

66-82 Talavera Road, Macquarie Park

Planning Proposal

For: **Holdmark Pty Ltd**

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Michael Harrison, Director Urban Design and Planning

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Foreword

Internationally, business parks are becoming thriving urban centres with activities and services to attract businesses and employees; residential accommodation to enliven places after hours; and open space for amenity, health and wellbeing.

The NSW Government and the City of Ryde Council are currently reviewing Macquarie Park to assess the right mix of uses in the future while maintaining primacy of employment.

This Planning Proposal delivers high density residential and major open space while maintaining a high level of employment on one of the largest sites at Macquarie Park. It fits the right vision for Macquarie Park's future. It is an unparalleled opportunity to achieve a large area of open space for the benefit of local employees as well as the thousands of new residents planned in the adjacent Herring Road Priority Precinct. The Planning Proposal also offers a significant amount of key worker/affordable housing to support the social sustainability of the centre and a community recreation centre.

Located adjacent the Macquarie Park Shopping Centre, a short walk to Macquarie University and Macquarie University Rail Station, and part of one of the largest job centres in Australia - the site is exceptionally well positioned for the development proposed and to achieve its part in the greater effective utilisation of Sydney's urban land.

As an experienced urban planner and urban designer for over 30 years in NSW, I commend this Planning Proposal for consideration and adoption by the City of Ryde Council and the NSW Government. When I first saw this unique site, knowing the needs of Macquarie Park from Architectus' recent review of the planning controls, I immediately envisioned a solution that would serve the wider interests of Macquarie Park. This is an opportunity to be grasped.



Michael Harrison

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A	Macquarie Park: Framework for open space and mixed use development, <i>dated 25 June 2015, prepared by Architectus Group Pty Ltd</i>
B	Macquarie Park – Growth and Sustainability – Research Study, <i>dated June 2015, prepared by AEC</i>
C	Urban Design Report, <i>dated 17 January 2017, prepared by Architectus Group Pty Ltd</i>
D	Traffic Impact Assessment, <i>dated 17 January, prepared by Bitzios</i>
E	Socio-Economic Impact Assessment, <i>dated 6 October 2016, prepared by AEC</i>
F	Open Space and Landscape Report, <i>dated 29 September 2016, prepared by Clouston</i>
G	Agenda of the Council Meeting, Strategic Investigation of Macquarie Park, <i>dated 22 September 2015, prepared by City of Ryde Council</i>
H	Proposed Mapping Amendments, <i>dated 13 October 2015, prepared by Architectus</i>
I	Council Resolution of Meeting 2 August 2016
J	Draft Development Control Plan 2014, <i>prepared by Architectus</i>
K	Phase 1 Preliminary Site Investigation Report, <i>dated 20 January 2017, prepared by eiaustralia</i>

Executive summary

Introduction

This report has been prepared by Architectus for Holdmark Property Group Pty Ltd in response to the Gateway Determination (ref PP_2016_RDEC_005_00) dated 21 September 2016 endorsing the public exhibition of the Planning Proposal, submitted by City of Ryde Council. This proposal seeks to progress the rezoning of the site at 66-82 Talavera Road, Macquarie Park, by updating the previously submitted Planning Proposal to reflect subsequent agreements with Ryde Council plus a number of other matters listed in the Gateway Determination.

The Planning Proposal seeks to amend the Ryde LEP 2014 to rezone the site to B4 zoning, allowing an FSR of 3.7:1 (see clarification below) and maximum building height of 120m with additional height up to 154m for a single point tower. This rezoning would allow for delivery of a large publicly accessible open space and a mixed use development, including residential apartments. Subject to further discussion with Council, a site specific addition to the Ryde Development Control Plan 2014 will be prepared to support the future redevelopment of the site. This report and supporting appendices has been updated in response to the Gateway Determination.

The proposal is also supported by a Voluntary Planning Agreement offer which has been accepted by a resolution of City of Ryde Council on 2 August 2016 and which seeks to deliver significant public benefit, including:

- 5,296m² Gross Floor Area (GFA) of Affordable Housing;
- A community indoor recreation facility of 3,500m² GFA, plus 20 associated dedicated parking spaces;
- Approximately 6,100m² of public open space;
- Public parking of 1,030 spaces;
- Pedestrian bridge over Talavera Road;
- \$5 million contribution to Roadworks and Traffic Management;
- 4.5m wide footpath along Talavera Road frontage; and
- Payment of full Section 94 Contributions on the site, with the exception of the Section 94 applicable for the affordable housing component and community indoor recreation facility and ancillary commercial floor space.

In calculating Floor Space Ratio, the GFA associated with the affordable housing and indoor recreation facility are in addition to the total 3.7:1 ratio to apply to the site. It should be noted that the publicly accessible commuter car parking is also additional to the FSR of 3.7:1.

This Planning Proposal has been drafted in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and *A Guide to Preparing Planning Proposals*, NSW Department of Planning and Environment (2012).

The Site

The site is located within the Macquarie Park Corridor and is bound by the M2 Motorway to the northeast; a commercial property to the southeast; Talavera Road to the southwest; and Alma Road to the northwest. The subject property is owned by Macquarie Park Investments P/L and is identified in **Figure 1**.

The site is located within Macquarie Park, which is nominated as a Strategic Centre in the NSW Government's *Plan for Growing Sydney*. It is 550m from the Macquarie University Railway Station and opposite the Macquarie Regional Shopping Centre.



Figure 1 The subject site

The Ryde LEP 2014 zones the site B7 Business Park and allows for a maximum FSR of 1:1 and maximum building height of 30m. Some incentive FSR and height is available under the Ryde LEP 2014 – Amendment No. 1.

Strategic Context

Macquarie Park is a key Strategic Centre in the NSW Government's metropolitan *Plan for Growing Sydney*, and the second largest office market in NSW behind Central Sydney. The centre has a strong role in the Global Economic Corridor and the success of Sydney more broadly. The role of Macquarie Park as a contributing centre to Sydney's global competitiveness is reinforced in the Draft District Plan for the North District. The strategic role of Macquarie Park as part of Sydney's Global Economic Corridor will be reinforced by:

- The planned and under construction Sydney Metro project, which will provide direct metro rail links between North West Sydney, Macquarie Park, Chatswood, North Sydney, Central Sydney and on to Bankstown
- Growth and development of the centre is likely to see Macquarie Park become Australia's fourth largest commercial centre by 2036
- Macquarie Park will continue to have strong links, reinforced by enhanced transport connectivity, with the 'Eastern City' of Sydney.

In 2012, the Ryde Integrated Open Space Plan concluded that major new open

spaces were required in Macquarie Park to sufficiently support the residential and worker population. Since this time, two Priority Precincts have been announced by the Department of Planning and Environment for land around Herring Road and North Ryde Station for mixed uses, allowing for more than 12,000 new dwellings in Macquarie Park. The Priority Precincts do not provide for any new active open space (only the minor augmentation of existing spaces and the creation of smaller spaces), and so the latent demand for open space becomes even more significant.

Businesses are increasingly demanding greater amenity in their location to promote employee wellbeing and satisfaction. Under the current regime, the planning controls and strategies for Macquarie Park will result in a significant deficit in open space that will affect the long-term success of the Priority Precincts and the business park. This Planning Proposal facilitates the provision of new open space which will reinforce Macquarie Park's role as a major Strategic Centre and facilitate its ongoing and successful growth to become Australia's fourth largest commercial centre by 2036.

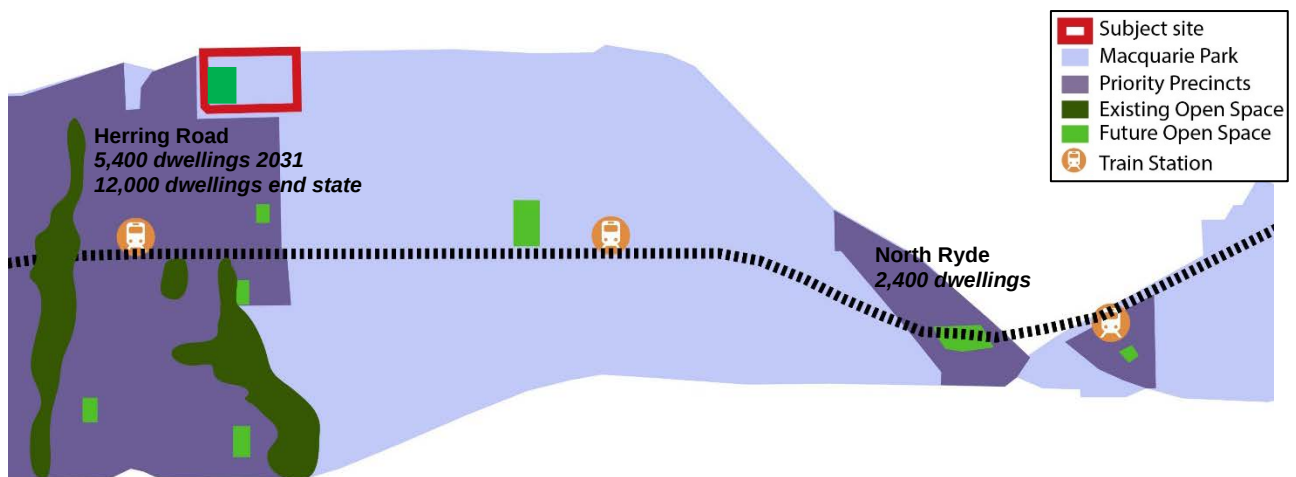


Figure 2 Macquarie Park and open space

Proposed Amendments to the Ryde Local Environmental Plan 2014

This report and the supporting documentation set out a preferred master plan for the site that allows for the delivery of a new open space of approximately 6,100sqm, residential land uses and employment uses on the site. The master plan comprises a range of buildings including four apartment towers up to a maximum of 120m, with one tower being up to 154m.

The following amendments to *Ryde Local Environmental Plan 2014* (LEP 2014) are proposed to facilitate the preferred development of the site which will ensure the delivery of approximately 6,100sqm of public open space, affordable housing and an indoor recreation centre and other public benefits:

- Amend the land use controls for the site. Currently the land is zoned B7 Business Park. It is proposed that a B4 Mixed Use Zone be applied to the site, to allow for the site's development for public open space, residential, retail and commercial uses. Through the development process, open space would be dedicated back to Council as a stratum lot over a below ground car park;
- Amend the Macquarie Park Corridor Precinct Incentive Height of Buildings Map - Sheet MHB_004 to reflect an incentive maximum height of buildings of 120m plus a single tower up to 154m;
- Amend the Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map - Sheet MFS_004 to reflect an incentive floor space ratio of 3.7:1 across the

whole of the site, excluding the affordable housing, the indoor recreation centre and the commercial car park.

- Amend the Designated State Public Infrastructure Map Sheet SPI_004 to include the subject site under a satisfactory arrangements clause.

It is noted that an offer to enter into a Voluntary Planning Agreement (VPA) with City of Ryde Council has been provided by Holdmark Property Group which has been accepted by Council. The VPA includes the delivery of significant public benefits as identified above.

Site specific amendments to the Part 4.5 Macquarie Park Corridor of Ryde Development Control Plan 2014 (adopted in 2015) would also be required to deliver the preferred master plan and will be developed with Council and Holdmark Property Group prior to the public consultation of the Planning Proposal.

A summary of the proposed concept master plan these amendments seek to enable is provided below:

Table 1 Summary of indicative areas of concept master plan

Indicative Areas	
Site area	37,832sqm
Total proposed GFA	139,978sqm
Proposed FSR	3.7:1
Total dedicated public open space	6,100sqm, approx.
Indoor Recreation Centre (GFA)	3,500sqm
Affordable Housing (GFA)	5,296sqm
Total residential, excluding affordable housing (GFA)	119,978sqm
Indicative number of apartments (average of 94.41sqm each)	1,327 apartments
Indicative number of affordable housing apartments	56 apartments
Indicative number of private residential apartments	1,271 apartments
Total non-residential GFA (incl. new office GFA)	20,000sqm
Commercial commuter car park	1,030 car spaces
Residential dwelling parking	1,265 car spaces
Commercial development parking	Up to 333 car spaces
Car parking dedicated to indoor recreation centre	20 spaces

It should be noted that the above figures are indicative only and subject to further refinement as part of the development.

Assessment

This Planning Proposal acknowledges and addresses potential impacts of the rezoning, including employment and economic impact, traffic and open space.

Employment and economics

AEC's report, Macquarie Park – Growth and Sustainability Research Study, concludes that the emphasis on worker amenity and employee satisfaction is of growing importance to businesses in their choice of location. Employees, and

consequently businesses, are demanding social infrastructure such as childcare, open space and public transport easily accessed from their workplaces.

The report states:

'While the appropriation of land to public open space and key worker housing would mean less land available to accommodate new employment floorspace, the provision of items of key social infrastructure would undoubtedly result in sustaining Macquarie Park's competitive position as well as increasing its appeal as a business destination, leading to increased demand for floorspace'; and

'This Research Study concludes that permitting residential and mixed-use development on selected, appropriate sites in Macquarie Park which comply with the criteria listed in the Architectus strategic planning framework would have a significant positive impact on the growth and sustainability of Macquarie Park as a major employment zone in metropolitan Sydney and a key economic engine room for NSW.'

In its subsequent Socio-Economic Impact Assessment, AEC has further concluded as follows:

'It is apparent that the Proposal will provide significant benefit to the local area, delivering strong positive socio-economic impacts comparative to the status quo. This builds a strong case for the Proposal from a socio-economic perspective. As Macquarie Park grows the economic impact identified in this assessment will become even more significant.'

Traffic

The Traffic Impact Assessment by Bitzios Consulting demonstrates that the Planning Proposal would result in a better traffic outcome than a development that maximised the current controls. The report concludes that the proposal has an acceptable outcome on intersection performance and advantages the area by being a transit oriented proposal. A final report will be submitted following lodgement of this proposal.

Open space

Architectus, AEC, Clouston and Council's *Integrated Open Space Plan* all provide evidence that better provision of open space in the Macquarie Park Corridor is essential to the wellbeing of businesses, employees and residents of the area. In September 2015, Mayor of City of Ryde Council nominated addressing housing affordability and the lack of open space and parks as two of his three key priorities¹. This Planning Proposal alleviates both of those issues. Current evidence suggests that the primary focus for Macquarie Park should continue to be for employment uses, but that improving amenity and activity within the locality and creating nearby housing opportunities will be an important part of the business park's success and long term viability.

Strategic Planning

Holdmark and Architectus appreciate the value of the Macquarie Park Business Centre and the importance of avoiding a mixed use precedent. Two Planning Proposals have been recently lodged with Council to achieve residential uses elsewhere within Macquarie Park. Whilst both Planning Proposals were refused by Council and the NSW Department of Planning and Environment at Pre-gateway Review, it is considered that this proposal provides significant amenity above and beyond those previously considered. In addition, the unique locational attributes of the subject site render it more suitable for mixed-use development compared to the

¹ Northern District Times, Labor Wins Mayor Ballot, Wednesday September 9 2015 page 1.

other two. In considering the proposed land use controls in the broader context of the Macquarie Park Business Centre, the nexus between rezoning and delivery of substantial public benefit must be demonstrated clearly. It is noted that this Planning Proposal is prepared in response to a Gateway Determination to a Planning Proposal already endorsed and submitted by Council for submission for the rezoning of the site to mixed use, and the provision of open space, residential apartment development, commercial and retail uses and community facilities on the subject site.

To guide rezoning in the area and continue to support a thriving business centre, Architectus has prepared a framework for open space and mixed use development (**Attachment A**). It is noted that the proposal has since evolved beyond the proposed framework (part of the proposed park is now replaced by a community recreational centre and key worker housing, to be dedicated to Council) as a result of the VPA negotiations with Council, however it is still considered that this document provides sufficient justification to support the objectives of the Planning Proposal. The public benefit that could be delivered as part of this proposed rezoning could not be feasibly delivered by more than three existing sites in the Macquarie Park Business Centre (including the subject site). It is therefore argued that this site presents a unique opportunity for Council, local businesses and the community, which can be demonstrated to manage precedent.

The proposal is also consistent with the recent metropolitan planning strategy, *A Plan for Growing Sydney*, which nominates a key priority for Macquarie Park as ‘to concentrate capacity for additional mixed-use development around train stations, including retail, services and housing’ (pg. 126). The significance of this priority to the success of Macquarie Park is evident in the recent resolution of Council to work with the Department of Planning and Environment in preparing a Macquarie Park Study, including a consideration of land uses to most appropriately support the business centre (**Attachment G**). Specifically, the Department of Planning and Environment has stated that:

‘The investigation will look into enhancing the area’s existing role as a major commercial centre, with the addition of housing, shops and restaurants within walking distance of three train stations’².

The impact of rezoning on employment and economics, traffic, open space and strategic planning has been carefully assessed and it is considered that, on balance, these impacts are acceptable.

Section 117 Direction 1.1 Business and Industrial Zones is particularly relevant to this Planning Proposal, and has been assessed by both AEC in the Socio-Economic Impact Assessment and Architectus in this report. The Planning Proposal is consistent with this Direction in that it is likely to increase the renewal, expansion and increased efficiency of employment uses on site. The retention of the recently constructed six storey Astra Zeneca building, as well as commitment to deliver further employment floor space, will result in a total of 20,000sqm of non-residential floor space, facilitating an increase in the number of jobs generated on site compared to the current use.

Equally, the provision of key social infrastructure in the form of open space, indoor recreation centre, and affordable housing will support the sustainability of the Macquarie Park business lands as a whole, achieving this Direction.

² NSW Department of Planning and Environment, Frequently Asked Questions - Macquarie University Station Precinct, September 2015

Justification

We consider the proposal for rezoning, increased maximum building height and increased maximum FSR to be justified in that:

1. A **substantial public benefit** is provided, including:
 - a. public open space, local infrastructure in which Macquarie Park is severely deficient;
 - b. key worker housing which is in very short supply in the Ryde municipality;
 - c. indoor recreation facility to service the needs of the wider business and residential community;
 - d. pedestrian bridge linking to the Macquarie Shopping Centre and the adjacent bus/rail interchange
2. A **framework for the delivery of open space** has been prepared by Architectus to manage the risk of establishing an undesirable precedent. If adopted as a policy of Council for considering rezoning applications in the Macquarie Park Business Centre, only two other existing sites could potentially seek rezoning. These sites could deliver significant open spaces in line with the Ryde Integrated Open Space Strategy adopted by Council;
3. The effective mix of uses would **improve the vibrancy and sustainability** of the business centre, improving its attractiveness and long-term sustainability. Without the benefits provided by this Planning Proposal, it is considered that the Macquarie Park Business Centre will not offer the same level of amenity as competing centres in Sydney and internationally;
4. The site is in an excellent strategic location for transport infrastructure (bus, train and car) and local services, adjoins the existing B4 Mixed Use zone, and is currently effectively isolated from commercial uses by the Macquarie Park Shopping centre;
5. Increased FSR and height will allow for the delivery of additional dwellings, including affordable and private dwellings, in a transit oriented and well serviced location in line with A Plan for Growing Sydney and draft District Plan for the North District. These amended controls will increase the viability of development to allow for the delivery of a substantial public benefit; and
6. The proposed height of 120m, with a single point tower of 154m to promote skyline variation will function to concentrate maximum heights near services, minimise the building footprint whilst delivering an FSR in line with nearby sites; allow for slender tower forms; and signpost the entry to this rapidly developing key urban centre in metropolitan Sydney.

It is noted that the subject site is located within the Macquarie Park Strategic Investigation Area. Gateway Determination Condition 2 requires consideration of the findings of this study as part of this proposal. To date, the findings of this Investigation are not yet known.

Recommendation

We agree with the conclusions of the AEC Economics report that some residential uses within the Macquarie Park Business Centre would support the function of the centre, increasing the supply of good quality housing stock in close proximity to employment and improving the vitality of the area through out-of-work-hours use and would also result in a significant economic benefit for the local area.

A key benefit of this Planning Proposal is the certainty of delivery of a large open space, indoor recreation facility, commuter parking and affordable housing, through rezoning of the subject site to a similar height, FSR and land use as adjoining sites.

The total value of public benefits is estimated to exceed \$160 million. The proposal allows for the delivery of significant public benefits which would not otherwise be possible. This unique site is a one off opportunity to deliver sorely needed open space and an indoor recreation facility to serve the resident and business community in Macquarie Park. It is also an opportunity for the provision of affordable housing for key workers.

As noted in the AEC report, there is little incentive, under the current controls, for the site to be redeveloped. In fact, with the current controls in place, there may possibly be some merit in subdividing the site and selling it in smaller parcels, in which case the opportunity to create significant new open space would be lost forever. Even with the new controls proposed in this Planning Proposal, the economic cycle has to display the necessary features to facilitate the viable redevelopment of this property. The current economic cycle does have these features so the redevelopment, with its associated public benefits, can be realised in the short term if this proposal is progressed now. As these economic cycles are often 15 to 20 years in duration, this unique opportunity may be lost if not actioned promptly.

The Planning Proposal is therefore recommended for support.

1.0 Introduction

1.1 Preliminary

This report has been prepared by Architectus on behalf of Holdmark Property Group Pty Ltd to seek Council support to progress a rezoning of the site at 66-82 Talavera Road, Macquarie Park.

The site is located within Macquarie park and is bound by the M2 Motorway to the northeast; a commercial property to the southeast; Talavera Road to the southwest; and Alma Road to the northwest. The subject property is owned by Holdmark Property Group Pty Ltd. **Figure 3** identifies the area affected by the Planning Proposal. Holdmark Property Group is the owner of the site in its entirety.



Figure 3 The subject site

This Planning Proposal has been drafted in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and *A Guide to Preparing Planning Proposals*, NSW Department of Planning and Environment (2012).

The site is strategically located within easy walking distance to Macquarie University Train Station and in close proximity to services and infrastructure. The current

controls for the site limit land uses to commercial / business / industrial in nature and do not provide adequate density, or amenity for a site in this location.

The purpose of the Planning Proposal is to amend the maximum building height controls, FSR and land use controls to allow for the development of a preferred master plan option for the site as detailed in **Attachment C** which allows for the creation of approximately 6,100sqm public open space and delivery of key worker housing.

The sites close proximity to the Herring Road Priority Precinct and the recognised shortage of open space in Macquarie Park support the proposed inclusion of residential land uses on the site.

1.2 Structure of this report

This report is prepared in accordance with the NSW Government's 'A Guide to Preparing Planning Proposals', and is set out as follows:

- **Section 2: The Site and its context.** Provides an overview of the site and key planning controls which are relevant to the Planning Proposal.
- **Section 3: Objectives and intended outcomes.** Provides a concise statement of the proposal objectives and intended outcomes.
- **Section 4: Justification:** Provides the urban planning justification to support the proposal.
- **Section 5: Consultation.** Outlines the community consultation program that should be undertaken in respect of the proposal.
- **Section 6: Project Timeline.** Outlines the expected timeline of the Planning Proposal.
- **Section 7: Conclusion:** Concludes the report with a summary of findings and recommendations.

This report should be read in conjunction with **Attachments A to H**.

1.3 Authors

This Planning Proposal has been prepared by Adrian Melo, Associate and Urban Planner, and Camille Lattouf Associate and Urban Planner, both of Architectus. Michael Harrison, Director at Architectus, has provided quality assurance and project direction.

2.0 The site and its context

2.1 Local context

The subject site, 66-82 Talavera Road, is located in Macquarie Park which is within the Ryde Local Government Area (LGA).

Macquarie Park is located approximately 12 kilometres north-west of the Sydney Central Business District and 13km north-east of the Parramatta Central Business District.

It is well connected by public transport being serviced by the Epping to Chatswood Rail Line and bus services extending to the Sydney CBD, Parramatta, North Sydney and Castle Hill. It is also in close proximity to Chatswood and St Leonards which are easily accessed by the Epping to Chatswood Rail Line, Epping Road, Lane Cove Tunnel, Pacific Highway and numerous bus routes.

Macquarie Park is located along the Epping Chatswood Rail Line which forms part of the North Shore, Northern and Western Line. It is bound by the M2 Motorway, Epping Road Culloden Road and the Lane Cove National Park. **Figure 4** identifies the location and context of Macquarie Park.



Figure 4 Macquarie Park location and context

2.2 Strategic Context

The NSW Department of Planning and Environment's Plan for Growing Sydney 2036 identifies Macquarie Park as a Strategic Centre, and provides directions to increase amenity, and densities for employment, education, and residential uses near train stations. Refer to the metropolitan plan and key directions for Macquarie Park, overleaf.

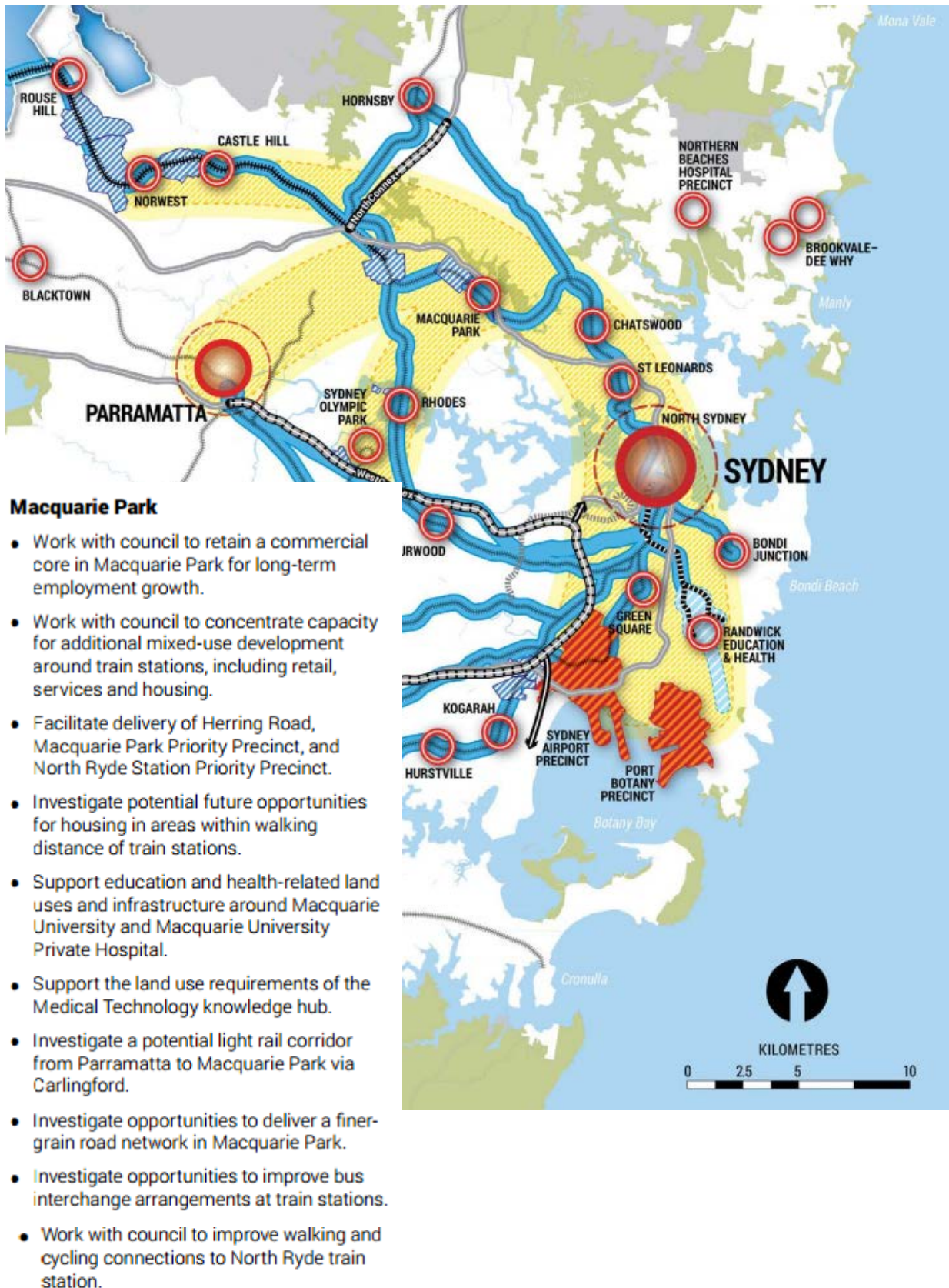


Figure 5 Macquarie Park objectives excerpt from A Plan for Growing Sydney

Macquarie Park is commonly referred to as the Macquarie Park Corridor which includes a range of uses as follows:

- Residential development located primarily around Herring Road;
- Macquarie University;
- Macquarie Shopping Centre; and
- A wide variety of commercial / business / industrial uses dominated by pharmaceutical, technology, electronics and telecommunication businesses including Optus, Foxtel, 3M, CSIRO and Sonic Healthcare.

Macquarie Park Corridor also includes the Herring Road Priority Precinct and the North Ryde Priority Precinct. Priority Precincts are areas identified for high density mixed use retail, commercial and residential development by the NSW Department of Planning and Environment. Both the Herring Road and North Ryde Priority Precincts are within 800m of existing railway stations and seek to maximise the use of the Epping to Chatswood Railway Line. These are identified with other surrounding land uses in **Figure 5**.



Figure 6 Macquarie Park land uses and priority precincts

The site is well located within Macquarie Park as shown in **Figure 6** as the site is:

- 550m, measured along the footpath, from Macquarie University Train Station. A distance of 800m is generally accepted a comfortable walking distance from a rail station. The site is also within 400m of the future bus interchange on Herring Road by the Macquarie Shopping Centre (which is owned by AMP).
- on a street corner and opposite the Macquarie Shopping Centre, which is a major attraction and soon to be the largest shopping centre in NSW. The site is one block away from Waterloo Road, which is the central spine of Macquarie Park. The site is also highly visible from the M2 Motorway.
- located between the high density residential Herring Road Priority Precinct and the employment lands. The site is within 800m of many workers and many existing and planned dwellings.



Figure 7 Subject site - access to public transport and surrounding land uses

2.3 Site legal description

The subject land is legally identified as Lot 1 in DP 854779 and is commonly referred to as 66-82 Talavera Road, Macquarie Park.

2.4 Land ownership

The land is owned by Macquarie Park Investments P/L who have given permission to Architectus to lodge the application. Part of the site has been leased to Astra Zeneca for use of the commercial building which has recently been completed.

2.5 Existing development

The existing built form within the site includes:

- A 4-storey office building fronting Alma Road (A);
- A conference centre, that is occasionally utilised by the employees of the Alma Road office (B);
- Private tennis courts (C);
- Internal circulation areas and at-grade parking (D).

These uses would be demolished to achieve the concept master plan under the Planning Proposal.

A 6 storey commercial building fronting Talavera Road has been completed, comprising 8,224 sqm of commercial floor space. This use would be retained under the concept master plan.



Figure 8 Render of Completed Astra Zeneca Building

Refer to the Urban Design Report at **Attachment C** for more details about the site.



Figure 9 Subject site existing built form

2.6 Ryde Local Environmental Plan 2014

Zoning

The site is currently zoned **B7 Business Park**. This zone permits:

Building identification signs; Business identification signs; Child care centres; Light industries; Neighbourhood shops; Office premises; Passenger transport facilities; Respite day care centres; Restaurants or cafes; Roads; Warehouse or distribution centres; Any other development not specified in item 2 or 4

Prohibited within this zone are the following:

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Resource recovery facilities; Restricted premises; Retail premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wholesale supplies

The land use map of the site and the surrounding area is illustrated at **Figure 10**.

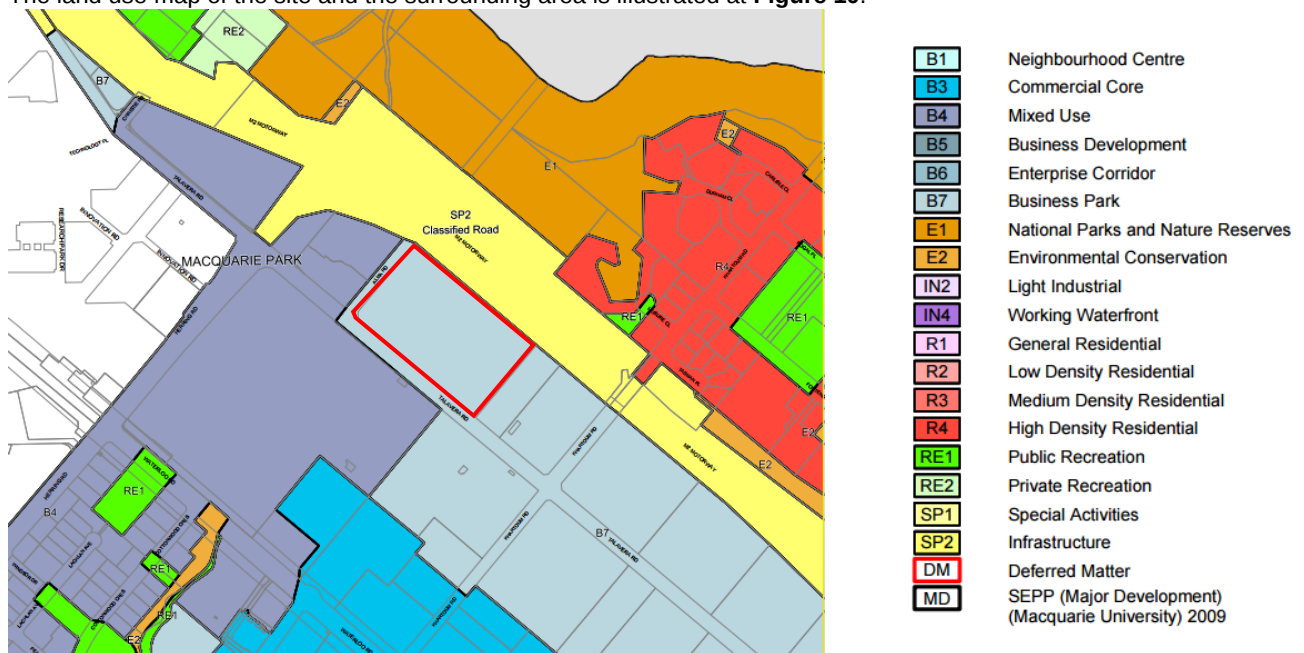


Figure 10 Land Use Zoning Plan

The site is zoned B7 Business park but is directly adjacent to B4 Mixed Use and SP2 for the M2 Motorway.

Building Height

The maximum building height for development on the site is controlled under Clause 4.3 of the LEP. The LEP currently allows for a maximum height of 30m (U1). The maximum building height plan for the site and the surrounding area is illustrated at **Figure 11** below.

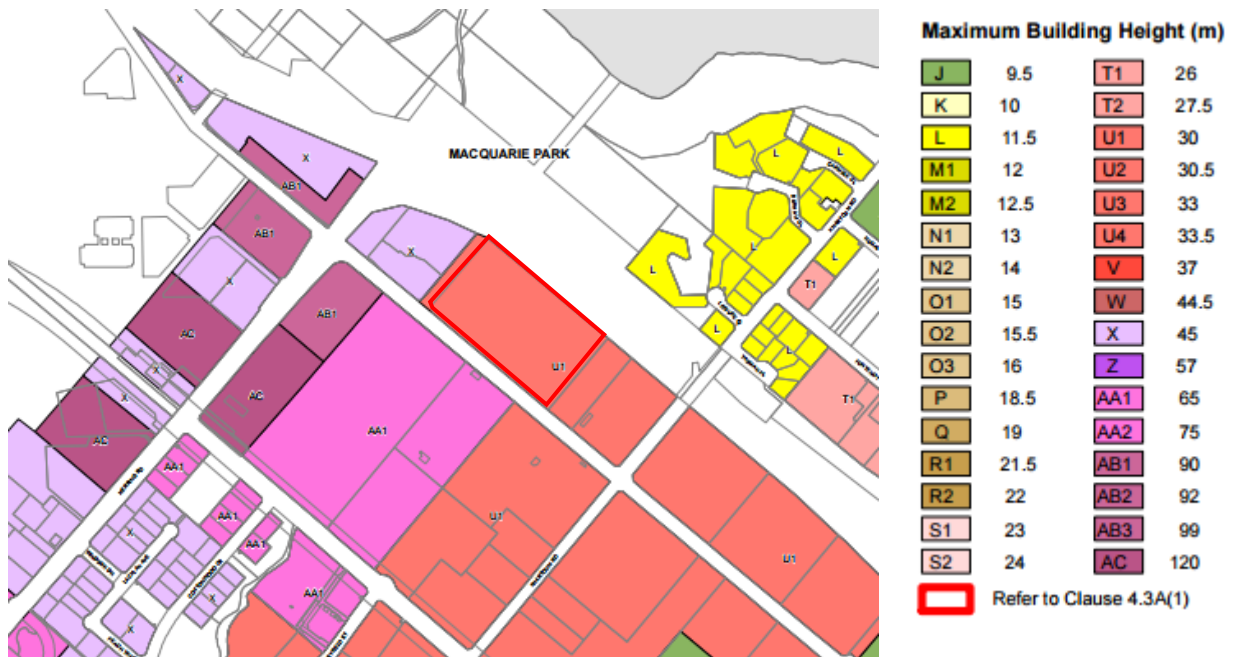


Figure 11 Maximum building height plan

The site has a maximum height of 30m without delivery of incentive provisions.

Under the recently gazetted Amendment 1 to the Ryde LEP 2014, an incentivised maximum height of buildings of 45m applies to the site. Clause 6.9 allows that the City of Ryde Council may approve development with this increased height of buildings if they are satisfied that:

- there will be adequate provision for recreation areas and an access network, and
- the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and
- the configuration and location of the access network will allow a suitable level of connectivity within the precinct.

Further detail on this mechanism and its relationship to this Planning Proposal is provided below.

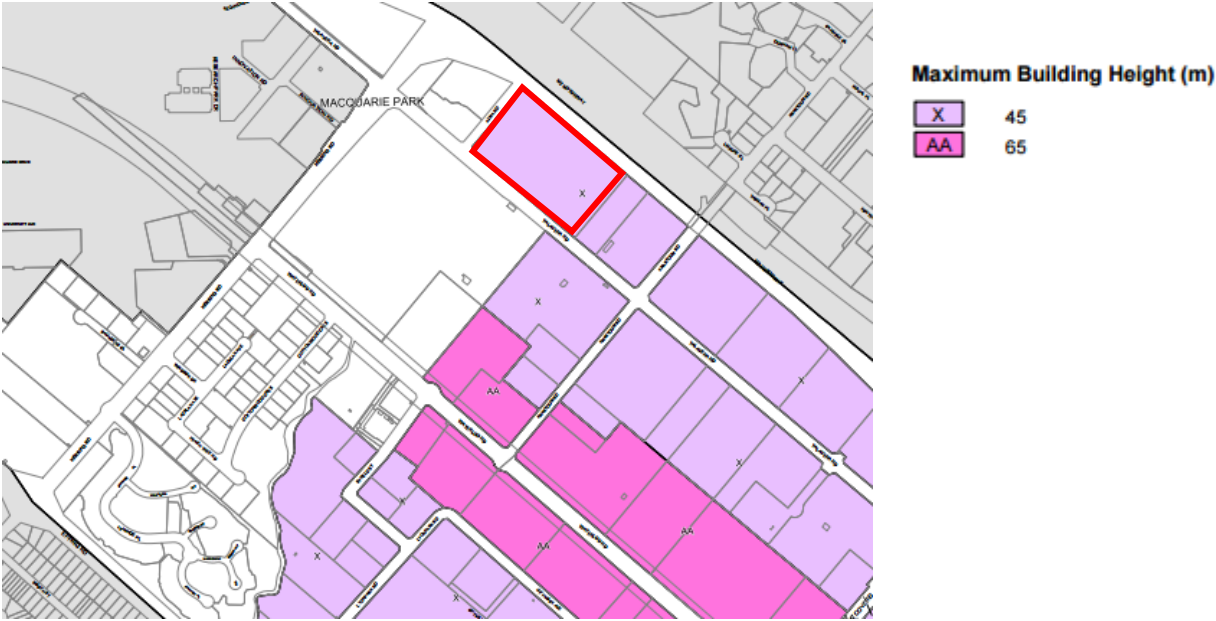


Figure 12 Maximum Building Height under Amendment 1
The site has a maximum building height of 45m under incentive provisions.

Floor Space Ratio

The maximum FSR for the site is controlled under Clause 4.4 of the LEP. The LEP currently allows for a maximum FSR of 1.0:1 (N).

The maximum FSR for the site and the surrounding area is illustrated at **Figure 13**.

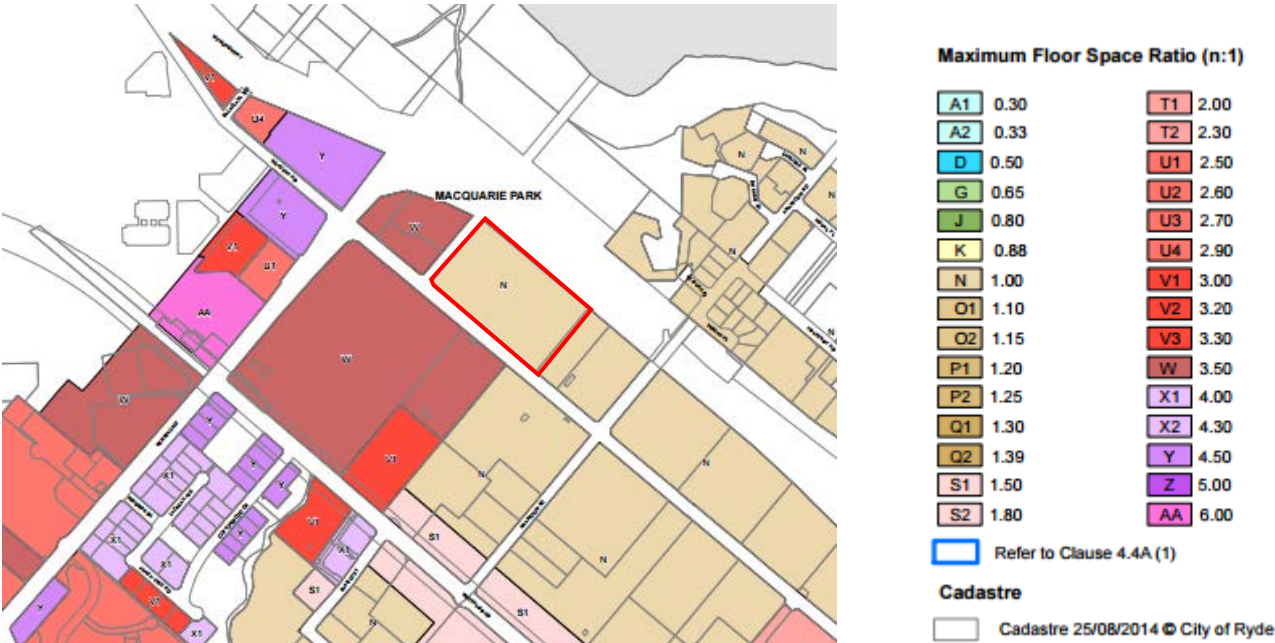


Figure 13 Maximum floor space ratio map
The site has a maximum FSR of 1.0:1 FSR limit without delivery of incentive provisions outlined below.

Under the recently gazetted Amendment 1 to the Ryde LEP 2014, an incentivised FSR of 0.5:1 applies to the site, with the resulting maximum FSR including base and incentive being 1.5: 1. Clause 6.9 allows that the City of Ryde Council may approve development with this increased FSR if they are satisfied that:

- a) there will be adequate provision for recreation areas and an access network, and
- b) the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and
- c) the configuration and location of the access network will allow a suitable level of connectivity within the precinct.

Further detail on this mechanism and its relationship to this Planning Proposal is provided as follows.

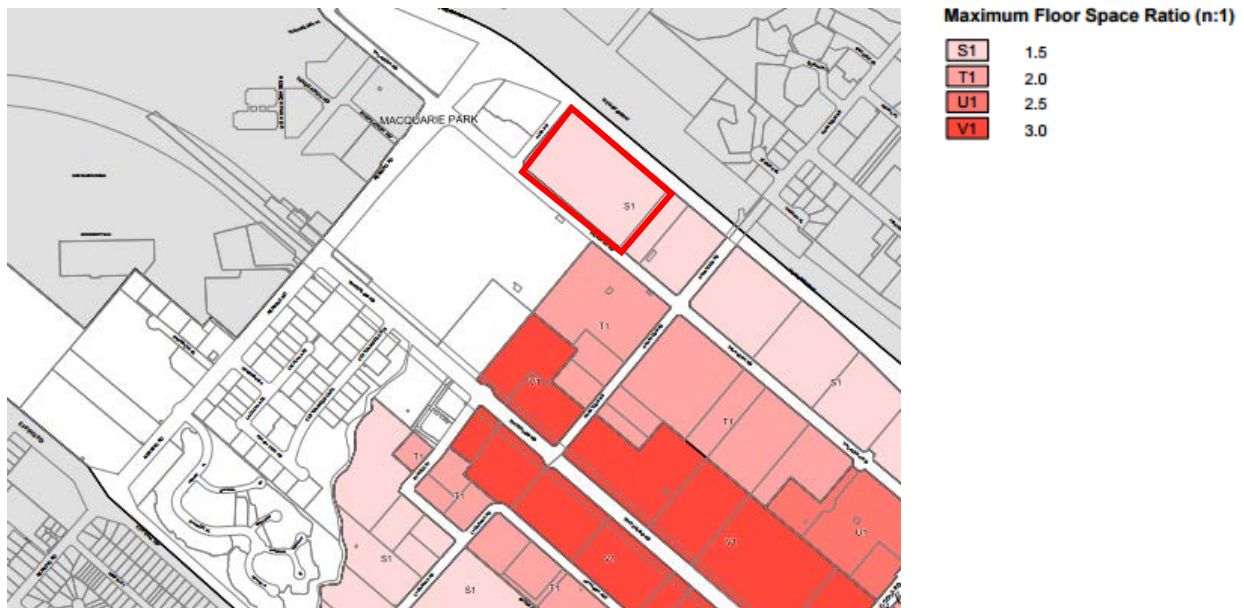


Figure 14 Floor Space Ratio under Amendment 1

Source: Ryde Local Environmental Plan 2014, NSW Legislation, 2015

Macquarie Park Corridor Incentive Scheme

The incentive FSR and height of buildings provided for within the Ryde LEP 2014 through the recently gazetted Amendment 1 seek to provide increased yield in return for monetary contributions and / or the delivery of public infrastructure including access networks and recreation facilities. This infrastructure to be delivered is identified in the supporting documentation for Amendment 1, and is expected to be translated into a supporting policy document imminently. It is understood that these incentive provisions will apply to only the infrastructure provided in **Figures 14 and 15**. The subject site does not contain any of this infrastructure to be delivered as identified in **Figure 14** and **Figure 15**.

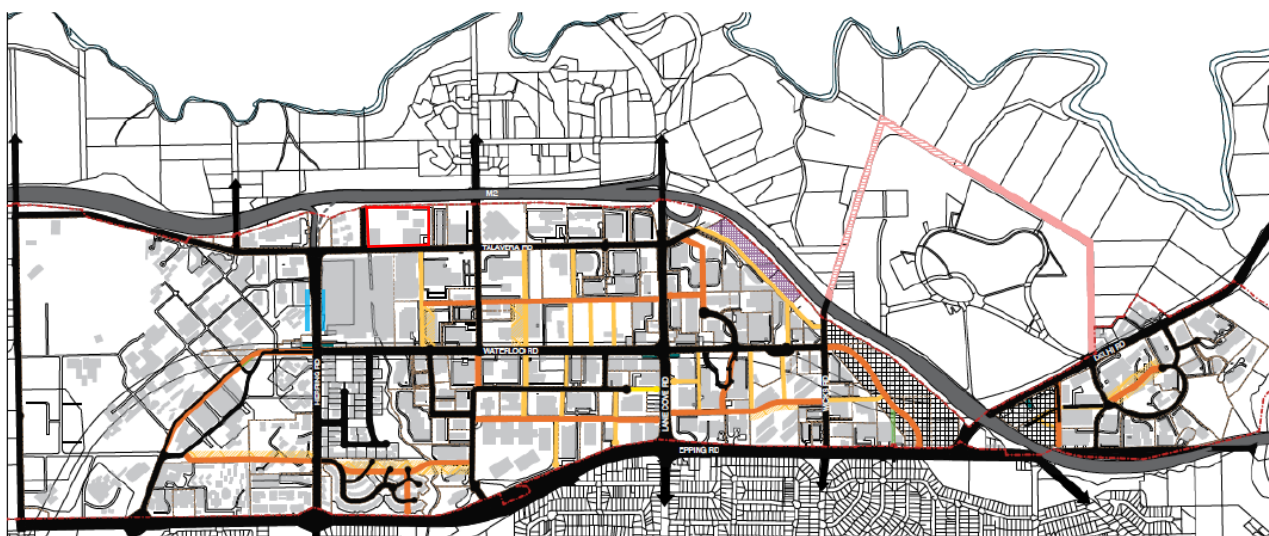


Figure 15 Access Network under Amendment 1

Source: Ryde Local Environmental Plan 2014, NSW Legislation, 2015

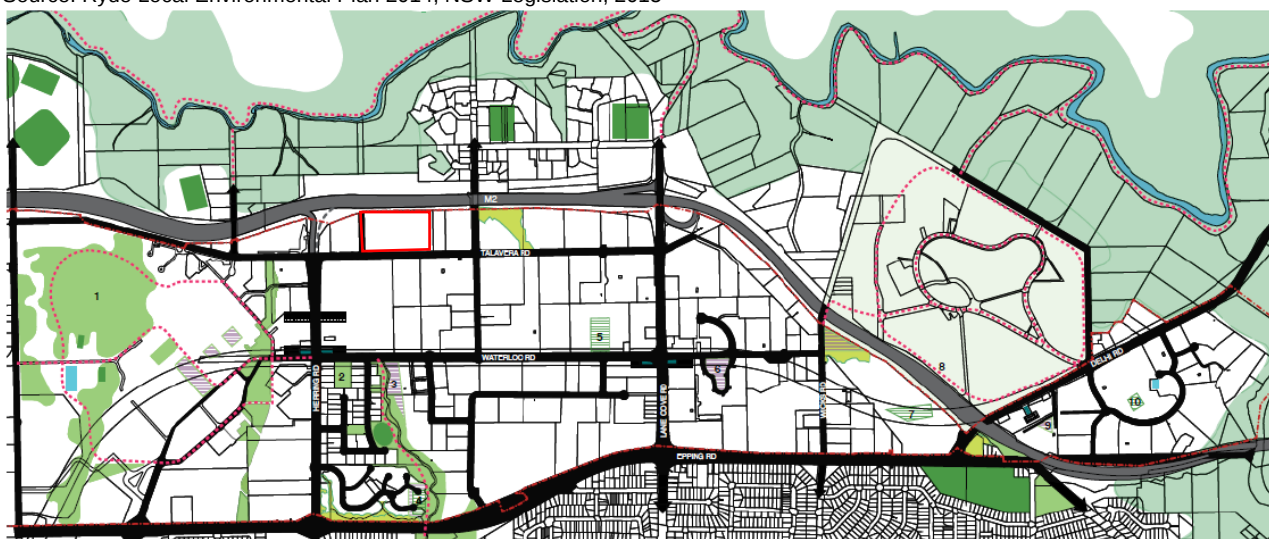


Figure 16 Open Space under Amendment 1

Source: Ryde Local Environmental Plan 2014, NSW Legislation, 2015

The supporting policy document is expected to establish a mechanism for identification of infrastructure in return for a Voluntary Planning Agreement which commits to the delivery of infrastructure or monetary contributions.

As this proposal is a rezoning of the subject site, including additional FSR and increased height, the incentive scheme does not apply. It should be noted that significant public benefit in the form of recreation facilities, public open space and affordable housing has been endorsed by Council as part of the VPA for the site.

2.7 Council Plans and Policies

City of Ryde Development Control Plan 2014

The City of Ryde *Development Control Plan 2014* applies to all sites within the LGA, however only Part 4.5 Macquarie Park Corridor has particular relevance to a Planning Proposal on the subject site.

This DCP applies to the wider Macquarie Park Corridor and provides for a range of controls relating to public domain, built form, access network, other matters. Achieving the preferred built form as set out in the attached master plan would require amendment of the DCP. A site specific amendment has been prepared and is provided at **Attachment K** to this report.

As a result of the Council meeting held 26 April 2017 (reconvened on 9 May 2017), a resolution was passed which recognised *'That Council acknowledge the Applicant's desire to create a superior design outcome for the use of the wind affected balconies within the development and the consideration on the exclusion of the enclosed wind affected balconies from the GFA, be deferred for consideration at the Development Application stage'*. Accordingly, this has been incorporated into the site specific DCP.

Integrated Open Space Plan 2012

The Integrated Open Space Plan (IOSP) analyses the City of Ryde's existing public open space and makes recommendations on how open space can be conserved, enhanced and extended to meet the community's recreation and leisure needs, both now and into the future.

Of particular importance to Macquarie Park, the IOSP indicated that two major new open space areas suitable for active and passive recreation, as well as several smaller reserves in good proximity to the centre, are required to support the planned commercial and residential growth in Macquarie Park.

Specifically, the IOSP identified the need for a variety of different sized open space areas including:

- at least one major reserve close to the core of the precinct generally no less than 1.5 Ha in size to support passive and informal active recreation;
- a suite of local parks distributed across the corridor of a nominal size no less than 0.3 Ha; and
- a series of small corner meeting places (as little as 20sqm)

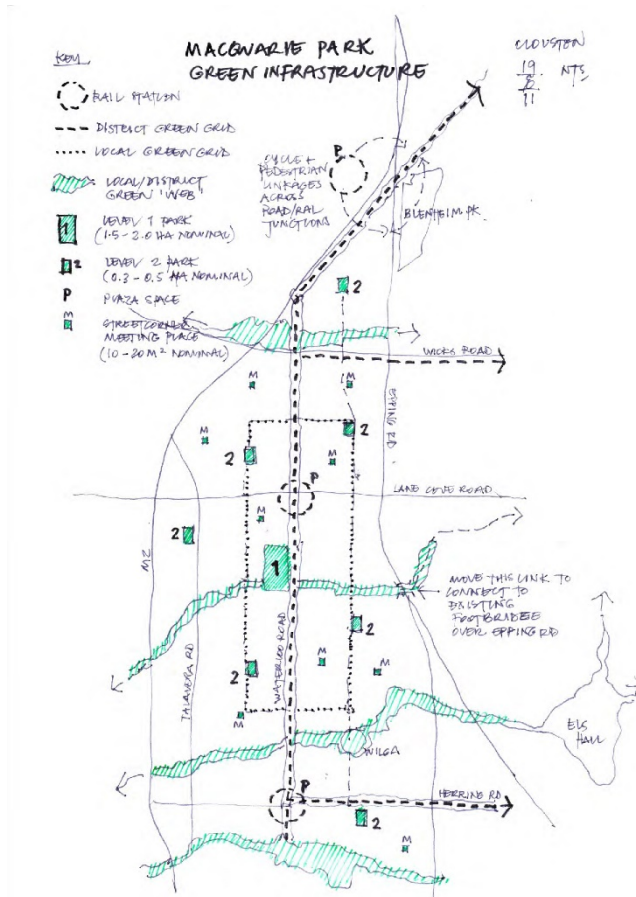


Figure 17 Macquarie Park Green Infrastructure Diagram
Source: Integrated Open Space Plan 2012 (Draft) City of Ryde

Since the IOSP was prepared it is noted that two Priority Precincts have been announced by the Department of Planning and Environment for land around Herring Road and North Ryde Station for mixed uses, allowing for more than 14,000 new dwellings in Macquarie Park at full end state.

The Priority Precincts do not provide for any new significantly sized active open space (only the minor augmentation of existing spaces and the creation of smaller spaces), and so the latent demand for open space becomes even more significant.

Section 94 Development Contribution Plan 2007 Interim Update (2014)

Council adopted the *Section 94 Development Contribution Plan 2007 Interim Update (2014)* for the LGA in December 2014. The interim update applied to the previous *S94 Development Contributions Plan 2007*, made effective on 19 December 2007. The objectives of the Plan have not changed and the minor modifications are designed to make it easier for potential developers to understand how the Plan works in relation to their projects. There are no changes to the areas to which the Plan applies.

However, the plan does identify that *'The anticipated resident population growth within the LGA will generate additional demand for open space and recreation facilities. There will also be demand created by future workers for certain open space facilities (such as within centres).'*' (pg. 36 *Section 94 Development Contributions Plan – 2007 – Interim Update (2014)*, City of Ryde Council).

It is noted that the VPA agreed to with Council identifies that the full payment of Section 94 Contributions will be paid to Council, excluding Section 94 Contributions applicable to the affordable housing to be dedicated to Council and the Indoor Recreation Facility.

It is noted however that the current contributions which apply to the subject site should residential dwellings be built includes a contribution which specially applies to the delivery of open space. This equates to over 50% of the total contribution per dwelling. This is detailed at **Figure 18**.

Development Area : Inside Macquarie Park												
	Contribution Rates - Residential Development									Contribution Rates - Non-Residential Development		
	Studio / 1 bedroom per dwelling	2 bedrooms per dwelling	3 bedrooms per dwelling	4+ bedrooms per dwelling	Detached Dwelling per dwelling	Secondary Dwellings (attached or detached) per dwelling	Boarding Houses per bedroom	Subdivision per dwelling	Seniors Housing per dwelling	Commercial, office, research and development per m ² gross floor area	Retail per m ² gross floor area	Industrial per m ² gross floor area
Strategy Plan												
Community and Cultural Facilities	\$ 2,238.97	\$ 2,686.77	\$ 3,207.65	\$ 3,207.65	\$ 3,207.65	\$ 1,492.65	\$ 1,492.65	\$ 3,207.65	\$ 2,238.97	\$ 39.26	\$ 19.63	\$ 15.71
Open Space and Recreation Facilities	\$ 8,981.66	\$ 10,777.99	\$ 12,867.50	\$ 12,867.50	\$ 12,867.50	\$ 3,674.60	\$ 3,674.60	\$ 12,867.50	\$ 8,981.66	\$ -	\$ -	\$ -
Civic and Urban Improvements	\$ 1,155.37	\$ 1,386.45	\$ 1,655.23	\$ 1,655.23	\$ 1,655.23	\$ 1,249.80	\$ 1,249.80	\$ 1,655.23	\$ 1,155.37	\$ 38.48	\$ 19.24	\$ 15.39
Roads and Traffic Management Facilities	\$ 1,240.00	\$ 1,488.00	\$ 1,776.48	\$ 1,776.48	\$ 1,776.48	\$ 170.48	\$ 170.48	\$ 1,776.48	\$ 1,240.00	\$ 40.46	\$ 40.46	\$ 40.46
Cycleways	\$ 159.74	\$ 191.68	\$ 228.85	\$ 228.85	\$ 228.85	\$ 106.49	\$ 106.49	\$ 228.85	\$ 159.74	\$ 5.32	\$ 2.66	\$ 2.13
Stormwater Management Facilities	\$ 141.41	\$ 169.69	\$ 202.59	\$ 202.59	\$ 202.59	\$ 338.48	\$ 338.48	\$ 202.59	\$ 141.41	\$ 4.71	\$ 4.71	\$ 4.71
Plan Administration	\$ 43.06	\$ 51.68	\$ 61.70	\$ 61.70	\$ 61.70	\$ 28.71	\$ 28.71	\$ 61.70	\$ 43.06	\$ 1.44	\$ 0.72	\$ 0.57
Transport and Accessibility Facilities*	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 13,960.21	\$ 16,752.26	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 7,061.21	\$ 7,061.21	\$ 20,000.00	\$ 13,960.21	\$ 129.67	\$ 87.42	\$ 78.97

* Contributions payable for transport and accessibility facilities are levied on a per car parking space basis where insufficient on-site parking is provided to meet demand generated

Car Parking per space* \$ 35,558.16

Figure 18 Section 94 Contribution Rates – Jun - 2015 quarter

Ryde City Council's Section 94 Development Contributions Plan (2007) does not provide for public open space by non-residential development, implicit in this is the presumption that only residential users demand public open space.

However this is not that case as identified in *Macquarie Park - Growth and Sustainability – Research Study* prepared by AEC, dated June 2015. This study is provided at Attachment B and identifies that access to facilities which allow for enhancement of employee wellbeing is crucial to the demand and function of business parks. This includes social infrastructure items such as childcare, gyms, and public recreation space. Importantly, the proposal is supported by a Voluntary Planning Agreement which seeks the full payment of Section 94 Contributions for future development.

Macquarie Park Floodplain Risk Management Plan

Macquarie Park Floodplain Risk Management Plan has been prepared on behalf of Council and includes a series of floodplain management measures to be implemented within the catchments.

Relevant to this Planning Proposal, the subject site is identified as being affected by the 1 in 100 year Flood and the Probable Maximum Flood. These are identified in the following figures.



Figure 191 in 100 year flood event

Source: City of Ryde – Macquarie Park Floodplain Risk Management Study and Plan

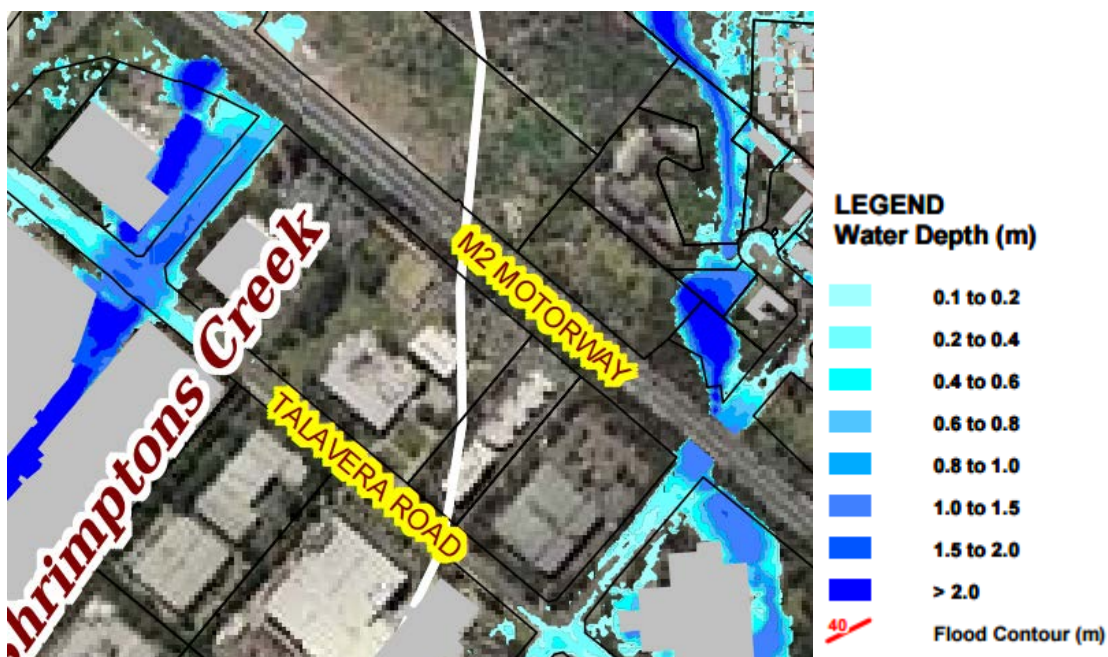


Figure 20 Probable Maximum Flood Event
Source: City of Ryde – Macquarie Park Floodplain Risk Management Study and Plan
However, the site is not identified in Council's Flood Planning Lands map.

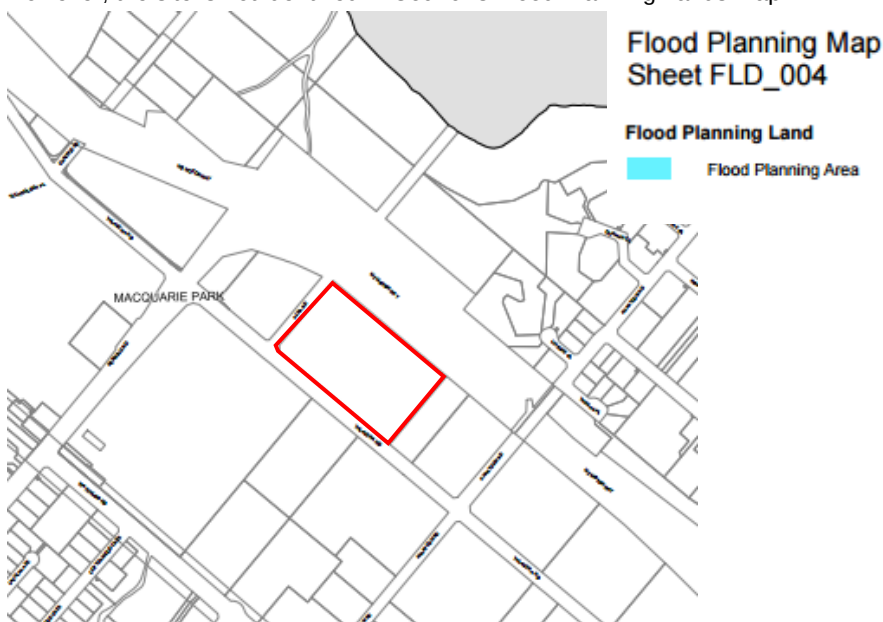


Figure 21 Ryde LEP Flood Planning Map

An assessment of this Planning Proposal against Section 117 Direction 4.3 Flood Prone Land is undertaken in Section 4.0 of this report.

More detailed planning in relation to flood risk could provide opportunity for the proposed open space to play a role in the treatment and management of flood risk.

2.8 Draft Plans and Policies

Herring Road Priority Precinct

The Herring Road Priority Precinct is an area in the north eastern end of the Macquarie Park Corridor focused around Herring Road, Macquarie University and Macquarie University Station located on the Epping to Chatswood Railway Line.

Priority Precincts include areas selected through the Priority Precincts program as suitable for urban renewal including increased housing. They are generally located close to a centre or multiple centres and with good access (within an 800m walking catchment) to public transport, shops and services.

By 2031, the Herring Road precinct will be transformed into a walkable transit oriented centre, vital to the evolution of Macquarie Park. Building on its existing business, retailing and educational success, Herring Road will attract more people to live, study and work in the area.



Figure 22 Proposed Herring Road Priority Precinct master plan
Source Herring Road, Macquarie Park Urban Activation Precinct Proposal

The supporting documentation for the precinct identifies that it will comprise:

- a mix of land uses to transform the precinct into an active place for living, learning and working
- a quality higher density urban community that utilises excellent transport infrastructure and access to job markets, educational facilities, retail, local services and recreational assets
- increased building heights and densities that can improve housing supply and choice
- a transformation of Herring Road into an active street, with wider pavements, new landscaping and new places to meet
- better connected and finer-grained streets and pedestrian / cycle and networks providing safer, more convenient and pleasant access
- opportunities for new and improved parks, spaces, playgrounds and community facilities

The rezoning proposal for the Herring Road Priority Precinct was finalised in September 2015, with the Priority Precinct renamed to be the Macquarie University Station (Herring Road) Precinct.

The subject site is located just outside of the Priority Precinct.



Figure 23 The Proposal in the context of the Herring Road Priority Precinct

However, it is noted that the planning for the Herring Road Priority Precinct does not provide for any new significant open space, only linear connections between existing open spaces. The planned spaces are unable to meet the demand for a district, 1.5 hectare open space as identified in the City of Ryde IOSP. The planned densities in the Herring Road Priority Precinct also require good amenity to mitigate the impacts of high density living.

The translation of planning for the Herring Road Priority Precinct into legislative controls will result in significant uplift for many sites, without allowing Council to capture any additional value of that uplift, beyond the increase in Section 94 contributions that would result from the increased densities. There is no mechanism proposed as part of the Priority Precinct report for the delivery of new spaces, new roads or other community and transport infrastructure required to support the

planned population growth. The Precinct Support Scheme funding is proposed to be allocated to works on Herring Road only.

Despite an existing shortage of open space within Macquarie Park, the Herring Road Priority Precinct will provide an additional 5,400 dwellings forecasted by the Department of Planning and Environment by 2031 (approximately 12,000 end state should all sites be developed in accordance with draft controls). This is the equivalent to a population of 26,175 additional residents.

With regards to built form, the recommended heights in the Herring Road Priority Precinct proposal range from 45m to 120m. These heights are considered appropriate for their context, if the overshadowing impacts are tested and considered to be acceptable. Generally, the plan may benefit from more variation of the built form.

Recommended FSRs range between 2.5:1 and 4.5:1. Again, this general range is appropriate for a town centre location, based on our experience with similar projects. The strategy to create a 6-8 storey street wall height is supported. This will be important for the quality of the public domain. Achievement of the vision outlined in the Herring Road Priority Precinct master plan is likely to be frustrated by complex and fragmented land ownership patterns, particularly for the sites south-west of the train station. The nominated FSR of 4.0 and 4.5:1 will not be achievable on these small, single lots. Rezoning these small, fragmented land-holdings with this increased density may generate significant problems for implementation and assessment of DAs in this precinct. The advantage of the subject site is that it is a large consolidated lot in single ownership.

Planning Proposals in the area

There have been a number of Planning Proposals lodged within Macquarie Park which seek to amend the Ryde LEP to B4 Mixed Use. Recently, two Planning Proposals (described below) were refused by Council and the NSW Department of Planning and Environment at Pre-gateway Review, it is considered that this proposal provides significant amenity above and beyond those previously considered.

Both Planning Proposals were deemed by Council to be inconsistent with the strategic vision for Macquarie Park, and pre-emptive of the District Plans yet to be released by the DP&E. The strategic framework set out in the Macquarie Park: Framework for open space and mixed use development (**Attachment A**) addresses this concern by providing assessment criteria to maintain the employment functions of Macquarie Park, in line with strategic planning for the centre.

Whilst the District Plans have not yet been released, the Proposal aligns with the strategic direction of the Herring Road Priority Precinct and the key directions for the relevant subregion set out in *A Plan for Growing Sydney*, the metropolitan planning strategy by the NSW State Government.

269 – 271 Lane Cove Road

A Planning Proposal for land at 269-271 Lane Cove Road sought to amend current planning controls to allow for residential development. This proposal was refused by DP&E and Council at a Pre-Gateway Review in December 2014.

It is considered that this proposal did not deliver substantial public benefit or amenity as the proposed open spaces were internalised and unlikely to serve the wider community; and that the development mix was residential with only a small component of commercial accommodation.

111 Wicks Road, 29 Epping Road and 31-35 Epping Road

A Planning Proposal for 111 Wicks Road, 29 Epping Road and 31-35 Epping Road sought to amend current planning controls to permit residential development on the site. The proposal was refused by both Council and the DP&E in February 2015.

The proposed public domain was unlikely to be utilised due to the size, location and type of open space. Therefore, the proposal did not offer significant public benefit or improved amenity.

3.0 Objectives and intended outcomes

This section outlines the objectives of the Planning Proposal and provides detail on the proposed planning control provisions to achieve these objectives and outcomes.

3.1 Intended outcomes

The intended outcome of the Planning Proposal is to amend the current planning controls to allow for the future redevelopment of the site to deliver:

- **Public open space:** The open space should comprise a large park with a minimum size of 6,100sqm. The space should have regular dimensions to allow for a variety of active and passive uses.
- **Key worker housing/affordable housing:** allow for the delivery of approximately 5,296sqm of affordable housing, or around 4% of the residential development, as key worker/affordable housing. The location and management of this housing should be negotiated between the developer and Council to achieve a positive social outcome and benefit the sustainability of the Business Park. It is noted that this has been endorsed by Council as part of the VPA process.
- **Change of uses:** A diverse mix of uses that support the sustainability and growth of the Macquarie Park Centre by increasing the viability of delivering public benefit and delivering social infrastructure that supports the attractiveness of the centre to business.
- **Increased Density:** The master plan should provide for a maximum building height of 120m (plus site single point tower of 154m) with a FSR of 3.7:1 which encourages the redevelopment of the site in accordance with the proposed master plan provided at Error! Reference source not found..
- **Robust envelopes:** Building envelopes in a preferred built form option should be tested to give Council confidence that future development within those envelopes can achieve design quality and consistency with SEPP 65 rules of thumb.

A concept master plan has been developed which demonstrates how the sites could be developed in accordance with the proposed controls for the site provided to deliver the intended outcomes of the Planning Proposal, as shown in **Figure 24**. It is proposed that this will be further developed with Council to form the basis of a Site specific amendment to the RDCP 2014.



Figure 24 Concept master plan including key worker housing on the north west boundary

3.2 Objectives of the proposed controls

The objectives of the Planning Proposal for the site at 66-82 Talavera Road, Macquarie Park are to ensure the provision and functionality of public open space of 6,100sqm to support the existing and future community, delivery of a 3,500sqm indoor recreation facility, 5,296sqm of affordable housing and encourage good urban design by providing for increased height on the site. The specific objectives are to:

1. Ensure that the existing shortage of open space within Macquarie Park and future Herring Road Priority Precinct are resolved and addressed;
2. Ensure that a contiguous and well-designed large area of open space can be achieved on the subject site at minimal cost to the wider community;
3. Ensure that the site delivers a high quality open space catering to the diverse needs of the surrounding community, both existing and future;
4. Provide ongoing amenity (open spaces and retail/residential) for Macquarie Park to ensure that it remains a competitive;
5. Ensure an appropriate mix of uses on the site to support the attractiveness of the Business Centre and a vibrant mixed-use development, including provision of affordable and private housing; and

6. **Unlock substantial public benefit on this key site including key worker/affordable housing by ensuring development feasibility.**

3.3 Amendments to planning provisions

This Planning Proposal seeks to amend the following provisions of the Ryde Local Environmental Plan 2014:

- Amend **Land Zoning Map Sheet LZN_004** to rezone the site from B7 Business Park to B4 Mixed Use Zone to allow for residential development on the site. The new open space could be rezoned for RE1 Zone at a later stage once the park has been dedicated to Council through the renewal process.
- Amend the **Macquarie Park Corridor Precinct Incentive Height of Buildings Map - Sheet MHB_004** to reflect an incentive maximum height of buildings of 120m and a single tower of 154m to promote variation in the skyline applicable to the eastern portion of the site through the creation of a new incentive zone;
- Amend the **Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map - Sheet MFS_004** to reflect an incentive floor space ratio of 3.7:1 across the whole of the site.
- Amendment to the **Designated State Public Infrastructure Map** for the application of Clause 6.10 to the subject site, for contribution toward designated State Infrastructure.

The benefits of this proposed amendment for Macquarie Park Corridor and the wider community have been further identified in **Section 5 Justification**.

3.4 Land use zoning

The land use zoning of the site will require amendment to permit residential land uses on the subject site. As such, the site will need to be rezoned from B7 Business Park to B4 Mixed Use. The new open space to be created would be dedicated to Council as a stratum lot over the proposed commercial commuter car park.

This will require amendment to the Land Use Zoning Map *Sheet LZN_004*, an extract of which is shown at **Figure 25**, with the full scale map available at **Attachment H**.

Although this will rezone land currently limited to employment uses only, the *Macquarie Park – Growth and Sustainability Research Report* prepared by AEC (**Attachment B**) concludes that *'permitting residential and mixed-use development on selected, appropriate sites in Macquarie Park which comply with the criteria listed in the Architectus strategic planning framework would have a significant positive impact on the growth and sustainability of Macquarie Park as a major employment zone in metropolitan Sydney and a key economic engine room for NSW.'*

The mixed use zone is expected to benefit the Macquarie Park Business Centre by:

- allowing for the integration of business, office, retail and residential development to achieve the most efficient use of land;
- co-locating residents to highly skilled jobs, generating economic, social and environmental benefits by reducing commuting times, congestion and encouraging active transport. Currently, 33% of residents in the Macquarie

Park suburb work in the Ryde – Hunters Hill area³, and 44% of these walked only. The proposal is likely to support these transport habits;

- activating the centre throughout the day, including out of work hours. People are likely to access the site at a range of times due to differentiated usage demands for residential, retail, recreation and commercial space; and
- creating a community asset and activity hub which supports increased social interaction among residents and employees of the area.
- This rezoning allows for the delivery of a significant public open space which addresses a recognised shortfall in the wider Macquarie Park Corridor which will be exacerbated by the Herring Road Priority Precinct. The proposal also allows for the delivery of key worker housing, which would represent a substantial public benefit and support to the centre's employment uses.

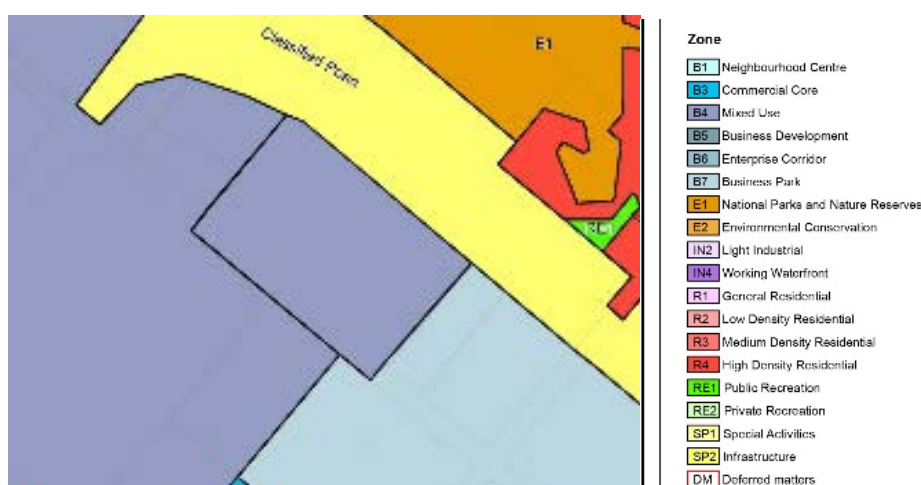


Figure 25 Proposed amended Ryde LEP 2014 Land Zoning Map

3.5 Maximum building height

The maximum building heights for the subject site will need to be amended to allow the delivery of the built form envisaged for the site as detailed in the submitted concept plan. A maximum building height of 120m with a single tower of 154m has been proposed for the following reasons:

- A taller building is required to accommodate the total floor space agreed to by Council to be accommodated on the subject site. This was considered the most appropriate way of accommodating this floor space on the site, given the additional reasons below;
- It allows for a varied skyline which will create visual interest in the precinct when viewed from a distance in accordance with best practice urban design principles;
- It will define the location of the Macquarie Park Precinct in the context of wider Sydney;
- It will encourage and support tall slender tower forms which allow for a relief of building bulk and scale at the ground floor.

³ Bureau of Transport Statistics, Journey to Work Explorer, Place of Residence (including TZs 1535, 1537, 1539, 1541, 1542, 1543, 1544, 1545, 1547, 1548, 1550, 1551, 1552), 2015.

Whilst this will result in an increase in building height beyond that envisaged by wider Macquarie Park Precinct, it is considered that the proposed heights is appropriate for the stated reasons.

This will require amendment to the Macquarie Park Corridor Precinct Incentive Height of Buildings Map - Sheet MHB_004, provided as **Attachment H**, with an extract provided at Figure 27.

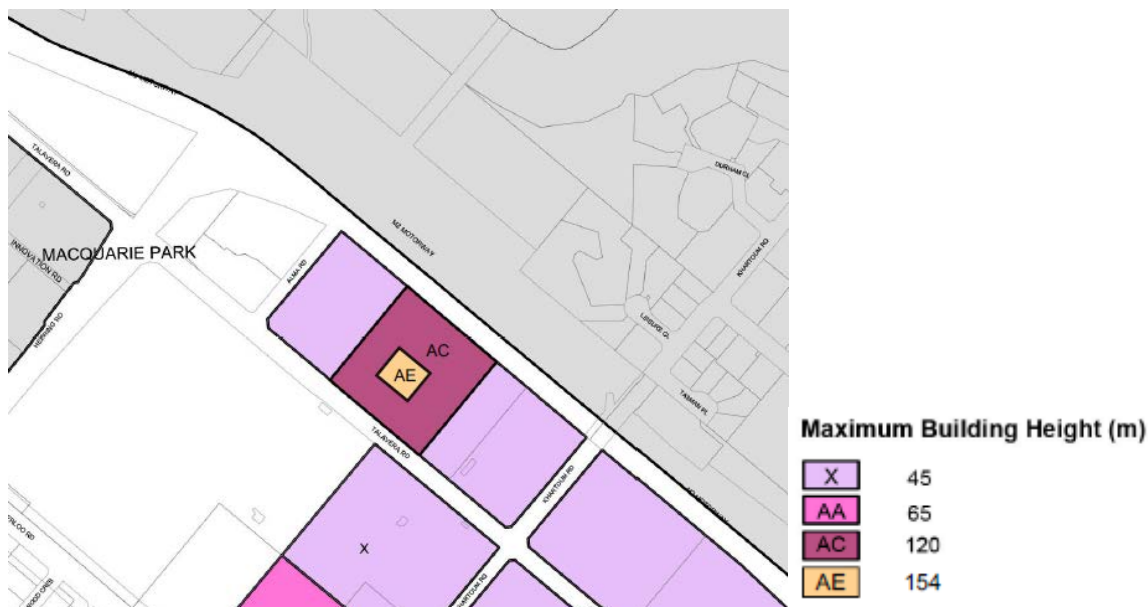


Figure 26 Proposed amended Ryde LEP 2014 Macquarie Park Corridor Precinct Incentive Maximum building height Map

3.6 Maximum Floor Space Ratio

The maximum FSR for the subject site will need to be amended to allow the delivery of the built form envisaged for the site as detailed in the attached Concept Plan and further in this report. This will require the maximum FSR to be increased from 1.5:1 to 3.7:1 which is in line with the FSR in the adjoining Herring Road Priority Precinct which range from 2.5:1 to 6.0:1.

This will require amendment to the Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map - Sheet MFS_004. An extract of this is provided at Figure 28 below, with the full version provided at **Attachment H**. Importantly, it should be noted that as per Ryde Council Resolution on 2 August 2016 the FSR of 3.7:1 does not include the following:

- 1,030 publicly accessible commuter car spaces (as identified in Holdmarks letter dated 26 July 2016 regarding the proposed VPA and referenced in Ryde Councils resolution on 2 August 2016)
- 3,500sqm indoor recreation facility; and
- 5,296sqm of affordable housing.

The proposed site specific amendment to the Development Control plan will include a requirement for the provision of additional 1,030 public car parking spaces in addition to other spaces required under Council's DCP, identifying that these spaces are to meet Council's requirements and are therefore excluded from GFA.

Given that the Planning Proposal also specifically excludes the 3,500sqm for the indoor recreation facility and the 5,296sqm for affordable housing, as recognised by the Gateway Determination, an additional clause will need to be incorporated into the RLEP 2014 as per the below:

Clause 6.12 66-82 Talavera Road, Macquarie Park

(1) For the site at 66-82 Talavera Road, Macquarie Park, floor space for the purposes of affordable housing, indoor recreation centre (and supporting ancillary uses) and a commercial commuter car park, are permissible in addition to the maximum Floor Space Ratio shown on the Floor Space Ratio Map.

(2) A minimum of 20,000m² Gross Floor Area of commercial premises must be provided on the site.



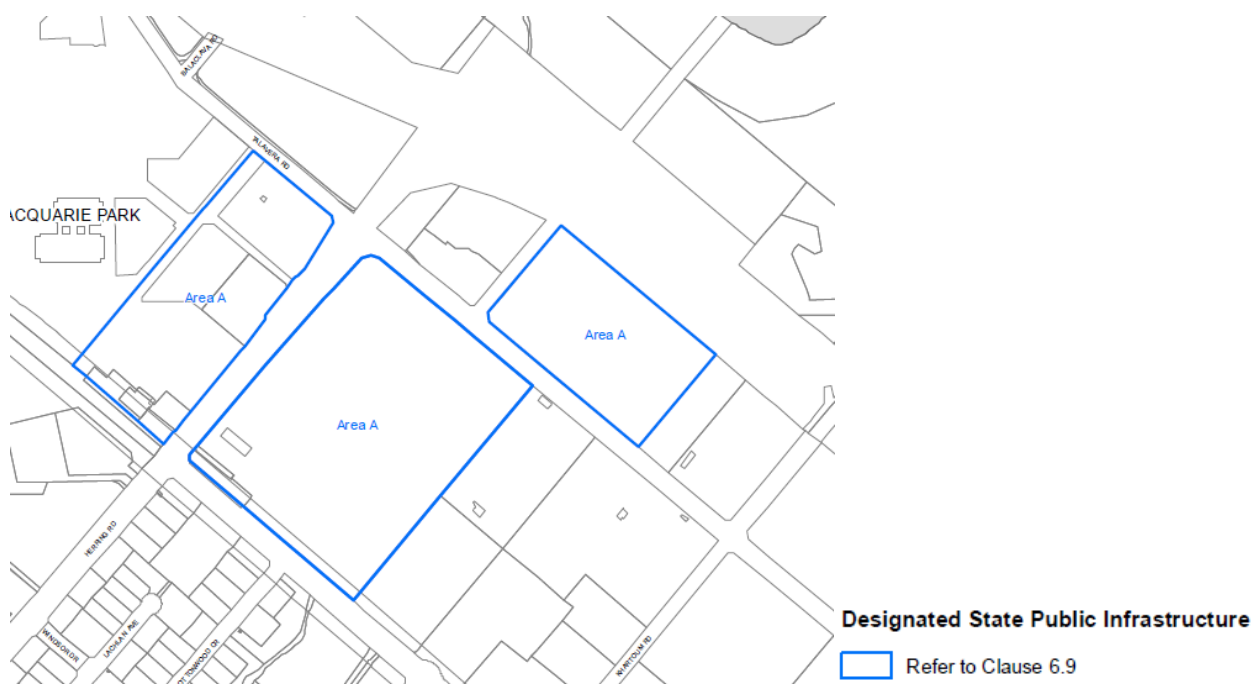
Figure 27 Proposed amended Ryde LEP 2014 Macquarie Park Corridor Precinct Incentive Maximum Floor Space Ratio Map

3.7 Arrangements for contributions to designated State public infrastructure

The Gateway Determination issued by the Department of Planning and Environment also identifies that the site should be subject to a satisfactory arrangements provision for contributions to designated state public infrastructure identified as part of the draft or final strategic investigation for Macquarie Park.

At this stage, it is appreciated that this information is yet to be released by the Department. However, in discussion with Council and the Department, it is understood that the clause will be similar in nature to the current 6.10 clause contained within the RLEP 2014.

This will require amendment to the Designated State Public Infrastructure Map Sheet SPI_004. An extract of this is provided at Figure 28 below, with the full version provided at **Attachment H**.



3.8 Ryde Development Control Plan 2014

The Ryde Development Control Plan 2014 will require amendment to reflect the preferred built form and public domain envisaged by the concept master plan for the site.

A site specific DCP has been prepared and is provided at **Attachment J**. This DCP is generally in accordance with the master plan provided at **Attachment C** and will identify the following:

- Vehicle entry / exit points
- Location of the Recreation Centre / Open Space
- Development Parcels
- Maximum Tower footprint
- Commitments under the proposed VPA
- Setbacks;
- Development to achieve compliance with the ADGs; and
- Commercial car parking (1,030 spaces) to be delivered as part of the development as identified in the VPA.

3.9 Voluntary Planning Agreement

The Planning Proposal is supported by a VPA offer from Holdmark Property Group (provided at **Attachment I**) which was endorsed by Council at its meeting held 2 August 2016. At this meeting, Council resolved to

- a) *That Council accept the irrevocable letters of offer from Holdmark dated 21 and 26 July 2016 to enter into a Voluntary Planning Agreement in accordance with Option 3 as outlined in the Report.*

- b) That Council forward, within 7 days, the Planning Proposal to the Department of Planning and Environment for Gateway Determination.*

The submitted VPA offer, endorsed by Council ensures the provision of the following public benefits on the site:

- 5,296m² GFA of Affordable Housing;
- An indoor recreation facility of 3,500m² GFA;
- Approx. 6,100m² GFA of public open space;
- 20 car spaces dedicated to the indoor recreation facility and up to 180 spaces within the proposed public car park for a maximum of 2.5 hours free parking for validated patrons of the recreation facility;
- Terracing of the site at Holdmarks cost;
- Pedestrian bridge over Talavera Road;
- \$5 million contribution to Roadworks and Traffic Management;
- 4.5m wide footpath along Talavera Road frontage;
- Payment of full Section 94 Contributions on the site, with the exception of the Section 94 applicable for the affordable housing component and community indoor recreation facility and ancillary commercial floor space; and
- Transfer of assets at no cost to Council.

The formal legal agreement is yet to be finalised between City of Ryde Council and Holdmark Property Group but will be provided prior to Public Exhibition.

3.10 Summary

The proposal allows for the delivery of:

- a) public open space which addresses an existing shortfall within the Macquarie Park Corridor which will be exacerbated by the future Herring Road Priority Precinct;
- b) affordable housing, which is substantially undersupplied in the Ryde municipality; and
- c) a community indoor recreation facility which is a much needed facility to service the needs to residents and workers within Macquarie Park.

To allow for the delivery of this open space, key worker housing and community recreation facility, the Planning Proposal seeks to allow for the redevelopment of the site for residential through allowing tall slender tower forms and lower built form buildings with significant employment use in the site. The proposal is supported by a VPA which ensures the delivery of significant public benefit and has been endorsed by Council at its meeting held 2 August 2016.

4.0 Justification

This section provides justification of the Planning Proposal in line with the 'questions to consider when demonstration justification' set out within the NSW Government's 'A guide to preparing Planning Proposals'.

4.1 Section A - Need for the Planning Proposal

Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal, and the proposed rezoning of the site for increased densities is in response to directions in the following endorsed **strategic planning studies:**

- NSW Department of Planning and Environment's *Plan for Growing Sydney 2036*, which identifies Macquarie Park as a Strategic Centre, and provides directions to increase amenity, and densities for employment, education, **and residential uses** near train stations.
- The City of Ryde's *Integrated Open Space Plan 2012*, which identifies **the need for new open spaces** to support business and new residents.

The Planning Proposal is a result of the following **supporting studies, reports and advice, prepared for Holdmark:**

- Urban Design Report, prepared by Architectus, dated 13th November 2015;
- Traffic Impact Assessment, prepared by Bitzios, dated 11th October 2016;
- Socio-Economic Impact Assessment, prepared by AEC, dated 13th October 2016; and
- Open Space and Landscape Report, prepared by Clouston, dated 29th September 2016.

The proposal also considers the following documents (also prepared for Holdmark) which are **studies that provide a holistic consideration of Macquarie Park:**

- Macquarie Park: Framework for open space and mixed use development, prepared by Architectus, dated 25 June 2015; and
- Macquarie Park - Growth and Sustainability – Research Study prepared by AEC, dated June 2015

These documents demonstrate the need for a Planning Proposal, as discussed in more detail below:

Strategic planning framework

The *Plan for Growing Sydney to 2036* is the NSW's State Governments plan for the future growth and prosperity of the Greater Sydney Region. The Plan includes goals and directions that should inform the planning controls for sites in Metropolitan Sydney.

As discussed in more detail in Section 4 of this report, the subject Planning Proposal for higher densities and a B4 Mixed Use Zone is consistent with the

following overarching objectives for Macquarie Park, as expressed in the Plan for Growing Sydney:

- Macquarie Park is a Strategic Centre, and an appropriate location for employment and mixed use intensification, whilst maintaining the primary role of the centre as a business park.
- ACTION 1.6.1: Grow high-skilled jobs in the Global Economic Corridor by expanding employment opportunities and mixed-use activities
- ACTION 1.7.1: Invest in Strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity
- ACTION 1.11.3: Undertake long-term planning for social infrastructure to support growing communities
- ACTION 2.1.1: Accelerate housing supply and local housing choices
- ACTION 2.2.2: Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres
- ACTION 2.3.3: Deliver more opportunities for affordable housing
- ACTION 3.1.1: Support Urban Renewal by directing local infrastructure to centres where there is growth
- ACTION 3.2.1: Deliver The Sydney Green Grid Project

The Planning Proposal is a progression of the following specific directions for Macquarie Park (Page 127, Plan for Growing Sydney):

- Work with council to concentrate capacity for additional mixed-use development around train stations, including retail, services and housing.
- Investigate potential future opportunities for housing in areas within walking distance of train stations.
- Support education and health-related land uses and infrastructure around Macquarie University and Macquarie University Private Hospital.
- Work with council to retain a commercial core in Macquarie Park for long-term employment growth.
- Investigate opportunities to deliver a finer grain road network in Macquarie Park.

Draft North District Plan

The draft North District Plan was released by the Greater Sydney Commission in November 2016, and provide a strategic planning framework for the north district, which includes the Ryde LGA. The proposed development is consistent with the objectives and statements of the Draft Plan, including:

- Creating a Macquarie Park with a diverse range of uses and activities.
- Macquarie Park is situated between both the Eastern and Central Cities, resulting in an ideally located centrally between the cities' two major hubs.
- Acknowledges the need to balance commercial, residential and other uses to ensure the ongoing sustainability and enhanced vibrancy of Macquarie Park as a Strategic Centre.
- The plan calls for affordable housing options to be delivered in the district.

Ryde Integrated Open Space Plan 2012

The Ryde Integrated Open Space Plan 2012 (prepared by Clouston Associates and endorsed by Council in 24 July 2012) indicated that two major new open space areas suitable for active and passive recreation, as well as several smaller reserves in good proximity to the centre, are required to support the planned commercial and residential growth in Macquarie Park.

Since this time, two Priority Precincts have been announced by the Department of Planning and Environment for land around Herring Road and North Ryde Station for mixed uses, allowing for more than 14,000 new dwellings in Macquarie Park. The Priority Precincts do not provide for any new active open space (only the minor augmentation of existing spaces and the creation of smaller spaces), and so the latent demand for open space becomes even more significant.

The Planning Proposal enables the delivery of a 6,100sqm open space, which would supplement open space in the area in line with the recommendations of the Ryde Integrated Open Space Plan 2012.

Refer to Section 4 of this report for more details.

Studies for Holdmark considering the broader vision for Macquarie Park

Macquarie Park: Framework for open space and mixed use development, prepared by Architectus, dated 25 June 2015

This report was prepared by Architectus and is provided at **Attachment A** for Holdmark in relation to the subject site at 66 - 82 Talavera Road, Macquarie Park. The report provides support for a rezoning of the site by establishing a framework for the site to be rezoned to mixed use whilst maintaining the integrity of the Macquarie Park employment centre.

It recognises that there is significant pressure for residential development within Macquarie Park as evidenced by multiple approaches to the City of Ryde Council to seek permission for residential land uses within Macquarie Park as well as by the very high rates of sale for the recent residential developments on land adjacent to the Macquarie Park B7 zone.

The report identifies that the role and composition of business parks is evolving, with an increased emphasis on worker amenity and employee well-being as well as the provision of a full offer of services and facilities while protecting commercial uses.

The existing shortfall of open space is identified as having the potential to severely limit the ability of Macquarie Park to continue to attract businesses into the future as residential, retail and commercial growth exacerbate the centre's existing concerns.

The report finds that Council has an opportunity to strategically approach the problem by permitting mixed use development where substantial public benefit can be delivered on site by the developer. This strategic approach is formalised into a framework that provides key criteria and circumstances in which residential floor space can be permitted. These criteria are as follows:

Public open space

- Provide either new open space shown in the Draft Macquarie Park DCP 2014⁴ or a new 1 hectare minimum public open space, designed to Council's reasonable requirements.

⁴ The Macquarie Park DCP 2014 has since been adopted.

- Where a site proposes to deliver the 1 hectare minimum open space, the site must be larger than 3 hectares, thereby allowing for a 2 hectare development site for mixed uses.
- The open space must have a frontage to a major road (Waterloo Road, Talavera Road, Wicks Road or Herring Road) and one secondary street.
- The proposed open space should satisfy specified design criteria and be dedicated to Council on completion.

Non-residential floorspace

- Provide a minimum of 20,000sqm GFA of non-residential floorspace.

Key worker housing

- Deliver key worker housing (or Affordable Housing) at the rate of approximately 3% of total dwellings provided.
- Up to 15% of the open space (1,500sqm) can be used to deliver the required key worker housing.

Childcare facilities

- Provide privately run childcare facilities suitable for 60 children.

Public domain

- Delivery of all other required public domain on the site including roads and through site links as nominated in the Draft Macquarie Park DCP 2014⁵.

Since the preparation of the Macquarie Park Framework Plan, the proposal has been amended in response to VPA negotiations with Council which resulted in the inclusion of a 3,500sqm Recreational facility, the increase of affordable housing on the site of 4%, and a reduction in the total open space to be delivered on the site of 6,100sqm.

Whilst the amended proposal is not in line with the prepared Framework study, it continues to deliver significant public benefits as detailed within this report.

Macquarie Park - Growth and Sustainability – Research Study prepared by AEC, dated June 2015

This study was prepared by AEC on behalf of Holdmark and is provided at **Attachment B**. The study provides an overview of the background and future of the Macquarie Park Corridor. Key points identified in the report are as follows:

- The Macquarie Park Corridor is positioned on a new growth trajectory, with significant growth in residents and employment expected to further strengthen its importance and significance as one of Sydney's economic engine rooms and Sydney's second largest commercial office precinct after the Sydney CBD.
- Business parks are beginning to resemble CBDs in many ways, combining shops, restaurants, and services to employees such as banks, travel agencies, gyms, swimming pools and playing fields.
- Worker amenity and employee wellbeing are critical factors that have come to the fore for businesses located in Business Parks. This includes:
 - Proximity to residences;
 - Opportunities for the enhancement of employee wellbeing such as recreational open space; and

⁵ As above.

- Access to social infrastructure items, i.e. childcare, gyms, public recreation space.
- While the appropriation of land to public open space and affordable housing would mean less available land to accommodate new employment floorspace, the provision of these items of key social infrastructure result in increased appeal of Macquarie Park as a business destination, leading to increased demand for floorspace.
- The ultimate delivery of additional jobs (through increased overall employment densities) would support NSW Government and Council objectives of strengthening Macquarie Park's position in the Global Economic Corridor.

Studies for Holdmark supporting the Planning Proposal

Urban Design Report , prepared by Architectus, dated 13th November 2015

The Planning Proposal is informed by an Urban Design Report prepared by Architectus. The Urban Design Review has been provided with this report at **Attachment C**.

The Urban Design Report recommends the preferred arrangement of development parcels and public open space. It provides recommendations on uplift of GFA through increased building height limits for the site and recommends a total precinct gross floor area for each use based on detailed massing studies.

The Urban Design report demonstrates that the proposed 120m incentive maximum height of buildings plus single tower of 154m is supported from an urban design perspective in that:

- The 120m / 154m height concentrates maximum heights and densities near the train station, university and shopping centre. This is intended to make the most efficient use of local infrastructure and services;
- The 120m / 154m height limit minimizes building footprint while delivering an FSR in line with adjoining Herring Road sites, enabling the delivery of more public domain;
- The 120m / 154m height is consistent with the Macquarie University Station (Herring Road) Priority Precinct controls which has heights up to 120m for large parts of the precinct, but also diversifies building height in the centre. This creates a distinctive skyline for Macquarie Park.
- The 120m / 154m height allows for slender building forms which provide better tower separation, slender shadows and residential amenity;
- The 120m / 154m height allows for the delivery of open space while preserving its solar access and amenity;
- The site is located near a key entry and exit point to Macquarie Park (from the M2 Motorway), and is larger than the majority of other sites within Macquarie Park. The site is therefore considered to be appropriate for additional height to signpost the entry to this key commercial centre through landmark buildings.
- This study has informed the overall heights and FSRs proposed under the Planning Proposal and will be used to inform the appropriate amendments to the Ryde DCP 2014 as required.

Traffic Impact Assessment, prepared by Bitzios, dated 11th October 2016

The Traffic Impact Assessment prepared by Bitzios, provided at **Attachment D** concludes that the planning proposal will result in a development acceptable with relation to traffic impact. The traffic issues will be addressed as part of a forthcoming report.

Socio-Economic Impact Assessment, prepared by AEC, dated 13th October 2016

The Socio-Economic Impact Assessment, prepared by AEC, provided at **Attachment E** finds:

- Employment hubs such as business parks are responding to demand from employers and employees for amenities such as recreational open space and childcare facilities. Flexible and inviting workplaces that are not only engaging within but engaging with the surrounding public domain are highly valued by business and occupiers;
- Given the configuration of the site and building layout, the permitted uses are unlikely to facilitate a more attractive use to displace the existing use and facilitate a comprehensive redevelopment. The highest and best use of the Site under the existing zoning is likely to already be secured. On that basis, assuming the Site is not rezoned and remains subject to existing planning controls, comprehensive redevelopment of the Site is unlikely to occur;
- While the appropriation of land to public open space and key worker housing would mean less land available to accommodate new employment floorspace, the provision of items of key social infrastructure would undoubtedly result in sustaining Macquarie Park Corridor's competitive position as well as increasing its appeal as a business destination, leading to increased demand for floorspace;
- Increased demand for employment floorspace in Macquarie Park Corridor would in turn result in take-up of Council's bonus FSR provisions as envisaged under the Macquarie Park Corridor Planning Proposal. Development to greater FSRs than provided for under the Ryde LEP 2013 would ultimately result in increased overall employment densities in Macquarie Business Park;
- The ultimate delivery of additional jobs (in increased overall employment densities) would support NSW Government and Council objectives of strengthening Macquarie Park Corridor's position in the Global Economic Corridor; and
- Rezoning of the site would deliver a clear, strong positive economic impact comparative to the existing case.

Open Space and Landscape Report, dated 29th September 2016

An open space and landscape assessment of the Planning Proposal and concept master plan was undertaken by Clouston, focusing on the proposed open space and drawing on their experience in the preparation of the Ryde Integrated Open Space Plan (IOSP). The report forms **Attachment F**.

The report compares the Strategic Rezoning Assessment Framework prepared by Architectus in the report Macquarie Park: Framework for Open Space and Mixed Use Development (provided at **Attachment A**) to the recommendations of the IOSP, and the resulting proposed open space as part of this Planning Proposal.

Clouston's assessment demonstrates that the proposed open space will address some of the deficiency of open space in Macquarie Park. Key benefits of the proposal from an open space perspective include:

- The proposal would provide much needed certainty in respect of the delivery of a large new local park and importantly in the early phases of population growth in the locality
- The proposal would provide certainty regarding the timing of delivery of new public open space.
- The proposal would address the latent shortfall in open space provision in Macquarie Park;

- The proposal would assist in meeting the demand for open space that caters for the day-to-day needs generated by the Herring Road Priority Precinct by providing a large new local park immediately adjoining the Precinct.
- The proposal provides certainty of outcome in terms of open space delivery.
- The proposal would create a new public open space of significant size north of Waterloo Road, in the area of least open space provision.
- The proposal has the potential to make a significant contribution towards ensuring equity of access to public open space.
- The proposal would create a new public open space of significant size within walking distance of the University campus;
- The proposal would reduce local reliance on the University grounds for informal recreation and access to nature;
- The proposal would complement the recreation and leisure offering of the Macquarie Centre by providing a new public open space immediately adjoining the Centre.
- The co-location of community and recreation facilities and infrastructure is consistent with best practice planning principles. It creates significant activity hubs and reduces the need for travel to access a range of facilities and services.

The report concludes that in the changing context of Macquarie Park, the proposal to rezone the site and deliver a new public open space would deliver significant public benefit. The proposal is recommended for support by Council from an open space planning perspective.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The objectives and intended outcomes of the proposal can only be achieved through an increase in height and FSR beyond those achievable under the current Ryde Local Environmental Plan 2014.

This is as the current zoning does not allow for residential development which would financially enable the delivery of the public infrastructure on the subject site which would support the ongoing sustainability of Macquarie Park as a business centre, as demonstrated in the research study prepared by AEC, provided in **Attachment B**.

Accordingly, the Planning Proposal is considered the only way to amend the primary built form controls to achieve the objectives and intended outcomes for the site.

Is there a net community benefit?

The Planning Proposal and supporting Voluntary Planning Agreement will result in a wide variety of public benefits including:

- public open space of approximately 6,100sqm;
- provision of residential land uses in close proximity to Macquarie University Station and the surrounding amenities located along Herring Road;
- Provision of approximately 20,000sqm of commercial floor space contained within the recently completed Astra Zeneca building and within future development;
- Provision of 5,296sqm of affordable housing on the site;
- An indoor recreation facility of 3,500m² for the use of the wider community;
- 20 car spaces dedicated to the indoor recreation facility and up to 180 spaces within the proposed public car park for a maximum of 2.5 hours;
- A pedestrian bridge over Talavera Road to facilitate access to the open space and indoor recreation centre for the wider Macquarie Park;

- \$5 million contribution to Roadworks and Traffic Management to alleviate and resolve surrounding traffic issues;
- Provision of a 4.5m footpath along Talavera Road frontage to facilitate access to the to the open space and indoor recreation centre for the wider Macquarie Park;

Although it is recognised that the proposal will result in an additional maintenance burden to Council as a result of the proposed dedication of the open space, it is noted that the proposal would result in significant increase in rates for the site.

4.2 Section B - Relationship to strategic planning framework

This section provides a summary of the strategic planning framework within which the Planning Proposal outcomes for the site have been considered. It should be noted that only those relevant to the subject site have been identified below.

A Plan for Growing Sydney

A *Plan for Growing Sydney* is the NSW's State Governments plan for the future growth and prosperity of the Greater Sydney Region. The Plan includes 4 main goals which are underpinned by several key actions. Each of these goals and the actions relevant to the Plan have been considered below in **Table 1**.

Table 2 A Plan for Growing Sydney

A Plan for Growing Sydney: Goals and Actions	Consistency	Comment
GOAL 1 A COMPETITIVE ECONOMY WITH WORLD-CLASS SERVICES AND TRANSPORT		
ACTION 1.6.1: Grow high-skilled jobs in the Global Economic Corridor by expanding employment opportunities and mixed-use activities	Yes	This action recognises the importance of the Global Economic Corridor (GEC). Importantly this action recognises a need to protect the viability of commercial cores but also that restrictive zonings should be targeted. The proposal, although including residential land uses within the GEC, will allow and enhance the functionality of Macquarie Park as a commercial centre. This is as: - The provision of much needed open space will enhance the appeal of the wider Macquarie Park Corridor to businesses; - Given that the site directly adjoins the B4 Mixed Use area, it will not significantly reduce the wider commercial / business offering within Macquarie Park; - Unlikely to be a conflict between the commercial / residential land uses as the Business park character of Macquarie Park is unlikely to contain 'offensive' odour and noise generating land uses. - The provision of residential land uses will allow for a greater activation and vibrancy within the Macquarie Park Corridor through providing land uses which function outside of 'business hours'. This will in turn enhance the commercial / retail offering on the site. - Modern business parks include a variety of land uses, including outdoor recreation opportunities, retail / commercial components and residential. These uses improve the sustainability of the centre.
ACTION 1.6.2: Invest to improve infrastructure and remove bottlenecks to grow Economic Activity	Yes	The proposal will actively allow for the delivery of the public open space, indoor recreation facility and allow a monetary contribution to traffic resolution in Macquarie Park. This components are considered to be a crucial addition to infrastructure which will actively increase the appeal and functionality of the Macquarie Park Corridor as a key commercial centre. This will unlock further economic activity within the precinct.
Direction 1.7: Grow strategic centres - providing more jobs closer to home		
ACTION 1.7.1:	Yes	The proposal will actively allow for the delivery of the public open space, indoor recreation facility and allow a monetary contribution to traffic

A Plan for Growing Sydney: Goals and Actions	Consistency	Comment
Invest in Strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity		resolution in Macquarie Park which will actively increase the appeal and functionality of the wider Macquarie Park Corridor as one of Sydney's premier commercial centres. This is through increasing the commercial appeal of the centre through providing opportunities for recreation within the corridor which is a key attractor for new businesses. This will in turn result in further job growth in the centre. Through the proposal built form controls and the inclusion of residential on the site, the public open space is ensured and additional housing in a well serviced and well located centre is achieved. The proposal allows for approximately 1,271 dwellings on site.
Direction 1.9: Support priority economic sectors		
ACTION 1.9.1: Support the growth of priority industries with appropriate planning controls	Yes	As identified elsewhere, the proposal will not detract from the ongoing development of Macquarie Park Corridor as a priority location for medical technology industries as identified within the Plan for Growing Sydney. Importantly, with relationship to this proposal, the inclusion of residential land uses within the corridor will not restrict the opportunities for and capacity for growth for these industries. This is as: - Provision of well designed, high quality dwellings in close proximity to jobs will support the attractiveness of the corridor to employees and respective employers, - Provision of open space will enhance appeal of Macquarie Corridor to employees and employers, - Generally, medical technologies are unlikely to be noise or odour generating and will not result in a conflict between residential and commercial uses,
ACTION 1.9.2: Support key industrial precincts with appropriate planning controls	Yes	The proposal is in close proximity to key economic infrastructure, being the key office market of Macquarie Park. The subject site is somewhat separated from the rest of the business park by the Macquarie Park Shopping Centre. While the site currently contributes to the Macquarie Park Business Centre by hosting the AstraZeneca building and at-grade car parking, the proposal seeks to increase the efficiency and effective contribution of the site to allow it to deliver supporting residential accommodation, substantial open space, indoor facilities and retail uses while maintaining the use of the site by AstraZeneca. The rezoning of the site to B4 Mixed Use would allow the partial use of the site for residential uses. However, this does not preclude the use of the site for industrial or commercial uses as demanded by the market. Importantly, a total of 20,000sqm is proposed to be delivered on site. The proposal is considered to be critical to meeting the need for an alternative purpose in the Business Park, in line with <i>A Plan for Growing Sydney</i> and the Ryde IOSP.
Direction 1.11: Deliver infrastructure		
ACTION 1.11.3: Undertake long-term planning for social infrastructure to support growing communities	Yes	The proposal represents an opportunity to address an existing, recognised shortfall in open space within Macquarie Park. This shortfall is a significant threat to the ongoing functionality and future success of the Macquarie Park Corridor as a crucial part of the GEC. The proposal adequately responds to this action through resolving a recognised social infrastructure need. If this need is not resolved, the attractiveness of Macquarie Park as a commercial centre is likely to be negatively impacted upon.
GOAL 2 A CITY OF HOUSING CHOICE, WITH HOMES THAT MEET OUR NEEDS AND LIFESTYLES		
Direction 2.1: Accelerate housing supply across Sydney		
ACTION 2.1.1: Accelerate housing supply and local housing choices	Yes	The proposal represents an offer by a recognised and established developer with extensive experience within the Ryde LGA to commit to and provide additional housing. As such, this responds effectively to this action.
Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs		

A Plan for Growing Sydney: Goals and Actions	Consistency	Comment
ACTION 2.2.2: Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres	Yes	The proposal seeks to allow for the urban renewal of the subject site to deliver public open space and housing which will: - Connect new homes to the northern section of the Sydney Rapid Transit, - Recognise an opportunity to connect new homes to a job-rich strategic centre, - Provide new housing and much needed open space which will support the ongoing development of the Macquarie Park Corridor.
Direction 2.3: Improve housing choice to suit different needs and lifestyles		
ACTION 2.3.3: Deliver more opportunities for affordable housing	Yes	A VPA has been endorsed by City of Ryde Council which ensures that a total of 5,296sqm of affordable housing will be delivered on the site.
GOAL 3 A GREAT PLACE TO LIVE WITH COMMUNITIES THAT ARE STRONG, HEALTHY AND WELL CONNECTED		
Direction 3.1: Revitalise existing suburbs		
ACTION 3.1.1: Support Urban Renewal by directing local infrastructure to centres where there is growth	Yes	The proposal seeks to deliver a 6,100sqm public open space in a strategic location between the Macquarie Park Business Centre and the Herring Road Priority Precinct. As stated in <i>A Plan for Growing Sydney</i> , this investment in the amenity and provision of infrastructure in the centre will attract development and business. The proposal adequately responds to this action through resolving a recognised local infrastructure need. This will also be supported by a 3,500sqm indoor recreation facility, full payment of Section 94 Contributions, a \$5 million contribution to roadworks and traffic management, and a pedestrian bridge over Talavera Road.
Direction 3.2: Create a network of interlinked, multipurpose open and green spaces across Sydney		
ACTION 3.2.1: Deliver The Sydney Green Grid Project	Yes	The Sydney Green Grid Project seeks to deliver flexible open space that meets the needs of the local community. The Proposal seeks to deliver a large, flexible, multipurpose and high-quality open space that will go towards meeting the needs of the local residential and business community.

Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Subregional Planning

Subregional plans are intended to set out how *A Plan for Growing Sydney* applies to local areas.

Whilst the Draft North Subregional Strategy is no longer publicly available, the draft subregional plans are expected to be released late 2015. In the interim, priorities for the north subregion have been established, including specific priorities for the Macquarie Park Strategic Centre.

This Planning Proposal supports the priorities for the Macquarie Park centre as part of the North Subregion as set out below:

Table 3 Priorities for Strategic Centres in the North Subregion

Priority	Consistency	Comment
Work with council to retain a commercial core in Macquarie Park for long-term employment growth.	Yes	The Planning Proposal will support the commercial core through provision of open space, commercial and retail uses. A strong framework for rezoning which supports the retention of the commercial core has been proposed.
Work with council to concentrate capacity for additional mixed-use development around train stations, including retail, services and housing.	Yes	The Planning Proposal seeks to deliver mixed use development on a strategic site in close proximity to the Macquarie University station.
Facilitate delivery of Herring Road, Macquarie Park Priority Precinct, and North Ryde Station Priority Precinct.	Yes	The Planning Proposal will ensure the delivery of open space to support the nearby Priority Precincts.
Investigate potential future opportunities for housing in areas within walking distance of train stations.	Yes	The Planning Proposal seeks to substantially increase housing supply within 550m walk of the Macquarie University Train Station, measured along footpaths. There is opportunity to deliver some key worker housing on the site.
Support education and health-related land uses and infrastructure around Macquarie University and Macquarie University Private Hospital.	Yes	The Planning Proposal does not preclude these uses. The proposal supports the use of the site by AstraZeneca, an existing biopharmaceutical company.
Support the land use requirements of the Medical Technology knowledge hub.	N/A	
Investigate a potential light rail corridor from Parramatta to Macquarie Park via Carlingford.	N/A	
Investigate opportunities to deliver a finer-grain road network in Macquarie Park.	N/A	
Investigate opportunities to improve bus interchange arrangements at train stations.	N/A	
Work with council to improve walking and cycling connections to North Ryde train station.	N/A	

Draft North District Plan

The draft North District Plan was released by the Greater Sydney Commission in November 2016, and provide a strategic planning framework for the north district, which includes the Ryde LGA. The proposed development is consistent with the objectives and statements of the Draft Plan, including:

- Creating a Macquarie Park with a diverse range of uses and activities. This planning proposal will assist in providing a diverse range of residential, commercial, retail and community based recreational uses.
- Macquarie Park is situated between both the Eastern and Central Cities, resulting in an ideally located centrally between the cities' two major hubs. This proposal leverages off the opportunity being within a strategic centre with strong connectivity both east and west.

- Acknowledges the need to balance commercial, residential and other uses to ensure the ongoing sustainability and enhanced vibrancy of Macquarie Park as a Strategic Centre.
- The plan calls for affordable housing options to be delivered in the district, which will be included as part of the proposal.

Is the Planning Proposal consistent with a Council's local strategy or other local strategic plan?

Ryde Integrated Open Space Plan 2012

The Planning Proposal enables the delivery of a 6,100sqm open space, which would supplement open space in the area in line with the recommendations of the Ryde Integrated Open Space Plan 2012.

The Ryde Integrated Open Space Plan 2012 indicated that two major new open space areas suitable for active and passive recreation, as well as several smaller reserves in good proximity to the centre, are required to support the planned commercial and residential growth in Macquarie Park.

Specifically, the IOSP identified the need for a variety of different sized open space areas including:

- at least one major reserve close to the core of the precinct generally no less than 1.5 Ha in size to support passive and informal active recreation;
- a suite of local parks distributed across the corridor of a nominal size no less than 0.3 Ha; and
- a series of small corner meeting places (as little as 20sqm)

Since this time, two Priority Precincts have been announced by the Department of Planning and Environment for land around Herring Road and North Ryde Station for mixed uses, allowing for more than 14,000 new dwellings in Macquarie Park. The Priority Precincts do not provide for any new active open space (only the minor augmentation of existing spaces and the creation of smaller spaces), and so the latent demand for open space becomes even more significant.

The Planning Proposal for Macquarie Park Corridor (City of Ryde, 2013) acknowledges a body of work that has established an open space deficiency that will be exacerbated by planned growth.

City of Ryde Local Planning Study, 2010

The City of Ryde Local Planning Study 2010, intended to guide the future growth of Ryde LGA for 10 years through the comprehensive LEP, establishes the desired future character of the Macquarie Park Corridor through the following statement:

'Macquarie Park will mature into a premium location for globally competitive businesses with strong links to the university and research institutions and an enhanced sense of identity.

The Corridor will be characterised by a high quality, well-designed, safe and liveable environment that reflects the natural setting, with three accessible and vibrant railway station areas providing focal points.

Residential and business areas will be better integrated and an improved lifestyle will be forged for all those who live, work and study in the area.'

The Planning Proposal is considered to be consistent with this desired future character in that it will improve amenity in the business park, attracting business investment.

The Planning Proposal would deliver a well-integrated mixed use development and substantial public benefit to improve the lifestyle of local residents, students and employees.

Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The consistency of the Planning Proposal with the applicable State Environmental Planning Policies is discussed at **Table 4** below.

Table 4 Response to State Environmental Planning Policies

State Environmental Planning Policy	Consistency	Comment
SEPP 55 – Remediation of Land	Yes	There is no knowledge of prior contaminating use on the land. The site is currently in use as a commercial office building and adjoins residential uses. A search of the NSW Contaminated Land Register revealed no records of notices in the City of Ryde LGA. The City of Ryde is undertaking two remediation projects at 2 – 14 Wellington Road, Ryde and the Former Parsonage Street Depot, which are not in proximity to the subject site. A Phase 1 Preliminary Environmental Assessment is underway and will be submitted at later date.
SEPP 64 – Advertising and Signage	Yes	The Planning Proposal will not contradict or hinder the application of this SEPP if and when signage is proposed under future development.
SEPP 65 – Design Quality of Residential Flat Development	Yes	The Urban Design Study for the site has been informed by SEPP 65 Principles. The Planning Proposal is not considered to hinder the application of this SEPP or the accompanying Apartment Design Guide.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal will be consistent with the application of this SEPP. Future residential use on the site will be required to achieve minimum BASIX requirements (lighting, heating, cooling, and ventilation) to qualify for a BASIX Certificate and compliance with SEPP BASIX.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contradict or hinder the application of this SEPP.
SEPP (Infrastructure) 2007	Yes	The Planning Proposal will not contradict or hinder the application of this SEPP.

Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

A review of the consistency of the Planning Proposal with the Ministerial Directions for LEPs under Section 117 of the EP&A Act 1979 is discussed at **Table 5** below.

Where the Section 117 Direction does not apply, the application trigger has been provided. Where the Direction does apply, the relevant controls have been provided.

Table 5 Response to Section 117 Directions

No.	Direction	Application / Controls	Consistency	Comment
1	Employment and Resources			
1.1	Business and Industrial Zones	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). <i>Controls</i> A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	Yes	The Planning Proposal is consistent with this Direction in that it is likely to increase the renewal, expansion and increased efficiency of employment uses on site. The retention of the six storey AstraZeneca building, currently under construction, as well as commitment to deliver 20,000sqm of non-residential floor space to be secured by a VPA, demonstrates an increase in the number of jobs generated on site compared to the current use. Direction 1.1 specifically seeks to 'not reduce the total potential floor space area for employment uses and related public services in business zones'. The Planning Proposal addresses this by seeking to commit to the delivery of 20,000sqm of non-residential uses on the site, with investigation into the viability of providing a 1:1 FSR of non-residential uses (in line with the existing zoning potential) being undertaken in discussion with Council. The provision of key social infrastructure in the form of open space, childcare and affordable housing will support the sustainability of the Macquarie Park business lands as a whole, achieving this Direction. <i>Land Use Conflict</i> One planning concern for the introduction of mixed uses in to employment areas is the potential for land use conflict. In this case, the impacts of mixed uses on the nominated site is unlikely to generate any land use conflict because: - The nearby employment uses are generally commercial office and high technology uses that do not generate adverse impacts for residential uses. - The site is large enough so that residential uses can be designed to respond to the mixed land use conditions. - Further, it is envisaged that some mixed use development in the employment area would support a wider variety of food and drink options, and provide some activation of the area in the evenings. <i>Precedent</i> A Framework for the delivery of open space has been prepared by Architectus in Attachment A. This Framework ensures the proposed rezoning does not set an undesirable precedent by establishing nine criteria for the assessment of rezoning applications that establish the need to deliver substantial public benefit to achieve rezoning. The primary strength of the Framework is the clear nexus between public benefits and the ability to rezone land for mixed uses. Architectus and Holdmark are aware that a study is being undertaken by the NSW Department of Planning and Environment in

No.	Direction	Application / Controls	Consistency	Comment
				partnership with the City of Ryde into land uses in Macquarie Park. Due to the firm nexus between public benefit and rezoning, it is not considered that this Planning Proposal precludes the outcomes of this study in any way. <i>Certainty and orderly planning</i> The on-going role of Macquarie Park as an employment centre is a critical part of the overarching strategy of A Plan for Growing Sydney. All planning decisions should support this vision. The proposed framework for open space and mixed uses for Macquarie Park supports this vision by allowing for essential open space and other public benefits to be delivered by the private market. Importantly, the provision of open space will enhance function and role of Macquarie Park as a business centre by increasing its attractiveness to businesses and contributing to employee wellbeing. This direction is addressed in further detail on page 56 of the Socio-Economic Impact Assessment prepared by AEC, provided at Attachment E.
1.2	Rural Zones	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).	N/A	The Planning Proposal does not affect land within an existing or proposed rural zone.
1.3	Mining, Petroleum Production and Extractive Industries	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that would have the effect of: (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	N/A	The Planning Proposal does not relate to the mining of coal or other materials, production of petroleum or extractive materials.
1.4	Oyster Aquaculture	<i>Application</i> This direction applies to Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006) ("the Strategy").	N/A	The Planning Proposal does not relate to oyster aquaculture.
1.5	Rural Lands	<i>Application</i> This direction applies when: (a) a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or (b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.	N/A	The Planning Proposal does not apply to an existing or proposed rural or environmental protection zone.

No.	Direction	Application / Controls	Consistency	Comment
2	Environment and Heritage			
2.1	Environmental Protection Zones	<i>Controls</i> 4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. 5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".	Yes	The Planning Proposal complies with this direction in that does not apply to land within an environmental protection zone or identified for environmental protection purposes.
2.2	Coastal Protection	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that applies to land in the coastal zone.	N/A	The Planning Proposal does not apply to land within the coastal Zone.
2.3	Heritage Conservation	<i>Controls</i> A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	Yes	The Planning Proposal does not relate to land including a heritage item and therefore does not contravene this direction.
2.4	Recreation Vehicle Areas	<i>Controls</i> A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983): (a) where the land is within an environmental protection zone, (b) where the land comprises a beach or a dune adjacent to or adjoining a beach, (c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration: (i) the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle	Yes	The Planning Proposal does not seek to enable land to be developed for the purposes of a recreation vehicle area.

No.	Direction	Application / Controls	Consistency	Comment
		Areas, Soil Conservation Service of New South Wales, September, 1985, and (ii) the provisions of the guidelines entitled Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.		
3	Housing, Infrastructure and Urban Development			
3.1	Residential Zones	<i>Controls</i> A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. (5) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	Yes	The Planning Proposal will improve variety and choice of housing types by encouraging high density residential development with a mix of sizes. The Planning Proposal will make efficient use of existing transport infrastructure as the site is located close to the Macquarie University Station and bus interchange at the Macquarie Shopping Centre. The site is also close to retail uses, services and Macquarie University. The proposal would deliver a large, contiguous open space to support residential uses.
3.2	Caravan Parks and Manufactured Home Estates	<i>Controls</i> In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must: (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.	Yes	The Planning Proposal does not relate to the location or provision for caravan parks or manufactured homes.
3.3	Home Occupations	<i>Controls</i> Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	Yes	The Planning Proposal does not seek to change the permissibility of home occupations in dwelling houses.
3.4	Integrated Land Use and Transport	<i>Controls</i> A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	Yes	The site is located close to the Macquarie University Station and bus interchange at Macquarie Shopping Centre. The site is also close to retail uses, services and Macquarie University. The Planning Proposal will enable the intensification of residential uses in a well-connected accessible site, encouraging active and public transport while discouraging car traffic, trip generation, and distances travelled. Although the proposal will include a commuter carpark, this is intended to facilitate access

No.	Direction	Application / Controls	Consistency	Comment
3.5	Development Near Licenced Aerodromes	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.	N/A	The Planning Proposal does not relate to land in proximity to an aerodrome.
3.6	Shooting Ranges	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	N/A	The Planning Proposal does not seeks to affect, create, alter or remove a zone or provision relating to land adjacent to or adjoining an existing shooting range.
4 Hazard and Risk				
4.1	Acid Sulfate Soils	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.	N/A	The Planning Proposal does not apply to land identified as having a probability of acid sulfate soils.
4.2	Mine Subsidence and Unstable Land	<i>Application</i> This direction applies to land that: (a) is within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, or (b) has been identified as unstable land.	N/A	The Planning Proposal does not apply to land that is within a mine subsidence district or that has been identified as being unstable.
4.3	Flood Prone Land	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. <i>Controls</i> A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas). (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. (6) A planning proposal must not contain provisions that apply to the flood planning areas which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the development of that land, (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or	Yes	The site is not identified as flood planning land on the Flood Planning Map Sheet FLD_004, as demonstrated by Figure 24. Therefore, in our view, this Planning Proposal does not engage Direction 4.3, clause 6, which restricts intensification of use on the site. However, considering the definitions for flood planning area in the Floodplain Development Manual 2005, areas impacted by PMF or 100 year ARI flood may also be deemed flood planning areas if an endorsed flood management plan nominates a specific event. The Ryde Flood and Floodplain Risk Management Study and Plan do not. Considering flooding issues generally, the area of the site impacted by PMF and 100 year ARI flood event is in the location of the proposed open space. This could be managed through appropriate site design at Development Application stage, and does not fundamentally impact the scheme or the suitability of the site for mixed uses. If this were the case, further investigation could be undertaken as the Planning Proposal progresses.

No.	Direction	Application / Controls	Consistency	Comment
		(e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. (7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).		

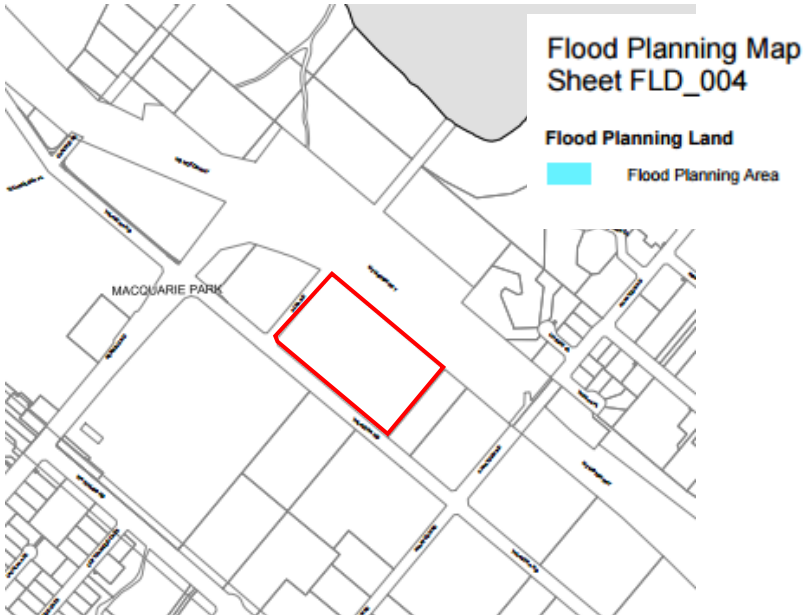


Figure 28City of Ryde Flood Planning Map Sheet FLD_004

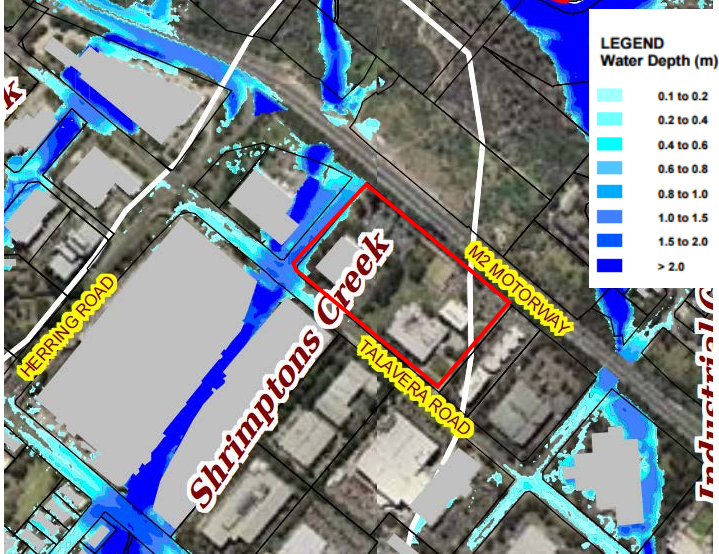


Figure 29Simulation of PMF Flood

No.	Direction	Application / Controls	Consistency	Comment
4.4	Planning for Bushfire Protection	<i>Application</i> This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.	N/A	The Planning Proposal does not affect land mapped as bushfire prone land. The site is adjoined by an areas nominated as Bushfire Prone Land – Vegetation Buffer – 100m & 30m. This Planning Proposal does not contravene this Direction.
5	Regional Planning			
5.1	Implementation of Regional Strategies	This direction applies to land to which the following regional strategies apply: (a) Far North Coast Regional Strategy (b) Lower Hunter Regional Strategy (c) Illawarra Regional Strategy (d) South Coast Regional Strategy (e) Sydney–Canberra Corridor Regional Strategy (f) Central Coast Regional Strategy, and (g) Mid North Coast Regional Strategy.	N/A	The Planning Proposal does not apply to land subject to regional strategies.
5.2	Sydney Drinking Water Catchment	<i>Application</i> This Direction applies to the Sydney drinking water catchment in the following local government areas: - Blue Mountains - Campbelltown - Cooma Monaro - Eurobodalla - Goulburn Mulwaree - Kiama - Lithgow - Oberon - Palerang - Shoalhaven - Sutherland - Upper Lachlan - Wingecarribee - Wollondilly - Wollongong.	N/A	The Planning Proposal does not apply to land in the Sydney drinking water catchment.
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	<i>Application</i> This direction applies to: (a) Ballina Shire Council, (b) Byron Shire Council, (c) Kyogle Shire Council, (d) Lismore City Council, (e) Richmond Valley Council, and (f) Tweed Shire Council, except within areas contained by a “town and village growth boundary” in the Far North Coast Regional Strategy.	N/A	The Planning Proposal does not apply to land in the nominated Council areas.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	<i>Application</i> This Direction applies to those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive.	N/A	The Planning Proposal does not apply to land in Council areas on the north Coast.
5.8	Second Sydney Airport:	<i>Application</i> This direction applies to land shown within the boundaries of the proposed airport site	N/A	The Planning Proposal does not apply to land in the vicinity of Badgerys Creek.

No.	Direction	Application / Controls	Consistency	Comment
	Badgerys Creek	and within the 20 ANEF contour as shown on the map entitled "Badgerys Creek– Australian Noise Exposure Forecast– Proposed Alignment–Worst Case Assumptions", this being found in Appendix U of the Second Sydney Airport Site Selection Program Draft Environmental Impact Statement within Fairfield City Council, Liverpool City Council, Penrith City Council and Wollondilly Shire Council local government areas.		
5.9	North West Rail Link Corridor Strategy	<i>Application</i> This Direction applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.	N/A	The Planning Proposal does not apply to land within the Hornsby Shire, Hills Shire or Blacktown Council areas.
6	Local Plan Making			
6.1	Approval and Referral Requirements	<i>Controls</i> A planning proposal must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.	Yes	This is a matter for consideration by City of Ryde and NSW Department of Planning and Environment during the assessment of the Planning Proposal. This Planning Proposal does not contravene the objectives of this Direction.
6.2	Reserving Land for Public Purposes	<i>Controls</i> A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). (5) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms	Subject to discussion	The Planning Proposal seeks to deliver 6,100sqm of public open space on the site through dedication to Council. This will not impact land reserved for public purposes under the current LEP, but may trigger the identification of the land as reserved for public purpose to increase certainty.

No.	Direction	Application / Controls	Consistency	Comment
		Compensation) Act 1991, the relevant planning authority must: (a) reserve the land in accordance with the request, and (b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and (c) identify the relevant acquiring authority for the land. (6) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: (a) include the requested provisions, or (b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired. (7) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.		
6.3	Site Specific Provisions	Controls A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.	Yes	The Planning Proposal does not propose any unnecessarily restrictive site specific planning controls. Alterations to the DCP would be required to achieve the proposed master plan, which could be the subject of negotiation upon approval of the Planning Proposal.
7	Metropolitan Planning			
7.1	Implementation of the Metropolitan Plan for Sydney.	Controls Planning proposals shall be consistent with:	Yes	The Planning Proposal will enable development that is consistent with the key directions of the Metropolitan Strategy, as discussed above in Section 4.2 of this report.

No.	Direction	Application / Controls	Consistency	Comment
		(a) the NSW Government's A Plan for Growing Sydney published in December 2014.		

4.3 Section C - Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations, or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There are no impacts envisaged. The Planning Proposal site is located in a built up area with existing development. Future Development Applications will be required to be accompanied by Arborist Reports assessing the significance of vegetation on the site.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The Planning Proposal is not likely to result in development that will create any significant adverse environmental effects.

Solar Access and Overshadowing

The increased of height and FSR on the site will increase the need to carefully manage solar access and overshadowing. The master plan for the site has been subject to solar access testing for both the open space and building forms (see **Attachment C**). It is considered that more detailed design could improve the solar access of the building forms in compliance with SEPP 65. The site's orientation and placement of the public open space means that solar access to the park is good.

Further solar access and overshadowing analysis can be undertaken post-gateway determination in the development of a master plan and site specific DCP controls.

Noise and Air Quality

Development Applications will be required to take into consideration the noise impacts of the M2 Motorway, and it is anticipated that Conditions of Consent will be imposed on future applications requiring compliance with acceptable air quality standards and recommended noise mitigation measures for the detailed architectural design of the buildings.

Environmental Sustainability

The proposal seeks to maximise the use and accessibility of the existing railway infrastructure within Sydney through locating high density housing within close proximity of the Macquarie University Station. In addition, the site is well located within the Macquarie Park Business Centre and in proximity to the Macquarie Park Shopping Centre. This is expected to reduce reliance on the use of private motor vehicles as a primary method of transport and encourage active and public transport to local services, education and employment.

It is noted that SEPP BASIX would apply to future residential development on the site.

Has the Planning Proposal adequately addressed any social and economic effects?

AEC group has prepared a socio-economic impact assessment for the Planning Proposal (**Attachment E**), as well as a supporting research study into the Macquarie Park Centre. These reports demonstrate the importance of open space to the growth and sustainability of Macquarie Park and surrounding residential areas.

An analysis of local demographic trends can be undertaken post-gateway to ensure future unit mix is informed by identified population and housing trends.

4.4 Section D - State and Commonwealth interests

Is there adequate public infrastructure for the Planning Proposal?

The Planning Proposal will result in higher densities on the site. Accordingly, consultation will be required with Council, Transport for NSW and the RMS in relation to roads, traffic and transport. Being located in Macquarie Park, the site is already well serviced by a full range of public utilities including electricity, telecommunications, water, sewer and stormwater. Where required at detailed planning stage, it is expected that these services would be upgraded by the developer at the construction stage.

As part of future DAs, consultation will occur with utilities providers to ensure that sufficient capacity exists in water, sewer, gas, telecommunications, and all other utilities.

The impact of the Planning Proposal on traffic and social and economic infrastructure has been undertaken (see **Attachment D, Attachment E and Attachment F**).

Traffic and road infrastructure

The Traffic Impact Assessment, prepared by Bitzios, concludes that the Planning Proposal is expected to reduce the traffic generating potential of the site in both peak periods, and that the Planning Proposal will make effective use of public and active transport infrastructure including the Macquarie University Train Station and bus services.

The internal road network required to service new buildings would be provided by the developer at construction stage.

Social Infrastructure

The new residents would create a demand for childcare spaces and open space. Development under the new controls could provide a childcare centre, as shown in the concept plan, and substantial open space.

It is likely that the new population will generate demand for primary and secondary school places. It is the responsibility of the NSW Department of Education and Communities to monitor and respond to increased demand. It is noted that the NSW Department of Education and Communities has been consulted on the Priority Precincts and has advised that 'the existing schools in the area will have sufficient capacity in the short to mid-term' and that 'A number of redevelopment projects to increase existing school capacities have already been included within DEC's 10 year Total Asset Management Plan'.

Open Space Infrastructure

The Open Space and Landscape Report assesses the existing deficiency of open space within Macquarie Park and demonstrates that the open space proposed as part of this Planning Proposal would substantially address this deficiency. The Planning Proposal seeks to improve the provision of open space in the centre, supporting not only the increased density on the site, but increased density in adjoining Priority Precincts.

Section 94 Contributions

While they address local public infrastructure, Section 94 contributions will also provide for the delivery of additional facilities to accommodate demand generated by the site's increased residential and employment capacity, including community and cultural facilities, open space and recreation facilities, civic and urban improvements, roads and traffic management facilities, cycleways, and storm management facilities. The VPA endorsed by Council identifies that full Section 94 Contributions are to be paid by the development.

Importantly, we note that the open space proposed to be included in a VPA to accompany development is in addition to Section 94 contributions.

What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The NSW Department of Planning and Environment have been consulted on the proposal, and support its submission to Council for further consideration.

5.0 Consultation

5.1 City of Ryde Council

Holdmark and Architectus have engaged with City of Ryde Council throughout the development of this Planning Proposal. Key aspects of this consultation are summarised as follows:

- Meeting of February 2014, in which Council officers advised residential development would not be supported on the site due to the loss of commercial/employment lands and new Priority Precincts;
- Councillor Workshop November 2014, attended by three Councillors, at which the concept and preferred master plan was presented;
- Meeting with Council held August 2015 to present the Macquarie Park: Framework for Open Space and Mixed Use Development and Macquarie Park - Growth and Sustainability Research Study (**Attachment A** and **Attachment B**).

5.2 NSW Department of Planning and Environment

Holdmark and Architectus have engaged with the DP&E throughout the development of this Planning Proposal. Key aspects of this consultation are summarised as follows:

- Submission to public exhibition of Herring Road Priority Precinct by Architectus in August 2014;
- A meeting of 22nd October 2014, including presentation of concept and agreement to meet again following discussions with Ryde Councillors;
- Communication in December 2014, with representatives of the DP&E advising that it was considered inappropriate to consider the site in the Herring Road Priority Precinct;
- Meeting between Holdmark, Carolyn McNally of the NSW DP&E, Gail Connolly and Dominic Johnson from City of Ryde Council, in February 2015;
- Communication in July, 2015, in which the NSW DP&E advised that the Department was not in a position to consider the proposal as part of the Herring Road Priority Precinct, but advising Holdmark to put forward a Planning Proposal to Council or await subregional planning.

5.3 Community

Consultation likely to be prescribed by Gateway Determination

Consultation with the local community will be undertaken in accordance with the Gateway determination made by the Minister for Planning, in accordance with Sections 56 and 57 of the EP&A Act.

It is anticipated that the Gateway Determination issued by the Department of Planning & Environment will require this minimum consultation:

- on the City of Ryde website;
- in newspapers that circulate widely in the City of Ryde local government area; and
- in letters delivered to the surrounding community in the immediate vicinity of the site.

It is requested that the planning proposal be publicly exhibited for a period of 28 days to coincide with the exhibition of an accompanying draft DCP amendment.

Additional community consultation

- A drop in session could be held during the formal exhibition period to answer residents and businesses questions about the Planning Proposal. The project team's planners, urban designers, traffic, social and economic and open space experts would be available to answer detailed questions. This information would be captured and fed back into the Planning Proposal.
- Notification of the Planning Proposal could be directed specifically to the Macquarie Park Business Forum, Connect Macquarie Park, local community housing providers and Macquarie University.

Community consultation regarding open space needs was undertaken in 2012 to support the Ryde Integrated Open Space Plan. Prior to and informing this study, a range of leisure and recreation needs studies were undertaken with and on behalf of Council. The Open Space and Landscape Report, prepared by Clouston and provided at **Attachment F**, demonstrates that this consultation has informed the public open space proposed in this Planning Proposal. Further consultation regarding the function and amenities required for the open space may be undertaken to support the detailed design of the park and a Voluntary Planning Agreement at a later stage. The park would be subject to a detailed DA, which would provide further opportunities for engagement.

Similarly, consultation with community and community housing organisations will be required to ensure that the proposed key worker housing provides the facilities and design required to support its residents. This is expected to take place to support a Voluntary Planning Agreement at a later stage.

5.4 Agencies

The Gateway Determination will determine the authorities with whom consultation is required. It is anticipated that agencies would include:

- Transport for NSW;
- Department of Education and Communities;
- Ausgrid;
- Sydney Water; and
- Roads and Maritime Services.

6.0 Project timeline

This Planning Proposal and DCP is expected to be put to the December 2016 meeting of the City of Ryde Council for their consideration.

The anticipated timeframe for the completion of the Planning Proposal is therefore as follows:

Table 6 Project Timeline

Milestone	Timeframe and/or date
Received Gateway Determination	September 2016
Submission of Revised Planning Proposal and Draft DCP Amendment	November 2016
Council resolution to exhibit a Draft DCP Amendment	May 2017
Public Exhibition of Planning Proposal (and Draft DCP amendment)	May 2017
Consideration of submissions	June 2017
Submit revised Planning Proposal and response to submissions	July 2017
Post exhibition report to Council- seeking resolution to endorse the Planning Proposal and adopt the amendment to the DCP.	July / August 2017
Council resolve to endorse the Planning Proposal and submit to the NSW Department of Planning and Environment for legal drafting and gazettal	September 2017
Drafting, review, gazettal of the LEP.	October 2017

The finalisation and release of the Macquarie Park Study by the NSW Department of Planning and Environment and the City of Ryde Council may impact this timeframe. This timeline may be updated following receipt about timing of the study.

7.0 Conclusion

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning publication 'A Guide to Preparing Planning Proposals' dated July 2012. It has been amended in response to the Gateway Determination (ref PP_2016_RDEC_005_00) dated 21 September 2016 endorsing for public exhibition the Planning Proposal, submitted by City of Ryde Council. This proposal seeks to progress a rezoning of the site at 66-82 Talavera Road, Macquarie Park.

This is achieved through amending the Ryde LEP 2014 to rezone the site to B4 zoning, allowing an FSR of 3.7:1 (refer to clarification below) and maximum building height of 120m with additional height up to 154m for a single tower. This rezoning would allow for delivery of a large publicly accessible open space and a mixed use development, including residential apartments. Subject to further discussion with Council, a site specific addition to the Ryde Development Control Plan 2014 will be prepared to support the future redevelopment of the site.

The proposal is also supported by a Voluntary Planning Agreement offer which has been accepted by a resolution of City of Ryde Council on 2 August 2016 and which seeks to deliver significant public benefit, including:

- 5,296m² Gross Floor Area (GFA) of Affordable Housing;
- A community indoor recreation facility of 3,500m² GFA;
- 6,100m² of public open space;
- Public parking;
- Pedestrian bridge over Talavera Road;
- \$5 million contribution to Roadworks and Traffic Management;
- 4.5m wide footpath along Talavera Road frontage; and
- Payment of full Section 94 Contributions on the site, with the exception of the Section 94 applicable for the affordable housing component and community indoor recreation facility and ancillary commercial floor space.

The proposal is considered consistent with the Strategic Merit Test, being:

- Consistent with the relevant Draft District Plan, providing additional residential housing within 30 minutes of major employment centres, including Macquarie Park itself, and Central Sydney;
- Responds to an identified need for open space in Macquarie Park; and
- Responds to a change in circumstances in Macquarie Park, with the forthcoming Sydney Metro infrastructure, and the current Strategic Investigation being undertaken, which will seek to balance employment and residential uses within the Macquarie Park corridor.

In calculating Floor Space Ratio, the GFA associated with the affordable housing and indoor recreation facility are in addition to the total 3.7:1 ratio to apply to the site. It should be noted that the publicly accessible commuter car parking is also to be additional to the FSR of 3.7:1.

The following amendments to *Ryde Local Environmental Plan 2014* (LEP 2014) are proposed to facilitate the preferred development of the site which will ensure the delivery of approximately 6,100sqm of public open space, affordable housing and an indoor recreation centre and other public benefits:

- Amend the land use controls for the site. Currently the land is zoned B7 Business Park. It is proposed that a B4 Mixed Use Zone be applied to the site, to allow for the site's development for public open space, residential, retail and commercial uses. Through the development process, open space would be dedicated back to Council as a stratum lot over a below ground car park;
- Amend the Macquarie Park Corridor Precinct Incentive Height of Buildings Map - Sheet MHB_004 to reflect an incentive maximum height of buildings of 120m plus a single point tower up to 154m;
- Amend the Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map - Sheet MFS_004 to reflect an incentive floor space ratio of 3.7:1 across the whole of the site, excluding the affordable housing, the indoor recreation centre and the commercial car park.
- Amend the Designated State Public Infrastructure Map Sheet SPI_004 to include the subject site under a satisfactory arrangements clause.

It is noted that an offer to enter into a Voluntary Planning Agreement (VPA) with City of Ryde Council has been provided by Holdmark Property Group which has been accepted by Council. The VPA includes the delivery of significant public benefits as identified above.

Site specific amendments to the Part 4.5 Macquarie Park Corridor of Ryde Development Control Plan 2014 (adopted in 2015) would also be required to deliver the preferred master plan and will be developed with Council and Holdmark Property Group prior to the public consultation of the Planning Proposal.

Architectus has considered the impact of the rezoning proposal on employment uses and the function of Macquarie Park as a Specialised Centre. In short, Architectus, AEC and Clouston consider that a significant open space, such as that proposed, is essential to the long term success of Macquarie Park for employment uses. On balance, the loss of a small area of land for employment uses is justifiable on the grounds that it would result in:

- much needed open space;
- key worker/affordable housing which is in critically short supply;
- a new indoor recreation facility for use by local residents and employees of Macquarie Park based businesses.
- significant short and long term economic uplift for the local area.

In addition, the master plan submitted in this report allows for an increase of jobs on site compared to the existing use.

The total value of public benefits which can be delivered by this proposal is estimated to exceed \$160 million.

It is considered that the Planning Proposal will deliver essential open space and key worker housing infrastructure to the Macquarie Park centre, supporting the growth and sustainability of the business park and adjoining Priority Precincts. A framework for the delivery of open space has been proposed to establish a strong nexus between the offer of substantial public benefit and rezoning of land in the Macquarie Park centre. Through the application of this framework, the Planning Proposal is considered to be justified and recommended for support.

Recommendation

Architectus recommends that Council support this updated Planning Proposal and resolve to submit it to the Department of Planning and Environment in response to the Gateway determination dated 21 September 2016, issued on 21 September 2016 by the Department of Planning and Environment as delegate of the Greater Sydney Commission.

