

86 Blenheim Rd, 12A and 14 Epping Rd, North Ryde

Proposal Title : **86 Blenheim Rd, 12A and 14 Epping Rd, North Ryde**

Proposal Summary : **The planning proposal seeks to rezone 86 Blenheim Rd, 12A and 14 Epping Rd, North Ryde from R2 Low Density Residential to RE1 Public Recreation, remove the building height, remove the floor space ratio and identify the site as "Local Open Space" on the Land Reservation Acquisition Map.**

PP Number : **PP_2016_RYDEC_007_00**

Dop File No :

16/07805

Proposal Details

Date Planning Proposal Received : **31-Aug-2016**

LGA covered :

Ryde

Region : **Metro(CBD)**

RPA :

Ryde City Council

State Electorate : **RYDE**

Section of the Act :

55 - Planning Proposal

LEP Type : **Spot Rezoning**

Location Details

Street : **86 Blenheim Road**

Suburb : **North Ryde**

City : **Sydney**

Postcode : **2113**

Land Parcel : **Lot C DP 410408**

Street : **12A Epping Road**

Suburb : **North Ryde**

City : **Sydney**

Postcode : **2113**

Land Parcel : **Lot D DP 410408**

Street : **14 Epping Road**

Suburb : **North Ryde**

City : **Sydney**

Postcode : **2113**

Land Parcel : **Lot E DP 410408**

DoP Planning Officer Contact Details

Contact Name : Wayne Williamson
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RPA Contact Details

Contact Name : Lara Dominish
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DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub	Consistent with Strategy :
Regional Strategy :	
MDP Number :	Date of Release :
Area of Release (Ha)	Type of Release (eg
:	Residential /
	Employment land) :
No. of Lots : 0	No. of Dwellings 0
	(where relevant) :
Gross Floor Area : 0	No of Jobs Created : 0

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :
If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment : The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Sydney Region East has not met any lobbyists in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.

Supporting notes

Internal Supporting Notes : In July 2015 Council received a planning proposal from the landowner of 86 Blenheim Road, 12A and 14 Epping Road, North Ryde, proposing to rezone the land from R2 Low Density Residential to R4 High Density Residential, and increasing the height to 45 metres to allow the construction of a residential flat building up to 16 storeys in height.

On 8 March 2016, Council considered a report assessing the original proposal and resolved not to support the proposal. Council also resolved at this meeting to delegate authority to the General Manager to investigate and action the acquisition of the land for open space

to be incorporated into Blenheim Park.

On 26 April 2016 Council considered a Notice of Motion and resolved as follows:

(a) "That Council prepare and submit to the NSW Department of Planning and Environment for Gateway Determination, a planning proposal for 86 Blenheim Road and 12A-14 Epping Road, North Ryde. The effect of the planning proposal is to amend Ryde Local Environmental Plan 2014 to:

- i. Rezone the land from R2 Low Density Residential to RE1 Public Recreation in order to facilitate the expansion of Blenheim Park and address an open space deficiency in the North Ryde and Macquarie Park area; and
- ii. Amend the maximum floor space ratio (FSR) development standard applicable to the site in order to remove the FSR consistent with the planning approach to land zoned RE1 in the City of Ryde; and
- iii. Amend the maximum height of building development standard to remove the height limit applicable to the site consistent with the planning approach to land zoned RE1 in the City of Ryde; and
- iv. Include 86 Blenheim Road and 12A-14 Epping Road on the relevant Land Acquisition Reservation Map as "Local Open Space."

On 31 August 2016, a Sydney East Joint Regional Planning Panel (Panel) briefing was held for a pre-Gateway review request for the landowners proposal. The Panel raised the following concerns with the proposal:

- o High-intensity development on the northern side of Epping Road has little relevance to development on the southern side and is not a reason for significant increase in height and density; and
- o the impact of a tall building on the open space, in terms of overshadowing and overlooking would be highly adverse.

THE SITE

The site adjoins Blenheim Park and has a combined site area of 2004 square metres. The site has a frontage of 41 metres to Epping Road.

The existing planning controls for 86 Blenheim Road, 12A and 14 Epping Road under RLEP2014 are:

- Zone R2 Low Density Residential;
- maximum building height of 9.5m; and
- maximum FSR of 0.5:1.

Council is seeking delegation to carry out the Minister's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Due to the contentious nature of the landowner's proposal and pre-Gateway review, it is not considered appropriate to issue delegation for this matter.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The intent of the proposal is to change the zoning of the site to reserve the land for public open space. Council argues this will address an open space deficiency in the vicinity and enable the future creation of a recreational precinct in this location.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :

The proposal seeks to:

- Amend the Land Zoning Map to change the zoning of the site from R2 Low Density Residential to RE1 Public Recreation;
- amend the Floor Space Ratio Map to remove the maximum FSR control for the site;
- amend the Height of Buildings Map to remove the maximum building height control for the site;
- amend the Land Reservation Acquisition Map to identify the site as "Local Open Space".

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

6.2 Reserving Land for Public Purposes

Is the Director General's agreement required?

c) Consistent with Standard Instrument (LEPs) Order 2006 :

d) Which SEPPs have the RPA identified?

SEPP No 19—Bushland in Urban Areas

SEPP No 55—Remediation of Land

SEPP (Building Sustainability Index: BASIX) 2004

SREP (Sydney Harbour Catchment) 2005

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

3.1 RESIDENTIAL ZONES: This Direction applies to the planning proposal as it will affect land within an existing or proposed residential zone or any other zone in which significant residential development is permitted or proposed to be permitted.

The proposal is considered to be **INCONSISTENT** with this Direction as it does not broaden the choice of building types and locations available in the housing market, and make more efficient use of existing infrastructure and services.

RECOMMENDATION: The Secretary can be satisfied that the inconsistency is of minor significance. Council notes the minor inconsistency with Direction 3.1 as it involves the loss of only 3 residential lots. The purpose of the proposal is to facilitate the expansion of an existing area of open space which will help to accommodate the open space needs of residents in the neighbouring North Ryde Station Precinct.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The mapping provided is considered adequate for the purposes of public exhibition.

Community consultation - s55(2)(e)

Has community consultation been proposed?

Comment :

Public consultation will be undertaken in accordance with the Gateway determination.

Council suggests an exhibition period of 28 days. This is considered reasonable.

PROJECT TIMELINE

Council has provided an indicative project timeline with a completion date of November 2016. The Department considers a 12 month project timeline for completion is adequate.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **September 2014**

Comments in relation to Principal LEP : **The Ryde LEP 2014 was notified in September 2014.**

Assessment Criteria

Need for planning proposal : **A planning proposal is the only means to change the zoning and identify the site as open space.**

Consistency with strategic planning framework :

Metropolitan Plan

The proposal identifies consistency with A Plan for Growing Sydney as it will provide social infrastructure to support growing communities. The proposal also aligns with key directions to "Create a network of inter/linked, multipurpose open and green spaces across Sydney" and "Create healthy built environments".

Integrated Open Space Plan

The proposal relies heavily on the City of Ryde Integrated Open Space Plan 2012 (Plan). Council states "The Plan identified North Ryde as a priority area for the acquisition of open space. The Plan concluded that substantial population growth in North Ryde will require Council to optimise the capacity of existing open space and evaluate options for future land acquisition for additional open space in order to meet the growing demand."

The Plan (p. 129) also states North Ryde has the largest number of open spaces in the LGA (total of 30) with 11 less than 0.2 Hectares, and no open spaces greater than 10.0 Hectares in size. North Ryde Common, Blenheim Park, North Ryde Park and Magdala Park are some of the larger open spaces in North Ryde. Blenheim Park is 33,866 square metres or 3.3 Hectares.

The Plan (p. 128) highlights that Macquarie Park only has 12 open spaces. Aside from Christie Park, most parks are less than 3.0 Hectares in size. The Plan also notes planning for the Macquarie Park corridor is ongoing.

Given the focus on planning in the Macquarie Park corridor since the Plan was adopted by Council, Council should update the Plan to take into account the new population forecasts for Macquarie Park and the additional open space being supplied in the priority precincts, the open space being supplied by the State Government at 45-61 Waterloo Rd, Macquarie Park and developer supplied open space proposed at 66-82 Talavera Road, Macquarie Park.

The Department is also conducting an infrastructure assessment as part of the Macquarie Park strategic investigation. The proposal should be amended to include any findings from that work, should it be available prior to finalisation.

The proposal is also consistent with the City of Ryde 2021 Community Strategic Plan.

Environmental social economic impacts :

ENVIRONMENTAL

The proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor is it expected to have any adverse environmental effects.

SOCIAL AND ECONOMIC

The proposal would result in a positive social impact, by increasing the availability of public open space in an area with a growing population. If the site is rezoned, Council would be required to follow the appropriate procedures for acquisition under the Land Acquisition (Just Terms Compensation) Act.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	DDG
Public Authority Consultation - 56(2)(d)			

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons : **The proposal will not place additional demands on public infrastructure.**

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones
6.2 Reserving Land for Public Purposes**

Additional Information : **It is recommended that the planning proposal proceed, subject to the following conditions:**

1. Prior to public exhibition:

- a. Council must consult with the landowner;**
- b. Council is to revise the City of Ryde Integrated Open Space Plan 2012 to include new population projections and new open space either supplied or proposed in Macquarie Park; and**
- c. the planning proposal is to be amended to reflect the findings and recommendations of a revised City of Ryde Integrated Open Space Plan.**

2. Prior to finalisation, the planning proposal is to be amended to demonstrate consistency with any available findings of the Macquarie park strategic investigation.

3. The planning proposal be publicly exhibited for a period of not less than 28 days.

4. Council is to not required to consult with State agencies.

5. A public hearing is not required.

6. The planning proposal is to be finalised within 12 months from the date of the gateway determination.

86 Blenheim Rd, 12A and 14 Epping Rd, North Ryde

Supporting Reasons : The proposal is supported as it seeks to reserve land for public open space in an area with forecast population growth.

Signature:

Karen Armstrong

Printed Name:

K. ARMSTRONG

Date:

27/9/16