

PRE-GATEWAY REVIEW – Information Assessment and Recommendation Report

Local Governmental Area:	Ryde	
Amended LEP:	Ryde Local Environmental Plan 2014	
Address:	86 Blenheim Road and 12-14 Epping Road, North Ryde	
Reason for review:	☒ Council notified proponent it will not support proposed amendment	☐ Council failed to indicate support for proposal within 90 days
Is a disclosure statement relating to reportable political donations under s147 of the Act required and provided?	☒ Provided	☐ N/A Comment: There are no donations or gifts to be disclosed.
Assessment Fee:	☒ Provided & correct	☐ Not provided / incorrect

1. SUMMARY OF THE PROPOSAL

The planning proposal seeks to amend the land use zone, building height and floor space ratio for 86 Blenheim Road and 12-14 Epping Road, North Ryde (site). The site is made up of three lots and is in single ownership. The proposal states the site has a combined site area of approximately 2,020 square metres, while Council states it is 2,004.5 square metres.

The site is surrounded by Epping Road to the north, Blenheim Road and Myall Reserve to the east and Blenheim Park to the south and west. Blenheim Park has several facilities including picnic areas, cycle paths, children's playground, enclosed dog off leash area and a remote-control car track.



Figure 1: Location of site (outlined in red). Source: Nearmap

The site is approx. 580 metres walking distance from North Ryde Station via Epping Road and Delhi Road, and has access to a number of bus services on Epping Road and Blenheim Road. Bus services provide access to the Sydney CBD as well as links to Chatswood, Epping, North Sydney, Ryde, Rhodes and Sydney Olympic Park.

The site is located adjacent (approx. 80 metres) to the North Ryde Station Urban Activation Precinct (UAP). The North Ryde Station UAP was nominated for urban renewal by the Department of Planning and Environment and was gazetted on 21 September 2013. The North Ryde Station UAP seeks to accommodate around 330,000 square metres of predominately residential and mixed use floor area creating approximately 3,000 homes and 1,500 jobs within a 10 minute walk of North Ryde Station (refer to Figure 2).



Figure 2: Location of site (outlined in red). Source: Nearmap

The planning proposal seeks to amend the *Ryde Local Environmental Plan 2014* (Ryde LEP 2014), by rezoning the site from R2 Low Density Residential to R4 High Density Residential, increasing the building height from 9.5 metres to 45 metres and increasing the floor space ratio from 0.5:1 to 4.3:1.

Current Land Zoning controls

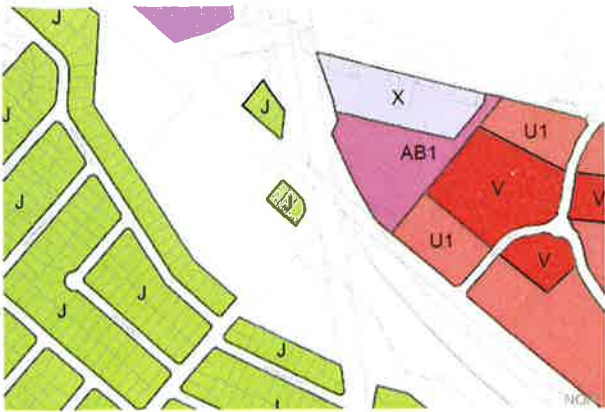


Proposed Land Zoning controls



Figure 3: Existing Built form, Current and Proposed zoning controls.

Current Height of Building controls



Proposed Height of Building controls



Figure 4: Existing Built form, Current and Proposed building height controls.

Current Floor Space Ratio controls



Proposed Floor Space Ratio controls

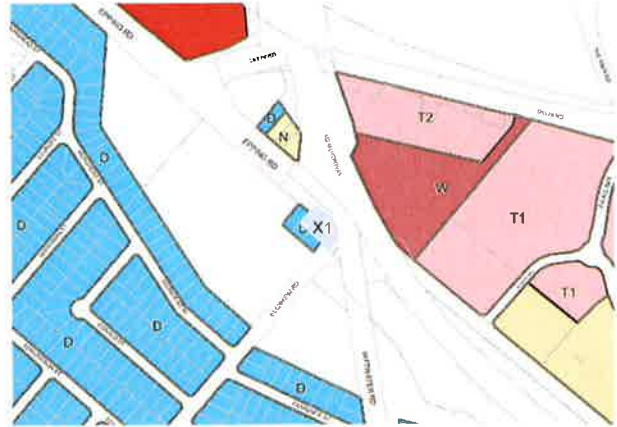


Figure 5: Existing Built form, Current and Proposed floor space ratio controls.

The proposal would enable the development of a 16 storey residential tower comprising approximately 120 dwellings, ground floor retail and 2 levels of basement car parking. Currently, the site is occupied by 3 detached dwellings with frontages to Blenheim Road and Epping Road.

The site was identified for further consideration during the preparation of Ryde LEP 2014. Council invited the proponent to submit a proposal to redevelop the site up to 7 storeys. In June 2015, the proponent submitted the current proposal to Council. Council officers expressed a number of concerns and advised that Council would be unlikely to support a proposal seeking a 16 storey tower.

In November 2015, the proponent lodged supplementary information indicating a reduction in the proposed FSR from 4.3:1 to 2.5:1 and a building height of 22 metres (7 storeys). The supplementary information was not reported to Council. In January 2016, the proponent advised Council it wished to proceed with the original proposal.

Strategically, the site is located in close proximity to North Ryde Station as well as the eastern end of the Macquarie Park Corridor. The Macquarie Park Corridor forms part of the Global Economic Corridor as identified in A Plan for Growing Sydney.

Council's planning proposal

In May 2016, Council lodged a separate planning proposal to rezone the site RE1 Public Recreation, remove the FSR and building height and identify the site on the acquisition reservation map. A rescission motion was considered by Council on 28 June 2016 to defer the proposal for further consultation with stakeholders and the landowner. The motion did not pass.

It is recommended the proposal proceed to the Sydney East Joint Regional Planning Panel for independent review. The Department notes the site may be suitable for redevelopment given its strategic location close to employment and transport in Macquarie Park; the proposed bulk and scale of development is considered to be an over development in its immediate context and would result in adverse impacts on the character of Blenheim Park.

2. REQUIREMENTS UNDER SECTION 55 OF THE EP&A ACT

2.1 Objective and intended outcomes:

The proposal does not have a clear list of objectives and intended outcomes, but the applicant proposes the following vision for the site:

- The urban renewal of the site in order to develop a residential flat building incorporating approximately eight units per floor, excluding the ground floor which will accommodate a neighbourhood shop and additional car parking. The residential flat building will provide a visually pleasing single recessed and articulated built form;
- short term and long term employment generating uses, housing supply and improved public domain;
- housing/jobs within walking distance to public transport, retail, recreational and entertainment venues giving rise to opportunity for future residents to take advantage of existing public transport infrastructure;
- integration with Blenheim Park through complimentary land use (neighbourhood shop) and site connections increasing the activation, usage and casual surveillance of the Park;
- connection and integration with pedestrian and cycle network and the incorporation of through site links;
- removal of vehicular access to/from Epping Road; and
- appropriate building height, floor space ratio and built form in order to reduce the perceived bulk and scale of the proposal as viewed from significant perspectives.

2.2 Explanation of provisions:

The proponent has suggested the following amendments to Ryde LEP 2014 for the site:

- rezone the site from R2 Low Density Residential to R4 High Density Residential by amending the Land Use Zoning Map;
- increase the maximum building height from 9.5 metres to 45 metres by amending the Height of Building Map; and
- increase the maximum floor space ratio from 0.5:1 to 4.3:1 by amending the Floor Space Ratio Map.

2.3 Mapping:

The proposal contains sufficient images and mapping of the site and of the surrounding context. It demonstrates the current and proposed land zoning, building height and FSR controls applicable to the site and the surrounding area.

2.4 Community consultation (including agencies to be consulted):

The proponent has indicated that community consultation would be conducted in accordance with any Gateway determination. A public exhibition period of 28 days is recommended should the proposal proceed to Gateway.

3. VIEWS OF COUNCIL AND AGENCIES

3.1 Comments from Ryde Council

On 8 March 2016, Council resolved not to support the proposal. Council's key concerns include:

Bulk and scale

Council argues there is a lack of urban design rationale to justify the excessive height and FSR, the visual bulk when viewed from the adjacent low density residential area and the inconsistency with other similar developments approved by the State Government on the southern side of Epping Road.

The proposed built form appears to take its cues for its scale from planning provisions across Epping Road and the M2 Motorway which faces Delhi Road and immediately adjoins North Ryde Station. Council's position is that Epping Road and the M2 are a natural boundary between the Macquarie Park Corridor and the existing suburban neighbourhoods of North Ryde.

The proposed FSR of 4.3:1 far exceeds the FSR control for the adjacent low density residential land to the south and west of the site in Morshead and Clarence Streets of 0.5:1. The FSR controls for sites in the North Ryde Station UAP vary from 2:1 and 2.3:1, apart from higher densities on the major Country Gardens and Lachlan's Line sites which are up to 3.5:1, other than one small portion of the Lachlan's Line site which has an FSR control of 4.3:1.

The proposal articulates the merits for greater height and FSR based on the principles of transit oriented development and that the site is free of many of the "edge amenity impacts" often associated with rezoning, as it is an "island" significantly separated from other residential uses. Council's Urban Design Review Panel noted that just because the site has no near neighbours does not justify a major height increase as an appropriate outcome. Any tall building on this site will impact the park in terms of overshadowing and bulk and scale.

Council also notes the proposal seeks a much higher scale of development than that approved for the Allengrove Crescent and Whiteside Street/David Avenue, North Ryde sites on the southern side of Epping Road. Both of these approvals allowed residential developments of 3 to 5 storeys.

Site context

Council argues the site does not have a direct relationship with the North Ryde Station Precinct/ Macquarie Park Corridor and is not a suitable form of development for the southern side of Epping Road. There is no justification for the proposal based on its contribution to the Macquarie Park Corridor or North Ryde Station Precinct.

The project seeks to justify the uplift in height and density for the site on the basis of accessibility to public transport, particularly North Ryde Station and styles itself as transit oriented development based on distance from this Station and access to Epping Road bus services. Council suggests the site is located 700 metres from North Ryde Station via Epping Road and Delhi Road. The Department's measurement suggests the site is approximately 580 metres North Ryde Station. The distance on foot from the site to North Ryde Station via Epping Road, Lucknow Road and the proposed new Road 38 would also be 700 metres.

Shadowing of adjacent public open space

The supporting shadow study shows that the impact on Blenheim Park is considerable and that it will create a significant reduction in amenity within the park and adjacent reserve for much of the day.

Lack of policy context

Council contends the proposal does not have its basis in any strategic planning study or report. Council also suggests *A Plan for Growing Sydney* identifies Lane Cove Road as a potential growth corridor, but not Epping Road.

Other issues

Council also listed the following potential issues:

- The proposal does not address the Department of Planning and Environment's "Development near rail corridors and busy roads - Interim Guideline".
- The proposed built form results in a poor interface with Epping Road.
- The number of dwellings quoted in the Traffic and Parking Impact Assessment is inconsistent with the number of dwellings quoted in the proposal (95 and 120 dwellings respectively).
- The café indicated in the preliminary design analysis is defined as a food and drink premises, which is not a permitted use in the R4 zone.
- The proposal should include removing the minimum lot size for the site.
- The proposed building height of 45 metres does not align with the building section provided in the submitted preliminary design analysis which shows a 16 storey building.
- The proposed floor space ratio of 4.3:1 does not appear to align with the proposed height in so far as the submitted preliminary development analysis drawings reflect more than the 8,619 square metres of floor space. This is due to different suggestions of the combined sites area by Council and the proponent.

3.2 Recent planning history

During the preparation of Ryde LEP 2014, Council considered a number of properties for redevelopment, including the subject site, in response to a community workshop. Council provided a willingness to consider greater development opportunities on the site for residential development up to 7 storeys.

In June 2015, the proponent lodged a planning proposal with Council for the subject site, which proposed a 16 storey tower. Council officers expressed a number of concerns and advised that Council would be unlikely to support the proposal.

In November 2015, supplementary information was lodged by the proponent indicating a reduction in the proposed FSR to 2.5:1 and a building height of 22 metres, which would result in a building of 7 storeys with approximately 50 dwellings.

In January 2016, the proponent advised Council that they wished to proceed with the original proposal as submitted, no reasons were provided to Council.

On 8 March 2016 Council resolved not to support the landowner's proposal and delegate authority to the General Manager to investigate and action the acquisition of the land for open space to be incorporated into Blenheim Park.

On 26 April 2016, Council resolved to prepare a planning proposal to rezone the site RE1 Public Recreation, remove the FSR and building height and identify the site on the acquisition reservation map.

On 26 May 2016, Council lodged their planning proposal with the Department of Planning and Environment.

A rescission motion was considered by Council on 28 June 2016 to defer the proposal for further consultation with stakeholders and the landowner. The motion did not pass.

4. PROPOSAL ASSESSMENT

4.1 Strategic merit assessment

4.1.1 A Plan for Growing Sydney 2014

In December 2014, the Department released *A Plan for Growing Sydney* (Plan), the long term strategic plan for metropolitan Sydney.

The site is located in the North Subregion and is adjacent to the Macquarie Park Corridor. The site is also located within the Global Economic Corridor which is identified for “concentrated employment, economic activity and other uses in centres, transport gateways and industrial zoned land extending from Port Botany and Sydney Airport, through Sydney CBD, north-west through Macquarie Park, and towards Norwest, Parramatta and Sydney Olympic Park”.

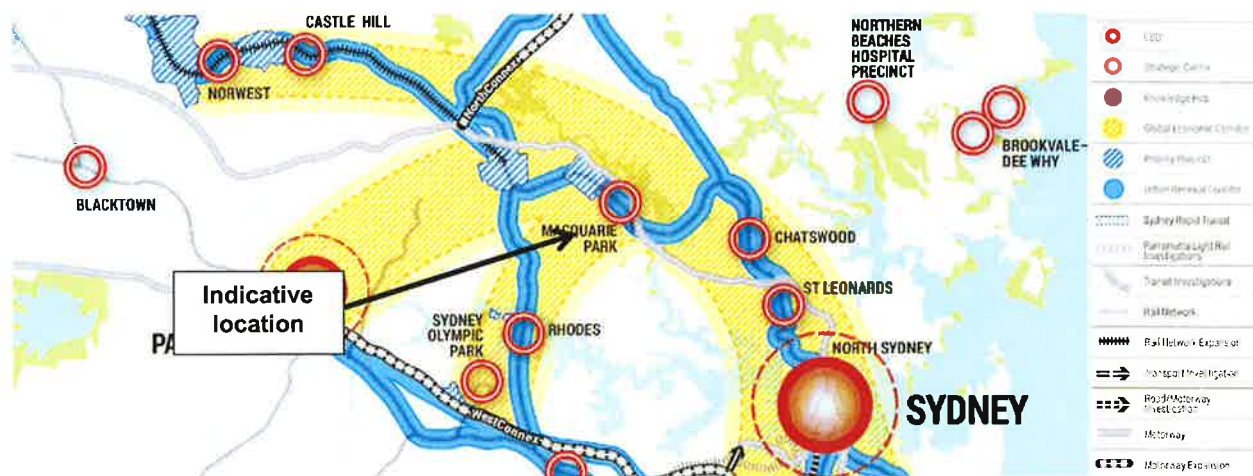


Figure 7: Extract from *A Plan for Growing Sydney 2014*

The proposal is consistent with the following directions and actions in the Plan:

- Direction 2.1 and Action 2.1.1 as it would increase the local housing supply and choice in close proximity to jobs and serviced by frequent public transport;
- Direction 2.2 and Action 2.2.2 as it would facilitate urban infill and increase housing production around a strategic employment centre and transport corridors;
- Direction 2.3, Actions 2.3.2 and 2.3.3 as it would provide a range of housing choices to suit different needs and lifestyles;
- Direction 3.3 as it would support a healthy built environment by providing housing in walking distance to existing employment and services; and
- North Subregion priority to accelerate housing supply, choices and affordability and build great places to live.

The proposal is consistent with priorities for the Macquarie Park centre, including:

- working with council to concentrate capacity for additional mixed-use development around train stations, including retail, services and housing; and
- investigating potential future opportunities for housing in areas within walking distance of train stations.

4.1.2 State Environmental Planning Policies

The proposal is not considered to be inconsistent with any State planning policies.

4.1.3 Section 117 Directions

The proposal is consistent with the following relevant Section 117 directions:

- Direction 3.1 Residential Zones
- Direction 3.4 Integrating Land Use and Transport
- Direction 7.1 Implementation of *A Plan for Growing Sydney* (2014)

4.1.4 Local Strategy

City of Ryde 2025 Community Strategic Plan

Council's community plan notes the need to offer a range of affordable and varied accommodation options, through strategic forecasting and planning. Council states an objective to achieve this is to plan for growth, placing increased density around transport hubs, retail centres and employment centres.

The proposal argues that it adheres to these objectives as it is ideally located to make its employment, housing, economic, and public domain contribution to Ryde residents and visitors. The Department notes and agrees with the local strategy.

4.2 Site-Specific merit assessment

4.2.1 Existing use of land

The site is surrounded by Epping Road to the north, Blenheim Road and Myall Reserve to the east and Blenheim Park to the south and west.

The following development controls currently apply to the site:

Control	Explanation
<i>Zoning</i>	R2 Low Density Residential
<i>Building height</i>	9.5 metres
<i>Floor space ratio</i>	0.5:1
<i>Heritage</i>	There are no state or local heritage listed items on the site.

The built form of the area surrounding Blenheim Park can be characterised as a mixture of low density (1-2 storeys) residential dwellings. North of Epping Road and the M2 Motorway is the North Ryde Station UAP, which is characterised by future high density mixed use development which will provide 800 new dwellings.

4.2.2 Proposed use of land

The proposal will facilitate a 16 storey residential tower comprising:

- Approximately 120 dwellings;
- ground floor retail; and
- 2 levels of basement car parking.

The proposal seeks to amend the development controls for the site to the following:

Control	Explanation
<i>Zoning</i>	R4 High Density Residential
<i>Building height</i>	45 metres
<i>Floor space ratio</i>	4.3:1

4.2.3 Built Form

The proposal is supported by a Preliminary Development Analysis by Urban Link Pty Ltd. This preliminary urban design study suggests the site could be developed for a single tower (Figure 10). Key urban design initiatives mentioned include; through site links, integration with Blenheim Park through complimentary land use (café/retail), casual surveillance to Blenheim Park, connection and integration with pedestrian and cycle network, using existing landscaping to screen and reduce visual impact, overshadowing analysis and removal of vehicular access to/from Epping Road.

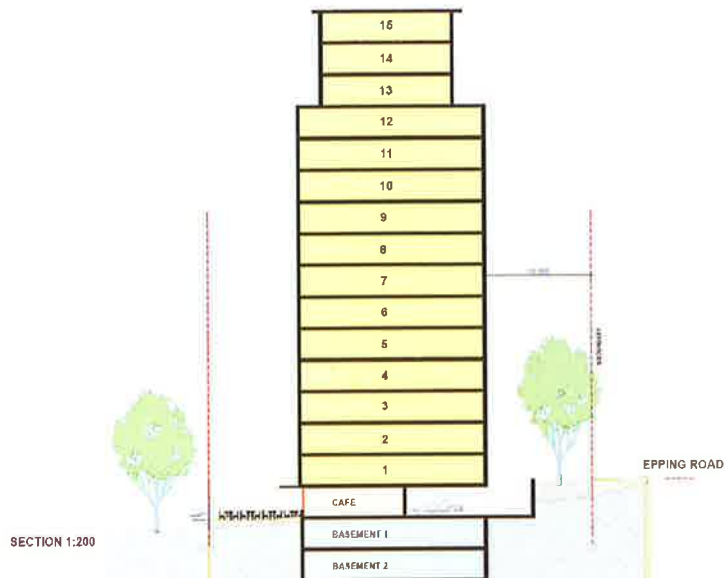


Figure 10: Proposed built form. Source: Grimshaw Architects 2015

Figures 11 and 12 demonstrate the built form being proposed in relation to the built form that has been approved for the North Ryde Station UAP site.

View from Blenheim Road



View from Epping Road



Figures 11 and 12: Built form comparison. Source: Urban Link 2015

The Department supports an increase in the maximum building height and FSR for the site as it will provide additional housing and greater housing choice in the Macquarie Park Strategic Centre and near public transport options. This will assist in achieving the strategic direction of the North Subregion in *A Plan for Growing Sydney*, as it will provide additional housing near employment, education and transport services.

The proposal notes that the nearest residential neighbour to the site is 135 metres away and therefore the edge / boundary impacts typically associated with a rezoning for greater height and FSR are not a factor in this proposal. The Department does not support the proposed height and FSR as the proposal's interface with Blenheim Park and the adjoining low density residential area south of Blenheim Park has not been fully considered by the proposal.

The Department recommends the Panel considers the recommendations of the approved Part 3A developments in Allengrove Crescent and Whiteside Street/David Avenue, North Ryde which resulted in developments of 5-6 storeys, when considering the maximum building height for the site. Another relevant consideration is Council's invitation to the proponent to submit a 7 storey redevelopment proposal. Reducing the proposed building height and FSR would provide a more appropriate interface to Blenheim Park, whilst maintaining the amenity of the existing low residential density area south of Blenheim Park.

When considering previously approved Part 3A developments south of Epping Road, the Planning Assessment Commission noted that Epping Road acts as a boundary between the low density residential area in North Ryde and the higher density of Macquarie Park. Should the proposal proceed to Gateway, the proposed building height should be more consistent with the surrounding built form and function as a transitional building to the higher densities on the opposite side of Epping Road.

4.2.4 Overshadowing

The shadow analysis (Figure 13) from the preliminary urban design study demonstrates how the additional height will impact on Blenheim Park, and to a minor extent, the residential properties to the south of the park. The proposed additional height of 35.5 metres will create significant shadowing across the park at 9am and residential properties to the south of the park. The reduction in building height and FSR suggested in the previous section would reduce the impacts of overshadowing on Blenheim Park and remove any potential overshadowing on the residential properties.



Figure 13: Shadow diagram. Source: Urban Link 2015

Should the proposal proceed to Gateway, further overshadowing analysis should be undertaken by the proponent prior to exhibition. The current mapping is inadequate to demonstrate a building height that reduces the overshadowing impacts and would need to be updated before a proposal proceeds to Gateway.

4.3 Services and Infrastructure

4.3.1 Public transport – trains and buses

The site is well serviced with public transport infrastructure. The site is within approx. 500-700 metres walking distance of North Ryde Train Station with regular services to Chatswood, North Sydney, Wynyard, Town Hall, Central and Hornsby. The site is also within walking distance of regular bus services along the Epping Road providing connections to various locations across the Sydney metropolitan region (such as the Sydney CBD, Chatswood, Epping, North Sydney, Ryde, Rhodes and Sydney Olympic Park).

4.3.2 Traffic and car parking

The proposal is supported by a Traffic and Parking Impact Assessment (Tab G) by McLaren Traffic Engineering Pty Ltd. The report concludes that traffic generation from the proposed development is low compared with existing traffic volumes on surrounding streets, particularly Pittwater Road and Epping Road. Although the analysis shows additional delays, these are considered minimal and will not have an adverse impact the surrounding street network. Access and exits points on Epping Road will also be removed.

It is noted that the traffic study is based on 95 dwellings and 250 square metres of retail floor space, while the proposal suggests approximately 120 dwellings by describing a tower with 15

storeys of approximately 8 dwellings per floor. The traffic Impact Assessment will need to be updated if the proposal progresses to the Gateway.

The car parking assessment suggests the proposed development should provide between 111 and 139 parking spaces in a basement car park to comply with Council's Development Control Plan. Bicycle parking spaces and service/loading bay provision can be determined at development application stage.

4.3.3 Infrastructure and services

The site has access to existing infrastructure, utilities and services. As the proposal would intensify development on the site, it is recommended that relevant state infrastructure service providers are consulted, including Sydney Water, Energy Australia, NSW Ministry for Health, NSW Department of Education and Communities, should the proposal proceed to Gateway.

4.3.4 Open space and community facilities

The site is accessible to open space and community facilities, including Blenheim Park and Tennis World, Macquarie University Hospital, Royal North Shore Hospital, Macquarie University and local schools.

As identified Council has prepared a planning proposal to zone the land RE1 Public Recreation and acquire the site. As part of site-specific merit assessment there may be benefit in considering the expansion of the park as part of the consideration, having regard for current and future uses in the locality.

4.4 Other Issues

4.4.1 Proposed land uses

The proposal suggests a café would be included on the ground floor. Food and drink premises are prohibited in the R4 High Density Residential zone. The proposal does not seek a Schedule 1 Additional Permitted Use for this part of the proposal. Should the proposal proceed to Gateway, further clarification of the ground floor retail component needs to be considered.

5. BACKGROUND SUPPORTING INFORMATION

5.1 Adequacy of existing information

The proposal is supported by the following documentation:

- Pre-Gateway Review Application Form;
- Pre-Gateway Review Request Letter, Think Planners Pty Ltd, April 2016
- Planning Proposal for Cnr Epping Road & Blenheim Road North Ryde, Think Planners Pty Ltd, June 2015 (as refused by council);
- Written advice from Ryde Council, advising Council does not support the proposal;
- Preliminary Site Analysis for preparation of proposal, Urban Link Pty Ltd, June 2015;
- Traffic and Parking Impact Assessment, McLaren Engineering Pty Ltd, June 2015;

Is the supporting information provided more than 2 years old? Yes ☐ No ☒

Is there documented agreement between the proponent and the council regarding the scope/nature of supporting information to be provided? Yes ☐ No ☒

Is there evidence of agency involvement in the preparation of any supporting information or background studies? Yes ☐ No ☒

5.2 Requirement for further information

No further information is required.

6. CONCLUSION

It is recommended the proposal be referred to the Sydney East Joint regional Planning Panel for independent review. The proposal demonstrates broad strategic merit. It is consistent with objectives and directions under A Plan for Growing Sydney, relevant State Environmental Planning Policies, section 117 Directions and local policies.

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

However, the proposed bulk and scale of development is considered excessive and out of character with its immediate context and would result in adverse impacts on the character of Blenheim Park.

Should the proposal proceed to Gateway, it is recommended the Panel consider the following amendments to the proposal:

- reduce the proposed building height for the site to enable a more appropriate built form and transition from the surrounding low density residential and open space areas to the commercial precinct north of Epping Road; and
- reduce the proposed maximum FSR to reflect the considerable decrease to the built form.

7. RECOMMENDATION

It is recommended that the Deputy Secretary:

1. **form the opinion** that sufficient justification has been provided and the request is eligible for review, and
2. **agree to forward** the request to the Sydney East Joint Regional Planning Panel for advice.

Endorsed by:



Karen Armstrong
Director, Sydney Region East



15 July 2016
Stephen Murray
Executive Director, Regions



Marcus Ray
Deputy Secretary
Planning Services

19/07/2016

Approved/Not Approved/Noted

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