
2 ADDITIONAL INFORMATION FOR PLANNING PROPOSAL - 283-289 BLAXLAND ROAD RYDE

Report prepared by: Client Manager

Report dated: 11 May 2011

File No.: GRP/11/6/3/3 - BP11/386

Report Summary

A Planning Proposal at 283-289 Blaxland Road, Ryde was considered by Council at a Committee of the Whole meeting held on 3 May 2011. At this meeting, the matter was deferred in order for additional information to be provided on the subject property and the intent of the proponents. Additional information has been provided by the proponent on their intent, and is contained within this report.

Following the provision of this additional information, it is still considered that the subject site is suitable for an increased level of density due to its location and context. It is recommended that Council support the Planning Proposal for the rezoning of the site to R4 High Density Residential and a maximum building height of 11.5m. It is also recommended that Council seek to apply a maximum Floor Space Ratio of 1.0:1 on the site and that site specific provisions be developed as an amendment to the *Development Control Plan 2010* following endorsement of the Planning Proposal by Council and the Department of Infrastructure and Planning.

Background

Council previously considered a Planning Proposal at 283-289 Blaxland Road, Ryde (legally known as Lot 20 in DP 565527) a Committee of the Whole meeting held 3rd May 2011. At this meeting, the matter was deferred in order for additional information to be provided on the subject property and the intent of the property owners. This information has been provided and is included within this report.

Report

Following Council's consideration of the Planning Proposal at the Committee of the Whole meeting held on 3 May 2011, the proponent provided to Council a summary of the background of the owners of the subject site and their intentions for its development, should the planning proposal be approved.

The subject site is owned by Wattle Aged Living Pty Ltd and the proponents have provided the following regarding the property owners and their intention for the subject site:

Wattle Aged Living Pty Ltd is a family business with interests in providing housing for the elderly with plans and strategies in place to eventually expand into providing Aged Care services. Wattle Aged Living Pty Ltd is currently registered as an Approved Provider with the Department of Health and Ageing and is currently working towards securing places under the scheme (Aust Govt Approved provider Ref NAPS2971).

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Whilst, this development is not specifically for Residential Aged Care it is an important step in the applicant's strategy to achieve its goal as an Aged Care Provider.

It is the Applicant's intention to develop this site. The applicant will hold some of the development stock for capital purposes so to achieve its longer term objectives. The stock held by the applicant will be appropriately designed so to be adaptable (in the future) for housing for persons over the age of 55. As part of the overall feasibility Wattle Aged Living Pty Ltd has also undertaken preliminary discussions with the Cordon Bleu Academy regarding standing arrangements for the lease of some of the properties as housing for faculty and students attending that college.

To further demonstrate Wattle Aged Living's commitment to this development we are pleased to advise that an agreement is currently afoot (pending approval of this planning proposal and DA) with Brodyn Pty Ltd (the Construction Contractor) to undertake the construction of the development at 283-289 Blaxland Road, Ryde.

The Contractor engaged to undertake the construction is also a family business (both companies have common shareholders) that has been trading continuously and successfully for twenty five years. Brodyn Pty Ltd undertakes primarily NSW government contracts and is an accredited Best Practice Contractor with the NSW Government Department of Finance and Services; it is also accredited by The Australian Government Federal Safety Commissioner. This means Brodyn Pty Ltd is required to, and does comply with the National Code of Practice for the Construction Industry.

This development is part of a long term strategy and Wattle Aged Living Pty Ltd and its Directors can assure the Councillors that subject to the Planning Proposal being approved together with the Development Application the development will be built generally as approved / indicated within the Planning Proposal now before Council.

It should be noted that the overall development of the site will be subject to the planning controls identified within the previous attached Council Report (**SEE ATTACHMENT 1**) and any forthcoming site specific addition to the Development Control Plan. This previous report that was considered by Council on the 3rd May 2011 detailed the extent of the Planning Proposal and the general requirements to which is adhered.

The previous Council Report identified that it is considered that the subject site is suitable for increased development as a result of its context, size and location. Accordingly, given that the additional information requested has been provided and that the subject site is still considered suitable for an increased level of density due to

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its location and context, it is recommended that Council support the Planning Proposal for the rezoning of the site to R4 High Density Residential and a maximum building height of 11.5m.

It is also recommended that Council seek to apply a maximum Floor Space Ratio of 1.0:1 on the site and that site specific provisions be developed as an amendment to the *Development Control Plan 2010* following endorsement of the Planning Proposal by Council and the Department of Infrastructure and Planning.

Consultation

Under the gateway plan-making process, a gateway determination is required before community consultation (formerly known as public exhibition) on the planning proposal takes place. The consultation process will be determined by the Minister but implemented by Council.

The Department of Infrastructure and Planning's guidelines stipulate at least 28 days community consultation for a major plan, and at least 14 days for a low impact plan. The Department has advised that low impact proposals are generally those which are consistent with the current predominant zoning, and do not cover a significant area. At this stage, it is not known whether this proposal is a major plan or a low impact plan as this is determined by the Minister. Consultation will include exhibition, notification, and a review of submissions.

Critical Dates

There are no critical dates or deadlines to be met at this stage of the process. Time periods for preparation of amending LEPs apply upon issue of the Gateway Determinations by the Minister.

Adoption of the option(s) outlined in this report will have no financial impact. Council should note that the lodgement of the planning proposal has been subject to Council's Fees and Charges Schedule to amend Local Environmental Plans.

Policy Implications

There are no policy implications through adoption of the recommendation.

Next Steps

Should Council resolve to support this planning proposal for the purposes of community consultation and a gateway determination, the next step is to forward the planning proposal to the Department of Infrastructure and Planning. Gateway determinations are issued by the Minister for Planning or delegate and are required before community consultation (public exhibition) on the planning proposal takes place.

Other Options

At this stage of the process, Council has the option to decide to proceed with the planning proposal to the next stage (gateway determination and community consultation) or to decide not to proceed.

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Should the Minister for Infrastructure and Planning determine that the planning proposal can proceed to community consultation, Council has another opportunity to decide whether to proceed, vary or reject the proposal following community consultation.

Conclusion

The planning proposal to rezone 283-289 Blaxland Road, Ryde to R4 High Density Residential from R2 Low Density Residential under RLEP 2010 is considered appropriate to proceed to the Minister for Infrastructure and Planning for a gateway determination as to whether it should proceed to the consultation stage. It is considered that adequate additional information on the property owners and their intentions have been provided within this report as requested previously by Council.

The proposed zone and the development achievable under it, is consider appropriate for the site given its size, context and location. This is subject to the inclusion of a 1.0:1 FSR on the subject site and a site specific addition to the Development Control Plan 2010 prior to undertaking community consultation.

It is therefore recommended that Council forward the subject planning proposal to the Department of Infrastructure and Planning for Gateway Determination.

RECOMMENDATION:

- (a) That Council note that the property owners of the subject site are Wattle Aged Living Pty Ltd and the self stated intentions for the site are as detailed within this report.
- (b) That the Planning Proposal be forwarded to the Department of Infrastructure and Planning for Gateway Determination, subject to a FSR of 1.0:1 being applied to the subject site and a site specific addition to the Development Control Plan 2010 being prepared prior to community consultation occurring.
- (c) That, in the event of a gateway determination being issued pursuant to section 56 of the *Environmental Planning and Assessment Act 1979*, Council will be advised of the terms of the determination and next steps.

ATTACHMENTS**1 PLANNING PROPOSAL - 283-289 BLAXLAND ROAD RYDE**

Report Prepared By:

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Report Approved By:

Council, dated 19 July 2011, submitted on 24 May 2011.

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