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## **Planning Proposal**



### **Report in Support of a Planning Proposal for 461 Victoria Road, Gladesville**

Prepared for: Bunnings Group Limited  
Project No: 7800A  
Date: July 2012



## Planning Proposal

461 Victoria Road, Gladesville

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## 1 Introduction

### 1.1 Commission

Don Fox Planning (DFP) has been commissioned by Bunnings Group Limited (Bunnings) to prepare a report to demonstrate the case for amending Ryde Local Environmental Plan 2010 to achieve the following outcomes for land at 461 Victoria Road, Gladesville:

- To include appropriate land uses on the subject site to ensure that a Bunnings Warehouse and bulky goods premises are permissible with development consent; and
- To amend the Height of Buildings Map to nominate a building height development standard that is workable for the site and the surrounds.

The report has been prepared to assist Ryde Council (Council) in the preparation of a Planning Proposal to the Department of Planning and Infrastructure.

This Planning Proposal has been prepared to satisfy the requirements of the Department of Planning's *A Guide to Preparing Planning Proposals*.

*A Guide to Preparing Planning Proposals* specifies that a Planning Proposal should comprise four parts as follows:

- **Part 1** – A statement of the objectives or intended outcomes of the proposed Local Environmental Plan (LEP).
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** – Justification of the objectives, outcomes and provisions proposed in the LEP and the process for their implementation.
- **Part 4** – Details of the community consultation that is to be undertaken on a Planning Proposal.

Each of these parts will be addressed in this report.

### 1.2 Background

#### 1.2.1 Planning context

Ryde Local Environmental Plan (LEP) 2010 was published on 30 June 2010. This LEP was essentially a 'like for like' translation from the former Ryde Planning Scheme Ordinance and its purpose was not to review zonings or land uses or strategic directions for the Ryde local government area (LGA).

Council has prepared a Local Planning Strategy which is a response to the NSW Government's Metropolitan Strategy and draft Inner North Subregional Strategy (which incorporates Ryde LGA). The Local Planning Strategy will provide the basis for the preparation of the Ryde comprehensive LEP.

The Local Planning Strategy contains several strategy documents regarding housing, transport, centres and corridors, employment, heritage and environment and open space. Of particular relevance to this submission are the *Centres and Corridors Study* and *Employment Study*.

The Ryde Local Planning Strategy was adopted by Council on 7<sup>th</sup> December 2010. The Strategy was "prepared for the purposes of:

- *guiding future growth in Ryde over the next 10 years through a range of land use planning initiatives*
- *informing the comprehensive Local Environmental Plan (LEP2011)*

- *reviewing and responding to the directions and actions of the NSW Government's Metropolitan Strategy: City of Cities and Inner North Subregion: Draft Subregional Strategy.*" (Ryde Council website, as updated on 30 June 2011).

On 17 September 2010, DFP wrote to Council (on behalf of Bunnings) recommending to Council that when the draft Ryde Comprehensive LEP is being prepared Council considers including additional permissible land uses on the subject site to facilitate the development of the site for the purposes of a Bunnings Warehouse and bulky goods premises.

The comprehensive draft LEP 2011 has been placed on public exhibition until 13 July 2012 and incorporates a review of zonings, permissible land uses and development controls based on the recommendations of the Ryde Local Planning Strategy.

The exhibition copy of draft Ryde LEP 2011 proposes to retain the IN2 – Light Industrial zone on the subject site. Hardware and building supplies are proposed as a use permissible with consent in the IN2 zone. In addition Schedule 1 – Additional permitted uses includes bulky good premises as a permissible land use on the subject site. The draft LEP also proposes to introduce a 10m building height control for the site.

There have been delays in the preparation of draft LEP 2011 and this report has been submitted to pursue a planning proposal separate from the draft LEP 2011 process.

#### 1.2.2 Consultation with Ryde Council

Ryde Council has been consulted during the preparation of this request for a planning proposal. An initial report was submitted to Council in March 2012 and after a review by various departments of Council, the Council has requested further information. The Council's letter of 24 April 2012 raised a number of matters which were clarified during a meeting between the proponent and Council on 10 May 2012. The original report prepared by DFP has been updated to address Council's information request. The information requested by Council is summarised below:

- Intended and future uses of 495 Victoria Road and its car parking;
- Details of heights of buildings on the subject site and adjacent properties on College Street;
- Further justification in relation to Section 117 Direction – Business and Industrial Zones;
- Further information on the location of the proposed RLs;
- Review of the proposed RL 52 along College Street close to the adjacent residential properties;
- A heritage impact statement;
- Additional information in relation to catchments used in the traffic assessment and consideration of Paramics modelling;
- Details of software to model flooding and overland flow path; and
- An economic impact assessment.

These matters have been addressed in this report and accompanying appendices.

## 2 The Subject Site

### 2.1 Site Description

The subject site is known as 461 Victoria Road, Gladesville and has a legal property description of Lot 1 DP 739556.

The site has an area of 3.834 hectares. The site has three road frontages including:

- Victoria Road, with a frontage of approximately 240m;
- Frank Street, with a frontage of approximately 140m; and
- College Street with a frontage of approximately 270m.

A site survey of the site has been prepared by Craig and Rhodes and is provided at **Appendix A**. Craig and Rhodes have also prepared a streetscape elevation showing the heights of buildings on the subject site and the northern side of College Street. This survey is included in **Appendix A**.

The site is currently occupied by a number of buildings used for a variety of light industrial purposes accessed by an internal access road with access points from College Street, Frank Street and Victoria Road. The existing buildings have an estimated gross floor area of 22,000m<sup>2</sup>.

The site was a former quarry and as a consequence the natural topography of the site has been extensively altered and differs greatly from the surrounding properties. The central part of the site where the buildings, driveways and parking areas are located is at a level of about RL35. The site is between 6 to 15 metres lower than the surrounding streets. The exception is a 3 storey building at the corner of Victoria Road and Frank Street. **Figures 1 to 4** illustrate the site from Victoria Road and College Street and the existing development within the site.

Many of the former uses of the site have ceased and some of the buildings are vacant. The uses that formerly occupied the site include electrical engineers, communications equipment suppliers and service, professional equipment supplies and wholesalers, food and beverage packaging, microscope and scales supplier and Ryde batteries. The buildings comprise significant office components as well as warehousing. The site also comprised a number of significant non-industrial uses including a child care centre and a fitness centre. The office building at the corner of 495 Victoria Road and Frank Street also contain professional suites and another fitness gym.



**Figure 1: Victoria Rd** The majority of the Victoria Road frontage is timber and masonry fencing with landscaping and trees behind. The majority of the frontage has no street presence or activation.



**Figure 2: Victoria Rd** The only building presenting to Victoria Road is 3 storey commercial building known as 495 Victoria Road. This building also fronts Frank Street.



**Figure 3: College St**

The buildings along College Street do not have a strong street presence. The street trees are a defining streetscape element. Where buildings are visible it is the roof that is viewed from the street. The western end of the street is an open deck car parking area.



**Figure 4: Internal**

The buildings within the site comprise two storey warehouse style buildings accessed from a central driveway with hard stand parking. Roof top parking is provided at the western end of the site.

The vegetation on the site is essentially confined to the perimeter of the site and trees and garden beds amongst the buildings. The majority of the site is occupied by buildings, driveways and hard stand car parking areas, as illustrated in **Figure 4 and 5**.



Figure 5: Aerial photo of subject site.

There are several vehicular access points to the site, including:

- A two way entry/exit at the eastern end of College Street adjacent to the residential dwelling house at No. 18 College Street. This entrance provides a ramp access down to the industrial buildings.
- A two way entry/exit towards the western end of College Street providing access to the industrial buildings.
- A further entry/exit slightly further west along College Street providing access to a large roof top car parking area.
- An entry/exit off Frank Street just past the intersection of Frank and College Streets providing access to a small roof top car parking area.
- A crossing at the southern end of Frank Street providing access to the commercial building at the corner.
- Two driveway crossings off Victoria Road.

The Victoria Road frontage is subject to road widening to be carried out the Roads and Maritime Service (RMS). This road widening will, in part, affect the building at the corner of Frank Street and Victoria Road and involve the removal of existing landscaping and trees along the Victoria Road frontage. This road widening will change the appearance of the site when viewed from Victoria Road.

## 2.2 495 Victoria Road

Council has requested further information on the relationship of the building at 495 Victoria Road (also known as Building H) and the remainder of the site. The current uses in the

building such as the fitness gym and professional tenancies are on long term leases. It is intended that 495 Victoria Road is retained with a future redevelopment of the remainder of the site and that the uses in the 495 Victoria Road building would continue. The RMS is also proposing the widening of Victoria Road which will involve a partial demolition of the building, however the uses can and are intended to continue in the building, as altered.

The car parking for the property is partly provided by the surface car parking area containing 15 spaces adjacent to the building and accessed from Frank Street.

The use of the Building H for business premises and office premises is permitted through Schedule 1 – Additional Permitted Uses in Ryde LEP 2010, in particular clause 4. Clause 4(2) provides as follows:

*Development for the purposes of business premises and office premises (Building H) that include 48 car parking spaces is permitted with consent.*

The above provision is a transfer from the former Ryde Planning Scheme Ordinance when additional land uses were added on 30 June 2000.

It would appear that when the schedule land use was included in the Ryde LEP (and former Ryde Planning Scheme Ordinance), the car parking requirement for the building was calculated at 48 spaces. As noted above, 15 spaces are adjacent to the building, therefore the remaining 33 spaces would be provided on the remainder of the site. There is presently no direct connection between Building H and the remainder of the site or its car parking. The car parking demand will reduce after the building is altered after road widening. The arrangement to provide the residual car parking spaces can continue, and can be further documented in future DAs to take into account the road widening and future layout of a proposed redevelopment of the site.

## 2.3 Surrounding Area

The surrounding development is illustrated in the aerial photograph at **Figure 5**. Figures 6 to 10 illustrate the surrounding buildings.

**West:** To the west is a Kennards Self Storage facility. This building is a dominant building in the streetscape both in terms of its height (14 to 17m) and its colour (**Figure 6**). Beyond Kennards the Patrician Brothers Holy Cross school has a frontage to Victoria Road. Further along the western side of Frank Street are two storey warehouse buildings on land above the level of the street. To the north west is the playing field associated with the Patrician Brothers Holy Cross school.

**South:** To the south on the southern side of Victoria Road is the Ryde Aquatic Leisure Centre which sits slightly below street level. Further to the east is a 3 storey residential flat building (corner of Weaver Street) and detached single storey houses up to Tennyson Road. East of Tennyson Road is a 4 storey building of commercial appearance known as Gladeview Business Park (**Figure 7**). This building has a height of approximately 16m.

**East (Victoria Road):** Immediately to the east is a car wash business and further east is a mix a commercial and light industrial uses in warehouse buildings. These properties all sit at approximately the same level as Victoria Road.

**East (College Street):** To the east of the site is residential development comprising one and two storey dwelling houses. Immediately to the east is a single storey dwelling house known as 18 College Street (**Figure 8**). This property shares a boundary with the subject site. Currently one of the driveway entrances to the site adjoins this house as well as industrial buildings. The roof of 18 College Street is at RL45.79 as indicated on the streetscape survey at **Appendix A**.

**North (College Street):** The northern side of College Street light industrial land uses are located in two storey scale buildings comprising mostly smaller industrial units (**Figure 9**). The height of the industrial buildings is mostly between 8m to 10m, as indicated on the

streetscape survey at **Appendix A**. There is a small cluster of residential properties comprising a small group of villas and a detached dwelling house (**Figure 10**). These residential properties are one and two storeys and have height to roof of between 5m to 5.5m (refer **Appendix A**).



**Figure 6: To the west**

*Kennards Self Storage building to the west – approximately 14 to 17m above street level.*



**Figure 7: To the south**

*Gladeview Business Centre to the south east which is a four storey building with a height of approximately 16m.*



**Figure 8: To the east (College Street)**

*Single storey dwelling house adjoining the eastern boundary of the site. The existing driveway to the subject site adjoins this property.*



**Figure 9: To the north (College Street)**

*Residential villas abutting older style two storey industrial units located on the northern side of College Street opposite the site.*



**Figure 10: To the north (College Street)**

*More recent two storey industrial and warehouse development located on the opposite side of College Street at the western end of the street.*

### 3 Current zoning

The site is currently part zoned IN2 – Light Industrial and Part SP2 – Infrastructure under Ryde LEP 2010 as illustrated in the zoning extract at Figure 11.

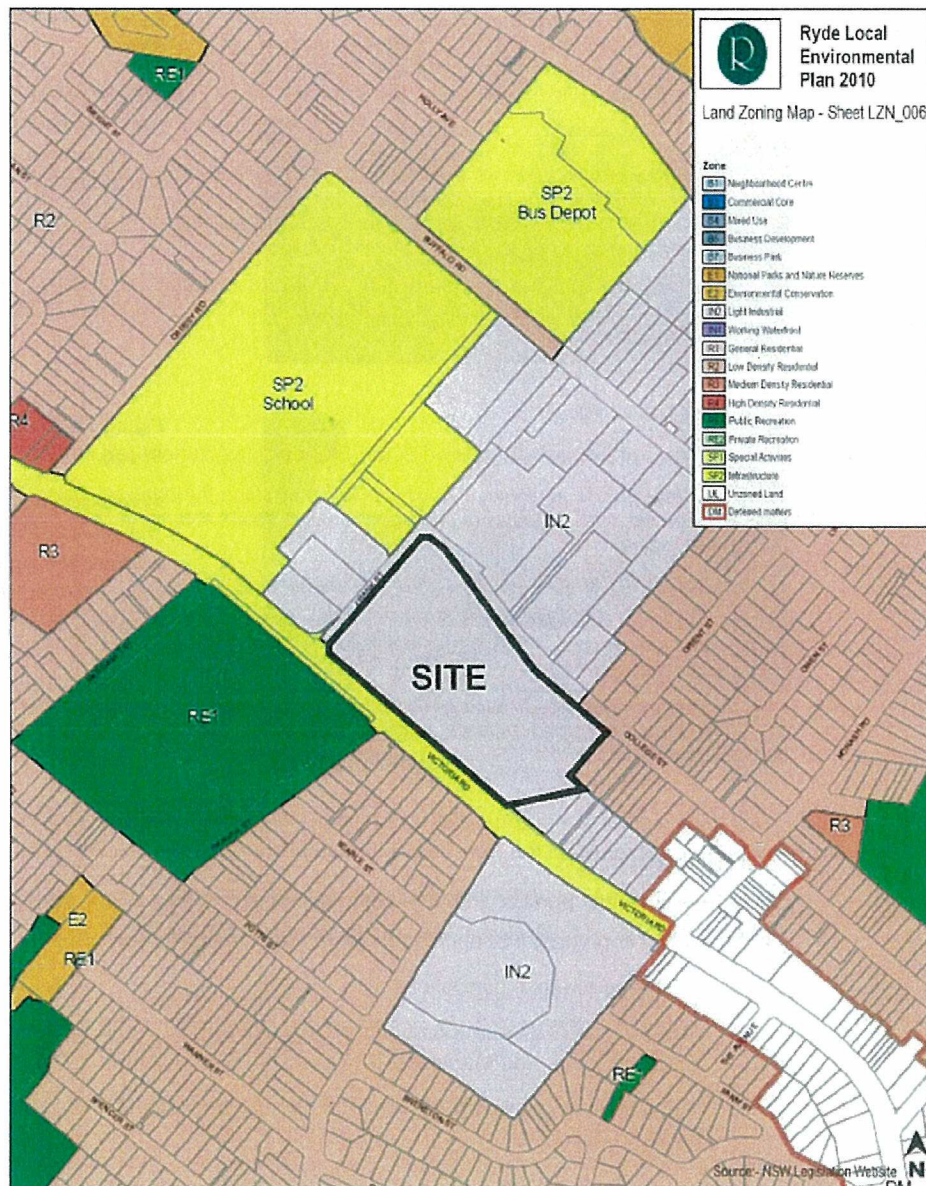


Figure 11: Ryde LEP 2010 zoning extract

The SP2 – Infrastructure zone relates to a sliver of land along part of the Victoria Road frontage. This land is required for road widening. This report concentrates on the land zoned IN2 – Light Industrial.

Land uses permissible with development consent in the IN2 zone include:

*"Business identification signs; Car parking; Child care centres; Community facilities; Depots; Industrial retail outlets; Light industries; Neighbourhood shops; Public administration buildings; Pubs; Recreation areas; Research stations; Roads; Service stations; Sex services premises; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water recycling facilities"*

A Bunnings Warehouse would be best defined under the Standard Instrument (Local Environmental Plan) Order 2006 (as amended) (herein referred to as the Standard Instrument) as a combination of the following definitions:

*hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.*

And

*garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may, if ancillary to the principal purpose for which the building or place is used, include a restaurant or cafe and the sale of any the following:*

*(a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,*

*(b) pets and pet supplies,*

*(c) fresh produce.*

Bulky goods premises are defined in the Standard Instrument (as amended) as follows:

*bulky goods premises means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:*

*(a) a large area for handling, display or storage, and*

*(b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,*

*and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.*

Development for the purposes of a Bunnings Warehouse and bulky goods premises are not permissible within the IN2 – Light Industrial zone applying to the land.

Under the Ryde LEP 2010, the maps indicate the following:

- There is no height of building development standard prescribed for the subject site.
- A floor space ratio control of 1:1.
- The Zone SP2 Infrastructure along the Victoria Road frontage is a "Classified road" with the Roads and Maritime Service as the responsible acquisition authority.
- Victoria Road (including the section adjoining the subject site) is identified as a heritage item.

#### 4 Draft Ryde LEP 2011 (exhibition version)

The exhibition copy of the draft Ryde LEP 2011 proposes to retain the IN2 – Light Industrial zone and the SP2 – Infrastructure Zone for the subject site. Land uses proposed to be permissible with development consent in the IN2 – Light Industrial zone include the following:

*Animal boarding or training establishments; Business identification signs; Car parks; Depots; Funeral Homes; Hardware and building supplies; Industrial training facility; Landscaping material supplies; Light industries; Neighbourhood shops; Pubs; Respite day care centres; Roads; Warehouse or distribution centres; Any development not specified in item 2 or 4.*

We note that Council's Strategic Planning Division prepared a report on Draft LEP 2011 to the Council Meeting on 14 February 2012. One of their recommendations is to add *hardware and building supplies* and *landscaping material supplies* as permissible land uses in the IN2 zone. This resolution is reflected in the draft Ryde LEP 2011.

Schedule 1 - Additional land uses of the draft Ryde LEP 2011 identifies at clauses 4 and 16 additional land uses on the subject site.

- Clause 4 permits Development for the purpose of existing business premises or office on Building H (being the building at the corner of Frank Street and Victoria Road).
- Clause 16 permits development for the purpose of bulky goods premises over the whole site.

The draft maps accompanying the draft Ryde LEP retain the 1:1 FSR, Classified Road (SP 2 zone) and Victoria Road as a heritage item as per Ryde LEP 2010. The main change is the introduction of a building height development standard of 10m across the entire site.

Under the standard instrument building height (or height of building) is measured from ground level (existing). The site has been extensively excavated and the 10 metre height control would result in a building generally below the street level at Victoria Road and Frank Street. The 10 metre building height has been applied to all IN2 zoned land and does not take account of varying site circumstances. The urban design outcomes of this control are discussed later in this submission.

## 5 The Proposal

This submission recommends that Council proceeds with the preparation of a Planning Proposal to amend Ryde LEP 2010 in the following manner:

- To amend Schedule 1 to incorporate an additional clause to include *bulky goods premises, garden centre and hardware and building supplies* as additional land uses for 461-495 Victoria Road, being Lot 1 DP 739556. This report also proposes that Clause 4 – which permits development for the purpose of existing business premises or office on Part Lot DP 739556 (Building H) be retained.
- To amend the height of building map to indicate maximum RLs over the subject site.

In the event that the draft Ryde LEP 2011 is finalised before this proposed planning proposal (and the Schedule 1 land uses for this site are not altered from the exhibition version) then Schedule 1 of a planning proposal will only need to be include 'garden centre' as an additional permitted land use.

Table 1 compares the current provisions under Ryde LEP 2010, the provisions in draft Ryde LEP 2011 and provisions proposed in this submission.

Table 1: Proposed LEP Amendments

| Provision                         | Ryde LEP 2010                                                    | Draft Ryde LEP 2011 (pre-exhibition copy)                                                       | Proposed Provisions                                                                                                                               |
|-----------------------------------|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Zoning                            | IN2 – Light Industrial<br>SP2 – Infrastructure (classified road) | IN2 – Light Industrial<br>SP2 – Infrastructure (classified road)                                | IN2 – Light Industrial<br>SP2 – Infrastructure (classified road)                                                                                  |
| Schedule 1 – Additional land uses | Clause 4 - existing business premises or office on Building H    | Clause 4 - existing business premises or office on Building H<br>Clause 16 - bulky goods retail | Clause 4 existing business premises or office on Building H<br>Clause 16 - bulky goods premises, garden centre and hardware and building supplies |

| Provision              | Ryde LEP 2010       | Draft Ryde LEP 2011<br>(pre-exhibition copy) | Proposed Provisions                                                                                  |
|------------------------|---------------------|----------------------------------------------|------------------------------------------------------------------------------------------------------|
| Height of Building Map | No height nominated | 10m                                          | Maximum RLs to respond to the surrounding context.<br><b>Figure 12</b> illustrates the proposed RLs. |

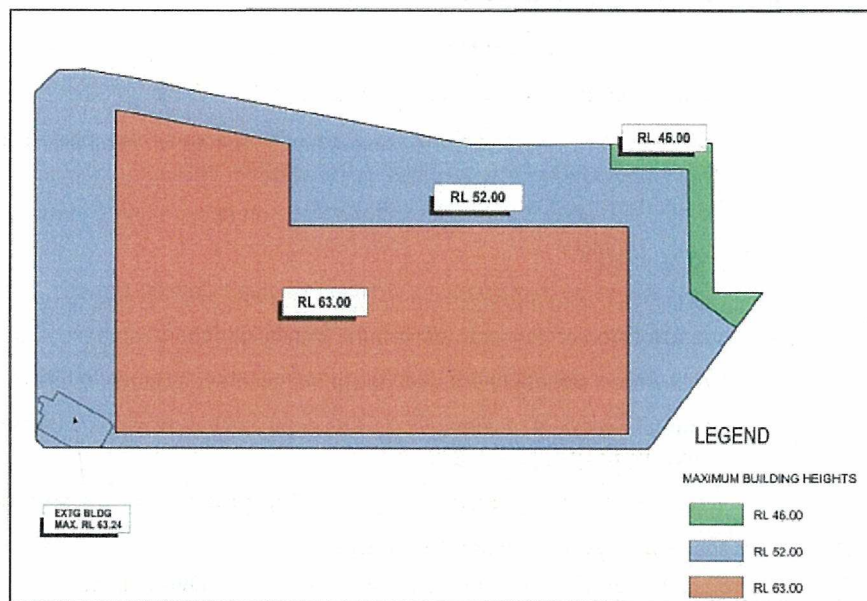


Figure 12: Proposed Building Heights

## 5.1 The Development Concept

In order to assist in understanding the future development of the site, a concept plan has been prepared and is provided in **Appendix B** to this Report. Sectional diagrams of the concept are contained in the Urban Design Report prepared by Annand Associates Urban Design and attached at **Appendix C**. These concept plans have assisted in informing the proposed building heights for the site.

The plans indicate a two level building with parking occupying the lower levels, a Bunnings warehouse located at the western end of the site and a two level tenancy area intended for bulky goods retail at the eastern end of the site. The gross floor area (GFA) of the land uses illustrated in the concept plans is:

|                                                                          |                            |
|--------------------------------------------------------------------------|----------------------------|
| Bunnings warehouse                                                       | 15,255m <sup>2</sup>       |
| Tenancy (bulky goods)                                                    | 21,885m <sup>2</sup>       |
| Retained commercial building at corner of Victoria Road and Frank Street | 1,200m <sup>2</sup>        |
| <b>TOTAL</b>                                                             | <b>38,340m<sup>2</sup></b> |

The discussion that follows supports the case for an amendment to Ryde DCP 2010 to prepare site specific controls to guide the built form outcomes for the site.

## 6 Key Issues for a Planning Proposal

### 6.1 Urban design considerations

As previously noted, the 10 metre building height has been applied to all IN2 zoned land. This blanket approach has not taken account of individual site circumstances and in particular the exceptional circumstances of this site.

Annand Associates Urban Design (AAUD) has prepared an Urban Design Report which is attached at **Appendix C**. The urban design issues for the proposed height controls for the site are:

- Visual impact/address to Victoria Road.
- Landmark elements to Victoria Road.
- Landscape treatment to Victoria Road (and Frank/College Streets).
- Building treatment to Victoria Road (and College and Frank Streets) to reduce the scale and mass of the buildings to the street/context.
- Pedestrian entry points from Victoria Road and pedestrian interest along the Victoria Road frontage.
- Bulk and scale particularly to Victoria Road and College Street.
- Amelioration of impact to eastern residential boundary (setback and landscape).
- Articulation/screening/detailed design of the street fronting facades.
- Careful treatment of vehicular access particularly with respect to footpath crossings/pedestrian safety.
- Treatment of bulk and scale to College Street (particularly the eastern end).

#### 6.1.1 The case for an amended height control

There are two main reasons that support the case for a different approach to the 10m building height control that is proposed for the site under draft Ryde LEP 2011.

1. The topography of the site; and
2. The surrounding development.

When these factors are considered, their analysis informs a new height control for the site which can establish an appropriate building envelope.

#### Topography

The 10m building height control that is proposed for the site under draft Ryde LEP 2011 is a measurement from ground level (existing). As discussed earlier in this report, the site has been excavated resulting in the site being substantially lower than surrounding roads and properties. The topographical characteristics of the site relevant to this submission are:

- There are steep cliff walls along the Victoria Road frontage. The levels along the Victoria Road boundary vary from approximately RL48 to 50. This represents a level difference of between 13 to 15 metres to the 'floor' of the site.
- Along Frank Street the steep cliff continues (in part). The levels along the Frank Street boundary vary from RL49 – 45.5 representing a level change of 10.5 to 14 metres to the base of the site.
- Along College Street a steeply graded batter slopes down from the street to the site. The levels along College Street vary from approximately RL 45.5 (west) RL 38/39 (centre) and RL 41(east). The level change is between 3 to 10 metres.

- Along the eastern boundary the steep cliff wall continues. The level changes vary from RL 50 on the carwash site to RL 41 on the adjoining residential property at 18 College Street. This represents a level change of 15m from the carwash and 6m to the adjoining residential property.

One of the key points to note is that the 10m height control proposed in draft LEP 2011 will result in a building being below street level for the majority of its frontages.

This is important to consider in the context of Victoria Road. The existing fence, trees and landscaping will be removed to accommodate the road widening and the site will become exposed. The steep cliff will greatly limit landscaping opportunities thereby exposing roofs of buildings below. Furthermore, the proposed 10m height control will not provide an opportunity for a building to engage with Victoria Road which is not a desirable streetscape outcome for one of the region's principal roads. This potential future outcome warrants a review of the height control in order to achieve urban design outcomes.

#### Surrounding development

The building height controls in the surrounding area and the heights of existing buildings in the immediate area set the context for the proposed development and justify the need to vary the height control.

Importantly:

- There are several significant buildings in the Victoria Road streetscape including:
  - the 'Fernwood' building on the corner of Victoria Road and Frank Street with a building height of 10m or RL60.
  - the Kennards building with a building height of 14-17m or RL 66.5 to RL 67.
  - Gladeview Business Park with a building height of 16m or RL 66.5.
- Draft Ryde LEP 2011 proposes a building height of 10m in the IN2 zone and 9.5m in the R2 zone. These zones are located immediately to the east and south of the site. The land to which these controls relate is not excavated therefore the potential building height is 9.5m/10m from the Victoria Road level (i.e. potentially a 2-3 storey scale).
- Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010 applies to land to the east of the subject site. The building heights along Victoria Road as contained in the Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010 are 19m to Victoria Road (6 storey scale).
- The building height in College Street and Frank Street is proposed to be 10m for the IN2 zone and 9.5m for the R2 zone. Similar to Victoria Road, these College Street and Frank Street properties are either at or above the road level. Therefore the controls reflect the potential building height.

#### 6.1.2 Developing the height control

AAUD has considered the site conditions, surrounding context and in conjunction with concept plans established parameters that guided the proposed height controls illustrated in **Figure 12**. Effectively a building envelope has been developed based on the site analysis and importantly responding to the different conditions along each street frontage and the adjacent residential area. The concept plans have also assisted in informing and testing the proposed height controls. The height control is derived from a combination of the following:

- A building height of 12 to 15m measured from the Victoria Road frontage based on existing building heights along Victoria Road. This has informed the proposed RL63 (i.e. existing RL50+13m);

- A building height of 10m (from existing ground level) at a 10m setback to Frank and College Streets. A 45 degree height plane is then applied to the 10m height capped by the roof height proposed in the concept plans. This has informed the RL 52 and location of the RL 63 from College Street.
- A building height constrained by a 45° from top of 2m fence on eastern residential boundary.

These parameters are illustrated on detailed sectional diagrams contained in the Urban Design Report. They have effectively informed an envelope which has then been used to establish the proposed RLs over the site.

When these surrounding building heights and permissible heights are compared to the proposed building height (and the sectional diagrams in the Urban Design Report) it is apparent that the proposed height controls for the subject site are not dissimilar to the surrounding existing development and height controls. In particular the following observations are made in relation to the various street frontages.

#### **Victoria Road**

The maximum RL 63 translates to a wall/building height of between approximately 13 metres to 14.5 metres to Victoria Road. This is not dissimilar to the heights of the Fernwood building, Kennards or Gladeview or the 10m building height control for the IN2 zoned land immediately to the east along Victoria Road. This maximum height is setback from the street frontage by a lower height control of RL 52.

The RL52 along the frontage is intended to form a setback area, but could be used for other ancillary building structures (e.g. pedestrian entrances, driveway ramps, walls, signage). The RL would translate to a building height of 2 to 4 metres relative to Victoria Road at its maximum. Again this is in keeping with the existing buildings and the proposed 10m height control in the IN2 zone and the 9.5 metre building height control on the opposite side of Victoria Road.

#### **Frank Street**

The maximum building height is proposed to be 10m on the opposite side of Frank Street. These sites are elevated several metres above the street, therefore the potential building height would be in the order of 12m relative to the Frank Street carriageway.

The maximum RL of 63 would translate to a wall height or building height of about 15m above Frank Street, which is not dissimilar to the industrial buildings opposite. The RL 63 line is generously setback from the property boundary providing a large spatial separation between built forms in Frank Street.

As for Victoria Road, a lower RL (RL52) is proposed within the setback area to accommodate ancillary building structures such as ramps.

#### **College Street**

This is the more sensitive frontage. The RL immediately adjoining the street is proposed at RL 52 for a depth of at least 10m and increasing to greater than 20m. This translates to a building height of between 6.5m, 11m and 14m above College Street. For the majority of the College Street frontage this RL52 produces a building height less than the 10m proposed by Council in draft LEP 2011. The streetscape survey in **Appendix A** illustrates that existing industrial building on the northern side of College Street are mostly between 8m and 10m in height. Therefore the proposed building height control of RL52 is similar to the existing condition, which given the large spatial separation would be an acceptable built form outcome.

Behind the RL52 setback area the height increases to RL63 to accommodate the main building structure. The setback is generous to ensure the building bulk does not overwhelm

College Street. The lower RL in the setback area will encourage a lower building component to create a stepped building form to moderate the scale.

A RL46 building height is proposed to at that eastern end of College Street to limit building height directly adjacent to the residential properties on the northern side of College Street (and 18 College Street). This RL will equate to a building height of about 6m which is similar to the 5m to 5.5m height of the existing houses and considerable lower than the 9.5m height control applying to those properties.

#### **Residential interface with 18 College Street**

A RL46 zone wrapping around 18 College Street is proposed. The land level of No 18 College Street is approximately RL40 to RL 41. The proposed RL46 represents a potential building height of 5m to 6m relative to 18 College Street. This wall height is substantially less than the 9.5m building height applying to 18 College Street. Beyond RL46 is a RL52 zone and then RL 63 which will step the built form relative to the adjoining residential property. The RL63 to accommodate the main building structure is well removed from 18 College Street providing a separation far greater than the existing industrial building located close to the property boundary of 18 College Street. The stepped height controls and large setback to the main building structure improves the current built form relationship at this interface.

#### **6.1.3 Potential DCP Controls**

In order to address the urban design issues for the site AAUD is recommending a suite of built form controls including the following:

- Building height of 12-15m measured from the Victoria Road frontage (RL 50m + 13m = 63m).
- Building height of 10m + 45 degree height plane at 10m setback to Frank and College Streets to top of building (RL 63m).
- Landscape avenue planting and footpath construction in Victoria Road to future landscape specification.
- Landscape/footpath treatment in Frank and College Streets to future landscape specification.
- Pedestrian activation to Victoria Road by creation of 2 major building entries and display windows at street level.
- Reduction of impact bulky goods and mass of Bunnings building by articulation of form, greening of vertical surfaces and/or artwork screening or similar.
- Incorporation of focal points/landmarks along the Victoria Road frontage

These principles are illustrated in the Urban Design Report together with some examples of architectural treatments that can be considered at DA stage when the building is being designed. The suite of built form controls recommended in the Urban Design Report cannot be entirely addressed through the Planning Proposal which can only address building height. It is therefore recommended that a Ryde DCP 2010 is amended to insert a new section into Section 6.0 –Specific Sites. This is considered a sensible planning approach as the site has unusual site characteristics that could not be readily addressed by the application of generic controls. We recommend that the new section of the DCP address the following matters:

- Street setbacks
- Setbacks to the adjoining residential property at 18 College Street and treatment of the setback area
- Stepped building form to the College Street frontage

- Facade treatment
- Landscaping of setback areas
- Pedestrian entry and activation to Victoria Road
- Vehicle access
- Acoustic buffer to residential properties on College Street
- Stormwater management

If a Planning Proposal receives a Gateway Determination, we would recommend that a new section to Ryde DCP 2010 is prepared to accompany the Planning Proposal. The Planning Proposal and amendment to Ryde DCP 2010 can then be concurrently exhibited.

## 6.2 Economic Considerations

Leyshon Consulting has prepared an Economic Need Assessment which has established the need for a major hardware store in the Ryde LGA. A copy of this report is attached at **Appendix D**.

Ryde Council has requested additional information regarding the economic effects of the proposal including in summary the following:

- an assessment of the impact of the proposed development on existing hardware and garden centres in Ryde LGA
- an assessment of the impact of the proposed development on relevant bulky goods precincts
- an assessment of the impact of the proposal on existing centres in Ryde LGA
- an assessment of the impact of the proposed development on the Gladesville Light Industrial Area.

As an overriding comment in addressing some of the above matters, Leyshon Consulting states that *"there is clear legal precedent in Australia in general, and New South Wales in particular, which establishes that the impact of a given retailer on the sales of its competitors is not, per se, a relevant planning matter."* Nevertheless these matters have been considered.

Leyshon Consulting has prepared further information which builds on the Economic Need Assessment. This further information is attached at **Appendix D** and the economic need and effects is discussed below.

### 6.2.1 Economic Need

Leyshon Consulting's Economic Need Assessment observes that the nearest Bunnings Stores to the Ryde LGA are Artarmon, Auburn, Carlingford and Thornleigh and there are only limited smaller hardware stores in North Ryde, West Ryde and Gladesville.

This report has estimated the demand for major hardware and bulky good premises based on the available spending of Ryde households, including likely population growth rates. The report has established that Ryde LGA could support approximately 54,000m<sup>2</sup> of bulky goods type retail floor space and in the order of 50,000 - 65,000m<sup>2</sup> of hardware and home renovations and improvements-type floor space. The concept plans indicate floor space is some 15,200m<sup>2</sup> (hardware) and some 22,000m<sup>2</sup> (bulky goods) which is about 1/3<sup>rd</sup> of this potential demand. A Planning Proposal will therefore assist in meeting this demand.

Leyshon Consulting has concluded that:

*"Substantial latent demand exists, however, for both bulky-goods type floor space in general and floorspace devoted to hardware, home renovations and improvements goods and services in particular."*

*We conclude an overwhelming case exists for the rezoning of land in Ryde to facilitate the development of a major hardware store of the type envisaged by Bunnings."*

These types of land uses require large floor plate buildings and therefore large site areas. The nature of the uses also requires good road access for customers and deliveries. The opportunities within the Ryde LGA for large sites that are undeveloped (or underdeveloped) to accommodate such buildings are rare. The subject site is a central location that can service the Ryde LGA, has a site area that can accommodate the large floor plate buildings and has excellent road access (discussed later). Therefore a Planning Proposal to permit additional land uses on the site and a variation to the height controls in order to accommodate the proposed land uses is supported in order to satisfy the economic needs identified by Leyshon Consulting.

#### 6.2.2 Impact on existing hardware stores and garden centres

Leyshon Consulting has identified four hardware stores presently operating in Ryde LGA including:

- Weils Thrifty Link, Gladesville
- Seymour Building Supplies, Gladesville
- Taffa's West Ryde Mitre 10 Handy
- Cox's Road Thrifty Link.

Leyshon Consulting notes that the four stores are very small ranging in size from 80m<sup>2</sup> to 1,100m<sup>2</sup> and that none provide on-site parking and all carry a very limited range of hardware. Each store appears to focus on meeting "convenience" hardware needs as opposed to the more comprehensive hardware-related shopping trips catered for by Bunnings, Woolworths Masters and the larger Mitre 10 Mega stores. Leyshon Consulting considers that it is highly improbable that Bunnings would threaten their viability given their convenience focus and that the major impact will be felt by other Bunnings stores such as Artarmon, Ashfield, Castle Hill, Parramatta and Auburn.

Leyshon Consulting notes that all Bunnings stores have a relatively restricted garden centre offer. Leyshon Consulting has identified two garden centres in the Ryde LGA, including Eden Gardens and Sherringtons. Eden Gardens is located on a 1.8 hectare site and services a regional market. It is most unlikely to be affected by what is a relatively limited garden centre "offer" at the proposed Bunnings. Sherringtons operates in association with Australian Native Landscapes (ANL) has a market leading position in the provision of bulk landscape supplies in the Sydney Region. Bunnings would not pose a competitive threat to Sherringtons/ANL.

#### 6.2.3 Impact on existing bulky goods precincts

Neither Ryde LGA nor surrounding areas contain any major bulky goods centres at present. Leyshon Consulting has identified the following bulky goods precincts which are relevant to the Gladesville site:

- Artarmon/St Leonards 50,000m<sup>2</sup>
- Castle Hill 100,000m<sup>2</sup>
- Auburn 130,000m<sup>2</sup>
- Rhodes 27,000m<sup>2</sup>
- North Parramatta 30,000m<sup>2</sup>

In addition Leyshon Consulting has also considered impacts to other Ryde retail centres such as Gladesville and Top Ryde.

Leyshon Consulting has identified that there is a substantial under-supply of bulky goods floorspace in the Gladesville trade area at present, which is estimated to be in the order of

40,000 to 57,000m<sup>2</sup>. The proposed development at Gladesville is planned to contain only 21,885m<sup>2</sup> of bulky goods space. Given the extent of the existing under-supply of space than the proposed floor space can be accommodated within the local retail system without having a detrimental impact.

Leyshon Consulting has calculated that the impact of the proposed bulky goods component on any of the major bulky goods centres in the surrounding local government areas is likely to be in the range of -6% to -10%. Leyshon Consulting notes that impacts in this range fall within the widely accepted "low/medium" category of impact and generally are considered to be acceptable.

Leyshon Consulting considers that impacts to the Gladesville centre and Top Ryde are expected to be minimal (less than 5%) due to neither of these centres containing significant bulky goods type traders.

#### **6.2.4 Impact on the Gladesville light industrial area**

Leyshon Consulting has examined the Gladesville Light Industrial Area which they have identified as containing a wide range of small to medium-scale industrial premises including:

- a significant number of automotive uses located along Buffalo Road;
- a number of sites which are used for older, traditional industrial-type uses (e.g. CBM Timber Yard on Buffalo Road; and
- a significant number of smaller industrial unit complexes accessed off College Street which provide accommodation for a wide range of companies providing industrial services, warehousing and distribution functions.

The subject site is partly vacant. Formerly it contained uses such as electrical engineers, communications equipment suppliers and service, professional equipment supplies and wholesalers, food and beverage packaging, microscope and scales supplier and Ryde batteries. The buildings comprise significant office components as well as warehousing. The site also comprises a number of significant non-industrial uses including a child care centre and a fitness centre. The office building at the corner of 495 Victoria Road and Frank Street also contain professional suites and another fitness gym. Approximately 25% of the site is not used for industrial purposes.

Leyshon Consulting field inspection of the area found that quite a few premises within the Gladesville Light Industrial Area are currently vacant and they note that higher vacancy levels are comparatively common in many industrial areas in the Sydney Region at this time with leasing agents throughout Sydney having reported declining demand for industrial premises since the onset of the GFC. Leyshon Consulting also observes that the current vacancy level is consistent with the findings of the City of Ryde Employment Study 2010 which, among other things, found that demand for traditional industrial uses in Ryde LGA will tend to decrease in the near future.

It would therefore appear that there is a supply of premises in the vicinity and that this site might not be essential for industrial uses, which appears to have occurred in recent years with the establishment of non-industrial uses.

The potential impact to land values has also been considered by Leyshon Consulting as such an effect can result in other uses being 'forced out'. Leyshon Consulting considers that this is only relevant where a change in zoning was being contemplated which would make bulky goods retailing permissible throughout the entire Gladesville Light Industrial Area (or the IN2 zone). This is not proposed and Leyshon Consulting therefore considers that it is unlikely the proposal will lead to increasing land values in the balance of the Gladesville Light Industrial Area.

### 6.3 Traffic considerations

Transport and Traffic Planning Associates (TTPA) has prepared an Assessment of Traffic and Parking Implications report which is attached at **Appendix E**. This Assessment has considered the concept plans including the indicative GFA and proposed vehicular entry points in the context of the surrounding road network and traffic conditions.

The Assessment has also factored in the Roads and Maritime Services proposal to carry out road widening along Victoria Road to upgrade the bus lanes in this location. This future road widening has been accommodated in the concept plans and generally comprises:

- dedication and road widening along the northern side of Victoria Road
- provision of continuous BUS LANES along both sides of Victoria Road
- extended right turn lanes for the turns into Frank Street and Tennyson Road
- widening of Frank Street
- provision of an access road from the subject site connecting at the Tennyson Road intersection
- modification of the intersection signals

The traffic assessment has calculated that the traffic flows generated by the site based on the most recent occupants (even though some uses have vacated the site). The existing situation has been compared to the proposed likely traffic generation. The results are that the morning peak generation will be less than the existing generation. However, the weekend traffic generation will increase.

TTPA has distributed the future traffic generation according to the surrounding street network. The majority of traffic (70%) is assumed to use Victoria Road (being the arterial road) with other traffic using Monash (15%), Buffalo (10%) or Tennyson (5%) Roads.

The intersection performance has been modelled based on the traffic generation and distribution. The signalised intersections of Victoria Road/Frank Street, Victoria Road/Tennyson Road and Victoria Road/Monash Road are all predicted to operate at satisfactory levels of service and average delays.

The traffic and parking analysis by TTPA provides a degree of confidence in the capacity of the local road network to accommodate the development which is appropriate at this Planning Proposal stage.

TTPA has responded to Council's specific questions raised in their letter of 24 April 2012 and the responses have been incorporated into their report at **Attachment E**. The findings of their original report remain unchanged.

### 6.4 Overland flow issues

Council has advised that the subject site is affected by flooding owing to the site being located below the surrounding road and levels and limited capacity of the adjoining stormwater infrastructure that drains the site.

C&M Consulting Engineers has undertaken a preliminary assessment of the site to develop a water management strategy for the site. Their report is attached at **Appendix F**.

The site currently site drains via a low level (deep) stormwater drain which runs from the northern part of the site, across College Street and then through the private property (via an easement) to the north to Buffalo Road. Because the site is lower than all surrounding roads, there is no overland flow path available. If the stormwater drain is blocked or damaged downstream of the site, then there is potential for stormwater to backup in the system and surcharge from low level pits. C&M Consulting believe that the stormwater drain has been designed with a capacity of a 1 in 10 year Average Recurrence Interval

(ARI) storm event. Therefore a storm event that exceeds a 1 in 10 year ARI would have the potential to surcharge from the low level pits.

Without an overland flow path from the site, there is no way for stormwater to discharge from the site under the above circumstances and flooding of the site would occur.

C&M Consulting advise that redevelopment of the site will enable the above flooding issue to be alleviated by setting the podium level for the development at a level higher than the lowest street level in College Street. This will enable an overland flow path from the site to be established. Low level inlets and pits at the site would also be disconnected from the aforementioned stormwater drain preventing the possibility of surcharge. This outcome is best achieved if the site is redeveloped holistically.

In addition to the above strategy, C&M Consulting also note that the stormwater strategy for the site would incorporate on-site stormwater detention, opportunities for rainwater harvesting and stormwater quality treatment measures. These detailed matters would be dealt with as part of a DA process.

Council's required details regarding the software that could be used to model flooding and overland flow. C&M Consulting's report notes that the following models can be used at DA stage:

- DRAINS of XP-RAFTS to model catchment hydrology and sizing of OSD;
- MUSIC to model stormwater treatment devices and water quality
- HECRAS to model the overland flow path.

None of these matters need to be addressed at the planning proposal stage.

## 6.5 Heritage Impacts

There are several heritage items in the vicinity of the subject site. Ruth Daniell has prepared a Heritage Impact Statement (HIS), a copy of which is included at **Appendix G**, which considers the following heritage items:

- Item No. 143 - Ryde Holy Cross College 499–521 Victoria Road Lot 1, DP 807562 – State Item
- Item No. 144 - Ryde Chapel 512–550 Victoria Road SP 48164 – Local Item
- Item No. 145 - Ryde - "Squireville" (House) 512-550 Victoria Road SP 48164 Local Item
- Item No. 112 - Gladesville Monash Park (Obelisk) 142 Ryde Road Lot 7060, DP 93662 – Local Item
- Item No. 113 - Drill Hall building No. 144 Ryde Road SP69924 Local Item
- Item No 54 - Great Northern Road (i.e. Victoria Road)

The HIS has referred to The Australian ICOMOS Burra Charter and the NSW Heritage Office publication Heritage Curtilages to assess potential impacts of the likely planning proposal and development concept. The important findings are as follows:

- The subject site is not located adjacent to any of the heritage items and is separated physically and visually from the heritage items, the Holy Cross College, Squireville, the Ryde Chapel, the Drill Hall and the Obelisk.
- The subject site like many sites is located adjacent to Victoria Road, which historically follows the course of the Old Northern Road. The proposed planning proposal does not impact on the historical significance of this heritage item.

- The views and vista analysis in Section 5 of the HIS has determined that the planning proposal does not impact on the significant views and vistas to these heritage items, which form their expanded curtilage and their setting.
- In terms of height the HIS notes that the site is physically located at some distance from the heritage items and is not viewed directly in relationship to the heritage items a. The planning proposal proposes a similar in height above Victoria Road as the approved existing development.
- The subject site has not been identified as being situated on any archaeological deposits. The former use as an excavated quarry has removed any archaeological potential of the site may have had. The proposed planning proposal will not affect any potential archaeological deposits.

This HIS concludes that the planning proposal will have an acceptable heritage impact.

## 6.6 Consistency with zone objectives

The objectives of the IN2 – Light Industrial zone are:

- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses.*

An amendment to the Ryde LEP 2010 to include 'bulky goods premises', 'garden centres' and 'hardware and building supplies' as additional permissible land uses is consistent with the IN2 zone objectives for the following reasons:

- The use of the additional land use clause in the Standard Instrument would make the additional land uses as permissible uses on this site only with the consent of Council, and the remaining IN2 zoned land would remain unchanged.
- The land form (having previously been excavated) allows for a multi-level building form that could accommodate a combination of uses. Therefore other uses permissible in the IN2 zone such as warehousing could be accommodated on the subject site in conjunction with the proposed additional land uses.
- A Bunnings store and bulky good premises at this location is likely to employ in the order of 550 people which would increase the potential employment capacity of this site than is otherwise likely to occur with the range of land uses currently permissible in the IN2 zone.
- The site's location along Victoria Road and amongst other light industrial or commercial type uses will ensure that the proposed additional land uses would not in themselves give rise to adverse impacts to other land uses. The three street frontages provide opportunities to separate traffic movements and distribute traffic impacts. The most sensitive land uses are the residential land uses, particularly those in College Street. The additional land uses would not give rise to impacts any greater than the range of uses already permissible in the zone, or uses currently operating from the site. Measures to mitigate any impacts would most appropriately be considered at development application stage.
- Additional land uses would provide impetus for the redevelopment and efficient use of a large underutilised industrial site which is rare for the Gladesville industrial area.

- The proposed additional land uses could support other light industrial uses operating in the Gladesville area and serve the needs of the Gladesville and Ryde population. In particular, a Bunnings store would allow for complementary servicing of other business in the Gladesville industrial area including, for example, trade supplies to local businesses.

The draft Ryde LEP 2011 also seeks to support and protect industrial land for industrial uses. The planning proposal is consistent with the provisions of the exhibited draft LEP which proposes to permit *hardware and building supplies* in the IN2 zone, and also permit *bulky good premises* as a permissible use on this site. In addition, the IN2 zone also permits other non-industrial land uses. Therefore a range of uses are proposed for the IN2 zone (and a similar range is currently permissible in the IN2 zone) that are not industrial uses. Clause 2.3(2) of the current Ryde LEP and draft Ryde LEP 2011 requires that a consent authority must have regard to the objectives for development in a zone when determining a DA. This does not mean that a DA needs to comply with all zone objectives. A planning proposal should be considered in this context. As demonstrated above, the planning proposal seeks to broaden the permissible land uses (not remove or dilute industrial zoned land) and future DAs would still be capable of satisfying one or more of the zone objectives.

The proposed additional land uses are consistent with the zone objectives and could complement the range of established and future land uses in the surrounding area as well as the surrounding residential areas in the Ryde LGA.

## 7 A Guide to Preparing Planning Proposals

### 7.1 Part 1 - Objectives or Intended Outcomes

The Planning Proposal will have several objectives and intended outcomes including:

- to expand the range of permissible land uses within the IN2 zone as it applies to the subject site in order to facilitate the development of a Bunnings Warehouse and bulky goods retail on the site.
- to amend the height of building map to increase the building height control applying to the land in order to promote a built form outcome that can achieve a presentation to Victoria Road whilst allowing for the broad range of uses proposed for the IN2 zone.

The objective is to permit a building height that will achieve a built form to accommodate the broad range of land uses either currently permissible or proposed under draft Ryde LEP 2011 for the IN2 zone including large floor plate buildings such as bulky goods premises and hardware and building supplies.

Another objective of amending the Height of Buildings Map is also to replace the uniform 10m building height (proposed in draft LEP 2011) with a building control in the form of RLs which responds to the site opportunities and constraints. The use of a 10m height control which is measured from the existing ground level is somewhat meaningless in the context of the site's topography which results in much of the site being significantly below the surround street levels. The manner in which the Height of Buildings Map is proposed to be amended takes into account outcomes appropriate for the different streetscapes and adjoining residential areas.

### 7.2 Part 2 – Explanation of Provisions

The Planning Proposal proposes to be in the form of an amendment to Ryde LEP 2010 to encompass the following amendments:

1. To amend Schedule 1 to incorporate an additional clause to include *bulky goods premises, garden centre and hardware and building supplies* as additional land uses

for 461-495 Victoria Road, being Lot 1 DP 739556. This report also proposes that Clause 4 which permits development for the purpose of existing business premises or office on Part Lot DP 739556 (Building H) be retained.

2. To amend the height of building map to indicate maximum RLs over the subject site.

It is also proposed that a DCP amendment be prepared to support a Planning Proposal. This would address detailed site controls (eg. setbacks, stepped building forms, façade and architectural treatment).

### 7.3 Part 3 – Justification

This report recommends that Ryde LEP 2010 should be amended to broaden the range of permissible land uses and to amend the height of building development standard in order to facilitate those end uses and encourage an acceptable urban design outcome.

The following section demonstrates how such an outcome for the site at Gladesville will satisfy the questions that the Department of Planning and Infrastructure applies to gateway determinations.

#### 7.3.1 Need for the Planning Proposal

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

There has been strategic work undertaken in the preparation of draft Ryde LEP 2011, including the Centres and Corridors Study forming part of the Ryde Local Planning Strategy, however the scope of those studies have not considered in detail individual land uses or height controls for specific sites such as this site.

Leyshon Consulting prepared an Economic Need Assessment (**Appendix D**) which has specifically studied the needs for a major hardware store in the Ryde LGA. This has been discussed in Section 6.2.

The Employment Lands for Sydney Action Plan, 2007, the draft Inner North Subregion Strategy and City of Ryde Employment Study, May 2010 have all identified the need to maintain employment generating land. As discussed in Section 7.3.2 below, a Planning Proposal as set out in this submission would be consistent with the strategic studies and reports.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

An amendment to Ryde LEP 2010 is the only feasible way of permitting a Bunnings Warehouse and bulky goods premises on the subject site.

Whilst there is no current building height development standard applying to the site there is technically no need to vary Ryde LEP 2010 to achieve the intended outcome. However, the exhibition version of draft LEP 2011 indicates the intention to introduce a building height of 10m on the site. It is therefore sensible to consider the building height as part of a Planning Proposal process.

Clause 4.6 - Exceptions to Development Standard could in theory be used to vary the building height development standard. The proposal put forward in this submission has considered the proposed land uses in the context of likely building height and volume. This process has identified that the proposed building height (in draft LEP 2011) would need to be varied. In our opinion Clause 4.6 should not be relied upon for a variation to the development standards and it is not an approach that provides any certainty in terms of planning outcomes. Instead, the sensible planning approach is to utilise the urban design process to inform the height control for the site which can be incorporated into the Ryde LEP.

A Planning Proposal is therefore considered the best and only viable means of achieving the intended outcome.

**3. Is there a net community benefit**

There are a number of community benefits which will flow from the proposal:

- Increased employment generating capacity including opportunities for part time, casual and younger employees and key workers.
- The ability to satisfy latent demand for a large hardware store and bulky goods premises in the Ryde LGA.
- A considered approach to building heights across the site having regard for the various streetscape outcomes and residential interfaces.
- Reducing permissible height to the sensitive College Street frontage and also minimising potential building height to the adjoining residential property at 18 College Street.

Some of the community benefits that can be achieved through a redevelopment such as that illustrated in the concept plans at **Appendix B** are:

- Opportunities to achieve improved traffic outcomes by removing vehicular entrances from College Street and directing truck delivery movements to and from Victoria Road and Frank Street.
- Improved drainage outcomes for the site and locality.
- Retention of street trees to College Street and large setback to augment this street tree planting.
- Additional landscaping opportunities to Frank Street.

**7.3.2 Relationship to strategic planning framework**

**4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?**

**Metropolitan Strategy and Draft Inner North Subregional Strategy**

The Metropolitan Strategy and the Employment Lands For Sydney Action Plan, March 2007 identified the need to retain employment lands (including traditional industrial areas such as Gladesville). The Action Plan sets a number of initiatives addressing supply and demand of employment land.

**Employment Lands for Sydney Action Plan, 2007**

One of the initiatives of this Plan is to *develop new policy initiatives to encourage the regeneration of brownfield sites to support new investment and employment opportunities*. There are several further initiatives identified to achieve this overall aim. Of particular relevance are the following:

- Identify strategic employment lands through subregional planning (refer to discussion below); and
- New planning frameworks including "*planning for more flexible provisions to encourage employment growth*".

The proposed utilisation of the additional land use provision of the Standard Instrument is an effective means to provide flexibility in potential land uses for this site. This will directly assist in allowing large employment generating land uses to be permissible on the site, in addition to the range of land uses already permissible in the IN2 zone. The proposal is therefore considered to be consistent with the Action Plan, particularly in relation to retaining and encouraging future development of employment lands in strategic locations.

### Draft Inner North Subregional Strategy

The Draft Inner North Subregional Strategy sets a number of objectives and directions in relation to the 'economy and employment' and 'centres and corridors' in the Inner North subregion. Those of particular relevance are:

- A target of 21,000 new jobs for the Ryde LGA by 2031.
- Retention of the Gladesville industrial area for industrial purposes servicing the local population including automotive businesses and trade supplies.
- Identification of parts of Victoria Road, Gladesville as an enterprise corridor. Enterprise Corridor is defined as "*areas which provide low cost accommodation for a range of local and regional services, including start-up offices, light industrial, showrooms, building supplies and retail, which benefit from high levels of passing traffic. They run along major arterial roads which generally carry over 50,000 vehicles per day and provide a valuable buffer from surrounding residential development.*"

The proposed additional land uses would retain and enhance the employment generating capacity of the site being a key objective behind the need to retain industrial zoned land. The additional land use approach supports the objectives of the Draft Inner North Subregional Strategy by ensuring permissible land uses are retained providing opportunities for local industry. In addition, the employment generating capacity of a Bunnings warehouse and bulky goods retail (some 550 workers) that could be realised is greater than for traditional industrial uses and greater than the current employment generating capacity of the site. A Planning Proposal would therefore ensure that the employment generating capacity of the site would be maintained. The proposal would also assist in achieving the target of 21,000 new jobs for the Ryde LGA.

As noted above, a Bunnings store would allow for complementary servicing of other business in the Gladesville industrial area, which we understand has worked successfully with other Bunnings stores in industrial areas. Bunnings stores provide a wide range of product lines that can service local businesses. In particular, Bunnings stores incorporate trade supplies services which can directly service local businesses consistent with the one of the key objectives for the Gladesville industrial area. The proposed additional land uses combined with the current range of permissible uses would be consistent with the Strategy's objective of servicing the local population and local businesses.

Overall, the proposal is considered to be consistent with the Draft Inner North Subregional Strategy.

### 5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

#### Ryde Local Planning Strategy

The site is strategically located along a major transport routes and in local context connects the Gladesville and Ryde centres. The Ryde Local Planning Strategy comprises several components, the most relevant being the Centres and Corridors Study and in particular Section 5 – Corridors.

Section 5.0 – Corridors Study relates to the subject site. As noted above, the Metropolitan Strategy and the Draft Inner North Subregional Strategy have both identified this section of Victoria Road as a potential enterprise corridor to support a variety of uses. The Corridors Study recognises that the Victoria Road corridor meets the criterion for an enterprise corridor.

The Corridors Study identifies the area between Top Ryde and West Ryde as an enterprise corridor (further west of the subject site). The land identified in the Ryde Local Planning Strategy as the enterprise corridor would not contain sites sufficiently large

enough for a Bunnings store and bulky goods premises, particularly co-located as demonstrated in the concept plans. The Draft Inner North Subregional Strategy notes that parts of Victoria Road have potential for enterprise corridor functions. In our opinion, this does not preclude the establishment of a contiguous enterprise corridor (as envisaged by Council).

The Corridors Study established the desired future character for Victoria Road including:

- A significant commuter corridor.
- A significant local economic corridor linking strategic employment lands and economically vital town centres.
- A link between the historic centres of West Ryde, Ryde Town Centre and Gladesville. Heritage items along Victoria Road help illustrate the story of Sydney's growth and development.
- An attractive streetscape that includes tree linked streetscapes between vibrant town centres.

The complementary function that a Bunnings store and bulky goods premises can provide to local businesses could assist in strengthening the function of the strategic employment lands in the Gladesville area.

The proposed additional land uses would not be inconsistent with the desired future character.

Also relevant to the Corridors are the nearby centres of Top Ryde and Gladesville. Top Ryde has undergone a significant change in character and is emerging as a regional centre. Gladesville is envisaged to be a mixed use town centre servicing the local community. The Monash Road Precinct closest to the subject site is envisaged to provide a mix of convenience retail and services to local residents and workers in addition to specialist goods and services for the wider community and retain its traditional strip shopping character. The roles of Top Ryde and Gladesville will perform very different functions to that catered for by the proposed land uses.

The height controls proposed for the site are not inconsistent with the desired future character objectives.

The likely built form can be controlled through the use of building height to ensure that building can be appropriately designed to accommodate the permissible land uses in the IN2 zone. The site specific building height controls in concert with a DCP can achieve a built form scale not dissimilar to those found in the surrounding area along Victoria Road and permissible further east under Ryde LEP (Gladesville Town Centre and Victoria Road Corridor) 2010. The streetscape outcomes expressed in the Corridors Study are still capable of being achieved.

#### **City of Ryde Employment Study, May 2010**

The Employment Study forms part of the Local Planning Strategy to inform the preparation of the Ryde Comprehensive LEP. The Study is based upon the Employment and Centres Study, October 2009.

The Employment and Centres Study identified that demand for industrial uses is likely to reduce (due to a reduction in blue collar works, and a corresponding increase in white collar workers) and will then stabilise. Despite a potential reduction in demand, the Employment Study considers retention of industrial land as vital to meet local and regional needs for industrial activities.

Two of the key directions and recommendations arising from the Employment Study are:

- To undertake a study of the industrial areas within the City to identify strategies and recommendations to maintain these areas as viable employment land; and
- Economic and employment activity to continue along the Victoria Road Corridor – in particular in areas adjoining the town centres and industrial areas.

The proposed additional land uses are consistent with and directly support the findings of the Employment Strategy by not only maintaining employment, but increasing employment opportunities along the Victoria Road corridor. The proposal to incorporate additional land uses on this site will provide a wider range of potential land uses that will directly work towards maintaining the viability of the site for local industry as well as employment generating land generally.

**6. Is the planning proposal consistent with applicable state environmental planning policies?**

Appendix H is a table identifying the applicability and consistency with state environmental planning policies.

**7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

Appendix I is a table identifying the applicability of the Section 117 Directions. The main directions of relevance are discussed below.

**Direction 1.1 – Business and Employment Zones**

The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified strategic centres.*

The direction states that 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.*

Paragraph (c) relates to land in a business zone and paragraph (e) relates to proposed new employment areas (Gladesville is an existing employment area). These two matters are therefore not relevant in this instance. In relation to paragraph (b) the IN2 zone of the Gladesville precinct is not altered. Discussion regarding (a) and (d) is provided below.

In relation (d) to employment, Leyshon Consulting notes that as it currently stands, this site is making only a minimal contribution to maintaining industrial employment in the Ryde LGA. In addition, as demonstrated in Section 2.2 of this report, the existing floor space on the site (of some 22,000m<sup>2</sup>) represents a FSR of approximately 0.57:1 which is considerably less than the potential FSR of 1:1. The site is therefore not achieving its full potential with very limited and possibly no scope for additional industrial floor space (without exceeding height controls). Further, of the constructed floor space about 20% was not previously used for industrial purposes. Therefore the former uses of the site represented an industrial FSR of about 0.5:1 or 50% of its potential. Leyshon Consulting

has estimated that theoretically, the existing building could generate between 258-400 positions depending on the nature of businesses.

The proposal has the capacity to make a far greater contribution to employment. Whilst this might not be employment of a traditional industrial (eg. manufacturing) nature, if there is a declining trend in traditional industrial uses (as noted in the City of Ryde Employment Study 2010), it cannot be considered good planning sense to restrict the current site to cater for a declining sector of the economy.

The subject planning proposal has the capacity to make a significant contribution to local employment. A Bunnings Warehouse has a typical employee density of 1/100m<sup>2</sup>.

Table 2 sets typical employee density for different land uses.

Table 2: Employee Density

| Land use                 | Employee density (floor space)                                                                                                        |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| Manufacturing Industry   | Varies from 1/50m <sup>2</sup> to 1/100m <sup>2</sup> for manufacturing that would be permissible in the IN2 – Light Industrial zone. |
| Warehouse trade          | 1/220m <sup>2</sup>                                                                                                                   |
| Transport and storage    | 1/220m <sup>2</sup>                                                                                                                   |
| Service industry         | 1/55m <sup>2</sup> to 1/150m <sup>2</sup>                                                                                             |
| Retail (household goods) | 1/58m <sup>2</sup>                                                                                                                    |
| Commercial               | 1/25m <sup>2</sup> to 1/35m <sup>2</sup>                                                                                              |

Source: Hornsby and Ku-ring-gai Subregional Employment Study, prepared by SGS

By way of comparison, the City of Ryde Section 94 Contributions Plan 2007 contains forecasts of employment growth. In 2004 the gross floor area of industrial space in the Gladesville Industrial Area was estimated at 240,000m<sup>2</sup> supporting 2400 workers. This equates to a rate of 1 worker per 100m<sup>2</sup>. This rate is not dissimilar to the rates in Table 2. The existing buildings have an estimated gross floor area (GFA) of 22,000m<sup>2</sup>. Using this rate, the existing buildings on the site could provide employment for approximately 220 workers. If the GFA of the site was increased to 1:1 (as currently permissible) and uses similar to those already existing on-site were maintained, the total GFA would be 38,340m<sup>2</sup> equating to approximately 383 employees.

Based on the approximate floor areas indicated in the concept plans at **Appendix B** the indicative floor areas are:

- Approximately 15,000m<sup>2</sup> for a Bunnings Warehouse – equating to 150 employees
- Approximately 21,000m<sup>2</sup> for tenancy (i.e. bulky good premises) – equating to 362 employees; and
- Approximately 1,200m<sup>2</sup> for the existing Fernwood building equating to 34 to 48 employees.

The total GFA of the proposed development is within the 1:1 FSR applying to the site. Based on the above approximates, a total of some 550 workers could be accommodated on the site. This is clearly greater than the employment generating capacity of traditional industrial land uses permissible within the IN2 zone and the actual employment likely to occur under a restrictive "industrial" land use zone. Therefore the employment objectives of the Direction to encourage employment in suitable locations and protect employment in industrial zones can be achieved with a Planning Proposal as recommended in this report.

### Direction 6.3 – Site Specific Provisions

The objective of the Direction is to “discourage unnecessarily restrictive site specific planning controls.” The Direction also states that:

*“(4) 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.”*

As detailed in Section 5, the Planning Proposal would amend Ryde LEP 2010 to allow *bulky goods premises, garden centres and hardware and building supplies* as permissible land uses on this site and involve an amendment to the Height of Building Map accompanying the LEP.

The building heights nominated in this submission have been founded on an urban design analysis having regard to the currently permissible land uses and the proposed additional land uses and their likely built form configurations. The proposed building heights have considered the likely built form configurations of the permissible and proposed land uses whilst taking into account streetscape and residential interface issues.

Whilst this submission is founded on an indicative drawing to test the built form outcome, it is not necessary for a Planning Proposal to rely upon the concept plans contained at **Appendix B** which has informed this submission and have been provided for contextual purposes only. However, to provide certainty regarding built form outcomes for the site, the preparation of a site specific DCP is recommended. This can simply be an additional section to the current Ryde DCP 2010. A Planning Proposal is considered to be capable of consistency with this Direction.

#### 7.3.3 Environmental, Social and Economic Impact

**8. 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?**

No, much of the site has already been cleared and appears to have little or no environmental value.

**9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

The main environmental effects associated with the future development of the site are:

- Residential interface issues;
- Traffic impacts; and
- Water management (stormwater and flooding/overland flow issues).

These issues have been considered in the context of the likely future uses of the site and to provide a degree of assessment that the surrounding community is likely to be interested in understanding.

Whilst these are also detailed matters that would need to be considered as part of a development application, they have been considered as part of this submission to justify the commencement of a Planning Proposal process.

These issues have been discussed in Section 6.1, 6.4 and 6.5 of this submission.

**10. How has the planning proposal adequately addressed any social and economic effects?**

The proposed development has a significant development cost in the order of \$100 million being a significant investment in the region.

One of the significant economic effects of a Planning Proposal is the potential employment generating capacity of a Bunnings Warehouse and bulky goods premises. As set out in Section 6.1 of this report, a Bunnings Warehouse and bulky goods premises has an employment generating capacity of approximately 550 employees which is considerably greater than the employment levels that could be achieved for typical industrial premises. This employment generating capacity has clear economic benefits by providing significant employment opportunities including part time, casual and youth employment opportunities.

A Bunnings Warehouse is also likely to support other business and trades in the locality and provide convenient access to hardware and building supplies to the surrounding residential areas.

The capacity of a Bunnings Warehouse to provide employment opportunities will have social benefits for those persons employed by Bunnings.

**7.3.4 State and Commonwealth Interests**

**11. Is there adequate public infrastructure for the planning proposal?**

The site is located in an area that is already serviced. The IN2 zone is not proposed to be changed and the development potential (FSR) of the site remains unchanged. The proposed additional land uses are unlikely to generate any greater demand for utility services than other permissible industrial uses.

Traffic impacts and associated traffic infrastructure is discussed in Section 6.3 of this Report.

A Planning Proposal to including additional permissible land uses and to amend the Height of Buildings Map will not have an impact on public infrastructure that is any greater than the uses currently permissible on the site, or proposed to be made permissible under draft Ryde LEP 2011.

**12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Consultation with the remaining relevant State and Commonwealth public authorities can be undertaken in conjunction with the exhibition of the Planning Proposal following the Gateway Determination.

**7.4 Part 4 - Community Consultation**

Public consultation will take place in accordance with the Gateway Determination made by the Minister for Planning in accordance with Sections 56 & 57 of the *Environmental Planning & Assessment Act 1979*. The draft DCP amendment recommended in this report can be exhibited concurrently with the Planning Proposal.

**8 Conclusion**

The current zoning of the land would not permit a Bunnings Warehouse. The draft Ryde LEP 2011 proposes to include *hardware and building supplies* as a permissible land use in the IN2 zone. In addition the draft LEP also proposes to add bulky goods premises as a permissible land use on the subject site (as a schedule use).

Council's draft LEP process has encountered several delays over the last 12 to 18 months and therefore a separate Planning Proposal process is considered a reasonable and sensible approach to facilitate the advancement of the redevelopment of the subject site.

Therefore, the report recommends that Council's proceed with a Planning Proposal to include *bulky good premises, garden centre and hardware and building supplies* as additional land uses permissible on the subject site. This is in line with Council's intention for the IN2 zone.

This submission has demonstrated that the suggested amendment to Ryde LEP 2010 would be consistent with the Metropolitan and State strategies and the objectives of the LEP as follows:

- The potential use of the site for a Bunnings Warehouse and bulky goods premises would have a similar if not greater employment generating capacity as the land uses already permissible in the IN2 zone applying to the land. The proposed land uses would therefore support the employment generating function of the industrial precinct consistent with the Metropolitan Strategy for Sydney 2036 and the draft Inner North Subregion Strategy.
- The land is identified as Category 1 land under the Employment Lands for Sydney, 2007 and Draft North West Subregion Strategy. Category 1 land is identified as being appropriate for uses such as a Bunnings Warehouse.
- Given the employment generating capacity of a Bunnings Warehouse, the proposed amendment would be consistent with the employment generating aims and objectives of Ryde LEP 2010.

This submission has also demonstrated that a site specific building height development standard should be applied to the site. Currently, Ryde LEP 2010 does not contain a building height control over the site, however, draft Ryde LEP 2011 is proposing a 10m height control. This will be measured from existing ground level which results in a built form outcome that sits below Victoria Road resulting in a poor streetscape outcome.

A building height has been developed for the site founded on an urban design analysis.

This submission recommends a Height of Buildings Map which utilises varying RLs across the site to respond to the opportunities and constraints of the site. In particular the following outcomes are intended through the height controls proposed for the site:

- To achieve an appropriate wall height and streetscape outcome to Victoria Road, Frank Street and College responding to the built form context and surrounding building height controls in LEP 2010.
- To reduce building height along the College Street frontage to create a stepped building form that responds to the lower building scale of College Street.
- To provide a large setback from the tallest building zones on the site from the residential property at 18 College Street.

We also recommend as an amendment to Ryde DCP 2010 to insert into Section 6.0 – Specific Sites, an additional set of site specific controls. This can be prepared after Gateway Determination and exhibited concurrently with the Planning Proposal.

We therefore recommend that the Council support the amendment to Schedule 1 of Ryde LEP 2010 to include *bulky goods premises, hardware and building supplies and garden centre* as permissible land uses for this site, as well as the associated amendments to the Height of Buildings.

We would welcome the opportunity to further discuss this proposal with Council or the DP&I.