

366-372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde

Proposal Title : **366-372 Lane Cove Road, 124A and 126 Epping Road and 1 Paul Street, North Ryde**

Proposal Summary : **The proposal, as revised by the proponent dated 17 February 2016, seeks to:**

- o rezone the site from R2 Low Density Residential to R3 Medium Density Residential;**
- o increase the maximum building height from 9.5 metres to a height in metres consistent with 10 storeys (approx. 35 metres);**
- o increase the FSR from 0.5:1 to 1.5:1; and**
- o enable medical uses through Schedule 1.**

PP Number : **PP_2016_RYDEC_008_00**

Dop File No : **16/15685**

Proposal Details

Date Planning Proposal Received :	05-Dec-2016	LGA covered :	Ryde
Region :	Metro(CBD)	RPA :	Sydney East Joint Regional Plan
State Electorate :	RYDE	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	126 Epping Road		
Suburb :	North Ryde	City :	Sydney
Land Parcel :	Lot 1 DP1087457		Postcode : 2113
Street :	124A Epping Road		
Suburb :	North Ryde	City :	Sydney
Land Parcel :	Lot 11 DP1013188		Postcode : 2113
Street :	372 Lane Cove Road		
Suburb :	North Ryde	City :	Sydney
Land Parcel :	Lot 1 DP1133943		Postcode : 2113
Street :	370 Lane Cove Road		
Suburb :	North Ryde	City :	Sydney
Land Parcel :	Lot 1 DP1134150		Postcode : 2113
Street :	368 Lane Cove Road		
Suburb :	North Ryde	City :	Sydney
Land Parcel :	Lot 1 DP1134153		Postcode : 2113
Street :	366 Lane Cove Road		
Suburb :	North Ryde	City :	Sydney
Land Parcel :	Lot 1 DP1134154		Postcode : 2113

Street : **1 Paul Street**

Suburb : **North Ryde**

City : **Sydney**

Postcode : **2113**

Land Parcel : **Lot 5 DP23568**

DoP Planning Officer Contact Details

Contact Name : **Wayne Williamson**

Contact Number : **0292746585**

Contact Email : **wayne.williamson@students.mq.edu.au**

RPA Contact Details

Contact Name : **Alaine Roff**

Contact Number : **0282339900**

Contact Email : **aroff@urbis.com.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy :

Consistent with 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 : **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.**

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

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

The Site

The site is zoned R2 Low Density Residential and contains six single-storey dwellings, and a specialist medical centre with a car park and access off the Epping Road on-ramp. To the north-east of the site is Macquarie Park and Macquarie Park Railway Station

(approximately 500 metres walking distance). To the south, east and west of the site are low to medium density residential properties.

The original proposal sought to facilitate a mixed use development comprising ten buildings (one to twelve storeys) containing 180 residential apartments, retail, commercial, medical uses and 255 car parking spaces at basement level.

Pre-Gateway Review

On 28 April 2015, Council resolved to not support the planning proposal.

On 26 May 2015, the Department received a request for a pre-Gateway review from the proponent.

On 23 November 2015, the Department referred the proposal to the Sydney East Joint Regional Planning Panel (Panel) for independent assessment. The Department's initial assessment considered the proposal had strategic planning merit, given the site's proximity to transport, jobs and services and would increase local housing supply. However, the Department did not support the proposed building height and floor space ratio.

Panel Assessment

The Panel considered the planning proposal and unanimously resolved to defer the proposal in order to allow the applicant to submit an amended proposal which revised the zoning of the site, reduced building heights and the overall density of the proposal, and increased the publicly available open space.

In March 2016, the Panel considered the revised proposal and recommended that the proposal should be submitted for a Gateway determination. Two of the four panel members were not in support of the proposal being submitted for a Gateway determination on the basis that the FSR of 1.5:1 is considered too high. Further, the council representative on the Panel suggested the FSR should be more in line with Allengrove or Whiteside sites (recent Part 3A development approvals in the vicinity of the subject site) also on the southern side of Epping Road, both with a maximum height of five storeys stepping down to two and three storeys. The Panel Chair used his casting vote to recommend the proposal proceed to the Gateway.

Relevant Planning Authority

In June 2016, the Department agreed that the proposal should proceed to Gateway determination stage and Council was offered the opportunity to act as the Relevant Planning Authority (RPA).

In September 2016, Council resolved to accept the RPA role for the proposal subject to the Gateway determination being conditioned to reduce the maximum building height to five storeys and reduce the floor space ratio to 1.2:1.

The Greater Sydney Commission's delegate appointed the Sydney North Planning Panel to progress the proposal for Gateway determination.

External Supporting
Notes :

Adequacy Assessment

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

Is a statement of the objectives provided? **Yes**

Comment :

The primary objective of the proposal is to provide quality medium to high density mixed retail/commercial and residential development in an appropriate and accessible location.

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

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

Comment : The following explanation of provisions was provided and then revised by request of the Sydney East Joint Regional Planning Panel (Panel):

Original proposal (February 2015)

- rezoning the site from R2 Low Density Residential to B4 Mixed Use;
- increasing the maximum building height from 9.5 metres to 44.5 metres;
- increasing the maximum Floor Space Ratio from 0.5:1 to 2.5:1; and
- remove Section 14 Use of certain land at 124A Epping Road, North Ryde in Schedule 1 Additional permitted uses, as a B4 zoning would make medical services permissible.

In January 2016 and prior to first Panel meeting the proponent lodged a revised proposal that changed the proposed zone and reduced the FSR:

- rezone the site from R2 Low Density Residential to R3 Medium Density Residential;
- increase the maximum building height from 9.5 metres to 44.5 metres;
- increase the maximum FSR from 0.5:1 to 2.24:1; and
- enable medical uses through Schedule 1.

On 3 February 2016, the Panel considered the original and revised proposals and requested further reductions in density.

In February 2016, the proponent lodged a second revised proposal that further reduced the FSR and reduced the building height:

- rezone the site from R2 Low Density Residential to R3 Medium Density Residential;
- increase the maximum building height from 9.5 metres to a height in metres consistent with 10 storeys (approx. 35 metres);
- increase the maximum FSR from 0.5:1 to 1.5:1; and
- enable medical uses through Schedule 1.

On 23 March 2016, the Panel recommended the proposal should be submitted for a Gateway determination.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Infrastructure) 2007

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 : **The proposal is considered to be consistent with all relevant SEPPs and Section 117 Directions.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping is adequate for public exhibition.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Public consultation will be undertaken in accordance with the Gateway determination. The proposal suggests an exhibition period of 28 days, which is considered appropriate.**

PROJECT TIMELINE

An indicative project timeline was included in the original proposal, which will need to be updated. 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 most appropriate process to amend the Ryde LEP 2014.**

Consistency with strategic planning framework :

The proposal is consistent with A Plan for Growing Sydney, as it would:

- . expand the Global Economic Corridor by generating employment opportunities and mixed use activities in Macquarie Park (Direction 1.6);
- . assist with growing the Macquarie Park Strategic Centre by providing additional housing stock to accommodate future workers expected in the area (Direction 1.7 and Direction 2.2);
- . increasing the supply of housing near Macquarie Park (Direction 2.1);
- . respond to increased housing diversity and choice through the provision of housing stock to suit the needs of a changing population (Direction 2.3);
- . assist in revitalising existing suburbs by providing housing in or near centres in established urban areas to help more people live where they want - closer to jobs, services and transport (Direction 3.1);
- . maintain the commercial core of Macquarie Park for long term economic growth by locating residential development on land currently zoned for residential purposes (Priorities for Strategic Centres - Macquarie Park); and
- . provide an opportunity for additional mixed-use development within walking distance of transport and close to infrastructure, services and jobs (Priorities for Strategic Centres - Macquarie Park).

The proposal is generally consistent with the Council's Local Planning Study 2010 (the Study), which was prepared to inform the development controls of the Ryde LEP 2014.

Environmental social economic impacts :

ENVIRONMENTAL IMPACTS

The site is fully developed. There are no known critical habitats, threatened species or ecological communities located on the site and therefore the likelihood of any negative impacts are minimal.

Traffic and parking

A traffic impact assessment has been prepared to support the original proposal. The proposal notes that as the site would only generate a low volume of additional traffic, there is not likely to be any significant impacts on the capacity and function of the surrounding roads and intersections.

Council undertook preliminary consultation with Roads and Maritime Services (RMS) who expressed no objections to the proposal, however, RMS suggested the retail/commercial/medical component of the development be limited to no more than 1500 square metres to ensure that traffic impacts are minimised.

Built form outcomes (Overshadowing and privacy)

An urban design analysis prepared to support the original proposal states the design is sensitive to the sites adjacent residential context with the scale of development modulated across the site to mediate between the proposed and existing scales. The analysis describes the design as a village of buildings of varying heights and setbacks, with each building stepping down from the Epping Road and Lane Cove intersection, transitioning to a scale compatible with the neighbouring context.

The Department noted in its pre-Gateway assessment the proposed height and FSR is not supported as the proposal's interface (three to seven storeys) with the adjacent low density residential area is not as sensitive as the nearby three storey Part 3A developments approved at Allengrove Crescent and Whiteside Ave.

In January 2016 and prior to the Sydney East Joint Regional Planning Panel (Panel) meeting, a revised proposal was submitted to the Department with various building height reductions and a reduced FSR of 2.24:1. This was in response to the Department's

Assessment and Recommendation Report.

The Panel met in February 2016 and deferred the matter to request that the density of the site be revised and resubmitted to the Panel.

In February 2016, a second revision was submitted to the Department with further building height reductions and a reduced FSR of 1.5:1.

The revised proposal (February 2016) was considered by the Panel and a recommendation was made to progress to Gateway. However, members of the Panel had reservation regarding the site's proposed density, including further reduction of FSR and building height.

When offered the RPA role for the proposal, Ryde Council resolved to only accept the role if the building height was reduced to 5 storeys and the FSR was reduced to 1.2:1, which are similar provisions to the Allengrove Cres development.

While the Department does not agree with Council's request to predetermine the outcome for the plan making process by issuing Gateway conditions to instruct the proponent to reduce the building height and FSR, it is acknowledged that the Council continue to have concerns about the building height and FSR currently proposed by the revised proposal.

Due to the Panel's split decision and Council's resolution to reduce the FSR to 1.2:1 with a maximum building height to five storeys, it is recommended that the proponent be conditioned to update the proposal to provide 2 alternative density options, including a maximum building height of 5 storeys and FSR of 1.2:1 and secondly, a maximum building height of 7 storeys and FSR of 1.35:1. This will provide the community with the opportunity to comment on what they believe is an appropriate built form for the site and allow the Panel to consider the different options considered appropriate by Ryde Council and the proponent with suitable analysis to provide an evidence based decision.

SOCIAL and ECONOMIC IMPACTS

The retention of medical centre services on a redeveloped site would provide positive economic and social benefit to the broader community.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	DDG
Public Authority Consultation - 56(2)(d) :	Department of Education and Communities Transport for NSW Transport for NSW - Roads and Maritime Services		

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 :

Existing infrastructure servicing the site has the capacity to accommodate future development. It is expected that these services would be upgraded by the developer, where required, to support the proposed development.

The site is well serviced by public transport infrastructure and will provide public infrastructure within walking distance of Macquarie Park.

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal.pdf	Proposal	Yes
Revised Concept Design - January 2016.pdf	Proposal	Yes
Revised Concept Design - February 2016.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**
- 7.1 Implementation of A Plan for Growing Sydney**

Additional Information :

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

1. Prior to public exhibition, the planning proposal is to be updated to:

(a) Provide at least two alternative density options, including a maximum building height of 5 storeys and FSR of 1.2:1 and a maximum building height of 7 storeys and FSR of 1.35:1. These density options are in addition to the maximum building height of 10 storeys and FSR of 1.5:1 presented in the revised planning proposal dated 17 February 2016;

(b) the planning proposal should clearly communicate the preferred option. Alternative density options must be clearly explained using images of building envelopes and a short discussion of how the density option addresses the context of the site and surrounds; and

(c) the planning proposal is to be revised to demonstrate consistency with the draft North District Plan, released on 21 November 2016.

2. Prior to public exhibition, the planning proposal must be updated and provided to the Department for review and approval.

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

4. Consultation is required with:

- Department of Education;**
- Ryde City Council;**
- Transport for NSW; and**
- Roads and Maritime Services.**

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.

Supporting Reasons :

The proposal seeks to maximise development potential on a site that has good public transport links, good access to jobs and services, open space and community facilities. The proposal would also deliver a variety of housing within close proximity to Macquarie Park Strategic Centre to accommodate future workers expected in the area and supports the commercial core.

Signature:



Printed Name:

KAREN ARMSTRONG

Date:

13/12/16

