application' prepared by Caldis Cook Group dated 22/06/2009
- 'Typical Level – Concept Application' prepared by Caldis Cook Group dated 22/06/2009
- 'Perspective 1 – Concept Application' prepared by Caldis Cook Group dated 22/06/09
- 'Perspective 2 – Concept Application' prepared by Caldis Cook Group dated 22/06/09
- Shadow Analysis 9AM: Concept Application' prepared by Caldis Cook Group dated 26/06/09
- Shadow Analysis 12PM: Concept Application' prepared by Caldis Cook Group dated 26/06/09
- Shadow Analysis 3PM: Concept Application' prepared by Caldis Cook Group dated 26/06/09

Concept Application Description	
Source: Calculations provided by Caldis Cooke Architects	
Site Area	3,745.4m ²
Site coverage	89% (3344m ² built upon area)
Front Setback (Western Boundary)	2 metres
Northern boundary setback	4 metres
Eastern boundary setback	3 metres
Southern boundary setback	3 metres
Total Floor Space Ratio	3.1:1
Total landscaped area	Approximately 1360 m ²
Deep soil landscaping	Approximately 350 m ²
400mm deep landscaping (above podium)	Approximately 1,010m ²

Total number of units	Approximately 142
Carparking	Approximately 117 spaces
Commercial area	Approximately 640m ²
Retail area	Approximately 400 m ²
Tower A	
Storeys	11
Height	RL 68.10 (LMR Roof) RL 67.60 (parapet top) Existing ground level RL 30.0
Approximate no. of units	55
Proposed use	Private housing
Tower B	
Storeys	4
Height	RL 47.8 (LMR Roof) RL 47.30 (parapet top) Existing ground level RL 30.0
Approximate no. of units	24
Proposed use	Private housing / Potential affordable housing
Tower C	
Storeys	7
Height	RL 56.5 (LMR Roof) RL 56.00 (parapet top) Existing ground level RL 30.0
Approximate no. of units	35
Proposed use	Social housing
Tower D	
Storeys	4
Height	RL 47.07 (LMR Roof) RL 46.57 (parapet top) Existing ground level RL 30.0
Approximate no. of units	28
Proposed use	Social housing

5. JUSTIFICATION & OPTIONS

Housing NSW provides housing to low income households unable to obtain affordable and appropriate housing in the private sector. Housing NSW's land holdings are its key resource to continue to meet housing needs. It is critical that the planning controls applying to these land holdings that are well located in terms of access to transport and services, are sufficient to enable realignment and redevelopment of ageing and inappropriate stock. Currently, the State Government is committed to a strategy focussed on better aligning housing stock to the needs of Housing NSW's current and future clients. Within the metropolitan region, it will be seeking to increase the proportion of one and two bedroom dwellings.

If development potential is sufficient, it is possible to renew housing, improve urban design and introduce greater tenant mix. This would also contribute towards improving the availability of affordable housing in the local community and meeting local housing needs, as well as contributing towards the Department of Planning's sub-regional housing targets.

It is important that options for developing affordable housing are facilitated through the planning system. This includes ensuring that Housing NSW has a sufficient supply of land to enable the development of high density residential development in appropriate locations. This would significantly improve the value of the government's asset base and reduce budgetary impact in the provision of social housing. It would also substantially contribute to achieving the goals of the State Plan and Metropolitan Strategy. In particular:

- Priority E6:Housing Affordability under the State Plan and under the Metropolitan Strategy:- Action C1.3: Plan for increased housing capacity targets in existing areas, C2.1 Focus residential development around centres, town centres, villages and neighbourhood centres, C2.2 Provide self care housing for seniors or people with a disability, C3.1 Renew local centres to improve economic viability and amenity, C4.1: Improve the affordability of housing, C4.2: Redevelop and regenerate Department of Housing stock, and C4.3: Use planning mechanisms to provide affordable housing.
- Housing NSW considers that the West Ryde site provides significant planning opportunities to contribute to achieving these goals at the local, regional level and State level.

The principal reasons supporting this redevelopment proposal include: -

- The existing development and current controls preclude achieving the Section 5 Objectives of the EPA Act in promoting orderly and economic use of land which has had significant public sector investment in West Ryde Railway Station and other services (roads, water, waste water and power).
- The site has the potential to deliver a vast increase in the number of social housing units. The current target is in the order of 70, an increase of 62 on the current stock. The capital investment value is more than \$50 million.
- There is the ability to develop a large number of the social housing stock for Seniors' living and social housing to deliver facilities for those for whom the market fails or price precludes their entry into the housing market in locations accessible to public transport and in particular rail.
- Increasing social housing and affordable private housing in the vicinity of railway stations encourages mode shift to rail without increased capital investment by the government and is

consistent with a policy of reducing green house gas emissions and a positive contribution to mitigating climate change.

- There is the opportunity to carry out further development on the site for the private sector. The benefits of such private sector development are: -
 - a) The revenue from the sale of the private sector component will subsidise the social housing budget, thus maximising the social yield without the requirement for further budget allocations (which as would be appreciated would be very hard to achieve in the current financial environment).
 - b) There is the opportunity to consider incorporating a component of affordable housing within the private sector housing.
- The Site is ideally located:
 - a) It has excellent access to public transport being within 400 m of the West Ryde bus interchange and railway station. It is also close to the Denistone railway station.
 - b) It is next to the West Ryde shopping and commercial village.
 - c) It is located close to parks and other public facilities.
 - d) The site's close location to public transport means there is a reduced necessity to provide car parking facilities on site. A greater proportion of the project budget can be applied to housing and Environmentally Sustainable Development.
- This proposal seeks an FSR of 3.1: 1. Although this is greater than that permitted under the current Ryde Planning Scheme Ordinance, the proposed controls of the Draft Ryde Local Environmental Plan 2008 (See 6.4.2), set aside the FSR controls for the Site. The increase in social and private housing numbers provides further social and equity justification for the increase in density.

Housing NSW undertook studies to identify appropriate redevelopment options for the Site, ranging from multi tower development to a mix of housing typologies.

These options were considered in terms of their ability to achieve overall social and private housing objectives, community facility objectives and state and local planning objectives.

Five (5) suitable options were identified:

Five Options for the West Ryde Redevelopment Project					
Option	Layout & Unit Type	GFA	FSR	Max. no of storeys	Yield (approx)
Option 1	Four towers. Traditional unit type.	12,037m ²	3.2:1	12	142 units
Option 2	Four stout towers with infill. Crossover unit types on lower levels. Traditional unit types in towers.	12,062 m ²	3.22:1	9	141 units

Option 3	Three towers. Traditional unit type.	12,025 m ²	3.21:1	15	140 units
Option 4	Two towers. Crossover unit type.	10,976 m ²	2.93:1	10	144 units
Option 5	Single tower. Crossover unit types on lower levels. Traditional unit types in towers.	11,200 m ²	2.99:1	14	140 units

The 'West Ryde Options Analysis' prepared by Caldis Cook Group (Appendix 14) analyses the five options in terms of their overshadowing impacts, massing impacts, susceptibility to rail noise, and streetscape implication.

The 'West Ryde Options Analysis' concludes at page 6:

As can be understood from this analysis, development Option 1 is considered the most appropriate solution to the site in question. This option consists of four separate towers of varying height on a single storey podium with retail/commercial and parking below (there is also a basement car park level). As identified above, this option works well in terms of environmental design, the built context, urban design the existing streetscape, public transport connections, view opportunities to and from the site and shadowing in and around the site. Additional benefits of this option are identified in the comparison table. All units within this option are traditional in their layout, rather than in a crossover form. In the massing composition column, it can be seen that the massing bulk for this option is held within four slender towers, thus reducing the imposition of the development at street level, and minimizing the number of units in close proximity to rail noise.

6. RELEVANT EPI'S POLICIES AND GUIDELINES

For the purposes of this EA, WorleyParsons has relied upon the following Planning Certificates issued by Ryde City Council (Appendix 20):

- Certificate No 25800 dated 17/09/2008 issued in respect of Lot 1 in DP 19985 (63 West Parade, West Ryde)
- Certificate No 25801 dated 17/09/2008 issued in respect of Lot 2 in DP 19985 (65 West Parade, West Ryde)
- Certificate No 25802 dated 17/09/2008 issued in respect of Lot 3 in DP 19985 (67 West Parade, West Ryde)
- Certificate No 25803 dated 17/09/2008 issued in respect of Lot 4 in DP 19985 (69 West Parade, West Ryde)
- Certificate No 25804 dated 17/09/2008 issued in respect of Lot 5 in DP 19985 (71 West Parade, West Ryde)
- Certificate No 25805 dated 17/09/2008 issued in respect of Lot 6 in DP 19985 (73 West Parade, West Ryde)
- Certificate No 25806 dated 17/09/2008 issued in respect of Lot 7 in DP 19985 (75 West Parade, West Ryde)
- Certificate No 258074 dated 17/09/2008 issued in respect of Lot 8 in DP 19985 (77 West Parade, West Ryde)

WorleyParsons cannot accept any responsibility for errors and omissions in the Planning Certificates and note that matters of legal interpretation should be addressed by legal advisors.

6.1 Environmental Planning & Assessment Act 1979

The EPA Act commenced in December 1979.

On 25 March 2009, the Minister for Planning formed the opinion that the West Ryde Redevelopment Project is a kind described in Schedule 1 of SEPP (Major Projects), and declared it to be a project to which Part 3A of the EPA Act applies (Appendix 1). Accordingly Housing NSW must obtain the approval of the Minister for Planning to carry out the Concept Application (Section **75D** of the EPA Act).

In accordance with **Section 5**, the objectives of the EPA Act are:

“(a) to encourage:

(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,

(ii) the promotion and co-ordination of the orderly and economic use and development of land,

(iii) the protection, provision and co-ordination of communication and utility services...

(v) the provision and co-ordination of community services and facilities, and

(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats..."

The Concept Application is consistent with the objectives of the EPA Act and will promote and achieve the orderly and economic use of land and satisfy social and community objectives.

Part 3A, Division 4, Section 75R of the EPA Act provides:

75R Application of other provisions of Act

(1) Part 4 and Part 5 do not, except as provided by this Part, apply to or in respect of an approved project (including the declaration of the project as a project to which this Part applies and any approval or other requirement under this Part for the project).

(2) Part 3 and State environmental planning policies apply to:

(a) the declaration of a project as a project to which this Part applies or as a critical infrastructure project, and

(b) the carrying out of a project, but (in the case of a critical infrastructure project) only to the extent that the provisions of such a policy expressly provide that they apply to and in respect of the particular project.

(3) Environmental planning instruments (other than State environmental planning policies) do not apply to or in respect of an approved project.

Note. See sections 75J (3) and 75O (3) in relation to the application of such instruments when an application for approval of a project or a concept plan is being considered.

(3A) The Minister may, by order published in the Gazette, amend an environmental planning instrument to authorise the carrying out of any of the following development (or to remove or modify any provisions of the instrument that purport to prohibit or restrict the carrying out of any of the following development):

(a) development that is an approved project,

(b) development that is a project for which a concept plan has been approved (whether or not approval for carrying out the project or any part of the project is subject to this Part).

(4) Divisions 6 and 6A of Part 4 apply to projects (and the giving of approval for the carrying out of projects under this Part) in the same way as they apply to development and the granting of consent to the carrying out of development under Part 4, subject to any necessary modifications and any modifications prescribed by the regulations. However, a condition cannot be imposed under section 94, 94A, 94EF or 94F unless that section would have applied if this Part did not apply to the project and a development consent were granted.

...

Part 3A, Division 4, Section 75O of the EPA Act provides:

75O Giving of approval for concept plan

(1) If:

(a) the proponent makes an application for the approval of the Minister under this Part of a concept plan for a project, and

(b) the Director-General has given his or her report on the project to the Minister,

the Minister may give or refuse to give approval for the concept plan for the project.

(2) The Minister, when deciding whether or not to give approval for the concept plan, is to consider:

- (a) *the Director-General's report on the project and the reports and recommendations (and the statement relating to compliance with environmental assessment requirements) contained in the report, and*
 - (b) *if the proponent is a public authority—any advice provided by the Minister having portfolio responsibility for the proponent, and*
 - (c) *any findings or recommendations of the Planning Assessment Commission following a review in respect of the project.*
- (3) *In deciding whether or not to give approval for the concept plan for a project, the Minister may (but is not required to) take into account the provisions of any environmental planning instrument that would not (because of section 75R) apply to the project if approved. However, the regulations may preclude approval for a concept plan for the carrying out of a class of project (other than a critical infrastructure project) that such an instrument would otherwise prohibit.*
- (4) *Approval for a concept plan may be given under this Division with such modifications of the concept plan as the Minister may determine.*
- (5) *Approval for the concept plan may be given under this Division subject to satisfactory arrangements being made, before final approval is given for the project or any stage of the project under this Part or under the other provisions of this Act, for the purpose of fulfilling the obligations in a statement of commitments made by the proponent (including by entering into a planning agreement referred to in section 93F).*

This EA has been prepared to address the DGR's (Appendix 2).

6.2 State Environmental Planning Policies

6.2.1 State Environmental Planning Policy (Major Projects) 2005

SEPP (Major Projects) provides for certain developments, which are classified as major projects, to be determined by the Minister of Planning.

On 25 March 2009, the Minister for Planning formed the opinion that the proposed development is a kind described in Schedule 1 of SEPP (Major Projects), and declared it to be a project to which Part 3A of the EPA Act applies (Appendix 1).

Schedule 1 of SEPP (Major Projects) provides:

“Group 5 Residential, commercial or retail projects

13 Residential, commercial or retail projects

(1) Development for the purpose of residential, commercial or retail projects with a capital investment value of more than \$50 million that the Minister determines are important in achieving State or regional planning objectives.

...

Accordingly, the provisions of Part 3A of the EPA Act apply to the proposed development.

6.2.2 State Environmental Planning Policy (Infrastructure) 2007

SEPP (Infrastructure) sets out a mechanism for the provision of services and infrastructure across NSW, along with providing for consultation with relevant public authorities during the assessment process.

Clause 2 of SEPP (Infrastructure) provides (*emphasis added*):

2 Aim of Policy

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

- (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and*
- (b) providing greater flexibility in the location of infrastructure and service facilities, and*
- (c) **allowing for the efficient development, redevelopment or disposal of surplus government owned land**, and*
- (d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and*
- (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and*
- (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.*

The Concept Application meets the aims of SEPP (Infrastructure) as it allows for the redevelopment of surplus government owned land by maximising the development potential of the Site. It is consistent with relevant State Environmental Planning Policies; and the uses are permissible pursuant to the Ryde Planning Scheme Ordinance. The Concept Application is considered not to have a significant adverse impact on the surrounding locality, and achieves a significant increase in housing people within 400 metres of a metropolitan railway station.

Part 3, Division 15, Subdivision 2 of SEPP (Infrastructure) must be considered as it applies to Development in Rail Corridors. The Site is adjacent to the Northern Rail Corridor. Clause 87 provides:

87 Impact of rail noise or vibration on non-rail development

(1) This clause applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration:

(a) a building for residential use,

...

(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.

(3) If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

(a) in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am,

(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

A 'Traffic and Railway Noise and Vibration Assessment' prepared by Acoustic Logic Consultancy dated 7 May 2009 is found at **Appendix 8**. The relevant provisions of SEPP (Infrastructure) are addressed in that Assessment, and considered at Part 9.2, and 16 of this EA.

6.2.3 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

SEPP (Housing for Seniors or People with a Disability) should be considered in the context of the maximum built form permissible on the Site.

Clause 4 of the SEPP (Housing for Seniors or People with a Disability) provides:

4 Land to which Policy applies

(1) General

This Policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if:

(a) development for the purpose of any of the following is permitted on the land:

...

(ii) residential flat buildings,

...

(b) the land is being used for the purposes of an existing registered club.

Bonus floor space of 0.5 may be achieved pursuant to Part 6 Development for Vertical Villages, Clause 45 Vertical Villages of the SEPP (Housing for Seniors or People with a Disability):

45 Vertical villages

(1) Application of clause

This clause applies to land to which this Policy applies (other than the land referred to in clause 4 (9) (b)) on which development for the purposes of residential flat buildings is permitted.

(2) Granting of consent with bonus floor space

*Subject to subclause (6), a consent authority may consent to a development application made pursuant to this Chapter to carry out development on land to which this clause applies for the purpose of seniors housing involving buildings having a density and scale (when expressed as a floor space ratio) that exceeds the floor space ratio (however expressed) permitted under another environmental planning instrument (other than State Environmental Planning Policy No 1—Development Standards) **by a bonus of 0.5 added to the gross floor area component of that floor space ratio***

...

Clause 51 of the Ryde Planning Scheme Ordinance 2006 provides that the Site has a FSR control of 0.75:1 (See Part 6.4.1). If the proposed development was for housing for seniors or people with a disability pursuant to this SEPP, the FSR control would increase to 1.25:1 with the benefit of the vertical village bonus that applies to zones that permit residential flat buildings.

Importantly, the Draft Ryde Local Environmental Plan 2008, which has been placed on public exhibition and is assessed at Part 6.4.2 of this EA, provides that the Site will be zoned R4 High Density Residential. Clause 4.4A(2) of the Draft Ryde Local Environmental Plan 2008 provides that the FSR **does not apply** to development for the purposes of Residential Flat Buildings upon land zoned R4 High Density Residential. It can therefore be concluded that it is the intention of the local planning controls to allow a development of this density on this Site.

The Site is an ideal location for the proposed development and the circumstances of the bonus FSR should not be limited to Seniors Living developments. Redeveloping the subject site to an FSR of 3.1:1 achieves government objective of increasing well located affordable housing and lower priced

housing near public railway infrastructure and transport centres. The precedent for the proposed height elements in the subject Concept Application are found in the Minister's approval for the 'CRI development' on the other side of the railway line.

6.2.4 State Environmental Planning Policy - Urban Consolidation (Redevelopment of Urban Land)

Clause 2 of SEPP Urban Consolidation provides (*emphasis added*):

2 Aims and objectives

(1) This Policy aims:

- (a) to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development, and
- (b) to implement a policy of urban consolidation which will promote the social and economic welfare of the State and a better environment by enabling:
 - (i) the location of housing in areas where there are existing public infra-structure, transport and community facilities, and
 - (ii) increased opportunities for people to live in a locality which is close to employment, leisure and other opportunities, and
 - (iii) the reduction in the rate at which land is released for development on the fringe of existing urban areas.

(2) The objectives of this Policy are:

- (a) to ensure that urban land suitable for multi-unit housing and related development is made available for that development in a timely manner, and
- (b) to ensure that any redevelopment of urban land for multi-unit housing and related development will result in:
 - (i) an increase in the availability of housing within a particular locality, or
 - (ii) a greater diversity of housing types within a particular locality to meet the demand generated by changing demographic and household needs, and
- (c) to specify:
 - (i) the criteria which will be applied by the Minister to determine whether the redevelopment of particular urban land sites is of significance for environmental planning for a particular region, and
 - (ii) the special considerations to be applied to the determination of development applications for multi-unit housing and related development on sites of such significance.

multi-unit housing is defined by SEPP (Urban Consolidation) as 'development for residential purposes comprising more than one dwelling'.

related development is defined by SEPP (Urban Consolidation) as 'in relation to multi-unit housing, means development which is compatible with development for residential purposes and which would make a contribution to the employment or other opportunities available in the locality in which the development is proposed to be carried out'.

The Site can be defined as 'urban land' pursuant to clause 4 and Schedule 1 of SEPP (Urban Consolidation).

The Concept Application will maximise the orderly and economic use of the Site by redeveloping an existing under-utilised residential development as a vibrant mixed use development comprising social/public, affordable and private housing, commercial and retail uses and parking thereby achieving the full development potential of the land.

It is considered that the Concept Application will achieve the principles of urban consolidation by:

- providing housing in the form of 142 residential units within 400 metres of the West Ryde train station;
- providing a development that incorporates a substantial public benefit, being the provision of social/public housing and affordable housing; and
- providing housing and employment in the West Ryde area.

It is considered that the Concept Application will ensure that the redevelopment will add to the availability and diversity of housing in the area.

By redeveloping an existing under-utilised industrial development in accordance with the Concept Application, it is considered to meet the objectives of SEPP (Urban Consolidation).

6.2.5 State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development

Clause 4 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (**SEPP 65**) applies to development that includes development for the purpose of:

The erection of a new residential flat building

Clause 3 of SEPP 65 defines a residential flat building as:

... a building that comprises or includes:

...

- (b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but does not include a Class 1a building or a Class 1b building under the Building Code of Australia.*

Note. Class 1a and Class 1b buildings are commonly referred to as town houses or villas where the dwelling units are side by side, rather than on top of each other.

The Concept Application comprises approximately 142 self contained units.

Accordingly, SEPP 65 should be considered.

The aims and objectives of SEPP 65 provide (*emphasis added*):

2 Aims, objectives etc

(1) This Policy aims to improve the design quality of residential flat development in New South Wales.

(2) This Policy recognises that the design quality of residential flat development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.

(3) Improving the design quality of residential flat development aims:

- (a) *to ensure that it contributes to the sustainable development of New South Wales:*
 - (i) *by providing sustainable housing in social and environmental terms, and*
 - (ii) *by being a long-term asset to its neighbourhood, and*
 - (iii) *by achieving the urban planning policies for its regional and local contexts, and*
 - (b) *to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define, and*
 - (c) *to better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities, and*
 - (d) *to maximise amenity, safety and security for the benefit of its occupants and the wider community, and*
 - (e) *to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions.*
- (4) *This Policy aims to provide:*
- (a) *consistency of policy and mechanisms across the State, and*
 - (b) *a framework for local and regional planning to achieve identified outcomes for specific places.*

SEPP 65 sets out ten design quality principles that seek to establish 'good design' for development in terms of context; scale; built form; density; resource, energy and water efficiency; landscape; amenity; safety and security; social dimensions and housing affordability and aesthetics.

It is noted that Clause 50 of the *Environmental Planning and Assessment Regulation 2000* (**Regulations**) provides:

50 How must a development application be made?

...

- (1A) *A development application that relates to a residential flat development, and that is made on or after 1 December 2003, must be accompanied by a design verification from a qualified designer, being a statement in which the qualified designer verifies:*
 - (a) *that he or she designed, or directed the design, of the residential flat development, and*
 - (b) *that the design quality principles set out in Part 2 of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development are achieved for the residential flat development.*
- (1B) *If a development application referred to in subclause (1A) is also accompanied by a BASIX certificate with respect to any building, the design quality principles referred to in that subclause need not be verified to the extent to which they aim:*
 - (a) *to reduce consumption of mains-supplied potable water, or reduce emissions of greenhouse gases, in the use of the building or in the use of the land on which the building is situated, or*
 - (b) *to improve the thermal performance of the building.*

The Regulations define a residential flat development as follows:

residential flat development has the same meaning as in State Environmental Planning Policy No 65—Design Quality of Residential Flat Development.