

2 November 2009

Mr Sam Haddad  
Director-General  
Department of Planning  
Level 1, 23-33 Bridge Street  
SYDNEY NSW 2000

Dear Mr Haddad,

**Part 3A Request for Ministers Declaration and Preliminary Environmental Assessment Report for a Major Development proposal for 128 Herring Road, Macquarie Park**

The purpose of this letter is to request that:

1. The Minister for Planning form an opinion that the proposal is of a kind described in Group 5 in Schedule 1 (classes of development) of State Environmental Planning Policy - Major Development (2005) (Major Development SEPP).
2. Provided the Minister forms the opinion that the project is one to which Part 3A of the Environmental Planning and Assessment Act, 1979 ( "the Act") applies, the Minister authorise the proponent to submit a Concept Plan Application as well as a concurrent Project Application for all subdivision stages (Stage 1, 1A and 2) and for development of a residential building on Lot 1 (Building A); and
3. The Director General issues the "Director General Requirements" to inform the preparation of an Environmental Assessment to accompany the Concept Plan and Project Application for the proposed development.

To support the request for the Director General Requirements, this submission includes a Preliminary Environmental Assessment (PEA) of the project.

**1 Site Details**

Lipman Properties Pty Limited (LPPL) has secured control over a parcel of land that is currently part of the Morling Baptist Theological College site at 120 -128 Herring Road, Macquarie Park. The existing land owned by Morling College that will be affected by this application is Lot B in DP368446 (1.312 ha) and Lot 1 in DP876482 (3.457 ha).

The part of the existing land that is subject of this application is referred to as "The Development Site" with the residual land retained by Morling College for ongoing theological and educational purposes is referred to as the "College Land" (3.077ha).

The key characteristics of the Development Site are as follows:

- The area of the Development Site is 16,924sqm that comprises the most of Lot B in DP 368446 and encroaches into parts of Lot 1 in DP 876482.
- The Development Site has frontage to Herring Road and directly adjoins the southern portion of the Macquarie University site.
- There are several existing residential brick buildings and a chapel that are situated either wholly on, or straddle the boundary of the Development Site.

- Other existing built features include minor internal roadways and parking areas.
- There is a scattering of trees across the site. The riparian vegetation zone along the banks of University Creek which passes through the north-western part of the site has the most dense population of trees.
- The general topography of the site includes moderate slopes (falls between 1:10 to 1:20) and gentle slopes (falls between 1:20 to 1:50) that predominantly fall toward the creek.
- The 1 in 100 year flood zone adjacent to the creek extends into the north-west portion of the site.

**Figure 1 – Site Aerial**



120-128 HERRING ROAD, MACQUARIE PARK 

## 2 Surrounding Context

The Development Site falls within the Macquarie Park Corridor, which is recognised in the Inner North Subregional Strategy as a “Specialised Centre” and the northern anchor of the Global Economic Corridor. The key land uses within the corridor comprise; the Macquarie University, Macquarie University Research Park, Macquarie Shopping Centre, Macquarie Park and Riverside Corporate Park office precincts and residential apartment precincts.

The Development Site is situated within the north-western part of the corridor. It shares a boundary with Morling College which comprises a number of older buildings set in landscaped surrounds.

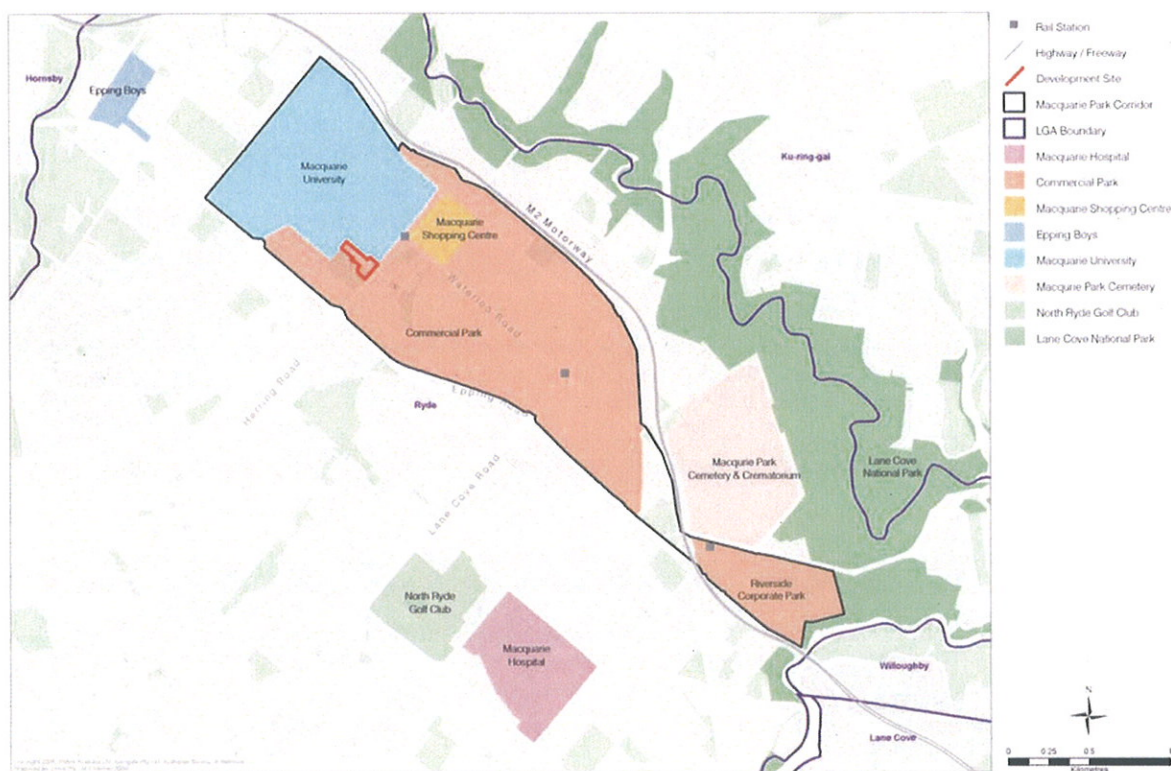
The College intends to continue its existing operations in the foreseeable future and potentially improve its campus facilities over time. The northern and eastern boundary of the site adjoins the Macquarie University campus. This portion of the University land is planned to undergo substantial redevelopment in the coming years as a result of a recent Concept Plan approval.

The new Macquarie University underground railway station is located approximately 250 metres north-east of the Development Site at the intersection of Herring and Waterloo Roads. This recently commissioned rail infrastructure is vitally important to the planned expansion of the Macquarie Park corridor as a place to work, shop and live. This station is the gateway to the commercial precinct of Macquarie Park which is a short distance from the site.

Macquarie Centre shopping complex is situated only 400 metres from the Development Site on Herring Road. It is a major centre providing both local and regional shopping services.

A number of major bus services connect Macquarie Park to major centres such as the city CBD, Parramatta, Castle Hill and Hornsby. The M2 Motorway, Lane Cove Road and Epping Road are important arterial links that connect the site to the wider metropolitan area, and the Lane Cove Tunnel has improved the connectivity to the motorway network and the route to the city CBD. Therefore the Development Site and the wider Macquarie Park region are well served by transport infrastructure.

**Figure 2 – Site Context**



120-128 HERRING ROAD, MACQUARIE PARK

### 3 Surrounding Approval Context

On 13th August 2009, the Minister for Planning approved the Macquarie University Concept Plan, under Part 3A of the Act. The Concept Plan approval allows for an additional 400,000sqm for commercial uses, 61,000sqm for academic uses, 3,450 student housing beds and associated infrastructure, car parking and landscaping.

The approval permits building heights in four sites that substantially exceed the current Ryde Planning Scheme Ordinance (PSO) and draft Ryde LEP 2008 controls for the University site.

The four specified sites surrounding the train station have been designated maximum heights of 64m, 72m, 92m and 108m. The lowest building height of 16m has been assigned to a land portion that directly adjoins the Development Site, with the balance of the land assigned a 36m height maximum.

Please note that the approved profile of building heights from the Macquarie University train station towards Epping Road is not a consistent pyramid, but rather, the heights are fairly irregular and varied.

Furthermore, the recently approved Macquarie University Concept Plan layout is not in accordance with the proposed new local north-south road network outlined in Ryde Council's DCP and Draft Ryde LEP 2008 which was the basis upon the creation of incentive height and FSR controls.

## 4 Project Description

Approval is sought for the proposed Concept Plan for the entire Development Site and concurrently for the Project Applications for the staged subdivision of the Development Site and the development of a building for Stage 1.

### 4.1 Development Vision

The development vision is to create a contemporary estate of residential apartments that responds to the needs of the identified target groups within the Macquarie Park community and surrounding areas, recognising the close proximity of the Development Site to a large office precinct, a major university, a regional shopping centre, and public transport nodes, all within 14km of the Sydney CBD.

The project will establish a medium density apartment development in an urban setting, featuring a tree lined boulevard and 4 (or more) contemporary building forms. Whilst each building will have its own identity, it should demonstrate an interrelationship with the other buildings, and the entire estate should promote a sense of community for its inhabitants and a connection to the greater community and facilities surrounding the estate.

The buildings will have a contemporary aesthetic theme with modulated building façades sympathetic to the pedestrian and human scale through façade relief, articulation and selection of materials.

The building forms will project robustness and permanency and promote low maintenance outcomes. Activation of the boulevard at the street level by including some retail facilities and support services may be introduced especially at the interface with Herring Road.

### 4.2 The Concept Plan

The proposed Concept Plan will comprise the following:

#### 4.2.1 Indicative Built Form and Use

The Concept Plan application will determine the proposed building height, setbacks and overall developable area and will be completed following the completion of the proponent initiated design competition.

The selected Concept Plan presented in the Environmental Assessment application will have regard to Ryde Council's planning controls for the Development Site as well as the approved Macquarie University Concept Plan to ensure that an appropriate contextual relationship will be achieved.

Broadly, the Concept Plan will have the following residential characteristics:

- Four or five multi-storey residential buildings and associated car parking on separate lots. Indicative building locations and forms within proposed Lots 2, 3, 4 are shown in the preliminary development layout plan included in **Attachment A**.  
The design layout submitted with the Concept Plan will reflect any improvements adopted from the design competition.

- A mix of apartments from studios to 3 bedrooms, with the majority intended to comprise 1 and 2 bedrooms.
- Average of 12 residential storeys and GFA of approximately 47,000sqm
- Ancillary uses such as a café, convenience retail and other suitable retail services may be proposed for part of the ground floor where appropriate to activate the street level.

#### 4.2.2 Car Parking and Access

Car parking for the residential developments will be provided generally accordance with the relevant local requirements. It is intended that all car parking will be integrated with the building design and provided in basement levels.

Creation of a new public access road, intersecting with Herring Road, to service the residential buildings and the potential for future connectivity where possible. The proposed road lots will be dedicated to Council post completion of the works within the road reserve.

#### 4.2.3 Vegetation Management and Open Space

The proposal involves the conservation of the remnant urban bushland that exists on Development Site. The proposed development boundary is outside the 20 metres riparian zone setback from the Creek. Some of the trees scattered across the remainder of the Development Site may require removal to facilitate the development and if so, will be the subject of an appropriate ecological assessment and management plan prior to their removal.

A study of the existing vegetation will ensure that any impact upon flora and fauna is thoroughly assessed with mitigating measures specified in the Statement of Commitments.

The Concept Plan will incorporate any areas that may be dedicated for public open space including pedestrian pathway and cycleway connections that could link with the University site and beyond. Furthermore, a Landscape Concept Plan accompanying the EA report will illustrate a new planting plan to enhance the aesthetic quality of the site.

#### 4.2.4 Staging

The subdivision and development of the Development Site will be undertaken on a staged basis.

- A concurrent Project Application for the subdivision of the land contained within the Residual Development Site into the other 3 (or 4) lots will be lodged with the Concept Plan.
- A concurrent Project Application for stage 1 comprising the development of Building A on Lot 1 and the associated infrastructure will be lodged with the Concept Plan.
- Development of buildings on Lots 2, 3 and 4 (and potentially 5) will be the subject of separate Project Applications in the future.

### 4.3 Project Applications

The Project Applications that will be submitted concurrently with the Concept Plan will incorporate the following development components:

#### 4.3.1 Subdivision

The land subdivision will occur in the following sequence:

- Stage 1 - subdivision of the existing total land holding of Morling College into 3 lots:
  - Land to be retained by Morling College (i.e. "College Land")
  - Lot 1 within the Development Site
  - Residual Development Site (residual land within the Development Site excluding Lot1).
- Stage 1A – Subdivision of Lot 1 into a development lot (Lot 100) and an associated road/ open space lot (Lot 101).

- Stage 2 – Subdivision of the residual development lot into Lots 2, 3, and 4. Concurrently, Lot 2 to be further subdivided into Lot 200 (development lot) and Lot 201 (road lot).

Refer to **Attachment B** for the attached subdivision sequence plans.

#### 4.3.2 Demolition

The proposed development of Building A on Lot 1 will require the demolition of three existing one-storey single dwellings with two associated garages and one carport, and the single storey children's activity centre adjacent to the chapel. Associated driveways connecting the existing buildings will also be removed.

Separate demolition approval will be sought to remove the remaining structures on Lots 2, 3 and 4 in the subsequent stages.

#### 4.3.3 Vehicle Access

Vehicle access to proposed Lot 1 via a new connection off Herring Road. The new road reserve will be defined by the creation of Lot 101 which will be dedicated to Council post construction.

#### 4.3.4 Physical Infrastructure

Preliminary infrastructure investigations have revealed that the Morling College site is currently serviced by electricity, gas, sewer, water and telecommunications.

Provision of services for the proposed residential estate will be considered as part of the Concept Plan to ensure capacity requirements and master plan issues are addressed and will be designed for implementation on a staged basis as buildings are constructed.

Detailed services requirements for each building will be included within the Project Application for each building.

#### 4.3.5 Construction of Building A on Lot 1

The design scale and character of the building will be resolved once the design competition has finished and the appointed architect carries out the design work. However based on the design brief, it is envisaged that the building will comprise the following characteristics:

- Approximately 12 storey building height
- A mix of studio, 1, 2 and 3 bedroom apartments
- Basement car parking level of resident's vehicles
- A modern design aesthetic incorporating quality building material and finishes and individual balcony spaces.

## 5 Capital Investment Value

In accordance with Schedule 1, Clause 13 of the Major Development SEPP, development for the purpose of residential, commercial or retail project must have a minimum capital investment value of \$100mill.

In accordance with the definition in the SEPP, the Capital Investment Value (CIV) of the proposed residential estate has been assessed at \$150.336million and is set out in **Attachment C**.

## 6 Planning Considerations

The key planning instruments and policies that currently apply to the project are:

- State Environmental Planning Policy (Major Projects) 2005
- Sydney Metropolitan Strategy and Draft Subregional Strategy
- Draft Ryde Local Environmental Plan 2008 (including Amendment 1)

- Ryde Planning Scheme Ordinance (PSO)
- Ryde Development Control Plan 2006 – “Macquarie Park Corridor”

### **6.1 State Environmental Planning Policy (Major Projects) 2005**

Clause 6 of the Major Development SEPP provides that for the development that in the opinion of the Minister is development of a kind referred to in Schedule 1 or 2 is declared to be a project to which Part 3A of the Act applies.

As outlined earlier, the project falls within the “residential” class of development with a capital investment value of more than \$100mill.

It is therefore requested that the Minister form an opinion that the proposed development is of a kind described in Schedule 1, Clause 13 of the SEPP and therefore constitute a Major Development to which Part 3A of the Act applies.

### **6.2 Sydney Metropolitan Strategy and Draft Subregional Strategy**

Macquarie Park is identified in the Sydney Metropolitan Strategy (2005) as part of the Global Economic Corridor that extends from Port Botany and north through the city CBD, North Sydney, Chatswood and ending at Macquarie Park.

Macquarie Park currently accommodates approximately; 32,000 jobs, 31,000 students and 800,000sqm of commercial floor space.

The Draft Subregional Strategy has a target to increase employment by 23,000 jobs and commercial floorspace by 900,000sqm by 2031. Student numbers at the University are also planned to increase significantly through the approved expansion of the campus. The future expansion of the Macquarie Park Corridor will continue to strengthen the state and regional significance of this major multi-faceted centre to the NSW Economy.

The recent opening of the three railway stations serving the Corridor represents a substantial public investment in infrastructure that has significantly improved linkages to Macquarie Park. This new infrastructure has begun to stimulate development. The Corridor is therefore in the early phases of transformation into the government’s vision as a major multi-functional centre of technology, enterprise and education.

The Subregional Strategy outlines a range of key directions and action with respect to housing. The four key directions to the housing strategy are summarised as follows:

- To provide more housing opportunities to support a diverse workforce and population.
- To increase housing choice as part of the housing targets
- Plan for 30,000 new dwellings
- Enable Communities to ‘age in place’.

### **6.3 Ryde Planning Scheme Ordinance & Draft LEP 2008**

The site is currently zoned 3(h) Business Special (Mixed Activity) under the Ryde Planning Scheme Ordinance. The proposed use of the site for high density residential purposes is permissible in the zone.

Draft Ryde Local Environmental Plan 2008 (LEP 2008) has been publicly exhibited and awaits Ministerial gazettal. Under Draft Ryde LEP 2008, the site is proposed to be zoned B4 Mixed Use. The proposed development is permissible within the B4 zone.

Amendment 1 to Draft LEP 2008 (not approved by Department of Planning for public exhibition) proposes to increase the height control for Macquarie Park Corridor.

The increased height provisions are subjective to satisfying certain provisions and aim to facilitate the establishment of new local roads to enhance the permeability throughout the Macquarie Park corridor.

When gazetted, Ryde LEP 2008 will replace Ryde PSO as the statutory policy governing development in the Macquarie Park Corridor.

#### **6.4 Ryde DCP 2006**

Accompanying the applicable statutory controls is Ryde DCP 2006. The DCP contains general controls for development within the Macquarie Park Corridor as well as specific controls for Special Precincts. Under the DCP, the Development Site falls within the "Macquarie University Station Precinct" which encompasses the railway station, Macquarie University and Macquarie Centre shopping complex.

The general controls provide guidelines to shape the public domain, built form, open space and services and site management.

The precinct controls aim to establish specific objective and design controls that are tailored to the precinct.

### **7 Preliminary Environmental Assessment**

The key environmental considerations associated with the Concept Plan and concurrent Project Applications that will be addressed in the Environmental Assessment for the project is anticipated to be as follows:

#### **7.1 Consistency with Planning Policy**

As part of this preliminary assessment we have considered a range of policies that will form key heads of consideration as part of the Environmental Assessment.

The proposed concept is entirely consistent with state and local planning policy for the following reasons:

- The proposed development is permissible within the existing and planned zoning for the site and therefore is consistent with Council's expectation for potential development on the site.
- By creating new residential apartment opportunities within Macquarie Park, the proposal will contribute to achieving the following actions for the Housing Strategy as outlined in the Inner North Subregional Strategy:
  - C1 – Ensure adequate supply of land and sites for residential development
  - C2 – Plan for a housing mix near jobs, transport and services
  - C5 – Improve the quality of new development and urban renewal
- The provision of quality apartments within the Corridor will create opportunities for workers, students and local residents to enjoy the benefits of the range of services and transport infrastructure available and strengthen the vitality of the place.
- The Concept Plan satisfies the DCP objectives of the Macquarie University Station Precinct because:
  - It will provide a use that will support the surrounding education and commercial areas.
  - The scale and form of development will positively contribute to the public domain.
  - The development will contribute to the provision of public infrastructure.
  - The Concept Plan has had regard to the approved Macquarie University Concept Plan.

For the above reasons, the proposed concept is consistent with state and local planning policy.

## 7.2 Urban Form

An Environmental Assessment will be accompanied by a Concept Plan that will illustrate the overall development concept as well as Project Applications for the staged land subdivision and Building A on proposed Lot 1.

The design plans will include the following information:

- Building envelope designs including building orientations, heights, setbacks and gross floor areas for each building.
- Internal road and car parking layout and design
- Pedestrian and cycle paths of travel
- Associated landscaping and signage location
- Infrastructure works and servicing plan

The Project Application for proposed Lot 1 will provide a full set of detailed architectural plans for the proposed residential building from floor plans, to sections, perspectives and materials and finishes.

## 7.3 Flora and Fauna

A preliminary ecological assessment has been carried out on the site. It found that there are essentially landscapes: the "parkland" that occurs over the majority of the site and the riparian vegetation that runs along the north-western corner.

The parkland element of the site consists of highly disturbed, modified landscape with an exotic mown grass understorey. The riparian vegetation is similarly highly modified and degraded.

The parkland part of the site does however contain a number of trees within this vegetation that are characteristic of the Endangered Ecological Community *Sydney Turpentine Ironbark Forest* (STIF).

A detailed Ecological Report will be provided with the Environmental Assessment documentation that will consider the impacts of the proposed development on the existing vegetation and propose mitigating measures where necessary.

## 7.4 Transport, Traffic Access and Parking

A preliminary traffic and parking assessment has been carried out on the site, having regard to the existing site conditions, Council policy and the implications of the proposed development.

The assessment found that the proposed left in and left off of the site from Herring Road would be appropriate to service the development. The site has the potential to accommodate a total quantum of on-site car parking to meet Council and RTA Guidelines, taking into account the sites proximity to public transport services.

A transport management and impact assessment will be prepared that addresses traffic generation, car parking demand and service and delivery movements as part of the Environmental Assessment process. It will model existing and proposed traffic flows and intersection performance, and will examine the implications of the proposal upon the availability of on-street parking in the locality.

## 7.5 Infrastructure and Flooding

Any augmentation requirements for electricity, gas, sewer, stormwater and telecommunications will be identified as part of the Environmental Assessment process. This will occur in a coordinated manner via an infrastructure plan.

Preliminary investigations have been carried out to understand the flood impact on the site. The flood impacted areas in the 20 year and 100 year storm events have been taken into consideration in the preparation of the Concept Plan. Further work will be carried out to support the Environmental Assessment if required.

## 7.6 Social and Economic Benefits

The proposed development will deliver a range of social and economic benefits.

The market positioning and projected price point of the residential apartments will enable the proponent to attract a wide variety of purchasers including; young professionals, first and second home buyers, investors, empty nesters and students. This will facilitate the establishment of a desirable social mix of households within the precinct to create a vibrant community.

The proposed creation of public open space, enhancement of the riparian vegetation and planning for pedestrian/cycle connections through the site to the university and beyond will result in a positive contribution to the public domain.

A substantial number of construction jobs will be created to prepare the site for development. The construction of Building A on Lot 1 will add to the job creation of the development for the construction sector. A small number of ongoing jobs will be created in the management of the Building A. (I would take emphasis of this item by mentioning it at the end of the paragraph).

## 8 Consultation

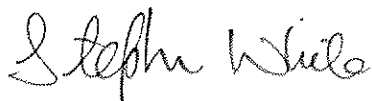
To date, a preliminary briefing has been held with Department of Planning officers to discuss the proposal. In addition, the proponent has had several meetings with Ryde Council over a consideration time period. Council has accepted that the proposal has merit and has expressed in principle support for it to proceed through the Part 3A planning process.

## 9 Summary

This letter has provided an overview of the project such that DGEARs can now be prepared outlining the requirements for the Concept Plan and Project Applications for the staged land subdivision and Building A in Stage 1. We would welcome the opportunity to provide a detailed briefing to the Department of Planning officers should you consider it warranted.

If you have any questions or wish to discuss the matter further, please do not hesitate to contact me on (02) 8233 9955.

Yours sincerely,

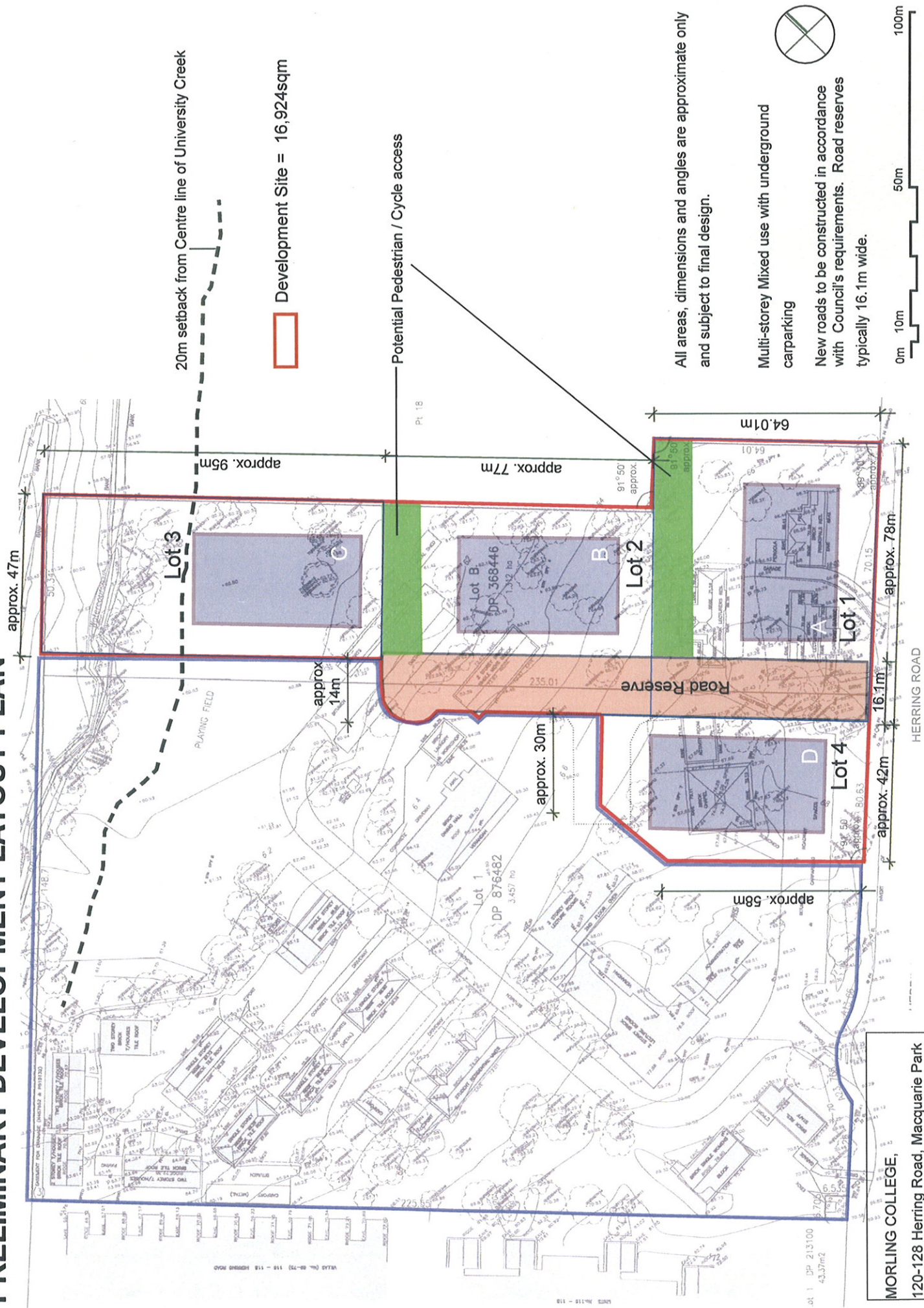


Stephen White  
Associate Director

Encl    *Attachment A – Preliminary Layout Plan*  
           *Attachment B – Preliminary Subdivision Sequence Plans*  
           *Attachment C – Capital Investment Value Summary*

## **Attachment A – Preliminary Layout Plan**

# PRELIMINARY DEVELOPMENT LAYOUT PLAN



All areas, dimensions and angles are approximate only and subject to final design.

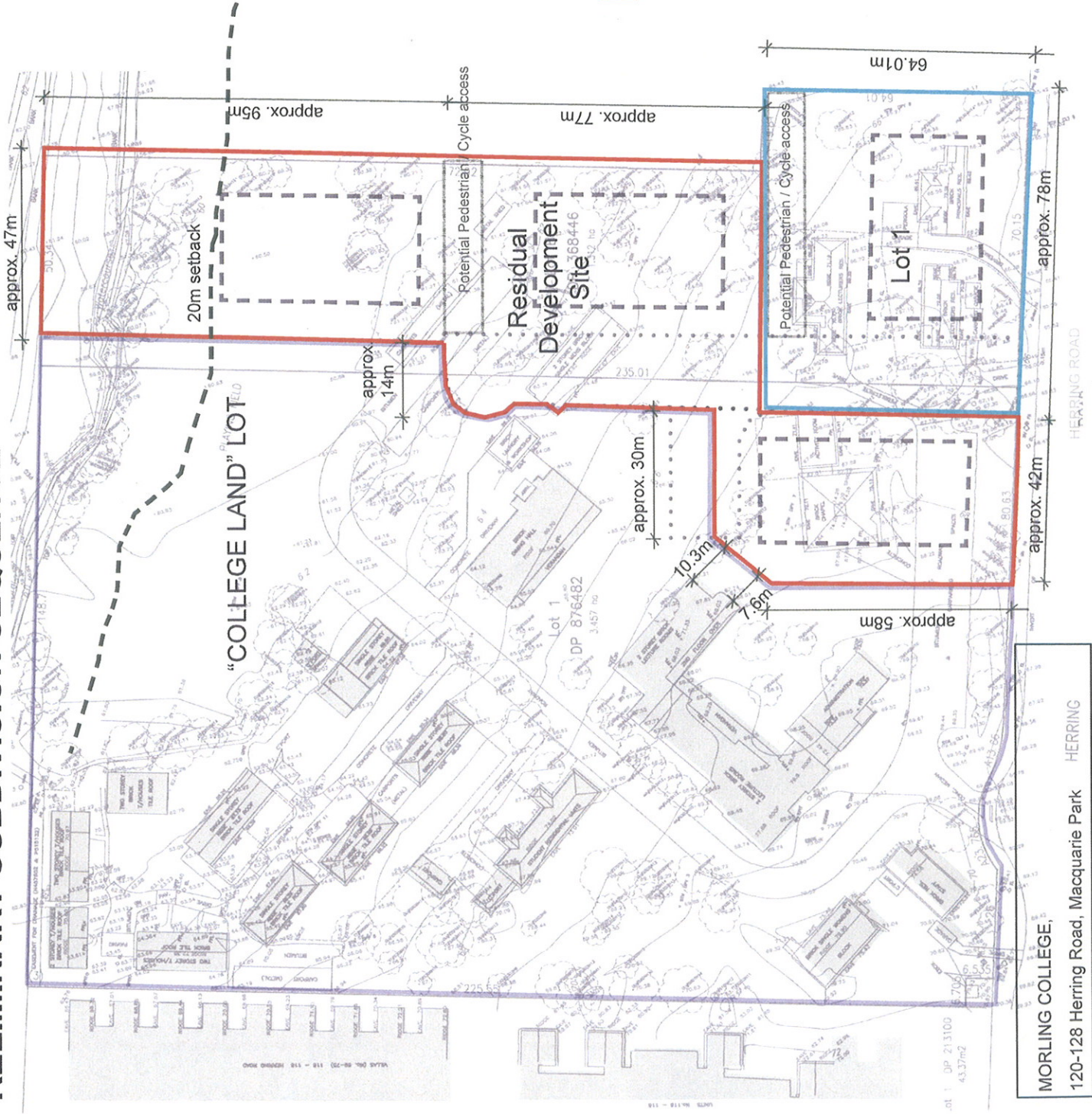
Multi-storey Mixed use with underground carparking

New roads to be constructed in accordance with Council's requirements. Road reserves typically 16.1m wide.

MORLING COLLEGE,  
120-128 Herring Road, Macquarie Park

## **Attachment B – Preliminary Subdivision Sequence Plans**

Stage 1 - Initial 3-Lot Subdivision



Total "Development Site" = 16,924sqm



Residual Development Site



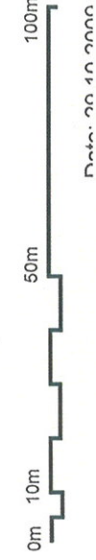
"College Land" Lot  
(land that remains with Morling College  
post subdivision)



Lot 1 (Stage 1)

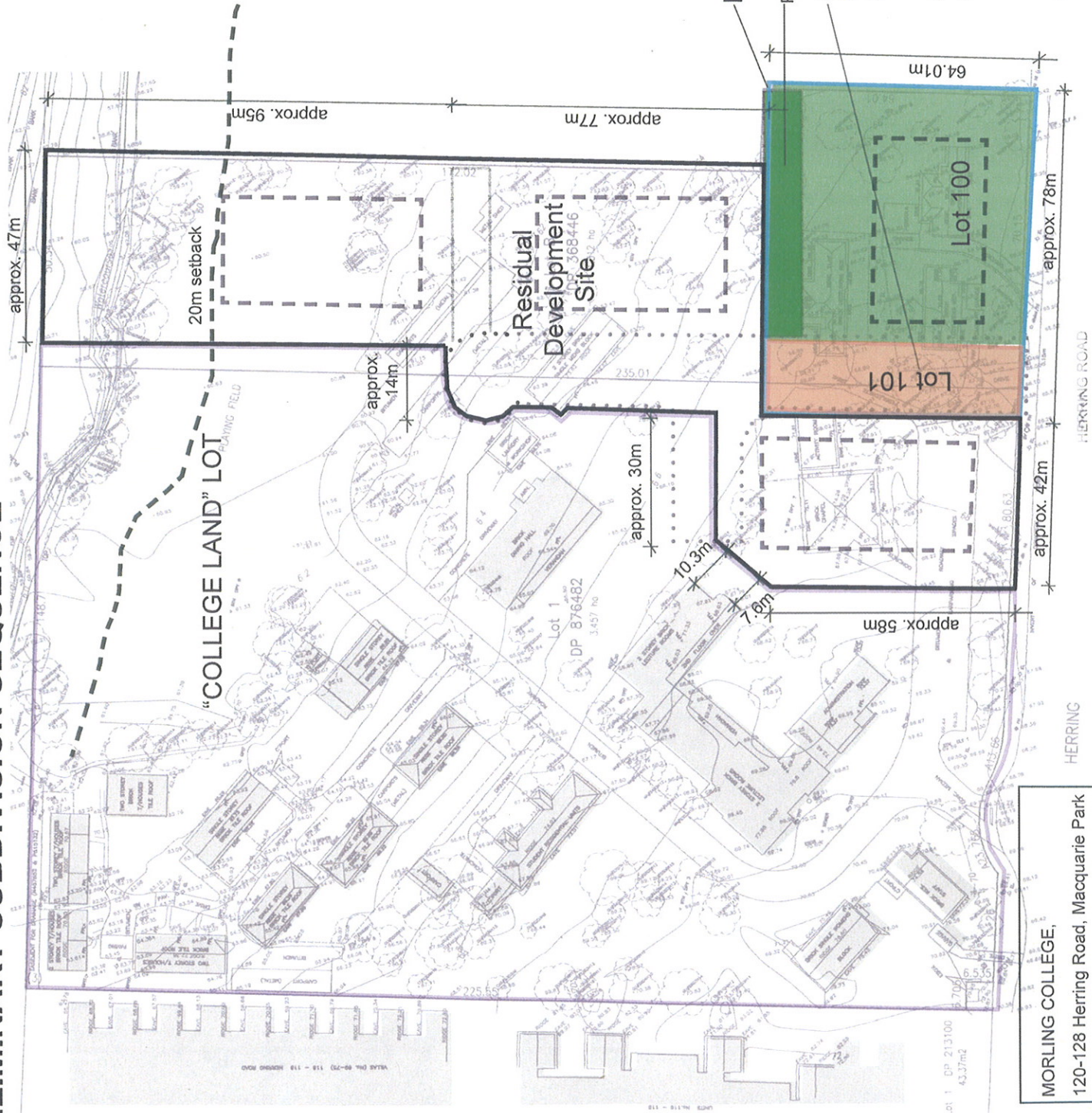


All areas and dimensions are approximate  
only and subject to final design.



Date: 20 10 2020

Stage 1A - Subdivision of Lot 1

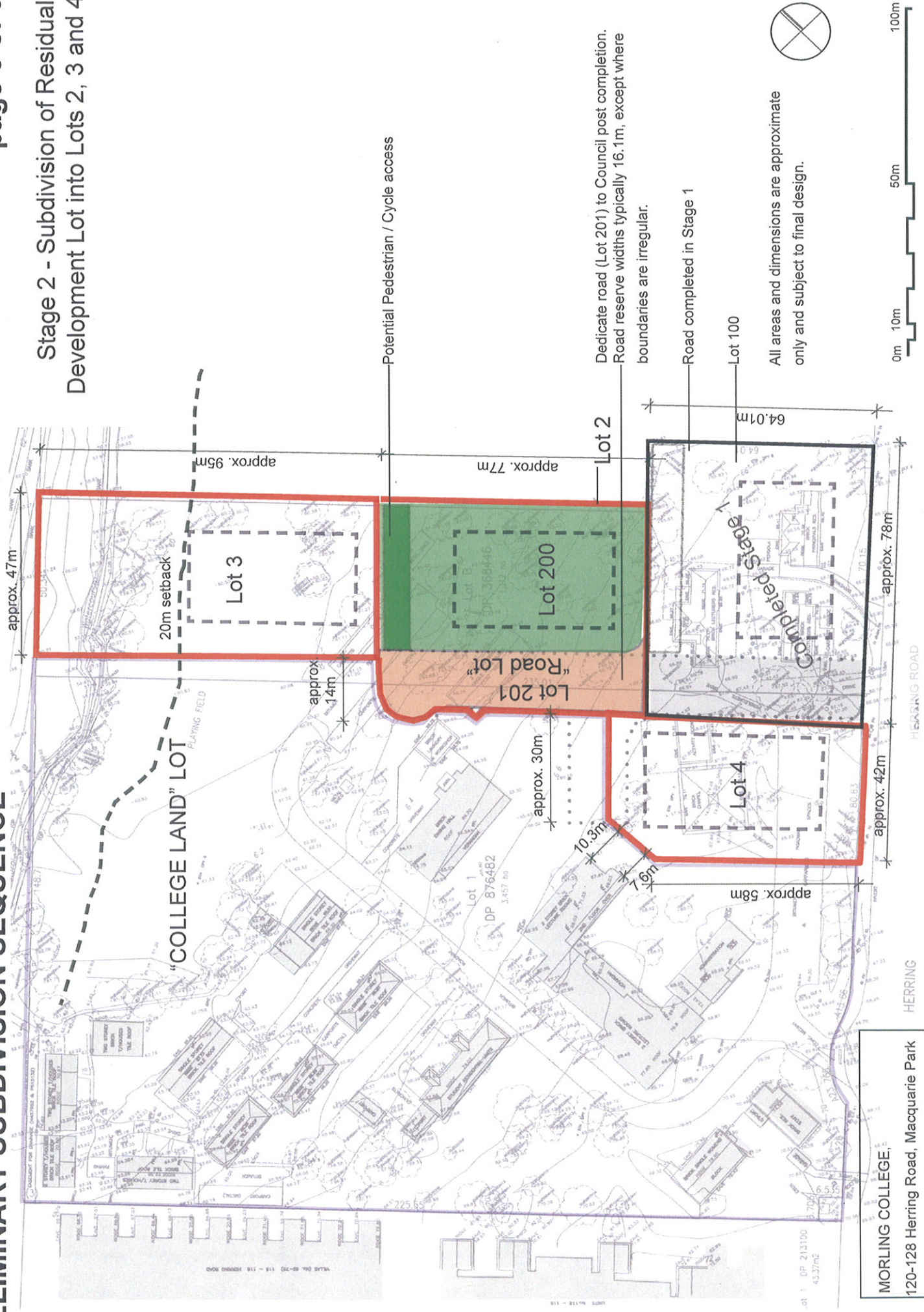


All areas and dimensions are approximate only and subject to final design.

Potential Pedestrian / Cycle access  
Dedicate road (Lot 101) to Council post completion.  
Road reserve widths typically 16.1m, except where boundaries are irregular.

MORLING COLLEGE,  
120-128 Herring Road, Macquarie Park

## Stage 2 - Subdivision of Residual Development Lot into Lots 2, 3 and 4



## **Attachment C – Capital Investment Value Summary**

# SUMMARY

Job Name : 128 HERRING ROAD

Job Description

Client's Name: Lipman Properties

Multi Storey Residential Development  
Road & Infrastructure Works

Item No.	Item Description	Quantity	Unit	Rate	Amount
Trade : <b>1 <u>PRELIMINARY COST ESTIMATE NO 1</u></b>					
	<b><u>BROAD ORDER COSTS CURRENT DAY VALUE</u></b>				
1	All rates are all inclusive for Preliminaries, Overheads and Margin		note		
2	No allowances for Authorities Fees, Contributions etc		note		
3	All allowances are based on theoretical areas only, no detail drawings have been used to develop the following Broad Order Costs.		note		
4	All Allowances are in todays [October 2009] rates, escalation is NOT included.		note		
5	Estimated potential Gross Floor Area (FECA + UCA)	62,000.00	m2	1,900.00	117,800,000.00
6	Estimated number of basement and on grade parking	700.00	no	26,000.00	18,200,000.00
7	Roads and Site Infrastructure	4,000.00	m2	500.00	2,000,000.00
8	Landscaping and Improvements	12,000.00	m2	100.00	1,200,000.00
9	Subtotal				<u>139,200,000.00</u>
10	Design Fees	1.00	item	11,136,000.00	11,136,000.00
11	Project Construction Preliminary Estimate				<u>150,336,000.00</u>
<b><u>PRELIMINARY COST ESTIMATE NO 1</u> Total :</b>					<b>150,336,000.00</b>