

# Planning Proposal

146-150 Vimiera Road, Marsfield

Submitted to City of Ryde Council  
on behalf of North Ryde RSL





**'Gura Bulga'**

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



**'Dagura Buumarri'**

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



**'Gadalung Djarri'**

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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3 July 2024

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# Executive Summary

This Planning Proposal is submitted to the City of Ryde Council on behalf of Winston Langley (acting for North Ryde RSL (NRRSL), Eastwood Rugby Club (Eastwood Rugby) and Vimiera Recreation Grounds Limited (VRG)) to request amendments to the *Ryde Local Environmental Plan 2014* for land at 146-150 Vimiera Road, Marsfield, better known as the TG Millner Field. Specifically, this Planning Proposal seeks to:

- Rezone the Site to part R2 Low Density Residential and part RE1 Public Recreation, and to permit semi-detached and attached dwellings on the part of the site proposed to be zoned R2 Low Density Residential via an additional permitted use clause.
- Apply a maximum building height of 9.5 metres to the portion of the site proposed to be zoned R2 Low Density Residential.

The Planning Proposal is accompanied by a proposed site-specific amendment to the Ryde Development Control Plan 2014 to give effect to the DKO Master Plan and provide more detailed planning controls in order to mitigate any future environmental impacts.

The Planning Proposal is also accompanied by a Public Benefit Offer to enter into a Planning Agreement to provide for the delivery and dedication of the new public open space to Council, which includes the embellishment and dedication of 10,000m<sup>2</sup> of public open space within the site, a contribution of \$1 million towards the provision of a synthetic turf sporting field elsewhere in accordance with Council's *Open Space Future Provision Strategy* and additional cash contributions towards the provision of affordable housing and local infrastructure requirements. The total value of the Public Benefit Offer is \$26,904,164 (approx. \$203,819 per dwelling).

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979* and the NSW Department of Planning, Housing and Infrastructure's *Local Environmental Plan Making Guideline 2023*, and describes the Site, the proposed amendments to the Ryde LEP 2014 and provides an assessment of the proposed controls and concept design.

## Background

TG Millner Field is a privately-owned property comprising a sporting facility, licensed club and childcare centre. Established through the purchase of private land by and on behalf of Eastwood Rugby, the Site's primary purpose has been to support participation and growth of rugby union at a district level. Changing demographics mean that existing users, spectators, and sponsors, along with the catchment of future rugby participants, is now centred some distance from the Site in Sydney's Hills district. Ageing facilities at the Site mean that substantial investment by Eastwood Rugby would be required if the Site is to continue supporting its use for rugby union, however, this investment cannot be justified at the TG Millner site when the distance between the Site and its user base is growing.

Accordingly, Eastwood Rugby have entered into an agreement with The Hills Shire Council to establish new purpose-built facilities at the Fred Caterson Reserve sporting precinct in Castle Hill to better position Eastwood Rugby to better serve its existing and future rugby union participants. Eastwood Rugby will continue to meet the sporting needs of the Sydney rugby community by providing two purpose-built synthetic turf fields, one grass playing field, spectator and Club amenities and adequate on-site parking at Castle Hill.

In order to support the significant investment in this new facility, Eastwood Rugby/VRG agreed to sell the Site to the long-term leaseholder of the registered club, NRRSL, in 2017. The purchase price reflected the desire to find a future residential use for the Site following the cessation of the existing uses upon Eastwood Rugby's relocation to Castle Hill.

The purpose of this Planning Proposal is to identify a suitable future use for the TG Millner Site that delivers a high quality development outcome aligned with the local strategic planning framework that will support the investment by both Eastwood Rugby and NRRSL in future modern facilities for their members.

In May 2022, the Clubs submitted a Planning Proposal to the City of Ryde Council generally in the same form as this submission. Council sought to stymie the Planning Proposal from proceeding and simultaneously took steps to compulsorily acquire the site. A Rezoning Review was commenced on the basis of Council's actions, however, in December 2022 the Sydney North District Planning Panel determined that the Planning Proposal should not proceed to a Gateway Determination because:



*The Panel recognises the site is now redundant to the current owners' needs and that its current RE2 Private Recreation zoning may no longer be appropriate. However, based on the information before it, the Panel is not satisfied that the proposed part-R2 Low Density Residential and part-RE1 Public Recreation is the appropriate future zoning for the site.*

*In particular, the Panel is concerned that Council and State Government Strategies identify the need for increased residential development to be supported by increased services and infrastructure, including areas of open space in the Ryde LGA. It seems the targets for additional homes in Ryde LGA are being met (and likely to be exceeded), however, it is unclear how targets for the provision of open space are to be met, including the identification of suitable sites and funding strategies.*

*The Panel understands that action plans to deliver the required open space are currently being prepared by State and Local Government. Within this strategic context, the site, as existing active open space (albeit privately owned), has the potential to contribute to the amount of open space needed to service the future population of Ryde LGA.*

*The Panel believes further discussions between the Proponent, Council and State Government could result in this site making a significant contribution to delivering public open space and housing strategies for the local and regional communities.*

Each of the matters raised by the Panel have now been superseded by subsequent events:

- The Planning Proposal will facilitate a net increase in public open space to support growth, beyond that generated by the proposed development.
- The NSW Government has committed to the National Housing Accord and identified revised Housing Targets for NSW that identify the need to increase the supply of well-located housing, including within the Ryde LGA.
- Council and State planning strategies identify a range of opportunities to deliver additional local playing fields, including through funding provided by the Housing and Productivity Contribution and infrastructure funding agreements within the Macquarie Park Corridor.
- No Ryde Council or NSW Government strategies identify the TG Millner site as being required for open space.
- Council has sought and failed to compulsorily acquire the site. In setting aside only \$15 million for the acquisition, rather than the c.\$100 million required, Council demonstrated that it does not have the financial capacity to proceed with any acquisition and accordingly will need to progress far more cost-effective options to deliver additional playing field capacity.
- Eastwood Rugby and NRRSL, along with their advisors, have consulted extensively with all relevant parties since the decision of the Planning Panel. The NSW Government advised Council in April 2024 that it may not acquire the land, and has no plans to acquire the land itself.
- There continues to be a wide range of opportunities to deliver additional public open space and playing fields within the Ryde LGA, including within the Macquarie Park Corridor.

## **Vision and Objectives**

The primary objective of the Planning Proposal is to facilitate a suitable land use to redevelop the land following the cessation of use by NRRSL and Eastwood Rugby. Specifically, the objectives of this Planning Proposal are to:

- Facilitate the rezoning, development and sale of the existing private landholding to allow for the investment in new facilities and sporting infrastructure by NRRSL and Eastwood Rugby.
- Increase the diversity of low-rise housing stock within the Ryde LGA by permitting semi-detached and attached (terrace) housing to be delivered on the Site.
- Contribute to the amenity of the existing and future community by delivering a new high-quality public open space along the Vimiera Road frontage of the Site.
- Apply a maximum building height limit that is the same as that which applies to adjoining residential areas.
- Provide for a significant net increase in urban tree canopy within the Site.
- Facilitate the integration of 'smart cities' principles into the design and use of the future site.
- Manage urban stormwater and improve water quality within and around the Site.

## Analysis of Options Considered

In preparing this Planning Proposal, five options were considered to facilitate the intended outcomes as set out in **Section 4**, which include:

- Option 1 – Do nothing.
- Option 2 – Council acquisition of the land and development for public open space, at a cost to Council in the order of \$100 million.
- Option 3 – State Significant Development Application for a seniors housing development, comprising c. 100 aged care beds and 270 independent living units (apartments) which is already permitted on the Site under the Housing SEPP.
- Option 4 – Rezone the Site for 4-6 storey apartment buildings with approximately 300-500 dwellings and a new public park.
- Option 5 – Low-rise diverse housing comprising approximately 132 semi-detached dwelling houses and townhouses and a new public park.

Option 5 is the preferred option for the redevelopment of the Site as it achieves the development objectives of Eastwood Rugby and NRRSL, delivers a high quality public park and ensures new dwellings are consistent with the height of existing surrounding dwellings. The proposal will increase housing diversity within the Ryde LGA and provide homes for young families and down-sizers to meet the current and future housing needs of the existing local community.

## The Proposal

A Master Plan has been prepared by award-winning architects and urban designers DKO (**Appendix A**) and landscape architects Landform Studios (**Appendix B**), which forms the basis of the Planning Proposal and includes the following:

- Delivery of a new public park fronting Vimiera Road with an area of at least 10,000m<sup>2</sup>, including full-sized basketball, multi-purpose sports court, an all-abilities play space, pedestrian paths, seating and fitness equipment.
- Approximately 132 dwellings across lots ranging in size between 188-540m<sup>2</sup> with six key dwelling typologies comprising detached, semi-detached and attached (terrace) dwellings.
- Stormwater management and water-sensitive urban design infrastructure, including infrastructure to manage overland flows from surrounding properties.
- Planting of 570 additional trees across the Site, to provide total site canopy cover of approximately 65%.
- New internal public roads with two vehicular connections to Vimiera Road.
- Pedestrian access to Thelma Street to provide walkable community access to the new park.

The Planning Proposal is accompanied by an offer to enter into a Planning Agreement with the City of Ryde Council to deliver the new public park and site infrastructure, together with off-site community benefits such as affordable housing and synthetic field upgrades, at no cost to Council (**Appendix C**).

## Relationship with Seniors Housing Scheme

Under the Housing SEPP, seniors housing is permitted on the site under the current planning controls, and it would be possible to lodge a State Significant Development Application with the NSW Department of Planning, Housing and Infrastructure now. Under the currently applicable planning controls, a wholly compliant scheme could deliver a 100-bed residential aged care facility and in excess of 270 apartments for over-60s across buildings 2-3 storeys in height. This outcome would be significantly more intensive than the scheme put forward in the Planning Proposal, and would not be required to deliver any of the public benefits associated with the current scheme. This scheme is not being pursued at the present time because Eastwood Rugby and NRRSL are seeking to leave a positive legacy on the site, that includes the provision of the new public park and significant additional benefits that are only feasible through this Planning Proposal.

## Environmental Assessment

The Planning Proposal provides an environmental assessment of an indicative proposal in accordance with the amended development standards, providing a summary of the detailed environmental investigations undertaken. It includes:



- Built form, public domain and visual impact;
- Traffic and transport assessment;
- Recreation needs assessment
- Contamination and geotechnical analysis;
- Stormwater and flooding;
- Tree removal;
- Local infrastructure and servicing capacity;
- Sustainability; and
- Economic and social impacts.

The findings of the environmental assessment conclude that the proposed planning controls are acceptable, with the Site and the proposal capable of delivering housing diversity and supply, as well as public benefits whilst minimising environmental impacts by not compromising the amenity of the surrounding neighbourhood.

## Strategic Justification

The Planning Proposal demonstrates strategic and site-specific merit and will achieve a number of positive outcomes for the Site and local community, including:

- The proposal is consistent with the vision and planning priorities of the relevant state strategic planning documents, including the Greater Sydney Region Plan, North District Plan, Ryde LSPS and supporting studies with respect to housing, neighbourhood character, open space, infrastructure and the environment.
- Delivery of low-rise diverse housing will provide housing to meet the needs of young families and downsizers already residing within the Ryde LGA, allowing these households to retain existing social, community and family connections and maintain access to services, health, education and employment opportunities.
- Low-rise housing in accordance with the Planning Proposal, Master Plan and future site-specific DCP Amendment will ensure that the development of new low-rise diverse housing does not result in any adverse impacts on, and is compatible with, the character of the existing neighbourhood.
- Development of the site will facilitate the delivery of a new public park that serves as a meeting place and significant amenity for the existing and future community which includes an inclusive local playground, informal multi-purpose court, pathways and seating areas for active and passive recreation.
- The Master Plan would support the planting of 570 additional trees across the site, significantly increased urban tree canopy to approximately 65% site coverage (well above NSW Government targets of 40%), acting to combat urban heat islands and provide additional habitat for native fauna.
- The Master Plan will adopt Smart City design principles to ensure that the new community is one of the most digitally connected and efficient places in Australia, aligning with the needs and expectations of workers in Macquarie Park's growing innovation district of knowledge-intensive and technology-based workplaces.
- The Master Plan will incorporate a range of sustainability measures including the promotion of rooftop solar photovoltaics, water efficiency and capability for on-site electric vehicle charging to reduce carbon emissions.
- The proposal is consistent with the applicable SEPPs and Ministerial Directions.

## Open Space Demand

TG Millner is a private sporting facility which was acquired by Eastwood Rugby by private land purchases. Eastwood Rugby intends to use the funds generated by the rezoning of the site to fund the construction of a new purpose-built rugby facility at Fred Caterson Reserve, Castle Hill which will include three full-size playing fields, Club and spectator facilities, broadcast-quality lighting and on-site parking to meet Eastwood Rugby's needs. As a result, the TG Millner project is a critical component of delivering an increase in the quantity and quality of sporting facilities in northern Sydney. As a result of the project, there will be a net increase in regional sporting infrastructure.

An Open Space and Recreation Needs Assessment has been undertaken that identifies that there is significant need for high quality local open space of an appropriate size for residents living in the area immediately surrounding this site. The provision of high quality open space with a wide variety of passive and informal active recreation areas, including a multi-purpose sports court and programmable lawn, was found to be most closely aligned with the needs and priorities of the local community. This option also avoids potentially significant

amenity impacts on existing neighbours associated with evening lighting, acoustic and parking impacts associated with a sports field option.

Whilst Ryde Council's *Open Space Future Provision Strategy* has also identified a need to provide increased sporting field capacity throughout the LGA, the TG Millner Site is considered to be the lowest ranked of the options available for Council to meet this need, noting the existing site constraints, high land value and presence of existing sports fields in close proximity to the site. Council's Strategy clearly identified synthetic field conversion as the best option to increase sporting field capacity. Noting that the overall project provides for a net increase in regional active open space through the new facility at Fred Caterson Reserve, the Public Benefit Offer also proposes a financial contribution of \$1 million to Council towards the synthetic upgrade to existing fields to increase active sports infrastructure in the local area.

Having regard to the above, it is considered that the passive and active open space provision facilitated by the Planning Proposal will result in significant public benefits at both a regional and local scale.

### **Planning Process and Next Steps**

It is requested that Council consider the proposed amendments to the Ryde LEP 2014 contained in this Planning Proposal and refer the proposal to the NSW Department of Planning, Industry and Environment's Gateway Determination Panel. If Council does not support this course of action, we request that you inform us of this decision at your earliest convenience.

Following the issuing of a Gateway Determination, a site-specific amendment to the Ryde Development Control Plan will be prepared by the Proponent in collaboration with Council, in order to support the exhibition and finalisation of the Planning Proposal.

The Planning Proposal and proposed site-specific DCP Amendment do not permit the carrying out of development. Future planning applications would be required for the detail and assessment of specific proposals to carry out works at the site.









### **Diverse Housing**

132 low-rise semi-detached and terrace housing provides increased housing supply and diversity in housing to cater to the needs of young families and downsizers, and increases housing supply close to transport, jobs and local amenities. Height limit of 9.5 metres matches existing residential surrounds.



### **New public park**

Delivers 10,000m<sup>2</sup> of new public open space at Vimiera Road. The new public park will be open to all existing and new residents, providing a mix of active recreation facilities such as a volleyball, basketball/multi-purpose court, walking paths and fitness stations alongside seating areas and shaded lawns.



### **Close to education/jobs**

Located within walking distance of Macquarie University and Macquarie Park, where 20,000 new jobs are expected to be accommodated over the next two decades in innovative sectors including biomedical engineering, health care, advanced manufacturing, and digital media.



### **Urban tree canopy**

By planting 570 new trees across the Site, the proposal will deliver a significant increase in urban tree canopy to create a green, health place to live. New canopy will provide increased habitat for native fauna and contribute to urban cooling and climate resilience for future residents.



### **Close to transport**

Located within walking distance to frequent local and regional bus services, with direct access to regional cycle links and road networks, the Site is highly connected. Walkable to major centres of employment, education and services, the Site will deliver new diverse housing that supports the growth of the 30-minute city.



### **Smart and connected**

Integration of smart-city technologies in new dwellings and the public domain will create an efficient, smart and connected place to live and visit. Including world-leading technology and digital connectivity, the Site will become an efficient and attractive location for highly-connected families and workers, including catering to increased work-from-home capabilities.



# 1.0 Introduction

This Planning Proposal report is submitted to the City of Ryde Council (Council) on behalf of Winston Langley (acting for NRRSL, Eastwood Rugby and Vimiera Recreation Grounds Limited) in support of a Planning Proposal to amend the *Ryde Local Environmental Plan 2014* (Ryde LEP 2014) as it applies to 146-150 Vimiera Road, Marsfield (the Site), better known as the TG Millner Field.

The Planning Proposal is informed by the Concept Master Plan prepared by DKO, which proposes a new public park and approximately 132 two-storey dwellings across the 6.2 hectare site. This Planning Proposal demonstrates that the Site is suitable for low-rise diverse housing development, and accordingly proposes to:

- Rezone the Site to part R2 Low Density Residential and part RE1 Public Recreation, and to permit semi-detached and attached dwellings on the part of the site proposed to be zoned R2 Low Density Residential via an additional permitted use clause.
- Apply a maximum building height of 9.5 metres to the portion of the site proposed to be zoned R2 Low Density Residential.

In addition, a site-specific amendment to the Ryde Development Control Plan 2014 is being prepared separately in order to give effect to the Master Plan and provide more detailed planning controls in order to mitigate any future environmental impacts. The Planning Proposal is also accompanied by a Public Benefit Offer to enter into a Planning Agreement with the City of Ryde Council to deliver the new public park and site infrastructure, together with off-site community benefits such as affordable housing and synthetic field upgrades, at no cost to Council (**Appendix C**).

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979* (EP&A Act), and the '*Local Environmental Plan Making Guideline*' prepared by the NSW Department of Planning and Environment. **Section 7.0** of this report sets out the strategic justification for the Planning Proposal and provides an assessment of the relevant strategic plans, state environmental planning policies, ministerial directions and the environmental, social and economic impacts of the proposed amendment. This report should be read in conjunction with the relevant expert consultant reports appended (see Table of contents).

As required by Section 3.33 of the *Environmental Planning & Assessment Act 1979* (**EP&A Act**), this Planning Proposal includes:

- A statement of the objectives or intended outcomes of the proposed instrument (**Section 5.0**);
- An explanation of the provisions that are to be included in the proposed instrument (**Section 6.0**);
- The justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 9.1 of the EP&A Act) (**Section 7.0**); and
- Details of community consultation proposed (**Section 10.0**).

This Planning Proposal describes the Site, the proposed amendments to the Ryde LEP 2014 and provides an environmental assessment of the proposed planning controls and indicative concept master plan. The report should be read in conjunction with the Urban Design Study prepared by DKO (**Appendix A**) and specialist consultant reports appended to this proposal (refer Table of Contents). This Planning Proposal has been prepared having regard to '*Local Environmental Plan Making Guideline*' published by the Department of Planning, Housing and Infrastructure (**DPHI**). In particular, this Planning Proposal addresses the following specific matters in the guideline:

- Part 1 – Objectives and intended outcomes;
- Part 2 – Explanation of provisions;
- Part 3 – Justification (including the need for the Planning Proposal, its relationship to the strategic planning framework, the environmental, social and economic impact of the proposal, and State and Commonwealth interests);
- Part 4 – Mapping; and
- Part 5 – Community Consultation.

## 1.1 Background and Context

### 1.1.1 History of TG Millner Field

Established in 1946, Eastwood Rugby was established as a district-level rugby club originating from the local Ryde Football Club, which had been playing in the local area since the 1890s, and former Eastwood Rugby Union Football Club. Thomas George Millner, one of the inaugural members of Eastwood Rugby, purchased land used for residential and agricultural purposes at 146-150 Vimiera Road in 1950 for the purpose of establishing dedicated private recreational facilities for use by the new Club. The Vimiera Recreation Grounds Company (VRG) was established to maintain ownership of the land for the benefit of Eastwood Rugby.

The landholdings were developed by Eastwood Rugby throughout the 1950s, including removal of existing vegetation, demolition of existing agricultural structures and establishment of the playing field, seating, club amenities and bowling green and bar. Named after the benefactor of the land, TG Millner Field was officially opened in June 1960. Subsequent development through the 1960s included the establishment of further bowling greens, expansion of the club house (now NRRSL Sports Club), formal car park and additional amenities. This work was also accompanied by an expansion of the landholdings to the east of the clubhouse to provide further football training fields (also used for cricket in summer months), completion of the Vimiera Rd Grandstand in 1975, and a host of more minor improvements throughout the facility.

Throughout the 1990s and into the 2000s, local participation in rugby union dwindled. Participation in rugby union in local schools has continued to decline within the Marsfield and Ryde area, with most of Eastwood Rugby's players and members travelling long distances to attend the grounds. In particular, the increased suburbanisation of the north-west region had seen a shift to the north of Eastwood Rugby's participants and major sponsors. This shift was confirmed to Eastwood Rugby through a range of member surveys and demographic studies, which indicated an acceleration of this trend and the need for Eastwood Rugby to better connect with the rugby in the north-west districts. Around this same time, the increased suburban character of development surrounding the TG Millner site began to give rise to land use conflict associated with proposals to light the fields and on-street parking impacts during major game days, reducing opportunities to enhance utilisation or revenues from the existing site.

The financial position of Eastwood Rugby was significantly impacted by declining local participation and increased revenues, requiring VRG to obtain bank loans to cover the cost of much-needed improvements to the sporting facilities and to cover the ongoing cost of maintenance of the grounds by Eastwood Rugby. With the continued shift in its membership and sponsor base, Eastwood Rugby's ability to finance operations of the facility was significantly compromised. In 1999, VRG and Club members voted to enter into a long-term lease agreement with NRRSL, under which NRRSL would take over operations of the licensed club, finance maintenance of the fields and repay debts accrued by the VRG and Eastwood Rugby. During this period, the lack of financial stability saw a gradual decline in the maintenance and standard of facilities at TG Millner compared to other rugby and sporting facilities.

By the early-2000s, Eastwood Rugby was faced with a need to make significant capital investments to the sporting facilities in order to meet competition regulations, modern building and accessibility standards and to meet the needs of Eastwood Rugby's members. At the same time, there was no indication of any reversal to the significant demographic shift which had seen rugby union participation decline within the Marsfield/Ryde area while participation has significantly increased within the north-west districts. Faced with this proposition, investing further in facilities located some distance from its member and sponsorship base would only have served to further undermine the long-term viability of Eastwood Rugby. Together with VRG, Eastwood Rugby determined to explore options to facilitate a permanent relocation away from TG Millner to the north-west districts to better align with the location of its existing and future membership base.

As a result of the lease and other financial arrangements between Eastwood Rugby/VRG and NRRSL, the RSL was the only realistic purchaser of the land. Sale of the Site to NRRSL was completed in 2017, with a deferred schedule of payments agreed and suitable arrangements made for Eastwood Rugby to continue playing from the Site until the new Eastwood Rugby facility at Castle Hill is established.

### 1.1.2 Future of Eastwood Rugby

Eastwood Rugby has entered into an agreement with The Hills Council to establish a new Centre of Excellence for Rugby at Fred Caterson Reserve, Castle Hill. The Centre of Excellence will deliver modern, fit-for-purpose facilities for Eastwood Rugby that include:

- Three full-size rectangular playing fields, including two synthetic fields and one natural turf field, with 24 hour-access and full usage control by Eastwood Rugby.



- Broadcast-quality lighting to enable night games and later training, which are not currently possible at TG Millner.
- Professional level gym and supporting infrastructure for players.
- Equal facilities for men and women to provide equitable support and assist in growing the women's game.
- Outstanding game day experience with clean and modern facilities for supporters.
- Adequate on-site parking to meet projected demand from the facility's usage.

The new facility is located within a 58 hectare sports complex that features a wide range of sporting facilities, ensuring that the new facility will not be subject to any land-use conflict and can operate early and late on every day of the year without disturbing neighbours. The new facility is located within the geographic heart of Eastwood Rugby's existing and fast-growing membership base, providing a secure platform to ensure Eastwood Rugby's ongoing financial viability. The new site is located close to public transport and has significant areas of dedicated off-street parking.



**Figure 1** Indicative site plan of new Eastwood Rugby facility at Fred Catterson Reserve, Castle Hill

Source: Populous



**Figure 2** Indicative render of new Eastwood Rugby facility at Fred Catterson Reserve, Castle Hill

Source: Populous

### 1.1.3 Future of 146-150 Vimiera Road

TG Millner Field at 146-150 Vimiera Road is a private facility that was established through private land purchases made by and on behalf of Eastwood Rugby. As the Site is no longer suitable for use by Eastwood Rugby, it is reasonable and consistent with the practices of other private land owners that a suitable alternative use be identified that contributes to the ongoing financial sustainability of Eastwood Rugby.

Beyond usage by Eastwood Rugby, TG Millner Field has very little external usage from local sporting organisations, with the fields used on less than 22 occasions per annum on average over the course of 2018 and 2019 spread across nine unique hirers. Based on the usage periods and nature of use, it is expected that the majority of this usage can be readily accommodated within capacity at existing facilities, and a number of local users may also travel to the new facility at Castle Hill.

The purchase of TG Millner by NRRSL from VRG/Eastwood Rugby is predicated on the realisation of a suitable development outcome for the Site. NRRSL is required to achieve a development outcome for the Site in order to complete the agreed payments to Eastwood Rugby. These payments for the sale of the land will fund the new Eastwood Rugby Centre of Excellence and future improvements to the NRRSL's main facility at Magdala Rd, North Ryde. Eastwood Rugby and NRRSL have jointly appointed Winston Langley to support and facilitate the planning and development process.

Eastwood Rugby and NRRSL wish to ensure that the development of the Site results in a high-quality urban place that provides benefits to the local community whilst serving as a legacy to the commitment that both of these community-based organisations have made to the site, the Marsfield community and the wider Ryde LGA over many years.

The objectives of all stakeholders involved with the ownership of the Site are to find a suitable land use that is compatible with the Site's surrounding neighbourhood, whilst ensuring that the value of the land is realised so as to support the delivery of high-quality relocated facilities to meet the needs of Eastwood Ruby and NRRSL members in a timely manner.

## 1.2 Previous consideration by Council

The City of Ryde Council has sought to stymie the relocation of the Club on several occasions over a number of years. At each juncture, Council has lacked any positive vision for the site or the financial capacity to compulsorily acquire the land.

### 1.2.1 2018 Attempt by Council to Acquire Land

At its meeting of 24 April 2018, Council considered a Notice of Motion in relation to the Site, which was resolved as follows:

- (a) *Recognise the value of the existing TG Millner site for recreational public use.*
- (b) *Commence negotiations to purchase TG Millner to secure its use for public open space following a comprehensive investigation into its viability.*
- (c) *Urgently review whether the TG Milner playing fields meet the criteria for heritage listing and if so seek an interim heritage order with a view to a permanent listing that protects these fields as open space in perpetuity.*
- (d) *Should purchase of the TG Millner site be determined as viable, Council approach the State Government to seek funds from the State Government's recently announced 'Open Spaces and Green Sydney' to purchase the land and the Mayor write to the Premier, the Member for Ryde and the Member for Lane Cove seeking their support.*

It is noted that (a) is incorrect in characterising the use of the site as a 'public use', when the site is a private recreational facility established for private recreational purposes through purchases of land by and on behalf of Eastwood Rugby, and subsequently by NRRSL.

### 1.2.2 2018-2019 Attempt by Council to Heritage-List the Land

Subsequently on 22 October 2019, Council resolved to request that Council staff investigate the potential heritage listing of the TG Millner fields. Council engaged Kemp & Johnson Heritage Consultants to undertake an independent heritage assessment of the Site, which concluded that the "*the TG Millner Field is not considered to demonstrate significance at a local level...heritage listing is not recommended*". The findings of the Kemp &

Johnson report were considered at the Council meeting of 25 August 2020, where Council resolved to not proceed with the heritage listing, but to seek a further report including consideration of the strategic land use planning actions required

to ensure the ongoing provision of open space and recreation opportunities to the community, and the role of land currently zoned for private recreation.

### 1.2.3 Planning Proposal PP-2022-1822

The Proponent submitted Planning Proposal PP-2022-1822 to the City of Ryde Council on 20 May 2022, in a form substantially the same as that set out in this current Planning Proposal. The submission of PP-2022-1822 followed detailed pre-lodgement consultation with senior Council staff in preparing the application. At each stage prior to lodgement, the proposal was supported by Council staff. This position changed when, on 28 June 2022, Council resolved to “oppose any plans that reduce or diminish the public’s access to green space in Ryde” and to “instruct the Acting General Manager to take any and all steps necessary to help secure this iconic local landmark [the TG Millner Field] as green open space in perpetuity”. On 19 October 2022 a Rezoning Review was formally commenced by the Proponent in respect of the Planning Proposal. In December 2022, the Sydney North District Planning Panel determined (**Appendix Q**) that the Planning Proposal should not proceed to a Gateway Determination because:

*The Panel recognises the site is now redundant to the current owners’ needs and that its current RE2 Private Recreation zoning may no longer be appropriate. However, based on the information before it, the Panel is not satisfied that the proposed part-R2 Low Density Residential and part-RE1 Public Recreation is the appropriate future zoning for the site.*

*In particular, the Panel is concerned that Council and State Government Strategies identify the need for increased residential development to be supported by increased services and infrastructure, including areas of open space in the Ryde LGA. It seems the targets for additional homes in Ryde LGA are being met (and likely to be exceeded), however, it is unclear how targets for the provision of open space are to be met, including the identification of suitable sites and funding strategies.*

*The Panel understands that action plans to deliver the required open space are currently being prepared by State and Local Government. Within this strategic context, the site, as existing active open space (albeit privately owned), has the potential to contribute to the amount of open space needed to service the future population of Ryde LGA.*

*The Panel believes further discussions between the Proponent, Council and State Government could result in this site making a significant contribution to delivering public open space and housing strategies for the local and regional communities.*

### 1.2.4 2022-2024: Attempt by Council to compulsorily Acquire the Land

In direct response to PP-2022-1822, City of Ryde Council sought the approval of the Minister for Local Government to issue a Proposed Acquisition Notice under the *Land Acquisition (Just Terms Compensation) Act 1991* for the compulsory acquisition of the site.

In 2024, the Minister for Local Government rejected this request on the basis that Council had not identified sufficient funding to acquire the site, and that the acquisition would severely jeopardise Council’s financial position. This took into account Council’s financial position and significant existing funding shortfalls for committed projects such as the Ryde Civic Centre and Macquarie Park community facility.



## 2.0 The Site

### 2.1 Site Location and Context

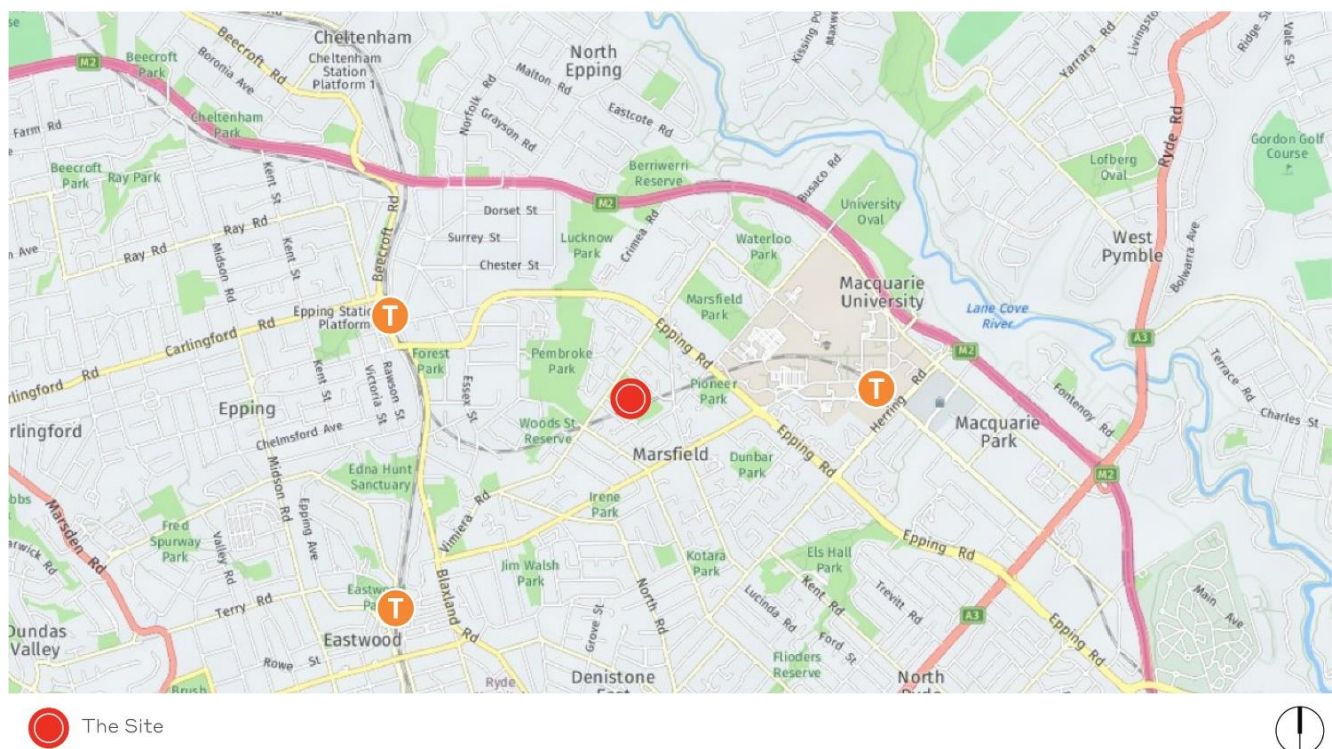
The Site is located at 146-150 Vimiera Road, Marsfield within the Ryde Local Government Area (LGA). The suburb of Marsfield is located at the edge of Macquarie University and Macquarie Park, and 14km north-west of the Sydney CBD. Marsfield is characterised by predominately low-rise housing, with educational institutions, local retail and a high proportion of open space and active recreation facilities compared to other nearby localities.

Marsfield and the Site is in close proximity to Macquarie Park, which is a well-established employment, education and services precinct. With existing employment capacity for more than 47,000 jobs, the precinct is expected to continue to attract employment with an additional 20,000 jobs over the next two decades<sup>1</sup>. Based upon its existing role as an innovation district, employment growth is expected to focus on education, biomedical sciences, health care, advanced manufacturing and digital/telecommunications. Macquarie Park is also a focus area for high-density residential apartment buildings to provide homes close to education and employment.

The Site is located only a short distance to the west of the Macquarie University campus, to the south of Epping Road and on the south-eastern side of Vimiera Road. The Site is approximately equidistant between Eastwood, Macquarie University and Epping Stations, and is well-served by local and regional bus routes along Epping, Vimiera and Balaclava Roads.

The Site is located in close proximity to Terrys Creek, which is a local watercourse and bushland corridor connecting through to Lane Cove National Park to the north-west. The Site is also located near to a range of active parks and recreational facilities including Pioneer Park, Dunbar Park, Marsfield Park, Somerville Park and the Epping Aquatic Centre.

A site context map is provided at **Figure 3** which illustrates the Site's context.



**Figure 3** Context Map

Source: Nearmap / Ethos Urban

<sup>1</sup> Macquarie Park Innovation Precinct Place Strategy (DPHI 2021)

Key locations and their distance from the Site are outlined **Table 1** below.

**Table 1**      *The Site's distance from key locations in the surrounding area*

Location	Travel Distance from the Site
Epping Road Bus Stops (citybound)	550m (7 minute walk)
Macquarie University Station	2.3km (25 minute walk / 10 minute cycle / 7 minute drive)
Epping Station	2.6km (30 minute walk / 12 minute cycle / 7 minute drive)
Eastwood Station and shops	2.2km (27 minute walk / 9 minute cycle / 5 minute drive)
Eastwood Heights Public School	700m (9 minute walk / 3 minute cycle / 1 minute drive)
Epping Boys High School	600m (8 minute walk / 3 minute cycle / 2 minute drive)
Macquarie University	1.6km (20 minute walk / 7 minute cycle / 4 minute drive)
Woolworths Marsfield	1.3km (15 minute walk / 6 minute cycle / 6 minute drive)
Macquarie Shopping Centre	2.2km (27 minute walk / 10 minute cycle / 6 minute drive)
Terrys Creek Waterfall	1km (25 minute walk)

2.2      **Site Description**

The Site is legally described as Lot 7 in DP 1046532 and has an approximate area of 6.17 hectares. It has frontages to Vimiera Road (200m wide) and Thelma Street (55m wide), with vehicular access to both street frontages, and also a 4.5m-wide undeveloped access handle connecting through to Culloden Road. The owner of the Site is North Ryde RSL Community Club Limited.



**Figure 4**      *Site Aerial Map*

Source: Nearmap / Ethos Urban





**Figure 5** Oblique aerial image looking north-east

Source: Full Flight Media / Ethos Urban

## 2.3 Existing Description

The Site is currently occupied by Eastwood Rugby, the North Ryde RSL Sports Club and a 78-place childcare centre. Existing development comprises the TG Millner Field, which is a district-grade playing field with grandstand seating, and a range of associated structures used by Eastwood Rugby. A large informal rugby training area is located in the south-eastern portion of the Site. The NRRSL Sports Club, a registered club which includes bar, bistro and gaming facilities, is located in the centre of the Site adjacent to the TG Millner Field. The childcare centre is located on a portion of the Site leased from NRRSL adjacent to the northern boundary near Vimiera Road.

## 2.4 Surrounding Development

Apart from its street frontages to Vimiera Road and Thelma Street, and the 4.5m-wide access handle located between No. 24 and 26 Culloden Road, the Site is bounded by residential dwellings varying in height between 1-2 storeys.

### North

Immediately north of the Site are low density residential dwellings located on Vimiera Road and Yangalla Street ranging in height from 1-2 storeys. Vimiera Road connects directly to Epping Road to the north of the Site, with a grade separated pedestrian and cyclist crossing close to this intersection. The 7.5 hectare CSIRO Marsfield campus which is owned by the Commonwealth is also located within the vicinity of the site, which has been identified as being potentially surplus to government requirements over the medium-term due to CSIRO consolidation of offices. Beyond Epping Road are a number of medium-density residential developments, including a number of seniors housing communities and student housing. Epping Boys High School is also located north of the Site a short distance beyond Epping Road.

### East

Immediately east of the Site are low density residential dwellings along Culloden Road ranging in height from 1-2 storeys. A Woolworths supermarket is located approximately 1km walking distance of the Site to the east. The Macquarie University campus is located north-east of Epping Road, along with Macquarie University Metro Station, Macquarie University Hospital and Macquarie Centre which is a regional shopping centre.



## South

Low density 1-2 storey residential dwellings are located immediately south of the Site on Rugby Road, Thelma Street and Culloden Road. Balaclava Road is located further to the south of the Site via an approximately 550m walk, which provides access to a range of frequent bus services connecting to Macquarie University, Macquarie Park and Eastwood town centre to the south-west. Eastwood Heights Public School is located within walking distance to the south of the Site on Lincoln Street.

## West

The area to the west of Vimiera Road is characterised by predominately low density residential dwellings. The Terrys Creek bushland is located west of the Site and includes a number of walking tracks. The Epping Aquatic and Leisure Centre is located west of the Site, with the Epping Town Centre and Station located further west.

## 2.5 Site Access and Transport Infrastructure

### 2.5.1 Public Transport

With the Site being located within walking distance of several bus stops along Vimiera Road, it is well serviced with multiple bus services providing access to Macquarie University Station and Epping Station in approximately 15 minutes.

Epping Station provides both Sydney Trains and Sydney Metro services and is located on the T9 Northern Line, the CCN Line, and the Metro North West Line (M1 Line from August 2024), which offer services to Sydney CBD, North Shore, Chatswood, Central Coast, and Newcastle. Macquarie University Station provides metro services along the Metro Northwest Line, providing access to Chatswood and Rouse Hill, with direct connection through to the Sydney CBD and inner west (August 2024) and Bankstown (2025).

### 2.5.2 Sydney Metro tunnel

The Sydney Metro tunnel between Epping Station and Macquarie University Station runs below the Site at a depth of approximately 40 metres below existing ground level.

### 2.5.3 Surrounding Road Network

The primary vehicular access to the Site is currently via Vimiera Road, with vehicular access also available via Thelma Street but currently gated for security reasons.

The Site is well-connected to the regional road network. Vimiera Road intersects with Epping Road to the north, providing opportunities for direct travel to Epping and Macquarie Park, along with connections further to the north towards the M2 Motorway, which forms part of the Sydney Orbital with direct access to regional motorways. To the south, Vimiera Road connects with Blaxland Road near Eastwood Station and shopping village, with Blaxland Road also continuing further south to Top Ryde and Victoria Road.

## 2.6 Covenants and Easements

The Site is encumbered by a number of existing covenants and easements:

- J896799 – Right of way in favour of the Site and restrictions relating to fencing.
- K728510 – Covenant relating to erection of fencing on the Site.
- K74148 – Easement for drainage from the Site to Rugby Road, including access for infrastructure renewal.
- K973519 – Easement in favour of Council for drainage across the Site.
- DP236977 – Easement for water pipes via adjacent land.
- Y492331 – Lease expiring 2038 in relation to substation located at the south-eastern corner of the site near Thelma Street, including a right of way for the purpose of accessing the substation via Thelma Street.
- DP1110424 – Restriction on use in favour of Council to convey stormwater across part of the Site, with rights and responsibilities for access and maintenance.

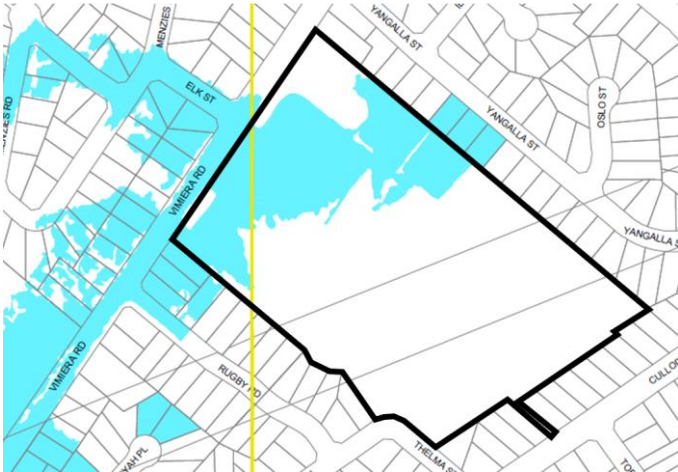
These encumbrances are capable of being resolved through further detailed site planning at the time of future development applications, including through clause 1.9A of the Ryde LEP.

# 3.0 Current Planning Controls

## 3.1 Ryde Local Environmental Plan 2014

The Ryde Local Environmental Plan 2014 (Ryde LEP) is the primary environmental planning instrument that applies to the Site. The key statutory controls under the Ryde LEP are discussed **Table 2** below.

Table 2 Current LEP Provisions

Clause	Existing Controls
Clause 2.3 Land Use Zoning	<p>The Site is zoned RE2 Private Recreation, which permits a range of non-residential uses such as:</p> <ul style="list-style-type: none"><li>• Community facilities</li><li>• Environmental facilities</li><li>• Kiosks</li><li>• Recreation areas and facilities</li><li>• Registered clubs</li><li>• Restaurants or cafes</li><li>• Water recycling facilities</li></ul>
Clause 4.1 Minimum Lot Size	<p>The Site is not currently subject to a minimum lot size control.</p> <p>Surrounding residential properties are subject to a minimum lot size of 580 sqm.</p>
Clause 4.3 Building Height	<p>The Site is not currently subject to a building height control.</p> <p>Surrounding residential properties are subject to a maximum building height limit of 9.5 metres.</p>
Clause 4.4 Floor Space Ratio	<p>The Site is not currently subject to a floor space ratio control.</p> <p>Surrounding residential properties are subject to a 0.5:1 maximum floor space ratio.</p>
Clause 5.21 Flood Planning	<p>The northern portion of the Site is identified as flood planning area on the flood planning map as outlined in the figure below (site outlined in black).</p> 

### **3.2 State Environmental Planning Policy (Housing) 2021**

By virtue of the Site's RE2 Private Recreation zoning and the presence of an existing registered club (NRRSL Sports Club) on the Site, the Housing SEPP (and its predecessor the Seniors Housing SEPP) permits the development of the Site for the purpose of seniors housing.

### **3.3 Ryde Development Control Plan 2014**

The Ryde Development Control Plan 2014 (Ryde DCP) provides detailed guidance in relation to development matters beyond those standards contained within the Ryde LEP. There are no site- or locality- specific controls directly applicable to the Site.



## 4.0 Analysis of Alternatives

The following section sets out the options that have been considered by Eastwood Rugby and NRRSL and the appointed project team in arriving at the preferred option that is the subject of this Planning Proposal.

### 4.1 Option 1 – Do Nothing

As outlined in **Section 1.1**, it is necessary for Eastwood Rugby to relocate away from 146-150 Vimiera Road in order to meet the needs of its current and future members and to fulfil the charter of Eastwood Rugby to support and grow the sport of rugby union. Existing facilities are sub-standard and would require significant investment in order to support the ongoing use of the Site for rugby union. This investment will not be forthcoming whilst Eastwood Rugby's premises remain in Marsfield, a location which is no longer geographically aligned with the membership and sponsorship base of rugby union. Local amenity constraints on implementing additional broadcast-grade lighting also prevent Eastwood Rugby exploring further revenue opportunities for sporting and other recreational uses which are critical to the viability of modern sporting infrastructure facilities. Eastwood Rugby has committed to relocation to modern purpose-facilities at Castle Hill on this basis, and is required to realise the land asset value in order to finance these facilities.

NRRSL currently contributes approximately \$1 million per annum to the maintenance and upkeep of the facility. This contribution is not financially sustainable for NRRSL under the current usage arrangements, and will certainly not be viable into the future when Eastwood Rugby relocates away from the Site. Patronage of the Sports Club has declined since the original establishment of the premises, and the existence of a stand-alone club at TG Millner away from NRRSL's main facility at Magdala Road, North Ryde is no longer desirable from a commercial or membership perspective, especially in the absence of rugby union usage which is a significant attractor of club patronage. As the long-term leaseholder, NRRSL purchased the land from Eastwood Rugby in 2017 primarily as it was the only party able to consolidate the ownership of the Site. Completion of the sale is contingent on achieving a suitable planning outcome, and absent this outcome the ongoing cost of owning and maintaining the Site would be prohibitively expensive for NRRSL.

In the absence of a decision, the ongoing costs and underutilisation of the Site will result in the further financial decline of the involved community organisations, with the potential to affect their ongoing viability and delivery of community services, and the sale of the Site to the private market for development. This outcome would likely demand a higher level of commercial return from the development of the Site and a reduced community benefit outcome than that which is otherwise achievable under the current Clubs-led process.

Having regard to the above, it is clear that the 'do nothing' option is not a feasible option and that a new use for the Site is required.

### 4.2 Option 2 – Public Recreation Use

TG Millner Field was established through the private purchase of land for the purpose of delivering purpose-built dedicated sporting facilities for Eastwood Rugby. Land was purchased by and on behalf of Eastwood Rugby at private market rates to allow the development of Club facilities on land which was previously used for residential and rural purposes. For the entire history of the TG Millner Field, it has been a private recreation facility, with no formal provision or allowance for public use.

The land is the most significant asset owned by Eastwood Rugby, and the realisation of the asset's value is only possible through the realisation of the land's value and completion of the purchase by NRRSL. Both Eastwood Rugby and NRRSL have a duty to their members to ensure that all assets are utilised to serve the purpose for which these organisations were established. Eastwood Rugby is committed to investing significant funds generated by the sale of the TG Millner Field into the establishment of the new Centre of Excellence at Castle Hill to modernise and replace the training facilities currently present at Marsfield in a location which is better suited to Club and member requirements. Similarly, NRRSL has an obligation to provide services to its members, which are not best served by maintaining the Site in the absence of ongoing lease and usage by Eastwood Rugby. Providing the Site for public recreational use to Council below-market value would be an abrogation of the duties of each club to its members and organisational purpose, and not acceptable from a corporate governance perspective.

The City of Ryde Council has previously investigated the potential purchase of TG Millner Field from VRG, including a resolution of Council in April 2018 to investigate the viability of purchasing the Site. Council did not proceed with this option or enter into any negotiations with VRG/NRRSL at this time due to insufficient funding.

As outlined in **Section 1.2**, in 2023 Council sought approval from the Minister for Local Government to commence compulsory acquisition of the site pursuant to the Land Acquisition (*Just Terms Compensation*) Act 1991. This request was declined by the Minister for Local Government in April 2024 on the basis that Council had not identified sufficient funding to progress with the acquisition, noting Council's significant unfunded commitments on projects already underway such as the Ryde Civic Centre and Macquarie Centre community hub, and the significant financial impact that acquisition would have on the delivery of other Council services and Council's overall financial viability.

Given that this large, consolidated landholding is capable of supporting substantial urban development as outlined in the following sections, it is considered unlikely that the acquisition of the Site by Council at market value would represent a cost-effective use of public funds. Based on land values and comparable sites, the market value of acquiring the site and capital works required to make the site suitable for public use, including upgrades to existing facilities and bringing the training fields to a standard suitable for regular public usage, would be in the order of \$100 million. In contrast, Council has never allocated more than \$15 million towards its 'proposed' acquisition.

The local area is currently well-served by existing public open space, including the following sizeable parks located within 800m of the Site – Marsfield Park, Dunbar Park, Stewart Park, Pioneer Park and Pembroke Park. These parks provide the local community with a high level of access to a wide range of passive and active public recreation spaces. There is no shortfall in local open space that would justify the acquisition of private land at the TG Millner Field site.

Council's own *Future Open Space Provision Strategy* (2021) identifies a range of suitable options to meet future open space demand including enhancements to existing facilities and the repurposing of publicly owned land in order to meet ongoing demand for public open space within the Ryde LGA. The endorsed strategy enables Council to meet the open space needs of the community in an efficient and timely manner without the need to acquire TG Millner Field.

### 4.3 Option 3 – Seniors Living

*State Environmental Planning Policy (Housing) 2021* (the Housing SEPP) commenced on 26 November 2021 and supersedes similar provisions facilitating the development of seniors housing that were previously set out under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (the former Seniors SEPP).

The Housing SEPP permits the development of seniors housing on land zoned RE2 Private Recreation where the development is carried out on land used for the purpose of an existing registered club and where the land adjoins land zoned for residential purposes.

Under the SEPP, development for the purpose of seniors housing may be developed on the Site for a range of uses including a residential care facility, hostels or independent living units. The SEPP sets out development standards for seniors housing, which would permit development for the purpose of a residential care facility with a maximum floor space ratio of 1:1 and a maximum building height of 3-storeys (9.5 metres plus up to 2 metres of plant across part of the roof area).

Preliminary analysis indicates that a scheme comprising a 100-bed residential aged care facilities, at least 270 independent living unit dwellings and a redeveloped registered club would be capable of complying with the Housing SEPP provisions. This is a significantly more intensive scale of development than that which is proposed under this Planning Proposal.

Importantly, there is no requirement under the Housing SEPP to provide any public access to the Site or community benefits such as open space or affordable housing. This option would see the entire site developed with limited or no public benefits delivered to the existing local community.



A State Significant Development Application for the development of the Site for seniors housing could be lodged with the NSW Department of Planning, Housing and Infrastructure (DPHI) at any time without the need for any rezoning or amendment of existing planning controls. Whilst this is not the preferred planning approvals pathway, because this Planning Proposal represents a more positive community legacy, the Applicant has obtained Secretary's Environmental Assessment Requirements from the DPHI (SSD-4803428) as a precaution should the Planning Proposal not proceed.

4.4 Option 4 – Medium-Rise Residential Apartments

Large, consolidated urban infill sites have the ability to support higher densities of urban development whilst utilising the larger site area to provide appropriate transitions in density and deliver community benefits. A consolidated 6-hectare site located close to a major employment and education cluster at Macquarie Park and with access to public transport, regional cycling routes and open space presents a significant opportunity to deliver denser infill housing in a sensitive manner.

**Table 3** identifies a selection of comparable sites within the surrounding local area which are considered to be highly relevant comparable precedents that would support the delivery of medium-density residential apartments (or a mix of apartments and houses) at the TG Millner site.

Table 3 Analysis of comparable developed sites within Ryde LGA and locality

<div>Putney Hill Stage 1 (north of Lardell Park)</div>	<div>533 dwellings, 2-8 storeys over 6 ha</div>	
<div>Putney Hill Stage 2 (west of RRCS)</div>	<div>258 dwellings, 2-8 storeys over 5ha</div>	



<b>5B Whiteside St, North Ryde</b>	164 dwellings 3-5 storeys over 1.4ha	
<b>Allengrove Cr, North Ryde</b>	Approx. 180 dwellings 3-5 storeys over 1.2ha	
<b>Mobbs Lane, Epping</b>	800 apartments and houses 2-6 storeys over 8.9ha	

These comparable sites demonstrate a range of densities and mixture of housing typologies, delivered in similar locations and with a range of outcomes in terms of the public benefits delivered as part of each project. These projects offer some lessons in terms of scale transitions and the delivery of public benefits such as public open space and facilities.

With site dimensions of 200m x 300m, there is significant capacity within the Site to build up density in the centre of the Site whilst providing appropriate transitions to surrounding properties and avoid any adverse impacts on neighbourhood amenity. Through employing landscape buffers and/or a transition in building height within the Site from apartments to houses, the built form analysis by DKO demonstrates that the Site could comfortably deliver approximately 300-500 dwellings across a mix of apartments, semi-detached and terrace



housing. Buildings ranging between 2-6 storeys would sit comfortably within the Site in a manner that is compatible with the locality, with no adverse impacts in terms of overshadowing, privacy or visual impacts.

The analysis by DKO has considered three schemes which would deliver a range of housing on the Site as summarised in **Table 4** below.

Each of these schemes would facilitate the delivery of a significant area of new public open space, landscape planting and a high level of amenity for both existing and future residents. It is considered that all schemes would be capable of approval, with each option aligned with the applicable strategic planning framework and having minimal local environmental impacts. These options would require an amendment to the Ryde LEP via a Planning Proposal.

**Table 4**     *Analysis of medium-rise residential apartment schemes considered*

Heading	Location	Dimensions
<b>Option 1</b>	<ul style="list-style-type: none"> <li>• 481 dwellings</li> <li>• 4-6 storey apartment buildings in the centre of the Site, with a perimeter of detached low-rise dwellings</li> <li>• 3 x vehicular access points</li> </ul>	<ul style="list-style-type: none"> <li>• Delivers substantial new public open space</li> <li>• Perimeter of detached houses provides like-for-like transition in scale to existing adjoining properties</li> <li>• High-quality mid-rise apartments located in centre with no overshadowing of open space and compliant building separation</li> </ul>
<b>Option 2</b>	<ul style="list-style-type: none"> <li>• 536 dwellings</li> <li>• 4-6 storey apartment buildings with substantive landscaped buffers and transition to low-rise semi-detached dwellings to southern boundary</li> <li>• 3 x vehicular access points</li> </ul>	<ul style="list-style-type: none"> <li>• Delivers substantial new public open space</li> <li>• Wide, highly-landscaped landscape buffers provide visual privacy, break up the urban form and ensure high levels of visual privacy to adjoining properties</li> <li>• Semi-detached dwellings to southern boundary provide low-rise residential transition</li> </ul>
<b>Option 4</b>	<ul style="list-style-type: none"> <li>• 292 dwellings</li> <li>• Low-rise semi-detached perimeter buildings and terraces with 6-storey apartment buildings in centre</li> <li>• 3 x vehicular access points</li> </ul>	<ul style="list-style-type: none"> <li>• Delivers substantial new public open space</li> <li>• Semi-detached dwellings to common boundaries provide low-rise residential transition</li> <li>• Apartments and terrace houses within centre of the Site provide diverse housing with suitable building separation and transitions in scale</li> </ul>

Option 1



OPEN SPACE AREA	
TOTAL GFA	45,696 m <sup>2</sup>
FSR	0.74:1
TOTAL DWELLINGS	481
DETACHED	52
SEMI-DETACHED	0
ATTACHED	0
APARTMENTS	429
BUILDING HEIGHT	9.5m - 20m (6 storeys)

Option 2



OPEN SPACE AREA	11,739 m <sup>2</sup> (+ 2,701 m <sup>2</sup> buffer)
TOTAL GFA	45,639 m <sup>2</sup>
FSR	0.74:1
TOTAL DWELLINGS	536
DETACHED	1
SEMI-DETACHED	24
ATTACHED	0
APARTMENTS	511
BUILDING HEIGHT	9.5m - 20m (6 storeys)

Option 3



OPEN SPACE AREA	9,568 m <sup>2</sup>
TOTAL GFA	32,731 m <sup>2</sup>
FSR	0.53:1
TOTAL DWELLINGS	292
DETACHED	38
SEMI-DETACHED	48
ATTACHED	30
APARTMENTS	176
BUILDING HEIGHT	9.5m - 20m (6 storeys)

Figure 6 Preliminary testing of medium-rise housing options

Source: DKO

## 4.5 Option 5 – Preferred Option – Low-Rise Diverse Housing

Existing dwelling stock within the Ryde LGA is comprised predominately of larger dwelling houses, whilst new dwelling growth is occurring almost exclusively through the delivery of high-density high-rise apartment developments. The housing needs of people are changing in terms of the size, configuration, cost and location in order to suit their lifestyles and financial means. As a result, there is a significant gap for housing stock catering to the needs of households, particularly for young families and downsizers seeking smaller, low-maintenance dwellings close to existing family/social networks and close to workplaces, schools and universities.

Low-rise diverse housing typologies are often referred to as the ‘missing middle’ due to the scarcity of existing stock and lack of opportunities to deliver more of this type of housing, particularly in middle-ring suburbs. As illustrated in **Figure 8**, this type of housing caters to the needs of the many households whose housing needs are caught between the existing provision of single dwelling houses and apartments. Low-rise diverse housing provides options for smaller families and downsizers in a manner that is directly compatible with existing low-density residential neighbourhoods.

Whilst the Medium-Rise Residential Apartments option considered in the previous section has the greatest potential to deliver increased housing supply, that option would also replicate the types of housing that are already present and/or being delivered elsewhere within the Ryde LGA, and would not address the demand for more diverse types of housing. It is also recognised that increases in building heights from those currently present in a community can be challenging to existing understandings of a locality's character.

The delivery of low-rise diverse housing provides the opportunity for the delivery of approximately 10,000m<sup>2</sup> of green space in the form of active space of both formal and informal spaces. The low-rise diverse housing will have access to public open spaces that are also accessible by the general public.

The TG Millner site offers a unique opportunity to increase housing diversity within the Ryde LGA through a low-rise diverse housing approach that delivers significant public benefits and which is compatible with the existing character of the surrounding community. The development of the Site presents an opportunity to deliver more diverse, low-rise housing in the form of semi-detached dwellings and terrace houses within the Site. For this reason, this option is the preferred option for the Site, and further details of the objectives and intended outcomes are outlined in **Sections 5.0** and **6.0**.



**Figure 7** The ‘Missing Middle’ in existing housing stock

Source: NSW Government Architect's Office

## 5.0 Objectives and Intended Outcomes (Pt 1)

This chapter of the report describes the Planning Proposal and the urban design principles that set the foundation for its structure. Further detail is provided throughout the environmental assessment in the following chapters. This chapter also sets out the first of six parts required to be addressed as part of the Planning Proposal in accordance with *Local Environmental Plan Making Guideline* (DPHI 2023).

### 5.1 Objectives

This Planning Proposal seeks amendment of the Ryde LEP 2014 to rezone the Site for low-rise diverse housing and public open space. New controls for building height, floor space ratio and minimum lot size are also proposed to be introduced to manage the scale of future development on the Site.

The primary objective of the Planning Proposal is to facilitate a suitable land use to facilitate the development of the land following the cessation of use by NRRSL and Eastwood Rugby, allowing the clubs to re-invest in suitable new facilities for their members. Whilst a development outcome for seniors housing is already available by virtue of the Housing SEPP, the Planning Proposal seeks to facilitate a pathway for a general residential use that would also include the delivery of a high-quality new public park.

More specifically, the objectives of the Planning Proposal are to:

- Facilitate the rezoning, development and sale of the existing private landholding to allow for the investment in new facilities and sporting infrastructure by NRRSL and Eastwood Rugby.
- Increase the diversity of low-rise housing stock within the Ryde LGA by permitting semi-detached and attached (terrace) housing to be delivered on the Site.
- Contribute to the amenity of the existing and future community by delivering a new high-quality public open space within the Vimiera Road frontage of the Site.
- Apply a maximum building height limit that is that same as that which applies to adjoining residential areas.
- Provide for a significant net increase in urban tree canopy within the Site.
- Facilitate the integration of 'smart cities' principles into the design and use of the future site.
- Manage urban stormwater and improve water quality within and around the Site.

### 5.2 Intended outcomes

DKO has prepared a Master Plan (**Appendix A** and **Figure 9**) which sets out the intended outcome for the Site and which forms the basis for this Planning Proposal. The scheme contemplates:

- Delivery of a new public park fronting Vimiera Road with an area of approximately 10,000 m<sup>2</sup>, including full-sized basketball/multi-purpose sports court, an all-abilities play space, pedestrian paths, seating and fitness equipment.
- Approximately 132 dwellings across lots ranging in size between 188-537 m<sup>2</sup> with six key dwelling typologies comprising semi-detached and attached (terrace) dwellings.
- Stormwater management and water-sensitive urban design infrastructure, including infrastructure to manage overland flows from surrounding properties.
- Planting of 570 additional trees across the Site, to provide total site canopy cover of approximately 65%.
- New internal public roads with two vehicular connections to Vimiera Road.
- Pedestrian access to Thelma Street to provide walkable community access to the new park.

These intended outcomes would be given effect through the proposed planning controls set out in **Section 6.0**.

**Appendix C** contains a Public Benefit Offer to enter into a Planning Agreement with the City of Ryde Council to provide for:

- Construction of the proposed public park by the proponent and dedication of the completed park and associated land to Council.
- Construction of proposed roads, footpaths and associated infrastructure surrounding the new public park by the landowner and dedication to Council.



- Financial contribution of \$1 million towards planned synthetic field upgrades by Council in the local area.
- Financial contribution of \$5 million toward the provision of affordable housing in the Ryde LGA.
- Payment of development contributions for community and cultural facilities, transport facilities and plan administration (i.e. excluding open space which is provided for as outlined above) in accordance with the City of Ryde Development Contributions Plan.
- Additional tree canopy cover increase above planning requirements.
- \$300,000 financial contribution to implement 'Smart City' initiatives.

It is envisaged that the intended vision as outlined in the DKO Master Plan will be realised through the proposed planning provisions set out in **Section 6.0**. Further detail of the Master Plan and intended vision for the Site is set out in the following sections.



**Figure 8** *Indicative Master Plan*

Source: DKO





**Figure 9** Aerial image of the proposed Master Plan

Source: DKO

### Low-rise diverse housing

The Master Plan envisages 132 dwellings comprising a range of semi-detached and attached (terrace) housing typologies. The Master Plan incorporates a diverse range of lot sizes to support the proposed housing typologies planned for the Site. As outlined in **Table 5**, the Site includes a range of lots catering to a range of dwelling sizes and types to meet the diverse housing needs of the local community.

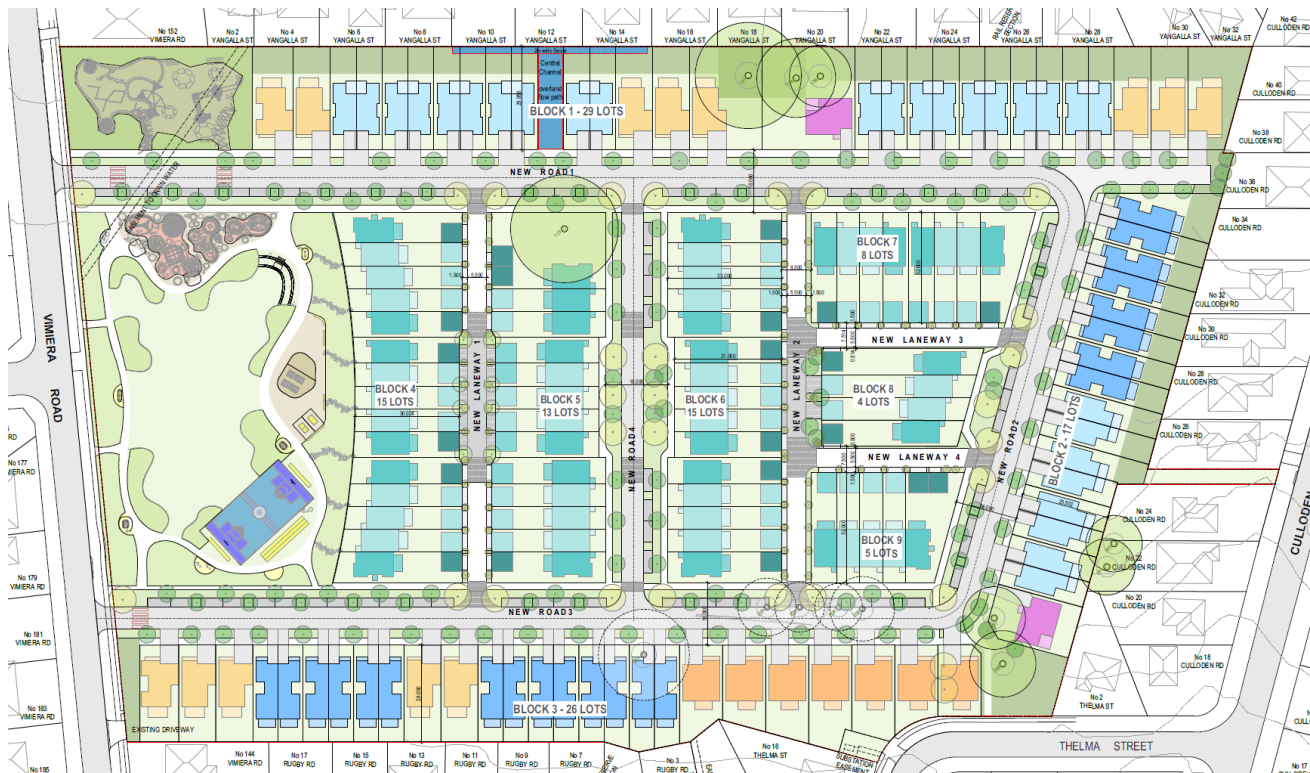
**Table 5** Indicative distribution of lot sizes

188-200 sqm	200-225 sqm	225-250 sqm	250-300 sqm	+300 sqm	Total Lots
7 lots	66 lots	28 lots	8 lots	27 lots	<b>132 lots</b>

All dwellings would include on-site parking. Smaller lots located within the centre of the Site would be serviced by rear laneways, ensuring a highly activated streetscape and permitting activation of the street and the edge to the new public open space.

Further details of lot size, subdivision and dwelling design would be subject to the Site-specific DCP Amendment and subject of future Development Applications.





**Figure 10 Indicative Blocks and Housing Typologies**

Source: DKO

### New Public Park

It is proposed to establish a new public park that is 10,000m<sup>2</sup> in area comprising a mix of active and passive recreational spaces for use by the existing and future community as detailed in the Landscape Concept Report prepared by Landform Studios (**Appendix B**).

The new park is intended to be a shared landscape that is welcoming and caters to all ages, diversities and abilities. It is intended that the space comprises a varied program, universal access and include a dynamic series of active, fitness and natural play areas alongside a continuous health and fitness loop. The park is anchored by a large central green area that is flexible and can be programmed for small-sided ball games, yoga, fitness and passive recreation. Key components of physical infrastructure within the park would include a multi-purpose court, pavilion with seating, fitness stations, loop path, an active nature play area and a small seated amphitheatre. The proposed embellishment of the park is intended to create a high quality place that creates opportunities for health and connection for both the existing and the future community, and to create a special community space that leaves a legacy from the development of the site.

Further details of the functions and design of elements to be included within the park would be the subject of further consultation with Council and the community through the preparation of the site-specific DCP Amendment and the finalisation of any Planning Agreement.

Whilst an alternative option involving more formal active open space (i.e. football fields) was considered, this option was not preferred due to the impacts of this type of sporting use on existing and future residents through light-spill, acoustic and traffic impacts, and due to the identified need for additional informal active and passive recreational facilities within the location. This is discussed further in **Section 7.2.6**.





**Figure 11** *Indicative photomontage of the proposed public park and terraces*

Source: DKO



**Figure 12** *Indicative photomontage of new public park and terraces*

Source: DKO



## Urban tree canopy

Increasing tree canopy creates new habitat for native fauna, combats the urban heat island effect and increases the resilience of urban places to the effects of severe weather events. The Master Plan proposes to significantly increase urban tree canopy within the Site through a combination of significant new tree planting within the new public park, within streetscapes and on new housing lots. Whilst it is likely that a number of existing trees will be required to be removed (subject to future Development Application/s), the Master Plan envisages a net increase of approximately 570 trees across the Site, representing over 65% canopy cover across the Site.

## Sustainability

Sustainability measures are intended to be embedded into the precinct via the Master Plan and Site-Specific Development Control Plan. Sustainability measures to be included in the project would include:

- Integration of rooftop solar photovoltaics on suitable roof areas.
- Implementation of energy-efficient design.
- Smart lighting within the public domain and public park.
- Maximising opportunities for water conservation and reuse.
- Capability for electric vehicle charging in all new dwellings.

## Smart places

The proximity of the Site to local schools, Macquarie University and knowledge-intensive jobs in Macquarie Park means that the Site needs to cater to the needs of highly connected families with high levels of digital integration. Provision of high-speed internet, enmeshed technologies in new housing and public domain, and integration of renewable energy and electric vehicle charging capability will all contribute to making Marsfield Common one of the smartest urban places in Australia. The proponent has signed-on to the NSW Government's Smart Places Customer Charter for the delivery of this project.

# 6.0 Explanation of Provisions (Pt 2)

The overarching purpose of the Planning Proposal is to facilitate the development of the Site for low-rise diverse housing with a significant new area of public open space at the Vimiera Road frontage of the Site to create a high-quality place that meets the housing needs of the existing and future community and delivers significant ongoing amenity to the local community.

The objectives and intended outcomes identified in Part 1 (**Section 5.0** of this report) are intended to be achieved by permitting additional floor space on the Site through amendments to the Ryde LEP 2012, amendments to the Ryde DCP and by entering into a Planning Agreement with the City of Ryde Council to provide for the delivery and dedication of the new public park at no cost to Council. **Table 6** provides a summary of the proposed planning approach for the Site and further detail is included in the following sections.

Table 6 Summary of proposal

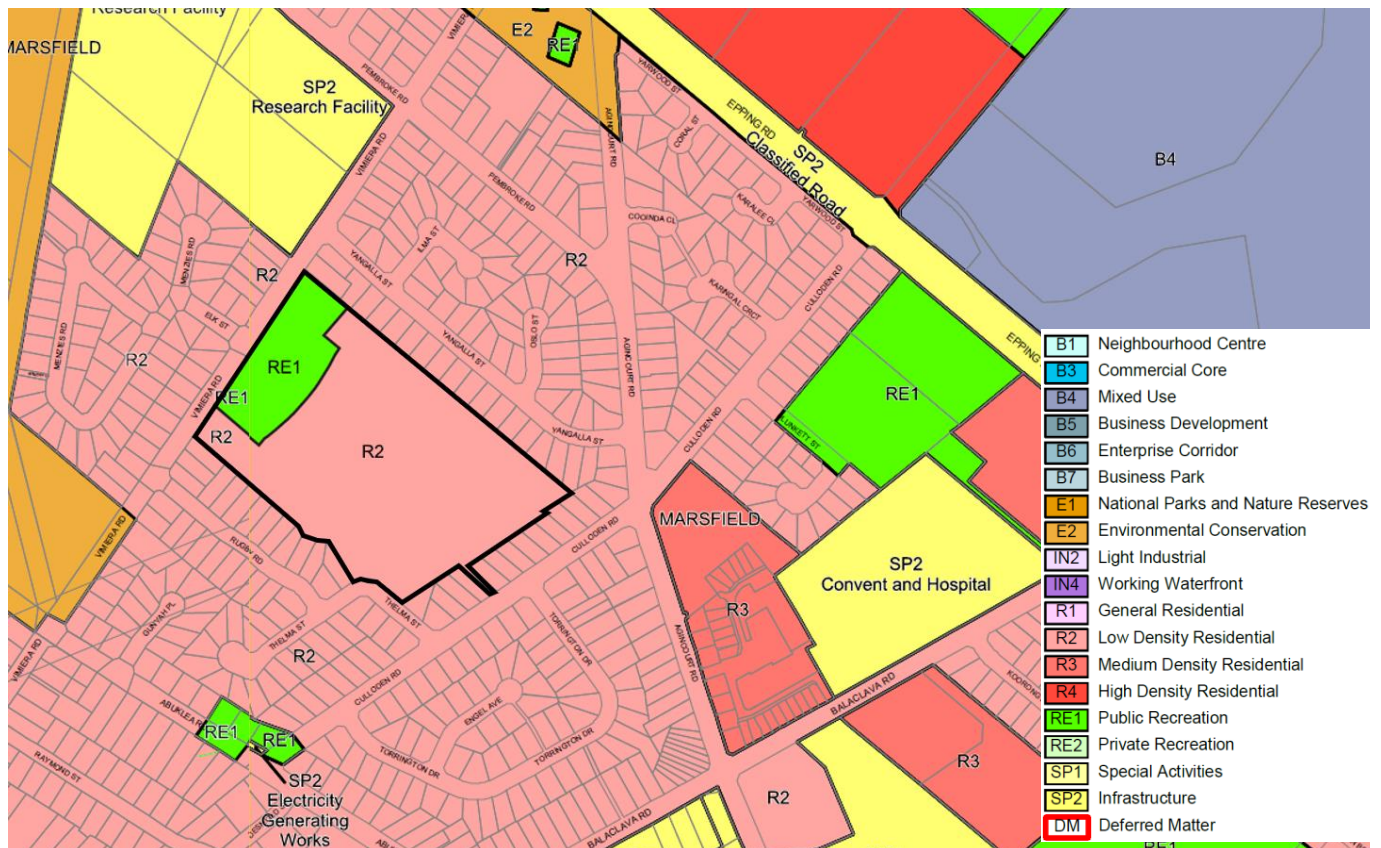
Plan	Proposal	
Amendment to Ryde Local Environmental Plan 2014	Land Use Zone	Part R2 Low Density Residential zoning Part RE1 Public Recreation zoning
	Schedule 1 Additional Permitted Use	Permit 'semi-detached dwellings' and 'attached dwellings' on the part of the Site proposed to be zoned R2 Low Density Residential
	Maximum building height	Apply a maximum height of 9.5 metres to the part of the Site proposed to be zoned R2 Low Density Residential
Amendment to Ryde Development Control Plan 2014	Following determination by Council that the Planning Proposal has strategic merit and the referral of the Planning Proposal for Gateway Determination, prepare a site-specific amendment to Chapter 6 of the DCP to provide further site-specific planning controls to guide the future development of the Site. The DCP Amendment would be prepared in consultation with Council and exhibited concurrently with the statutory exhibition of the Planning Proposal.  The Site-specific DCP amendment would provide further planning and design controls to ensure that the Master Plan vision is realised and would address matters including: <ul style="list-style-type: none"><li>• Minimum lot sizes and dwelling typologies</li><li>• Setbacks, privacy and amenity controls</li><li>• Landscaping and tree canopy within public domain and future residential lots</li><li>• Road infrastructure and public domain</li><li>• Utilities infrastructure</li><li>• Car parking</li><li>• Open space functionality and embellishment</li></ul>	
Planning Agreement	Enter into a Planning Agreement with Ryde Council that provides for the delivery, at no cost to Council, of a high-quality new public park on the land proposed to be zoned RE1 Public Recreation and for the dedication of the completed park and surrounding roads to Council and financial contributions towards the provision of synthetic grass sports fields, affordable housing, smart city initiatives and local infrastructure.  The Planning Agreement would also require future dwellings to be assessed and approved by Council through a Development Application, rather than via Complying Development Certificates.	

## 6.1 Ryde LEP 2014

### 6.1.1 Zoning and Schedule 1 Additional Permitted Use

The Planning Proposal seeks to rezone the land from the existing RE2 Private Recreation zoning to part RE1 Public Recreation and part R2 Low Density Residential. In addition, it is proposed to include 'semi-detached dwellings' and 'attached dwellings' as additional permitted uses under Schedule 1 of the LEP on the part of the Site that is proposed to be zoned R2 Low Density Residential.

This approach of a base zoning with additional permitted uses is preferred as all other residential zones under the Ryde LEP currently permit residential flat buildings, which are not proposed or intended for the Site. Alternatively, a R1 General Residential zoning could be applied to the Site, with the 9.5m maximum building height limit (**Section 6.1.2**) relied upon to effectively prohibit the delivery of residential apartment buildings notwithstanding that these are a permitted use in the R1 Zone.



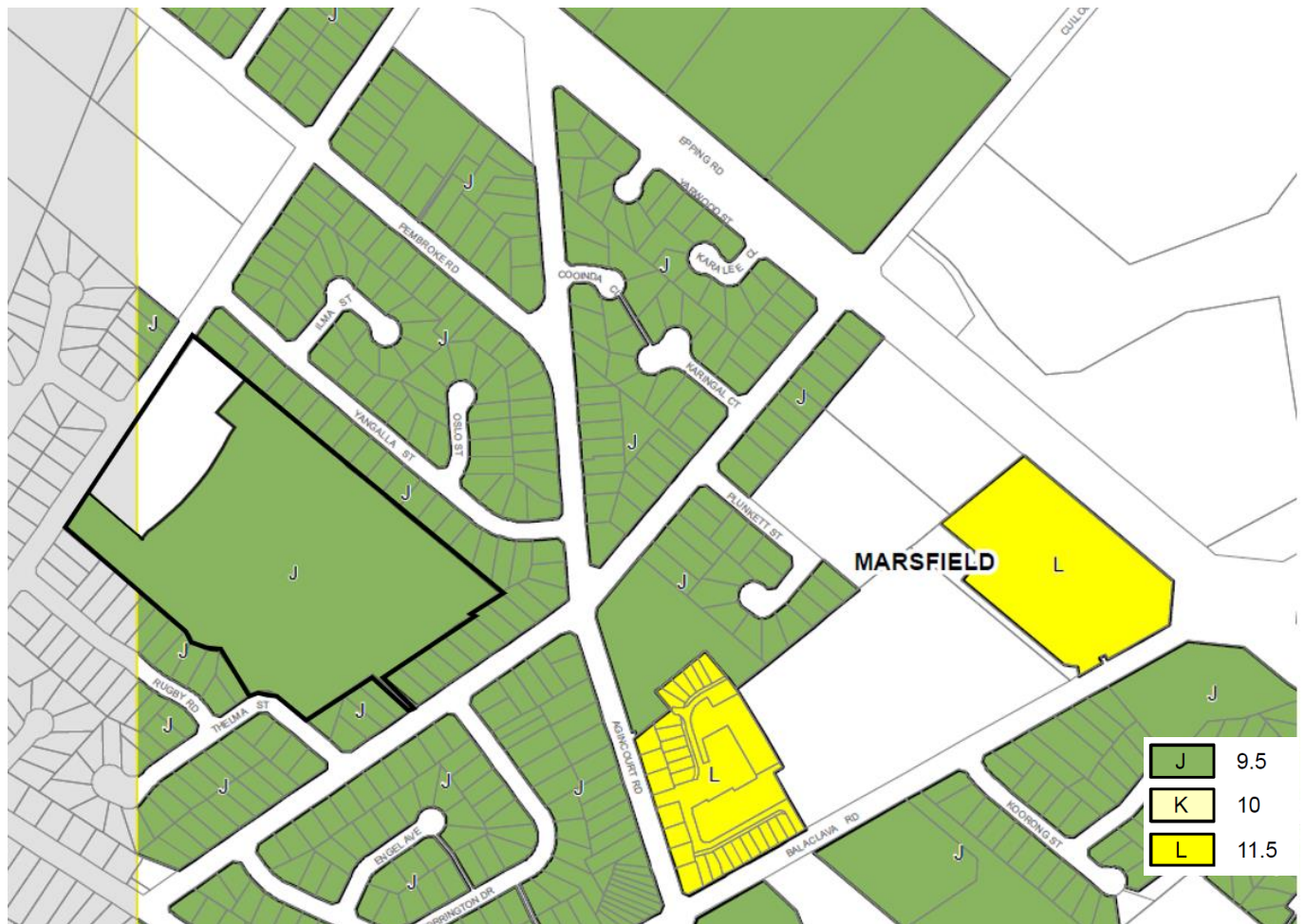
**Figure 13** Proposed Zoning Map

Source: Ethos Urban



## 6.1.2 Building Height

It is proposed to apply a maximum building height of 9.5 metres to the Site, which is the same development standard that applies to surrounding residential properties.



**Figure 14** Proposed LEP Height Map

Source: Ethos Urban

## 6.1.3 FSR, Lot Size and Dwelling Cap

It is not proposed to apply a maximum floor space ratio or minimum lot size development standard to the Site as part of this Planning Proposal. Given the diversity of housing typologies and lot sizes proposed under the Master Plan, it is considered that these matters are more appropriately dealt with via detailed controls that are more appropriately contained within the Site-specific DCP Amendment.

It is noted that the FSR of the Master Plan equates to 0.32:1 across the overall site area, which is significantly lower than the 0.5:1 FSR that applies to surrounding residential properties. However, FSRs for individual future lots/dwellings will vary significantly based upon the individual lot size and dwelling typology.

Given the varying nature of dwelling typologies throughout the site in accordance with the master plan and intention to deliver genuine housing diversity within the site, it is proposed that the amendments to the Ryde Development Control Plan would incorporate further controls to guide dwelling density (refer **Section 6.2**). Further information regarding dwelling typologies, floor space ratios and lot size will be provided with the Draft Site-Specific Amendment to the Ryde DCP.

If the above proposition is not acceptable to Council, we would alternatively propose that an overall dwelling cap be imposed on the site via a site-specific clause within Schedule 1 of the LEP.

## 6.2 Site-Specific Amendment to Ryde DCP

A site-specific amendment to the Ryde Development Control Plan 2014 has been prepared and is provided at **Appendix E**. The site-specific amendment would be in the form of a new sub-chapter within Section 6.0 of the DCP and sets out more detailed controls for new housing, streets/public domain, open space and infrastructure which give effect to the objectives and intended outcomes identified in **Section 5.0**.

## 6.3 Planning Agreement

A Public Benefit Offer to enter into a Planning Agreement accompanies this Planning Proposal at **Appendix C**, and summarised in **Table 7** below. Based on the 132 lots/houses presented for approval in the Planning Proposal, the proposed VPA offer equates to a community contribution of **\$203,819/dwelling**. This is an extraordinary public benefit offer that is only possible because the proposal is being driven by two longstanding community organisations (who together have over 15,000 members within the Ryde LGA) that intend to deliver a positive legacy to the community in which they have respectively been a key part since 1958.

Table 7 Summary of Public Benefit Offer

Item	Value
<b>Public Park</b> – Construction and embellishment of the proposed public park and dedication of this land to Council	\$18,690,000
<b>Public Road</b> – Construction and dedication of the roads adjacent to the public park to Council, including on-street parking for visitors to the park	\$442,000
<b>Affordable Housing</b> – a financial contribution towards the provision of affordable housing within the Ryde LGA	\$5,000,000
<b>Synthetic field conversion</b> – a financial contribution towards the cost of Council converting an existing turf field elsewhere within the Ryde LGA to a synthetic field in order to increase local sporting field capacity	\$1,000,000
<b>Section 7.11 contributions</b> – excluding the component of these contributions relating to open space, noting the substantial in-kind and financial contributions.	\$1,262,164
<b>Tree canopy</b> – implementation of additional tree canopy in excess of Council requirements and Sydney North District target in order to provide urban canopy and cooling.	\$210,000
<b>Smart Cities</b> – financial contribution or works-in-kind to implement innovative smart-city technologies within the proposed park and public domain in conjunction with Council.	\$300,000
<b>Total</b>	<b>\$26,904,164</b>

## 7.0 Justification

### 7.1 Section A – Need for a Planning Proposal

This section addresses the following questions posed by the Guide to Preparing Planning Proposals:

- Q1. *Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?*
- Q2. *Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The Planning Proposal is not the direct result of the Ryde Local Strategic Planning Statement, any specific strategic study or report. However, the Planning Proposal is closely aligned with and will deliver upon the strategic intent of the LSPS, Ryde Housing Strategy and other strategic planning strategies as outlined in **Section 7.2**.

The Planning Proposal is the best means of achieving the intended outcome as the implementation of the objectives and intended outcomes outlined in **Section 5.0** can only be achieved through the amendment of the Ryde LEP.

In preparing this Planning Proposal, five options were considered to facilitate the intended outcomes as set out in detailed in **Section 4.0**:

- Option 1 – Do nothing.
- Option 2 – Council acquisition of the land and development for public open space, at a cost to Council of approximately \$100 million.
- Option 3 – Lodge a State Significant Development Application for a seniors housing development comprising approximately 100 aged-care beds and 270 independent living apartments, which is already permitted on the Site under the Housing SEPP.
- Option 4 – Rezone the Site for 4-6 storey apartment buildings with approximately 300-500 dwellings and a new public park.
- Option 5 – Low-rise diverse housing comprising approximately 132 semi-detached dwelling houses and townhouses and a new public park.

Option 5 was chosen as the most suitable way to redevelop the Site as it responds directly to the conditions of the Site and the surrounding context of the area. The proposed development will present opportunities to deliver more diverse, low-rise housing in the form of semi-detached dwellings and terrace housing within the Site, which is scarce within the area. This will cater to the local demographic of population in Marsfield and the broader Ryde LGA, particularly smaller families and households wanting to downsize.

### 7.2 Section B – Relationship to Strategic Planning Framework

This section addresses the following questions posed by the Guide to Preparing Planning Proposals:

- Q3. *Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*
- Q4. *Will the Planning Proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

The following section sets out the consistency of the Planning Proposal with the applicable strategic planning framework, from the Ministerial Planning Principles, Region and District Plan and Local Strategic Planning Statement and related studies. This Planning Proposal is directly aligned with a number of specific actions and priorities identified within the strategic planning framework, particularly:



- Provision of diverse housing typologies in a manner that is compatible with the character of the surrounding locality.
- Provision of new, high-quality embellished public open space for the benefit of the existing and future community.



**Figure 15** The strategic planning hierarchy

### 7.2.1 Greater Sydney Region Plan – A Metropolis of Three Cities

In March 2018, the Greater Sydney Commission released the *Greater Sydney Region Plan: A Metropolis of Three Cities* (the Plan), which sets the strategic planning direction for the region. Spatially, the Site is at the edge of the Eastern Economic Corridor that spans from Macquarie Park through to Sydney Airport via the CBD, and which is identified under the Plan as the NSW ‘greatest economic asset’. Macquarie Park is identified as a strategic centre and urban renewal corridor, providing a wide range of employment opportunities and services. The delivery of smart, compact housing typologies that suit young working families in walkable distance of this growing economic corridor will support the 30-minute city and ensure workers can live close to planned job growth. The Region Plan outlines a number of specific ‘planning objectives’, with those of relevance to this Planning Proposal discussed further in **Table 8**.

**Table 8** Consistency with the Greater Sydney Region Plan

Planning objective		Consistency with Planning Proposal	
6	Services and infrastructure meet communities' changing need	Whilst Eastwood Rugby have delivered high-quality sporting and recreational services from the Site for approximately seven decades, the demographics and nature of the local area has changed dramatically during this period. The users of this services, being participants, supporters and members are now more geographically aligned with Sydney's Hills District, resulting in significant travel and barriers to participation, and it is important that Eastwood Rugby is able to relocate closer to its base in order to continue to provide its services in a viable and high-quality manner. At a regional scale the proposal will support the delivery of new purpose-built regional sporting infrastructure in Castle Hill to meet the needs of the rugby union community.	✓
7	Communities are healthy, resilient and socially connected	The Master Plan envisages a healthy, walkable neighbourhood that caters to a diverse range of households, particularly young families and downsizers. The new high-quality public park will provide a place for both the existing and future community to meet and connect, whilst the site is located in close walking distance of early, primary, secondary and tertiary educational institutions.	✓
10	Greater housing supply	Sydney is growing, and the Region Plan notes that “a range of housing types provides for the needs of the community at different stages of life and caters for diverse household types. It means that as people age they can move into smaller homes and age in their own neighbourhoods, while young adults leaving home can stay close to their families and communities”. This proposal directly addresses this need by delivering	✓
11	Housing is more diverse and affordable		✓

Planning objective		Consistency with Planning Proposal	
		additional dwellings in a low-rise compact typology that is under-represented in existing and new housing stock in the Ryde LGA. The proposal directly responds to the rise in smaller households, and increases housing density close to employment, education, health and services in a manner that is compatible with the character of the existing community.	
12	<b>Great places that bring people together</b>	The Planning Proposal and site-specific DCP Amendment will deliver a high quality urban environment with new public open space. New pedestrian connections through the site will enhance walkability and attract the community to this significant new amenity.	✓
21	<b>Internationally competitive health, education, research and innovation precincts</b>	Macquarie Park is identified as a Health and Education Precinct, a Biotechnology Cluster and a Pharmaceutical Cluster, and is identified under the Plan as maturing into an Innovation District. This objective identifies the need to facilitate housing opportunities for students and workers within 30 minutes of the precinct, and this Planning Proposal seeks to do this by providing new housing that is within 30 minutes walking distance of Macquarie Park in one of the most digitally connected housing developments in Australia.	✓
30	<b>Urban tree canopy is increased</b>	The Master Plan proposes the planting of over 550 new trees across the site, delivering a tree canopy over of approximately 65% across the site – well above the current regional canopy cover of 23% or the Plan's target of 40%.	✓
31	<b>Public open space is accessible, protected and enhanced</b>	The Planning Proposal seeks to embellish and dedicate 10,000m <sup>2</sup> of currently private land into a high-quality public park, increasing the community's access to public space and providing a diverse range of inclusive amenities for active and passive recreation.	✓
33	<b>A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</b>	The Master Plan promotes on-site solar energy generation, stormwater reuse, energy efficiency and capability for electric vehicle charging to promote sustainable and resilient new housing and public spaces.	✓

## 7.2.2 North District Plan

The North District Plan largely adopts the objectives set out in the Region Plan and translates these through to local actions and priorities. Marsfield is identified as a local centre under the plan within the Eastern Economic Corridor, strategically positioned close to Macquarie Park and between the metropolitan centres of the Harbour CBD and Greater Parramatta.

The Planning Proposal is consistent with the District Plan as outlined in **Table 9**, as it directly contributes to housing supply and choice with access to jobs, services and public transport within 30 minutes walkable distance from the Site. The Master Plan will directly contribute to increasing urban tree canopy, exceeding the District Plan targets, and will deliver high quality public open space that caters to a wide range of active and passive recreational needs of the existing and future community. This Planning Proposal will contribute approximately 132 dwellings to meet the 2026+ housing targets for the Ryde LGA and will provide a dwelling type of low-rise low-density housing which is in demand for and is not yet well accounted for in the forward-planning for Ryde. Additionally, this Planning Proposal's housing will provide high-quality and new housing that is within 30 minutes walking distance of the Macquarie Park strategic and innovation centre with access to education, health care, services and fast-growing employment within the innovation corridor.

**Table 9** Consistency with the North District Plan

Direction	Planning Priority/Actions	Assessment	
<b>A city supported by infrastructure</b>	N1: Planning for a city supported by infrastructure.	The Planning Proposal provides new housing in a location that is within 30 minutes walking distance of the Macquarie Park strategic centre, including housing, early/primary/secondary/tertiary education, health care, services and a fast-growing employment and innovation precinct.	✓



Direction	Planning Priority/Actions	Assessment	
		The proposal also facilitates the delivery of purpose-built regional sporting infrastructure to support rugby union through the new facility at Fred Caterson Reserve.	
A city for people	N3: Providing services and social infrastructure to meet people's changing needs.	The proposal will meet the needs of the community as it will provide excellent connectivity and accessibility to essential services and facilities, employment, public transport, and social amenities. It will also facilitate the relocation of existing rugby union recreation infrastructure closer to the growing membership base in Sydney's Hills District, reflecting the changing recreation and sporting needs of the community. As noted above, the facility supports the net increase in the quantum and quality of regional rugby union infrastructure in response to changing demographics and geographic population centres amongst this user group.	✓
	N4: Fostering healthy, creative, culturally rich and socially connected communities.	The Planning Proposal and Master Plan will foster the creation of a high-quality health place, with walkable and pedestrian-focused streets, active recreational facilities within the new public park and creating a diverse neighbourhood with new low-rise housing typologies to support a range of households whose housing needs are not currently well-met in the Ryde LGA.	✓
Housing the city	N5: Providing housing supply, choice and affordability with access to jobs, services and public transport.	The Planning Proposal will deliver 132 low-rise semi-detached and terrace dwellings to better meet the housing needs of Ryde's existing young families and downsizers in a typology that is sympathetic to the existing neighbourhood character. The site is well located in relation to local and regional bus networks, has direct access to regional cycling routes, and is within 30 minutes walking distance of a major education, health, employment and service centre at Macquarie Park. The proposal is local infill development that delivers housing within the 'missing middle' typology that is directly identified as a need for local communities in the District Plan.	✓
A city of great places	N6: Creating and renewing great places and local centres and respecting the Districts heritage.	The Master Plan directly supports the creation of a new well-designed built environment that provides access to a large, previously private landholding with a new public park and well-design streets and housing in a manner that is sympathetic to the existing character of the surrounding neighbourhood.	✓
A well-connected city	N12: Delivering integrated land use and transport planning and a 30-minute city.	The proposal is located within 30 minutes walking distance of Macquarie University, Macquarie Centre shopping centre, Macquarie University Metro Station, a wide range of employment opportunities in a growing innovation district, local retail and service centres, Epping Boys High School, Eastwood Heights Primary School, and local and regional open space and sporting facilities.	✓
A city in its landscape	N17: Protecting and enhancing scenic and cultural landscapes.	The Planning Proposal will contribute to improved water quality within local river networks and support a significant increase in tree canopy and local fauna habitat.	✓
	N19: Increasing urban tree canopy cover and delivery Green Grid connections.	The Master Plan envisages the planting of 570 additional trees across the site, providing for urban tree canopy cover of approximately 65%, well above the targets established under the District Plan.	✓
	N20: Delivering high quality open space.	The Planning Proposal provides for 10,000 m <sup>2</sup> of new public open space in the form of a local park with space for active and passive recreation. The new park will include an inclusive playground, informal multi-purpose sports court, fitness stations and areas for passive seating and walking. The new public park will be facilitated by the development of the site and delivered at no cost to government.	✓
An efficient city	N21: Reducing carbon emissions and managing energy, water and waste efficiently.	The Master Plan includes measures to promote rooftop solar photovoltaics on new dwellings, maximise water and energy efficiency and include capability for on-site electric vehicle charging to establish a community which is not dependent on fossil fuels and contributes to reduced carbon emissions. The development will	✓

Direction	Planning Priority/Actions	Assessment	
		include Smart City technologies to maximise efficiency of systems and monitoring of resource consumption.	
<b>A resilient city</b>	N22: Adapting to the impacts of urban and natural hazards and climate change.	The proposal will facilitate a development that is designed to be protected from the impacts of flooding and climate change, and includes measures to better manage overland flows during major storm events whilst the increased urban tree canopy will combat the urban heat island effect.	✓

### 7.2.3 Planning Ryde Local Strategic Planning Statement 2020

In March 2020, City of Ryde Council adopted *Planning Ryde*, the Council's Local Strategic Planning Statement (LSPS) which sets the strategic direction for land use planning in the Ryde LGA to 2036. The LSPS outlines Council's strategic vision for the Ryde, including plans to ensure diverse housing and employment opportunities. The following discussion demonstrates that the Planning Proposal is consistent with the Council's LSPS.

The 'Land use planning vision' outlined in Section 1.2.1 of the LSPS identifies the need to ensure that Ryde's "growing community has access to diverse housing". This Planning Proposal directly delivers upon this vision by providing housing in the form of low-rise compact housing forms that are not currently well-represented in existing housing stock or being meaningfully delivered elsewhere within the LGA.

The land use planning vision also notes the desire to increase the amount of tree canopy and public open space available for the community. The Master Plan seeks to do exactly this, providing for the delivery of 10,000m<sup>2</sup> of embellished new public space, with 570 additional trees planned to be planted across the Site. Through the delivery of new housing with significant benefit for the community, the proposed public space will cater to a diverse range of recreational needs of the existing and future community.

This Planning Proposal directly addresses the 'missing middle' of low-rise compact dwelling forms of semi-detached and attached dwellings that are more affordable, convenient, efficient and sustainable. As the housing will be two-storeys in height, the Proposal is consistent and compatible with the surrounding low-density dwellings in the neighbourhood. The low-rise diverse housing will assist to meet the housing needs of younger families and down-sizers who already reside within Ryde LGA through the affordable and convenient housing which allows families to maintain social connections, educational relationships, support networks and links with community groups and employers. The Proposal also includes a Public Benefit Offer to provide contributions towards affordable housing.

**Table 10** sets out how the Planning Proposal is consistent and gives effect to the planning priorities identified by the LSPS.

**Table 10 Consistency with the Local Strategic Planning Statement**

Planning Priority		Consistency with the Planning Proposal	
H1	Housing supply to satisfy needs to 2039	The proposal will directly contribute towards the post-2022 housing targets by providing 132 homes suitable for families and downsizers in a location which is well serviced by public transport and community infrastructure, and the proposal will facilitate the delivery of a high-quality new public park.	✓
H3	Protect the character of low-density residential areas	The Planning Proposal will provide low-rise housing in the form of semi-detached and terrace housing that is wholly compatible with the character of the existing local area. This form of housing typology is considered 'the missing middle' in the Ryde LGA and will enhance housing diversity within the area. The development will be designed accordingly to minimise impacts to the surrounding low density residential area, with future development to be further guided through the preparation of a site-specific DCP Amendment to provide suitable controls on development.	✓



Planning Priority		Consistency with the Planning Proposal	
H4	Ensure 5% of all new dwellings are affordable by 2031	Refer to Section 7.2.5.	✓
H5	Provide high levels of residential amenity	The Planning Proposal will provide high levels of residential amenity through the provision of landscaping and public domain works, such as significant new street planting and a public open space along the northern boundary. The Planning Proposal will ensure high levels of solar access and it is noted that the future development application will provide a detailed assessment of the environmental impacts that could potentially impact residential amenity.	✓
HE2	Protect and enhance Aboriginal cultural heritage	Further development of the landscape master plan for the new public park and design controls to be included the Site-specific DCP Amendment will identify opportunities to integrate Aboriginal cultural heritage and implement principles around Designing with Country to celebrate the culture and special knowledge of Aboriginal people.	✓
D2	Ensure all new buildings throughout the City of Ryde are examples of excellent design	The Master Plan has been developed by award-winning designers DKO and landscape architects Landform Studios, and the design vision established under the Master Plan will be translated into suitable design guidelines within the proposed site-specific DCP Amendment.	✓
D4	Ensure public spaces are well used and enhance social interaction	The proposed new public park is intended to cater to a wide range of users and recreational needs, creating a public space that is loved and well used by existing and future residents alike. The Landscape Master Plan identifies opportunities for a multi-purpose sports court, fitness equipment and an all-abilities playground, passive seating and lawn areas and spaces suitable for pets. This new park will provide a meeting place for the community in a high-quality landscaped setting that enhances social interaction.	✓
OS1	Provide accessible open space to service population needs	The new public park will be highly connected to existing pedestrian networks, and the pedestrian-only connection through to Thelma Street will increase the walkable catchment and provide increased pedestrian permeability. Concepts for the park have been designed with a view to providing informal active recreation, an inclusive all-abilities playground and a range of passive uses to meet the needs of the community. The proponent is committed to collaborating further with Council on the nature and design of recreational uses to be included within this area.	✓
OS2	Ensure open space can be shared and enjoyed by all	Refer to responses to D4 and OS1.	✓
OS3	Ensure future open space is delivered in a manner that maintains a healthy natural environment	The proposed public park is intended to include significant new tree planting with a mix of native species. Water sensitive urban design (WSUD) principles will be prioritised within this space to manage overland flows from large rainfall events and to ensure that water quality is of the highest standard prior to discharge into local stormwater networks.	✓
E2	Increase urban tree canopy and deliver 'green grid connections'	The Master Plan proposes 65% total site tree canopy cover, which significantly exceeds the 40% target established under the LSPS. This will be established through the planting of 570 additional trees across the Site.	✓
E3	Reduce carbon emissions and manage energy, water and waste efficiently	The Master Plan seeks to embed Smart City design principles into the Site, with measures to encourage on-site solar generation, energy efficiency, stormwater reuse and electric vehicle charging capacity in new dwellings, making the precinct one of the most sustainable in Sydney.	✓

Planning Priority		Consistency with the Planning Proposal	
IN1	Align growth with infrastructure, provide sufficient infrastructure to support current and future population growth	The proposal provides for new housing in close proximity to public transport, education, health facilities, employment and services. The proposal provides for the delivery of a new public park to meet the open space needs of the existing and future community.	✓

#### 7.2.4 Ryde Local Housing Strategy 2020

The *Ryde Local Housing Strategy* (2020) was adopted by Council in December 2020 and identifies targets for an additional 20-22,000 dwellings within the LGA over the next two decades. The Strategy makes a number of notable observations of historical and projected housing needs:

- Growth in dwelling supply within the Ryde LGA over the past decade has been confined almost exclusively to high density residential apartments, with a decline in the number of low-rise houses.
- The number of 3-bedroom dwellings in the LGA declined between 2011 and 2016, with significant increases in the number of 0-2 bedroom apartments and more modest growth in larger homes through extension and knockdown-rebuilds.
- 2 and 3-person households – primarily young couples and young families – were the fastest growing household type within the LGA between 2011 and 2016, with these households predominately residing in high-density apartments.

These trends indicate a clear need for additional housing suitable to accommodate the housing needs of growing families currently residing within apartments within the LGA, in order to allow these existing households to grow within the LGA and maintain social, family and employment connections to the local area. The reduction in stock of smaller houses leaves a significant gap for first houses that would be suitable young families to move into from existing apartments in the area. The Strategy recognises this issue by identifying the need to “ensure housing is inclusive by providing a mix of dwelling sizes, types and price points, allowing the current population to remain in the local area through different stages of life”.

The key directions outlined in the strategy note the need to increase the supply of medium density housing (Direction 9.6) and improve housing design to protect existing local character and encourage innovative medium density housing typologies which are sympathetic to surrounding low density areas (Directions 9.9.1 and 9.9.3). The directions highlights the delivery of semi-detached and terrace housing at Putney Hill (Direction 9.6) as a good example of low-rise medium density housing which interfaces well with existing low-density housing, lessons which have been adopted in the Master Plan for this Site. Opportunities to increase environmentally sensitive design in dwellings are highlighted (Direction 9.9.4) are incorporated into the Master Plan, which seeks to deliver a significant increase in urban tree canopy, promote rooftop solar photovoltaics, water efficiency and on-site charging capability for electric vehicles. The Strategy also identifies the need to align new housing with infrastructure such as well-designed open space (Direction 9.13.1).

The Planning Proposal directly addresses the housing issues and planning objectives outlined in the Strategy, providing low-rise diverse housing that is compatible with the existing local character whilst better meeting the housing needs of Ryde’s existing community through the provision of compact housing for young families and downsizers. The Master Plan for the Site represents a unique opportunity to deliver a high quality low-rise diverse housing outcome on a large site that is capable of facilitating high-quality design and significant public benefits through the delivery of open space.

#### 7.2.5 Ryde Affordable Housing

The Ryde Affordable Housing Policy was adopted by the City of Ryde Council in April 2016. At the time of adopting the Policy, Council also adopted an interim position that 4% of dwellings constructed on land rezoned to permit residential use be affordable housing. Council subsequently prepared a Planning Proposal that was intended to apply to land already zoned R3 Medium Density Residential, R4 High Density Residential, identified centres and where a change in zoning is proposed to permit residential uses. However, DPHI determined not to grant a Gateway Determination for this Planning Proposal to proceed in October 2020. The LSPS identifies a target of 5% of all new dwellings as affordable housing through implementation of the Policy (Priority H4).

Residential uses, in the form of seniors housing, is already permitted on the Site under the Housing SEPP with an FSR of up to 1:1 for residential care facilities or 0.5:1 for independent living units. Existing development

surrounding the Site is zoned for R2 Low Density Residential with an FSR for 0.5:1. This Planning Proposal seeks to broaden the range of already-permitted residential uses on the site by introducing an R2 Low Density Residential zone, with the Master Plan providing for an FSR equivalent to approximately 0.32:1 – a significantly lower amount of residential floorspace than otherwise would be permitted under the Housing SEPP or through application of the FSR that applies to surrounding properties. In addition, the Planning Proposal also includes significant additional public benefits in the form of the proposed new public park.

Providing more diverse, compact low-rise housing typologies on the Site will also provide an increase in housing for families and downsizers that is priced in between existing smaller apartments and larger freestanding houses in the area. This will ensure that suitable housing is available for a range of budgets, allowing increased access to suitable housing for the community.

Having regard to the above, as the Planning Proposal does not seek an intensification in residential floor space above that already permitted, and includes significant public benefit contributions in the form of a public park, it is considered that an affordable housing contribution is not required under the Policy.

Notwithstanding the above, the Public Benefit Offer (**Appendix C**) proposes to make a financial contribution of \$5 million to Council for the purpose of delivering or acquiring housing for the purpose of affordable housing within the Ryde LGA. This funding will allow the efficient delivery of purpose-built affordable housing by or on Council's behalf.

### 7.2.6 Ryde Open Space Future Provision Strategy

Refer to **Section 8.1**.

### 7.2.7 Macquarie Park Innovation Precinct Place Strategy

The Macquarie Park Innovation Precinct Place Strategy (Innovation Strategy) was finalised in August 2022 and aims to create a better place, improve connectivity and find new ways to share ideas and technology. The Macquarie Park Corridor offers the potential for Sydney to grow as a hub of business, innovation, research and education. The Site is not located within the land to which the Innovation Strategy applies.

The Site is not identified within the Innovation Strategy as an existing or proposed future open space and the Innovation Strategy identifies a variety of open spaces that are available directly within the Macquarie Park corridor. The open spaces proposed in the Innovation Strategy adequately service the communities within the corridor and will ensure that public open spaces are available, without the inclusion of the TG Millner Site. Despite the removal of private recreation playing fields at the site within this Planning Proposal, the proposed development will offer public open informal and formal recreation spaces that better serves the needs of the community. Therefore, the Planning Proposal will facilitate a net increase in public open space. The new public open space within this Proposal will align with the overall design criteria for new public open space by providing inviting, accessible, diverse and comfortable open spaces that support active lifestyles and social connections.

The Innovation Strategy was accompanied by a Strategic Infrastructure and Service Assessment (June 2021) (the SISA). The SISA sought to provide a coordinated approach between different levels of government and utilities providers to the delivery of infrastructure to support planned growth within the Innovation Corridor. For open space, the SISA identifies the provision of new sporting infrastructure and passive open space within the Innovation Corridor, as well as identified upgrades to existing Council sports facilities. As outlined in Table 6 of the SISA, for playing fields this includes upgrades and expansions of existing facilities including Christie Park, ELS Hall, Waterloo Park and North Ryde Park. The SISA also identifies further opportunities to enabled shared use of government school and university sporting facilities for wider community benefits. There is no mention of the TG Millner Field or a need to develop new playing fields outside of the Innovation Corridor.

This Planning Proposal is consistent overall with the strategies of the Innovation Strategy, specifically with regard to the public open space and the creation of a sustainable neighbourhood. This Proposal aligns with the Design Criteria identified with the delivery of new public open space and utilising low-density dwellings that encourage a diversity of dwelling sizes and types for the Ryde LGA.

### 7.2.8 Summary of Strategic and Site-Specific Merit

The *Local Environmental Plan Making Guideline* sets out that a Planning Proposal needs to demonstrate that it meets the Strategic Merit Test. The consistency of this Planning Proposal with the assessment criteria is set out below.



## a) Does the proposal have strategic merit?

Part 3 of the *Local Environmental Plan Making Guideline* establishes assessment criteria for determining if Planning Proposals have strategic merit:

### a) Does the proposal have strategic merit? Is it:

- Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the Site, including any draft regional, district or corridor/precinct plans released for public comment; or
- Consistent with a relevant local council strategy that has been endorsed by the Department; or
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographics trends that have not been recognised by existing planning controls.

As outlined in the preceding sections, the Planning Proposal is:

- Consistent with all applicable strategic planning policies, including the Greater Sydney Region Plan, North District Plan, Ryde Local Strategic Planning Statement and accompanying strategies for housing and open space provision. Key aspects of consistency with these policies include:
  - Provision of diverse low-rise housing to meet the housing needs of the existing community, and respond to future demand for additional housing to support population growth.
  - Deliver new housing that is compatible with the character of the existing neighbourhood.
  - Align the delivery of housing with infrastructure, including the delivery of a high-quality new public park.
  - Locate housing close to jobs, education, health and transport, with the site positioned within 30 minutes walking of a major strategic centre and with good access to cycling infrastructure and public transport.
  - Deliver a significant increase in urban tree canopy (approx. 65%) to combat urban heat islands and provide habitat for native fauna, and include best-practice technologies and design measures to create a community that supports the transition to renewable energy sources.
- Responds directly to the Ryde LSPS and Local Housing Strategy, which identify a significant gap in existing housing stock between small apartments and large freestanding houses – the ‘missing middle’ – to which this Planning Proposal directly responds by providing for low-rise diverse housing that is suitable for growing young families and downsizers who already live within the Ryde LGA.
- Responds to changing demographics within the area, as young families outgrow their existing smaller apartments in the Macquarie Park corridor and seek out suitable alternative housing typologies within the local area which allow them to maintain connections with local educational establishments, family and social connections, health infrastructure and proximity to employment – all of which are within 30 minutes walking and cycling distance of the site.

## b) Does the proposal have site-specific merit?

Part 3 of the *Local Environmental Plan Making Guideline* establishes assessment criteria for determining if Planning Proposals have site-specific merit:

### b) Does the proposal have site-specific merit, having regard to the following?

- the natural environment (including known significant environmental values, resources, or hazards); and
- the existing uses, approved uses, and likely future uses or land in the vicinity of the proposal; and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

As outlined in the preceding sections of this report, the Planning Proposal has site-specific merit for the following reasons:

- The existing zoning of the Site reflects an existing and historical private use that is no longer relevant as Eastwood Rugby seeks to relocate close to its growing membership base in Sydney's Hills District due to the declining demand for rugby union within the Ryde LGA. Accordingly, it is necessary to identify a suitable future use (**Section 4.0**) that is aligned with strategic planning directions and which supports the financial costs of delivering new purpose-built facilities at Fred Caterson Reserve, Castle Hill.
- Services and infrastructure are available to meet the demands of the Planning Proposal, which seeks a low-rise housing diversity outcome that is sympathetic to the existing character and infrastructure needs of the local neighbourhood. The Planning Proposal is accompanied by an Interim Public Benefit Offer to enter into a Planning Agreement which would provide for the delivery of a high-quality public park to contribute to the

open space needs of the community, in addition to future Local Infrastructure Contributions levied by Council.

- There are no known environmental matters that would prevent the development of the for the purposes of residential development, and the Master Plan and Planning Proposal identify appropriate measures to manage overland flows and flooding associated with larger storm events.

### Summary

This Planning Proposal achieves both the strategic merit and site-specific merit criteria, and therefore the Planning Proposal should be supported.

## 7.3 Consistency with State Environmental Planning Policies

This section addresses the following questions posed by the Guide to Preparing Planning Proposals:

**Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

An assessment of the Planning Proposal against relevant State Environmental Planning Policies (SEPPs) is set out in **Table 11** below.

**Table 11 Consistency with applicable SEPPs**

SEPP	Consistency			Comment
	Yes	No	N/A	
State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)			✓	The future development of the Site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the relevant Sydney North Planning Panel acting as the determining authority.
SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP)			✓	Not relevant to proposed amendment. May apply to future development on the Site.
SEPP (Resilience and Hazards) 2021 (Hazards SEPP)	✓			<p>The Hazards SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. It specifically requires consideration when rezoning land and in determining development applications, and requires that remediation work meets certain standards and notification requirements.</p> <p>The Site has been occupied by private recreation, registered club and childcare uses since the change in use from residential and farming activities prior to the 1950s. A Preliminary Site Investigation has been prepared by Douglas Partners (Appendix F) in accordance with the Hazards SEPP and the Contaminated Land Planning Guidelines, which concludes that the site is capable of being made suitable for the proposed uses subject to further detailed assessment concurrent with future Development Application/s for the Site.</p>
State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)			✓	No signage is proposed.
State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)	✓			Section 2.99 of the Transport and Infrastructure SEPP would apply to future Development Applications for development of the Site in accordance with the Planning Proposal as part of the Site is located above a Sydney Metro tunnel. The Proponent will engage with Sydney Metro to ensure that future development above the corridor does not impact on the tunnel.
State Environmental Planning Policy (Housing) 2021 (Housing SEPP)			✓	Not applicable.
State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)	✓			Detailed compliance with the Sustainable Buildings SEPP will be assessed at the relevant future stage.



## 7.4 Section 9.1 Local Planning Directions

This section addresses the following questions posed by the Guide to Preparing Planning Proposals:

Q6. Is the Planning Proposal consistent with the applicable Section 9.1 Directions?

**Table 12 Consistency of the Planning Proposal with the relevant Section 9.1 Directions**

Ministerial Direction	Consistency			Comment
	Yes	No	N/A	
1. Employment and Resources				
1.1 Business and Industrial Zones			✓	Not applicable
1.2 Rural Zones			✓	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries			✓	Not applicable
1.4 Oyster Aquaculture			✓	Not applicable
1.5 Rural Lands			✓	Not applicable
2. Environment and Heritage				
2.1 Environment Protection Zones			✓	Not applicable
2.2 Coastal Management			✓	Not applicable
2.3 Heritage Conservation			✓	Not applicable
2.4 Recreation Vehicle Areas			✓	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs			✓	Not applicable
2.6 Remediation of contaminated land	✓			A Preliminary Site Investigation has been prepared by Douglas Partners at <b>Appendix F</b> , which concludes that there are not likely to be any significant contamination risks and that the Site can be made suitable for the proposed development. Notwithstanding, a detailed site investigation is recommended to be undertaken as part of the future development application.
3. Housing, Infrastructure and Urban Development				
3.1 Residential zones	✓			The Planning Proposal will meet the objectives of this direction by:  Making more efficient use of the Site's proximity to strategic centres such as Epping and Macquarie Park.  Providing an increase in housing diversity and supply through the facilitation of low rise medium density residential.
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable

Ministerial Direction	Consistency			Comment
	Yes	No	N/A	
3.4 Integrating Land Use and Transport				<p>This Direction applies due to this Planning Proposal relating to a residential zone. The Direction states that a Planning Proposal must be consistent with the aims, objectives and principles of:</p> <p><i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</p> <p><i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p> <p>The Planning Proposal is broadly consistent with the aims, objectives and principles of the above documents in that it will provide residential accommodation in an area well serviced by public transport.</p>
3.5 Development Near Regulated Airports and Defence Airfields			✓	Not applicable
3.6 Shooting Ranges			✓	Not applicable
3.7 Reduction in non-hosted short term rental accommodation period			✓	Not applicable
<b>4. Hazard and Risk</b>				
4.1 Acid Sulfate Soils			✓	The Site is not identified as being land subject to acid sulphate soils.
4.2 Mine Subsidence and Unstable Land			✓	Not applicable
4.3 Flood Prone Land	✓			<p>The Site is located within flood prone land. At the time of any future development application, the Site levels and development will be designed (where relevant) to ensure that the development will not adversely impact the flood behaviour or result in any other adverse environmental impacts. Mitigation measures to address flooding impacts will be investigated during the detailed design phase. A flood report has been provided at <b>Appendix I</b> and is further discussed at <b>Section 8.5</b> of this report.</p>
4.4 Planning for Bushfire Protection			✓	Not applicable
<b>5. Regional Planning</b>				
5.1 Implementation of Regional Strategies			✓	Not applicable
5.2 Sydney Drinking Water Catchments			✓	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway North Coast			✓	Not applicable
5.8 Second Sydney Airport: Badgerys Creek			✓	Not applicable
5.9 North West Rail Link Corridor Strategy			✓	Not applicable

Ministerial Direction	Consistency			Comment
	Yes	No	N/A	
5.10 Implementation of Regional Plans	✓			The Planning Proposal is consistent with the Regional and District Plan.
5.11 Development of Aboriginal Land Council land			✓	Not applicable
<b>6. Local Plan Making</b>				
6.1 Approval and Referral requirements			✓	This Planning Proposal is consistent with this Direction in that it does not introduce any provisions that require any additional concurrence, consultation or referral.
6.2 Reserving Land for Public Purposes			✓	This direction does not apply to the Site.
6.3 Site Specific Provisions			✓	The Planning Proposal will not result in any unnecessarily restrictive site-specific planning controls. The Site Specific DCP will be prepared in consultation with Council following the Gateway Determination of the Planning Proposal.
<b>7. Metropolitan Planning</b>				
7.1 Implementation of A Plan for Growing Sydney			✓	Revoked 9 November 2020.
7.2 Implementation of Greater Macarthur Land Release Investigation			✓	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy			✓	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor			✓	Not applicable
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan			✓	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan			✓	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct			✓	Not applicable
7.11 Implementation of St Leonards and Crows Nest 2036 Plan			✓	Not applicable
7.12 Implementation of Greater Macarthur 2040			✓	Not applicable



Ministerial Direction	Consistency			Comment
	Yes	No	N/A	
7.13 Implementation of the Pyrmont Peninsula Place Strategy			✓	Not applicable
7.14 Implementation of Macquarie Park Innovation Precinct Place Strategy.	✓			Not applicable. Refer to Section 7.2.7.

## 7.5 Section C – Environmental, social and economic impact

### 7.5.1 Q7. 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. The Planning Proposal is unlikely to result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats. These matters can be appropriately considered at the development application stage, if relevant.

### 7.5.2 Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

A detailed assessment of the environmental effects as a result of the Planning Proposal is identified in **Section 8.0** of this justification report. Relevant management measures are identified where appropriate and, on this basis, no unacceptable impacts are likely to result from the Planning Proposal or future development on the Site. Key management measures comprise:

- Preparation of a site-specific amendment to the Ryde Development Control Plan 2014 to provide more detailed development guidance (**Appendix E**).
- Assessment of future Development Application/s for the development of the Site by Council, and the requirement for future dwelling houses to be the subject of a Development Application(s), rather than a Complying Development Certificate.
- Legal mechanisms associated with the proposed Planning Agreement for the delivery of public open space.

### 7.5.3 Q9. Has the Planning Proposal adequately addressed any social and economic effects?

Yes. The social and economic impacts arising from the Planning Proposal is identified in **Section 8.0** of this justification report. The social and economic impacts will be positive.

## 7.6 Section D – State and Commonwealth interests

### 7.6.1 Q10. Is there adequate public infrastructure for the Planning Proposal?

The Site is located in close proximity to a number of public transport options, including train, metro and bus services. Additionally, the Site is well serviced by social infrastructure in the form of local shops, schools, universities, recreational and sporting facilities.

The proposal also includes delivery of public benefits, including the dedication of land for public open space that will offset the additional demands of the development on local infrastructure and will be subject to contributions to support the provision of infrastructure arising from the development.

A Services Infrastructure Study prepared by Stantec (**Appendix J**) confirms that utilities and services infrastructure available at the site is capable of servicing development of a scale consistent with the Planning Proposal.

### 7.6.2 Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Given the nature of the Planning Proposal it is not expected that referral to any Commonwealth agency would be required (except potentially to the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications – refer to **Section 8.12** for details).

Where necessary, further consultation with relevant authorities will be undertaken as required in accordance with the Gateway Determination. State and Commonwealth authorities will have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition. Consultation with Sydney Metro will be undertaken in relation to relationship between future development of the Site and the Sydney Metro tunnel.

## 8.0 Environmental Assessment

This section provides an environmental assessment of the proposed planning controls and the indicative development those controls are capable of accommodating.

### 8.1 Open Space and Regional Sporting Infrastructure

#### 8.1.1 Role and Content of Open Space Future Provision Strategy

The City of Ryde *Open Space Future Provision Strategy* (2021) (OSFPS) was adopted by Council in May 2021. The Strategy identifies a need to provide additional and higher quality open space to meet the needs of expected future population growth across both passive and active recreational spaces. Council is responsible for the delivery of open space and sporting infrastructure to meet the future needs of the community. The OSFPS is a policy that was adopted to guide Council's own actions in delivering new open space and playing fields within the Ryde LGA. Relevantly, the Strategy adopted by Council states that:

*A Strategy has been developed to **guide Council decision-making** around the capacity and accessibility of open space and recreation facilities within the City of Ryde. The Strategy will **help Council plan for new or upgraded open space and sport facilities** in a way that increases the ways and times they can be used, while making them more accessible to more people. (our emphasis added)*

The Strategy notes a number of projects already planned by Council, which include the enhancement (i.e. synthetic conversion) and expansion of existing public open space facilities, which will make the major contribution to meeting future recreational needs. A number of potential additional projects are also identified, which focus on the need to address a predicted gap of 7 outdoor playing fields and 3 indoor multi-purpose courts by 2036. To meet the projected demand for additional playing fields arising from LGA-wide population growth, the Strategy identifies a range of options that Council could deliver by 2036, including:

- Synthetic conversion of existing turf playing fields to significantly increase utilisation capacity of existing assets.
- Develop additional playing fields within specific existing Council-owned open spaces (e.g. Darvall Park, Gannan Park and Waterloo Park).
- Develop additional playing fields on existing State and Commonwealth Government-owned land (e.g. vacant land adjacent Christie Park, CSIRO Marsfield site).
- Provide public access to existing playing fields at local public school grounds (e.g. Epping Boys High School) through agreements with the NSW Department of Education.
- Purchase or acquisition of the TG Millner Field site from the existing landowners.

In aggregate these options have the capacity to accommodate more than 7 playing fields, meaning that not all are required to be pursued in order to satisfy the demand identified in the Strategy.

The OSFPS technical paper identifies the TG Millner Field as the lowest ranking potential site out of the options identified in the strategy due to the following factors:

- Of all the potential sites identified by the Strategy, TG Millner Field is the only site in private land ownership, and based on the current planning controls already has an available development option (seniors housing) making any land acquisition poor value-for-money.
- The development of TG Millner Field is already being leveraged to fund the delivery of purpose-built regional sporting facilities at Fred Caterson Reserve servicing the regional rugby union demand from northern and north-western Sydney, which will provide for a net increase at a regional scale in Council facilities.
- Provisioning of a single sporting field and the associated parking and amenities/infrastructure would significantly impact on the ability to deliver sporting infrastructure elsewhere
- Programming of a local sporting field at the site would likely result in more frequent sporting use compared to the existing rugby union usage, resulting in additional amenity impacts to existing neighbours in terms of light spill, acoustic impacts and traffic/parking issues.
- Provision of only a single sporting field at this location would result in the inefficient delivery of infrastructure (amenities, lighting, utilities etc.) where greater efficiency could be achieved at larger existing or upgraded facilities with more than one sports field.



- The site is already quite proximate to existing sports fields at ELS Hall Park, Marsfield Park and Macquarie University.

The OSFPS simply identified these options as “*potential future projects*”, and does not restrict Council to only these options. This is important as the OSFPS did not address other opportunities to provide the additional playing fields within the LGA that are likely to prove more efficient and beneficial than the TG Millner Field option, including:

- Investigation of additional fields at other vacant or underutilised Council, State or Commonwealth landholdings, including the 12 hectare Council-owned site at Wicks Road, North Ryde
- Development by Council of additional playing fields at local schools with shared-use agreements with the NSW Department of Education at local schools.
- Shared-use arrangements for existing sporting infrastructure at local independent and private educational establishments, including Macquarie University, or delivery of new shared sporting infrastructure at these locations.
- Acquisition of any other private landholdings within the Ryde LGA other than TG Millner Field.
- These reasons mean that Council should (and likely already is) prioritising the other options identified in the strategy to meet sporting infrastructure needs.

Of greatest importance, however, is that the OSFPS does not make any assessment of cost to deliver any of these potential options or their relative value-for-money. The OSFPS has never identified or considered the cost of acquiring and making the TG Millner Field suitable for public open space, which as identified previously in this report would be in the order of \$100 million. For the same investment, Council could upgrade over 30 existing playing fields to synthetic turf, delivering a huge increase in playing field capacity for active recreation. These types of cost-benefit analysis were not included in the OSFPS, but are reflected in other Council infrastructure planning documents such as the *City of Ryde Section 7.11 Development Contributions Plan 2020* which states that “*the cost of land is significant in the City [of Ryde] and so simply acquiring more open space to increase the rate of provision is not a viable option. Instead, it is critical for Council to utilise existing sites to achieve service delivery objectives in a sustainable manner*”.

The OSFPS does not place any obligation on the landowners to provide public access to the site, nor does it compel the landowner to provide facilities for or on behalf of Council. The Strategy simply identifies the Site as a parcel of land that Council could possibly seek to acquire as one way of meeting part of the playing field shortfall.

### 8.1.2 Net Increase in Regional Open Space

The provision of sporting infrastructure requires a nuanced approach that distinguishes between the needs of local amateur sport and higher-grade and professional sporting competitions. Higher-grade sporting organisations such as Eastwood Rugby generally require specific, purpose-built facilities of a commensurate standard to their competitors, exclusive access to these facilities, and the ability to host sporting activities and matches that attract larger numbers of people than a typical Council sporting field. Shared use of sporting fields between local amateur organisations and higher-grade organisations can result in friction between these differing usage profiles.

The OSFPS acknowledges that the Ryde LGA has an over-provision of some sporting infrastructure (specifically baseball and netball) in comparison to demand for these facilities generated solely by residents of the Ryde LGA. The Strategy notes that as a result, Ryde acts as a ‘regional centre’ for these particular sports, with participants travelling into the LGA to utilise this ‘surplus’ capacity in a central location. Rather than seeking to reduce this oversupply by repurposing these facilities to meet other local sporting demand (e.g. soccer), the Strategy celebrates this approach of ‘regional centres’ for specific sports.

This Planning Proposal arises primarily because participation rates for rugby union within the Ryde LGA have persistently declined within the Ryde LGA over a long period of time, whilst participation rates have grown in Sydney’s north-west. As a result, members and supporters of Eastwood Rugby are now overwhelmingly located within the north-west region, and travel considerable distances to access the outdated facilities at TG Millner Field.

Rather than investing in new facilities at a location that is increasingly disconnected from its user-base, Eastwood Rugby in partnership with The Hills Shire Council are proposing to develop new facilities at the more strategically-located Fred Caterson Reserve as a ‘regional centre’ for rugby union. This facility will continue to cater to the limited demand from the Ryde LGA, including other rugby and touch football organisations who currently hire the TG Millner Field. This approach aligns with a sensible and coordinated approach to the

provision of regional sporting infrastructure, such as that promoted in the North Sydney Regional Organisation of Council's *Regional Sportsground Strategy Review* (2017).

The project facilitates a significant improvement in the quantitative and qualitative provision of sporting infrastructure at a district scale. As described in **Section 1.1**, the sale and development of the Site will facilitate the delivery of modern purpose-built facilities for Eastwood Rugby at Fred Caterson Reserve, Castle Hill in partnership with The Hills Shire Council. The new facilities will include

- 3 x full-sized playing fields (including 2 x synthetic fields);
- Modern player and spectator amenities (including equal facilities for male and female players);
- Adequate car parking within the site boundaries; and
- Broadcast-quality flood lighting.

An indicative render of the proposed facility is shown at **Figure 17**. The revenue obtained from the completion of the sale of the Site is necessary to enable the delivery of these new facilities, which will provide a net increase in the provision of rugby union infrastructure within north-west Sydney.

The new purpose-built rugby union facility at Castle Hill will include more and better quality sporting fields than are currently provided at TG Millner Field, purpose-built amenities for players, Club members, spectators and visitors, high-quality lighting and adequate off-street parking. The new location is less constrained by proximity to surrounding neighbours than TG Millner, meaning the new facility can be used more frequently and for larger events without impacting on neighbourhood amenity. The implementation of synthetic fields will reduce maintenance costs and allow for more consistent sporting usage.

Put simply, the Planning Proposal will enable the creation of three (3) new publicly accessible fields at Castle Hill from the regeneration of three (3) privately-owned fields at TG Millner – one of which has not been used for 20+ years, the second field which is used less than five (5) times/year and the primary field which is used less than 20 times/year by the local community outside of Eastwood Rugby Club.



**Figure 16** Indicative render of new Eastwood Rugby facility at Fred Caterson Reserve, Castle Hill

Source: Populous

### 8.1.3 Impact of Proposal on Local Active Open Space

TG Millner Field is a private landholding purchased by the Proponents to deliver rugby union facilities for the members of the Club. It is not publicly accessible, and the very limited ongoing use by organisations other than Eastwood Rugby is by hire agreement only at the landowner's discretion (and Eastwood Rugby will make its new facility available to hire to these organisations). As noted in Section 1.1, local usage of the existing private sporting fields at TG Millner is low, with the majority of usage at TG Millner to be relocated to Fred Caterson Reserve as part of Eastwood Rugby's relocation. It is expected that due to the nature and periods of usage by other local users, this local demand can be readily met through existing public infrastructure or by these users also taking

advantage of the high-quality new facilities being provided at Castle Hill. As such, the impact on the cessation of use of the TG Millner Field is not anticipated to have any significant impact on local recreational infrastructure capacity.

Based on projected population growth within the Ryde LGA, Council's OSFPS identifies a need to provide an increase in playing field capacity equivalent to 7 additional playing fields. Based on the rate of demand set out in the OSFPS, the future projected population of the 132 dwellings proposed as part of this Planning Proposal would give rise to demand for less than 5% of a single playing field.

Whilst noting that the Planning Proposal would not result in any significant impact on local sporting infrastructure provision and will facilitate a net benefit to the provision of regional sporting infrastructure, it is still intended that the proposal makes a positive contribution to assist Council in providing active sporting infrastructure. The Public Benefit Offer that accompanies this Planning Proposal recognises the need for sports fields within the Ryde region by providing a financial contribution to assist Council in better meeting future local sporting needs as part of the project legacy through synthetic conversion of existing local fields. It is noted that synthetic fields allow increased utilisation (18 hours/day, 7 days/week versus approx. 30 hours/week per for a natural turf field) and provide greater consistency to hirers and community users by avoiding wear and tear and wet weather closures.

#### 8.1.4 Open Space and Recreation Needs Assessment

An Open Space and Recreation Needs Assessment (**Appendix K**) has been undertaken to inform the best recreational provision to be provided as part of this Planning Proposal. This assessment identifies that there is significant need for high quality local open space of an appropriate size for residents living in the area immediately surrounding the Site. The provision of high quality open space with a wide variety of passive and informal active recreation areas, including a multi-purpose sports court and programmable lawn, was found to be most closely aligned with the needs and priorities of the local community. This option also avoids potentially significant amenity impacts on existing neighbours associated with evening lighting, acoustic and parking impacts associated with a sports field option – issues which have existed historically in relation to the limited usage of the TG Millner Field for Eastwood Rugby games. The key findings from the Assessment concluded that:

- Marsfield's demographic character differs from the broader City of Ryde. With an older population, high proportions of lone-person households, and significant multiculturalism – planning for open spaces that support informal, accessible and equitable uses will be crucial.
- Community engagement in the City of Ryde has identified informal, passive open space as a key priority for community-members – allowing for community gathering, recreation for seniors, sustainability outcomes and inclusive and accessible design. Social trends towards informal, passive open spaces spurred by the Covid-19 lockdowns have been identified as contributing to a general trend away from large-scale organised sports.
- While there is a gap in sports fields across the City of Ryde by 2036, this gap is spatially concentrated to the South-West of the LGA. There is no identified accessibility gap for the Marsfield locality.
- The existing sports fields on-site is significantly under-utilised by the community – considered commensurate with the high concentration of sports fields in Marsfield. It is anticipated that most of the existing use will be absorbed by the new Eastwood Rugby Grounds.
- There is significant need for high quality local open space of an appropriate size for residents living in the area immediately surrounding this site. The provision of 1 ha of high-quality passive open space under this proposal would alleviate these local gaps, meeting qualitative guidance in the *Greener Places Framework* and Council's *Integrated Open Space Plan*.
- Scenario testing against the MCA Framework provided under Council's *Open Space Future Provision Strategy* has identified a higher weighted score for the proposed passive open space than for a sports field use. This result is considered indicative of priorities for the local community, and is consistent with the findings of the needs assessment supporting passive open space for this site.

#### 8.1.5 Proposed Public Park

The Planning Proposal is consistent with the findings of the Open Space and Recreation Needs Assessment, and directly supports the objectives of the OSFPS, and by incorporating the delivery of a high-quality new public park which includes inclusive play spaces, a multi-purpose court and fitness equipment for informal active recreation, seating areas and significant tree planting and landscaping to create a high-quality natural environment. The landscape concept plan prepared by Landform Studios provides for the following new informal sporting infrastructure:



- Multi-purpose sports court capable of being used for sports such as basketball, netball and futsal.
- Badminton court.
- 3 x table tennis tables.
- 2 x volleyball courts.
- Open lawns capable of being used for passive recreation capable of accommodating 2 x small-sided football/rugby fields.
- All-abilities nature playground.
- Fitness stations.

This informally programmed local sporting infrastructure is a type of facility that meets local community needs which are not currently well-served by existing sporting infrastructure, as noted later in this section. The diversity of recreational opportunities responds and caters to a wider group of the existing and future local community.

Should the community express a desire for increased capacity for active recreational use above the proposed provision during the public exhibition of the Planning Proposal and Site-Specific DCP Amendment, Landform Studios have prepared an initial diagrammatic option indicating how additional sports programming could occur through minor changes to the landscape concept plan (**Figure 17**). This would allow for the inclusion of an additional multi-purpose sports court and badminton court, in addition to the existing spaces. Additionally, there is an optional scheme that includes one playing field should the community demand for playing fields be strong enough. However, the extensive stakeholder engagement undertaken in May 2022 confirmed that passive recreation and informal recreation was desired more than public playing fields at the site by the local community. The concerns of the community were linked to pre-existing concerns around the ongoing use of TG Millner on local amenity with respect to noise, traffic and parking and that should new public playing fields be provided at the site, the potential impacts will include floodlight light spill and traffic and parking impacts.



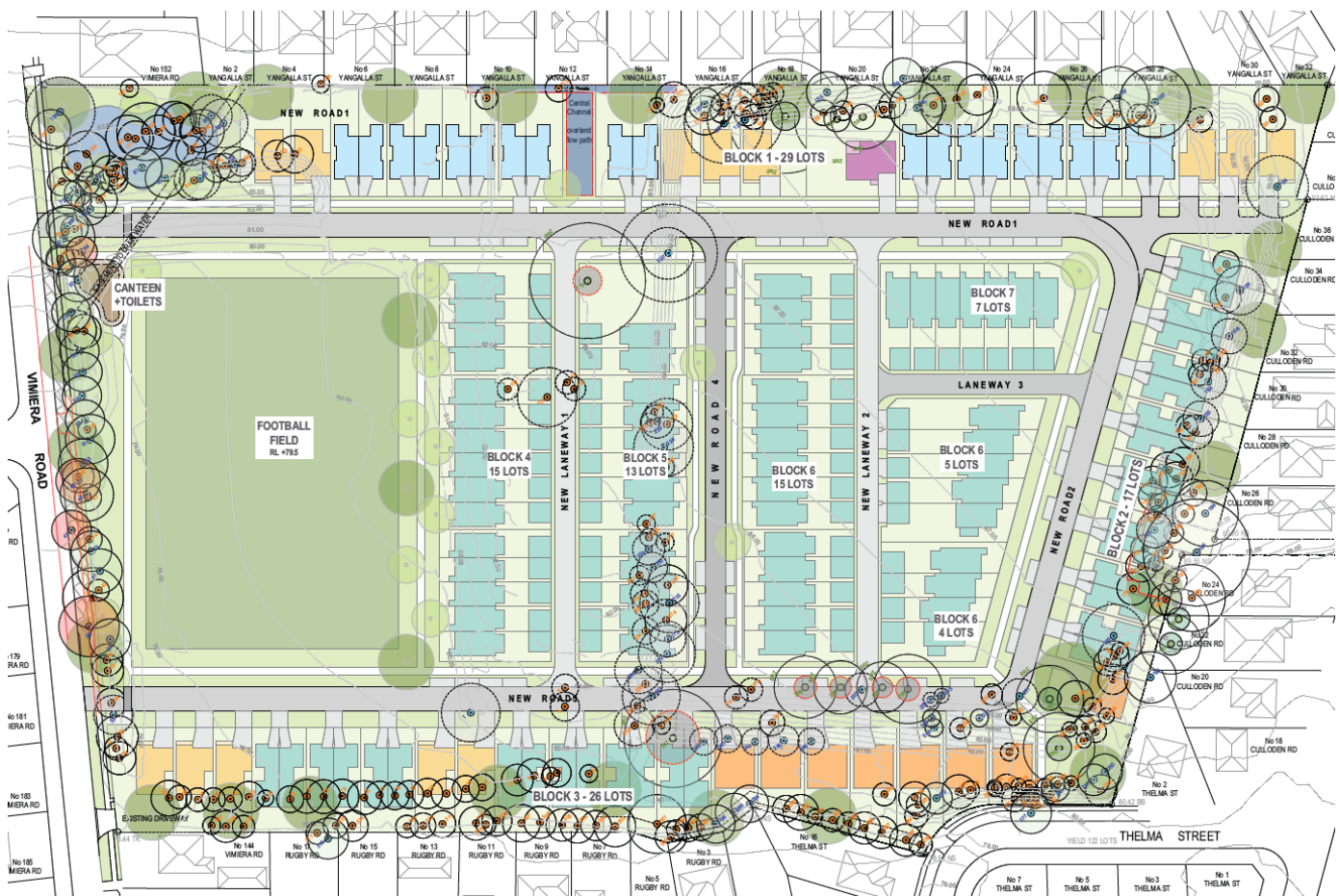
**Figure 17** Active sports programming within proposed (left) and alternative option (right)

Source: Landform Studios

### 8.1.6 Alternate Scheme Replacing Park with Playing Field

As outlined in the preceding sections, the proposal to provide a new local park that includes informal active open space and passive open space is considered to be most closely aligned with local community infrastructure needs. For the purpose of comparison only, the Proponent has prepared a revised masterplan that removes the local park and instead provides a single full-sized playing field with limited amenities (**Appendix L**). This option is not considered to be appropriate for the site as it:

- Is inefficient for Council to maintain, with most Council facilities providing at least two fields at the same location.
- Would not be capable of being illuminated for evening usage without potential amenity impacts, and is likely to result in ongoing land use conflict due to the immediate proximity to existing and proposed (?) houses.
- Locates the field within in a drainage zone, limiting usage during periods of wet weather compared to better located sites.
- Significantly reduces opportunities for increased tree canopy cover throughout the site.
- Provides limited amenity to community members other than those participating in organised sports.
- Is located close to existing Council playing fields, and exacerbates the imbalance in sporting field distribution identified in the OSFPS.
- Would substantially reduce project revenues and increase project costs, reducing other public benefits available from the project and requiring the Public Benefit Offer to be significantly revised.



**Figure 18** Illustrative masterplan including playing field

Source: DKO

### 8.1.7 Conclusion

Having regard to the above, it is clear that the approach taken in the Planning Proposal and Master Plan represents the highest quality outcome in terms of meeting community recreational needs that will leave a positive legacy for the whole community:

- Whilst the *Open Space Future Provision Strategy* did identify the acquisition of TG Millner Field as one possible option to meet local sports field demand, the largest accessibility gap for sports fields is in the south-western region of the City of Ryde away from the site.
- TG Millner Field is the least feasible or practical means of achieving Council's target to provide additional sporting fields and represents low value-for-money to Council and would give rise to local amenity impacts if a new sports field was to be provided at the site.
- The site is already being leveraged by Eastwood Rugby to deliver new purpose-built regional rugby union facility which are higher quality and have greater capacity than the existing facilities at TG Millner, and will deliver significant benefits to the wider sporting communities of northern and north-western Sydney.
- The Public Benefit Offer which accompanies the Planning Proposal nonetheless recognises the need for improved sports fields within the City of Ryde and proposes a generous financial contribution to assist Council in this regard through upgrades of existing sports field to synthetic turf.
- The Planning Proposal includes high-quality targeted local recreational infrastructure that will significantly improve the amenity of the local area for both existing and future residents and which is closely-targeted to the recreational needs of the community.
- The Landscape Concept Plan provides for a highly flexible and diverse range of spaces that encourage active and passive recreation by all age-groups and user demographics, with features including active play, fitness stations, multi-purpose courts and less commonly provided facilities such as badminton and volleyball courts.

Council has now resolved on two occasions to acquire the site. On neither occasion has Council made sufficient funding available to do so. This is sensible as this outcome is the least cost-effective outcome for Council where they can pursue the delivery of sports fields at other locations identified in the OSFPS. Council should seek to provide synthetic conversion of existing turf playing fields at existing assets, seek to upgrade Council-owned open spaces at Darvall Park, Gannan Park, and Waterloo Park, or develop playing fields on vacant or underutilised Council, State or Commonwealth owned land in the Ryde LGA. Additionally, Council could seek to provide public access to existing playing fields at public school grounds like Epping Boys High School. These alternative locations better serve the interests and objectives of Council in pursuing playing fields in a more cost-efficient manner rather than the TG Millner site, and are better aligned with the OSFPS.

## 8.2 Built Form and Public Domain

The Site is not currently subject to any maximum floor space ratio or building height controls under the Ryde LEP 2014. Similarly, the Ryde DCP 2014 does not include any detailed development or design controls for sporting infrastructure or registered clubs on the Site. Accordingly, substantial development for the permitted land could be undertaken with development consent in a manner that introduced large-scale buildings and structures on the Site.

Further to the above, redevelopment of the Site can occur with development consent under the Housing SEPP for a seniors living scheme including independent living units (villas/apartments) with an FSR up to 0.5:1 and residential care facilities with an FSR up to 1:1. The Housing SEPP permits seniors housing development to be up to 9.5 metres in height, being the same as that proposed and currently permitted on surrounding land, and the density of development permitted by a 0.5:1 to 1:1 FSR is significantly more intense than permitted on surrounding residential lots. Furthermore, the Housing SEPP does not require any public access to the site or any new public open space.

The Planning Proposal adopts the same maximum building height limit of adjoining residential properties of 9.5 metres, and the Master Plan envisaged a development density equivalent to approximately 0.32:1, which is substantially more in keeping with the intensity of surrounding land uses than a permissible seniors housing scheme. Accordingly, the Planning Proposal is considered to be wholly compatible with the built form of the surrounding neighbourhood having regard to the low-rise residential nature of the development proposed.

The site is not affected by any public view corridors, and by limiting the maximum building height to 9.5 metres the Planning Proposal will not give rise to any unacceptable view loss.



A site-specific DCP Amendment will be prepared in consultation with Council to further implement and require adherence to the master plan vision, which will include further provisions around density, site coverage, setbacks, privacy, fencing, materiality, roof features, landscaping etc. These provisions will give effect to the Master Plan and will provide a further layer of planning guidance and control in order to appropriately manage the built form impacts of the development as part of the assessment of future Development Application(s).

The site-specific DCP Amendment will also include details of the proposed public park and public domain to be delivered within the site, including composition, uses, structures and materials to be employed. It is likely that future Development Application/s will also include conditions of consent requiring the upgrading of footpaths and public domain adjoining the site.

Having regard to the above, it is considered that the Planning Proposal will have no adverse impacts on the built form character or amenity of the existing neighbourhood.

### 8.3 Traffic and Transport

Colston Budd Rogers & Kafes have undertaken an assessment of the transport impacts of the Planning Proposal (**Appendix H**). The assessment considered the future development of the Site as per the proposed Master Plan. The report concluded:

- the Planning Proposal is consistent with broader strategic transport plans for the area;
- future development would be accessible by public transport services, including local and regional bus services on Vimiera Road, Epping Road and Balaclava Road;
- the proposed development will increase pedestrian permeability and increase walkable catchments to open space, and facilitate the continuation of the on-road cycle path along Vimiera Road adjacent to the Site;
- the development would increase residential densities close to existing public transport services and the major employment, education, health and services precinct of Macquarie Park, whilst maintaining the low-rise residential character of the area;
- appropriate parking will be provided within the Site for residents and visitors, with suitable controls to be implemented through the Ryde DCP;
- access will be provided from two vehicular access points to Vimiera Road, similar to the existing situation, whilst removing the existing vehicular access point to Thelma Street to avoid rat-running and traffic impacts on local streets;
- traffic generated by the Site would be minor within the context of existing traffic volumes carried by the surrounding road network;
- peak traffic generation from the Site would fall compared to existing weekend utilisation of TG Millner Field for rugby union matches; and
- traffic generated by the proposed development would be able to be accommodated within the existing road network without the need for any upgrades to existing intersections.

On the basis of the above, the report concludes that the proposed development will not have any unacceptable traffic generation, parking or loading implications.

### 8.4 Contamination

A Preliminary Site Investigation was undertaken by Douglas Partners (**Appendix F**) to determine the potential risk for land contamination from past and current activities in accordance with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 and the *Managing Contaminated Land Planning Guidelines* (DUAP 1998).

The report concludes that there are not likely to be any significant contamination risks to human health or ecology and that the Site can be made suitable for the proposed development, subject to mitigation measures and recommendations. A Detailed Site Investigation will be required to be prepared and submitted for assessment as part of the relevant future Development Application to characterise soil conditions and establish whether any remediation is required.

## 8.5 Flooding

A Stormwater and Flooding Assessment has been undertaken by Northrop and is provided at **Appendix H**. The report identifies that part of the Site is subject to low to medium risk of flooding in the northern and western portion near Vimiera Road, flowing down Vimiera Road towards Abuklea Road and into Terrys Creek.

A stormwater strategy has been prepared to inform the Master Plan and respond to the local flooding and drainage context and identifies the implementation of flooding and Water Sensitive Urban Design to be integrated with an effective urban design strategy.

The key elements of the strategy include establishing clear flow channels for stormwater (including stormwater running onto the Site from adjacent land), rainwater tanks for non-potable reuse, gross pollutant traps and trash pit inserts, two bioretention basis, piped stormwater network, and overland flow path to convey upstream catchment. It is noted that the strategy is adaptable to different site layouts, as long as an overland flow path is maintained, and green space is provided in the western portion of the Site.

The report concludes that the proposed strategy represents a contemporary response that complies with the relevant controls and standards. Recommendations of the report will be incorporated into the proposed site-specific DCP Amendment.

## 8.6 Tree Removal

A Tree Assessment (**Appendix G**) has been undertaken by Sydney Arbor Trees to assess the trees located within the Site in relation to their health, structural condition and estimated life expectancy to determine the retention value of each tree.

The assessment determined that 13 trees have a High Retention Value, 80 trees have a Medium Retention Value, and 227 trees were determined to have a Low or Very Low Retention Value. It is noted that a number of trees are identified as being dead or have significant structural defects and would be a priority for removal regardless of whether the development envisaged under the Planning Proposal goes ahead.

The removal of a number of trees is likely to be required to facilitate the proposed development described in the Master Plan. 43 of those trees are identified as having medium retention value, while only five are identified as high value and should be prioritised for retention.

Should major encroachments into the tree protection zone be required, the project arborist must demonstrate that these trees will remain viable, through inspection of root systems, after they are exposed by non-destructive means, such as hydraulic, hand digging or ground penetration radar.

It is noted that the retention values provided are based upon visual inspection alone and do not take into account potential ecological considerations, therefore an ecologist is recommended to be engaged to assess the trees and provide recommendations. The report concludes that a further assessment should be undertaken and this will be undertaken and incorporated into the site-specific DCP Amendment.

The impact of tree removal within the site as a result of the development will be offset by the planting of 570 additional trees within the site that are suitable to the location and context in order to establish a tree canopy cover of 65% across the total site area, which is well in excess of NSW Government targets as outlined in **Section 7.0**. As a result, the proposal would facilitate a net increase in tree coverage across the site.

## 8.7 Sustainability

The proposed development will be appropriately designed and constructed to ensure sustainability commitments are followed and relevant targets are achieved. The Ecologically Sustainability Development (ESD) targets and initiatives will be carried out through the design development, construction and through the completion of the project to deliver an exemplar of ecologically sustainable development. The Planning Proposal will allow the new residential development to deliver significantly improved environmental performance and sustainability outcomes.

## 8.8 Economic and Social Impacts

As stated in the Economic Benefits Report prepared by Deep End (**Appendix J**), the Planning Proposal will have a number of economic and community benefits. These are summarised below:

- The evolving demographic changes in Marsfield and surrounding suburbs are generating strong demands for new housing, other than apartment living. The Planning Proposal will deliver a range of low rise housing, including 3-4 bedroom terrace housing that are suited to large families.
- The proposal will redevelop the area with contemporary low maintenance, energy efficient homes that will set a benchmark standard for future developments to follow.
- The Planning Proposal dedicates 10,000m<sup>2</sup> of land to Council on Vimiera Road for public use, which will provide a range of passive and active open spaces. The use of the land by the local community will be much higher than the current occasional use of the TG Milner Field by sporting and spectator groups. This outcome has a monetary value to the Council as land for new open space is difficult or expensive to acquire and a high non-monetary value to the community in providing a community asset and a place of high amenity for passive and active recreation.
- The existing childcare centre lease expires in early-2025 and there is capacity within existing facilities in the near vicinity of the site to accommodate local demand.
- New residents have access to a wide range of established retail, education, health and community services and open space resources within 1km of the Site. Local bus services along Vimiera Road and Epping Road provide quick connections to stations on the North and North West Lines.
- The Planning Proposal will generate local and regional employment opportunities during the 2-3 year construction period, with approximately 462 direct and 702 indirect jobs (FTE job years) supported by the proposal.
- With an increase in residents to the area, the Planning Proposal will result in an increased local spending to retailers and other local businesses in the order of approximately \$2.55 million per annum.
- Provide additional annual rate revenue in the order of approximately \$248,000 per annum.
- The Planning Proposal will help facilitate and fund the relocation of Eastwood Rugby from the Site to Castle Hill. Additionally, the Planning Proposal will also alleviate the present financial burden on NRRSL of its acquisition, maintenance and administration of TG Milner Field since 2000.

The redevelopment of the Site will result in an overall positive social and economic contribution to the local community and is considered the best outcome for the Site.



## 9.0 Mapping (Part 4)

This Planning Proposal includes amendments to the following maps:

- Land Zoning Map (Sheet LZN\_004) by rezoning the Site to be Part R1 General Residential and Part RE1 Public Recreation
- Height of Building Mao (Sheet HOB\_004) by applying a height limit of 9.5 metres.

Maps of the proposed amendments to the Ryde LEP are provided at **Appendix D**.

## 10.0 Community Consultation (Part 5)

The proponent consulted extensively with community and other relevant stakeholders on the Master Plan and Planning Proposal in 2022 in order to inform the preparation of the project scope and design, and to gain community input into the design of the future public park. Key engagement activities undertaken included :

- Direct engagement with neighbouring land owners and residents through activities such as door-knocking, mailouts and information sessions.
- Direct engagement with key local community representatives and interest groups.
- Establishment of a project website and key contact points to assist in providing information and updates about the project to the community.
- Social media and advertising in local print media.
- Direct approaches to culturally and linguistically diverse communities, including representatives and through translated project collateral.
- Survey of community opinions undertaken by respected firm YouGov to understand community views regarding the proposal and preferred community outcomes in terms of development and open space provision.

Outcomes of this consultation were documented in the Community Engagement Report prepared by Polis Partners (**Appendix P**).

Formal public consultation will also take place in accordance with Sections 3.34 and 3.35 of the EP&A Act. This is likely to involve notification of the proposal:

- On Council's website;
- In newspapers that circulate widely in the City of Ryde LGA; and
- In writing to the adjoining and nearby landowners; relevant community groups; and the surrounding community in the immediate vicinity of the Site.

It is noted that confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway determination. Any future DA for the Site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

# 11.0 Indicative Project Timeline

**Table 13** below provides an indicative timeline for the Planning Proposal, which will be updated as required as progress occurs.

**Table 13**     *Indicative project timeline*

Milestone	Timing
Submission of Planning Proposal	July 2024
Reporting of Planning Proposal to Local Planning Panel	September 2024
Reporting of Planning Proposal to Council	October 2024
Referral to Minister for Gateway Determination	October 2024
Date of Gateway determination	November 2024
Commencement and completion dates for public exhibition period	January – February 2025
Timeframe for government agency consultation (pre-and post-exhibition as required by Gateway determination)	December – February 2025
Timeframe for consideration of submissions	March 2025
Reporting of exhibition of Planning Proposal to Council	April 2025
Date of submission to the Department to finalise the LEP	April 2025
Anticipated date RPA will make the plan (if delegated)	May 2025
Anticipated date RPA will forward to the department for notification	May 2025

## 12.0 Conclusion

This Planning Proposal seeks amendments to zoning, permitted uses and maximum building height for the Site under Ryde LEP 2014. The Planning Proposal will facilitate the delivery of low-rise diverse housing in a coordinated, master planned setting that includes a significant public benefit in the form of a high-quality new public park. By delivering a suitable low-rise diverse housing outcome, the development of the Site under the Planning Proposal will deliver housing to meet the future needs of the LGA's existing population in a manner that is compatible with the character of the existing surrounding neighbourhood.

The Planning Proposal is a vital step to facilitate the relocation of Eastwood Rugby to new purpose-built facilities that are located closer to its existing membership and future growth catchment, ensuring the ongoing viability of providing important regional sporting infrastructure. The Master Plan has been arrived at following a careful consideration of alternative outcomes for the site (**Section 4.0**), with the Planning Proposal considered to be the scheme most closely aligned with the strategic planning directions for the site and with Eastwood Rugby and NRRSL's objectives.

This Planning Proposal is justified for the following reasons:

- The proposal is consistent with the objects of the EP&A Act.
- The proposal is consistent with the vision and planning priorities of the relevant state strategic planning documents, including the Greater Sydney Region Plan and the North District Plan.
- The proposal is consistent with planning priorities outlined under the Ryde LSPS and supporting studies with respect to housing, neighbourhood character, open space, infrastructure and the environment.
- Delivery of low-rise diverse housing will provide housing to meet the needs of young families and downsizers already residing within the Ryde LGA, allowing these households to retain existing social, community and family connections and maintain access to services, health, education and employment opportunities.
- Low-rise housing in accordance with the Planning Proposal, Master Plan and future site-specific DCP Amendment will ensure that the development of new low-rise diverse housing does not result in any adverse impacts on, and is compatible with, the character of the existing neighbourhood.
- Development of the site will facilitate the delivery of a new public park that serves as a meeting place and significant amenity for the existing and future community which includes an inclusive local playground, informal multi-purpose court, pathways and seating areas for active and passive recreation.
- The Master Plan would support the planting of 570 additional trees across the site, significantly increased urban tree canopy to approximately 65% site coverage (well above local targets of 40%), acting to combat urban heat islands and provide additional habitat for native fauna.
- The Master Plan will adopt Smart City design principles to ensure that the new community is one of the most digitally connected and efficient places in Australia, aligning with the needs and expectations of workers in Macquarie Park's growing innovation district of knowledge-intensive and technology-based workplaces.
- The Master Plan will incorporate a range of sustainability measures including the promotion of rooftop solar photovoltaics, water efficiency and capability for on-site electric vehicle charging to reduce carbon emissions.
- The Site is will not impact on any heritage items or conservation areas.
- The Planning Proposal is for low-rise housing that will not result in any unacceptable or unreasonable privacy or shadow impacts to surrounding properties.
- The Planning Proposal will not have any adverse impacts on the operation of the surrounding road network.
- The Planning Proposal is a superior outcome for the community compared to a seniors housing development, for which a Development Application may already be lodged and approved under the Housing SEPP.
- The proposal is consistent with the applicable SEPPs and Ministerial Directions.

In light of the above, we request that Council consider and refer the Planning Proposal to the NSW Department of Planning, Industry and Environment for a Gateway Determination, and continue to work with the Proponent to develop a site-specific DCP Amendment and negotiate a Planning Agreement which will facilitate the realisation of the DKO Master Plan.