

## Planning Proposal



45-61 Waterloo Road, Macquarie Park

Amendments to Ryde Local Environmental Plan 2014

Submitted to City of Ryde Council

On Behalf of Government Property NSW

February 2016 ■ 15641

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*Mepstead and Associates*

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*JBA*



## 1.0 Introduction

This Planning Proposal is submitted to the City of Ryde Council (Council) on behalf of Government Property NSW. The Planning Proposal is written to support the rezoning of part of 45-61 Waterloo Road, Macquarie Park (the site) from B3 Commercial Core to RE1 Public Recreation and associated amendments to *Ryde Local Environmental Plan 2014*.

The strategic need for high quality public open space in the form a 'central park' within the Macquarie Park Corridor is a well-established priority for both Council and the Department of Planning and Environment. The Department of Planning and Environment has provided \$6million to Council to fund the acquisition and embellishment of the park. The funding agreement requires embellishment of the park to be completed by Council by no later than 30 June 2017. The proposed amendments will facilitate the future delivery of this 7,000m<sup>2</sup> public park by Council, whilst providing for no net loss of development potential from the remaining portion of the site.

Specifically, the Planning Proposal seeks to:

- rezone a 7,000m<sup>2</sup> portion in centre of the site fronting Waterloo Road from B3 Commercial Core to RE1 Public Recreation;
- amend the maximum floor space ratio (FSR) development standard in order to:
  - remove the FSR limit applying to the new area zoned RE1 Public Recreation; and
  - evenly distribute the park site area and existing split FSRs of 1:1 and 2:1 at a unified rate of 2.26:1 across the land zoned B3 Commercial Core;
- amend the maximum height of building development standard to:
  - remove the height limit applying to the new area zoned RE1 Public Recreation; and
  - amend the height controls in the south-west corner of the site to reflect those adjacent and the proposed location of the park;
- include the 7,000m<sup>2</sup> public open space area on the relevant Land Acquisition Reservation Map as "Local Open Space";
- amend the Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map in order to:
  - remove the FSR limit applying to the new area zoned RE1 Public Recreation; and
  - distribute the existing FSR at a rate of 3.66:1 across the land zoned B3 Commercial Core;
- amend the Macquarie Park Corridor Precinct Incentive Height of Buildings Map in order to remove the height limit applying to the new area zoned RE1 Public Recreation.

This Planning Proposal describes the site, the proposed amendments to the LEP, and provides an environmental assessment. The report has also been written in accordance with the Departments *Guide to Preparing Planning Proposals* and *Guide to Preparing Local Environmental Plans*.

## 2.0 Background

### 2.1 Macquarie Park Corridor Planning Proposal

To support growth and development in Macquarie Park, Council identified that the area requires substantial new infrastructure (including new roads and open space) to meet the needs of existing and future residents and workers.

In 2012 Council engaged a multidisciplinary consultant team - comprising traffic planners, urban designers, land economists and planners to prepare a feasibility assessment in relation to the planning incentives (additional height and floor space) and to make recommendations to ensure that council could leverage proposed new open space and roads through the development process.

In addition to providing FSR and height incentives for the Macquarie Park Corridor, the Recommendation Paper specifically identified the provision of a new Central Park in the centre of the site along with three new roads.

The recommendations of the review were then incorporated into the Macquarie Park Corridor Planning Proposal, which was also known as 'Amendment 1'. Consistent with Recommendation Paper the purpose of Amendment 1 was to add height and FSR development standards for the Macquarie Park Corridor to enable the implementation of new roads and parks that will support employment growth and the evolution of the Macquarie Park Corridor from business park to specialised employment centre with a continued focus on research and technology. On 11 September 2015 Amendment 1 was gazetted and incorporated a new clause 6.9 into LEP 2014 (herein after referred to as the Macquarie Park Incentive Clause).

The amendments sought under this Planning Proposal to allow for the future provision of the Central Park forms part of the public open space infrastructure Amendment 1 and the Recommendations Paper identified should be delivered in Macquarie Park.

### 2.2 Site History

The site is owned by Government Property NSW, and is one of the largest single ownership land holdings within the Macquarie Park Corridor. The site currently comprises a single building, which has been unused for a number of years. Government Property NSW has been undertaking a range of studies to determine the highest and best use of the site.

In August 2015, Government Property NSW, the Department and Council met to discuss the proposed pathway to secure the delivery of the new park identified as part of Council's strategic planning for the Corridor. It was agreed at the meeting that Government Property would be responsible for preparation of a planning proposal to rezone the part of the site for RE1 Public Recreation and transfer the FSR from the park area to the remaining site and identify the park for acquisition by Council.

The Department of Planning and Environment has provided \$6million to Council to fund the acquisition and embellishment of the park. The funding agreement requires embellishment of the park to be completed by Council by no later than 30 June 2017.



## 3.0 Site Description

### 3.1 Site Location and Context

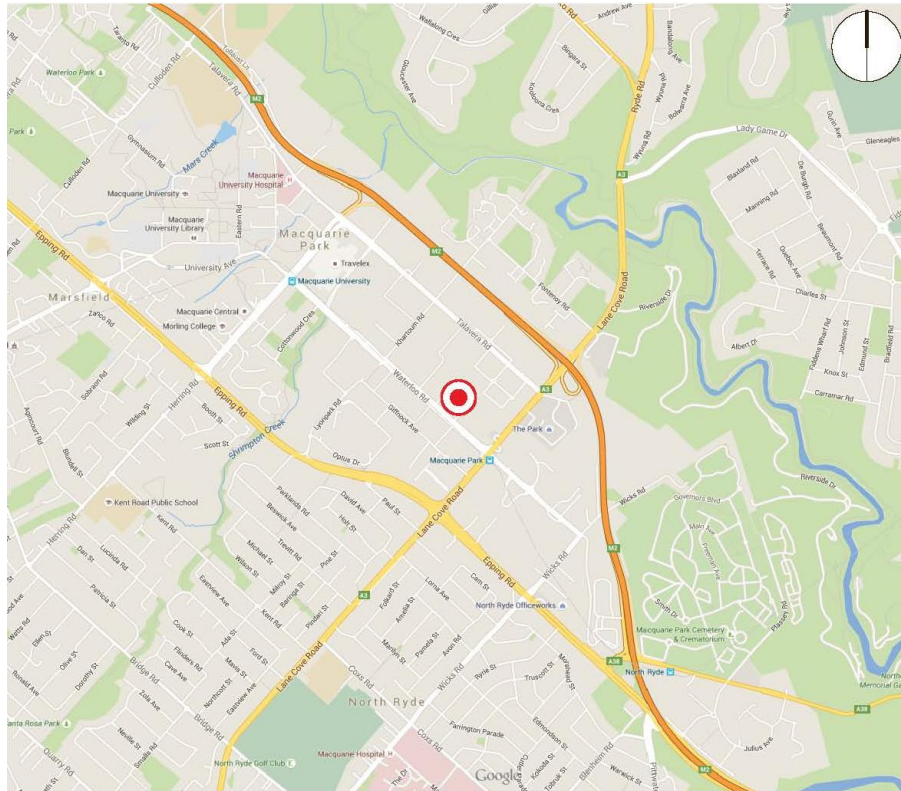
The site is located at 45-61 Waterloo Road, Macquarie Park, and is within the City of Ryde Local Government Area.

The Macquarie Park Corridor is a 75km<sup>2</sup> employment centre located equidistant from the Sydney Central Business District and Parramatta City Centre. Employment within the Corridor exceeds 39,000 and more than 30,000 students attend Macquarie University. The corridor is bounded by arterial roads – the M2 Motorway, Epping Road and Delhi Road. On the southern side of Epping Road the Corridor is adjoining by low density residential development

The Macquarie Park Corridor forms a part of Sydney's Global Economic Corridor and a specialised commercial precinct, with more than 800,000m<sup>2</sup> of commercially zoned land, being a mix of B3 Commercial Core, B4 Mixed Use and B7 Business Park.

The site is located on the western side of Waterloo Road to the north of its intersection with Lane Cove Road.

The immediate context of the site is a mix of low to medium rise commercial, light industrial and warehouse development. Relatively recent commercial developments including 52-58 Waterloo Road, 394 Lane Cove Road and 7-23 Talavera Road are generally 6-8 stories in height. Older development sites are typically lower in height.



● The Site

Figure 1 – Site Location Plan

## 3.2 Site Description

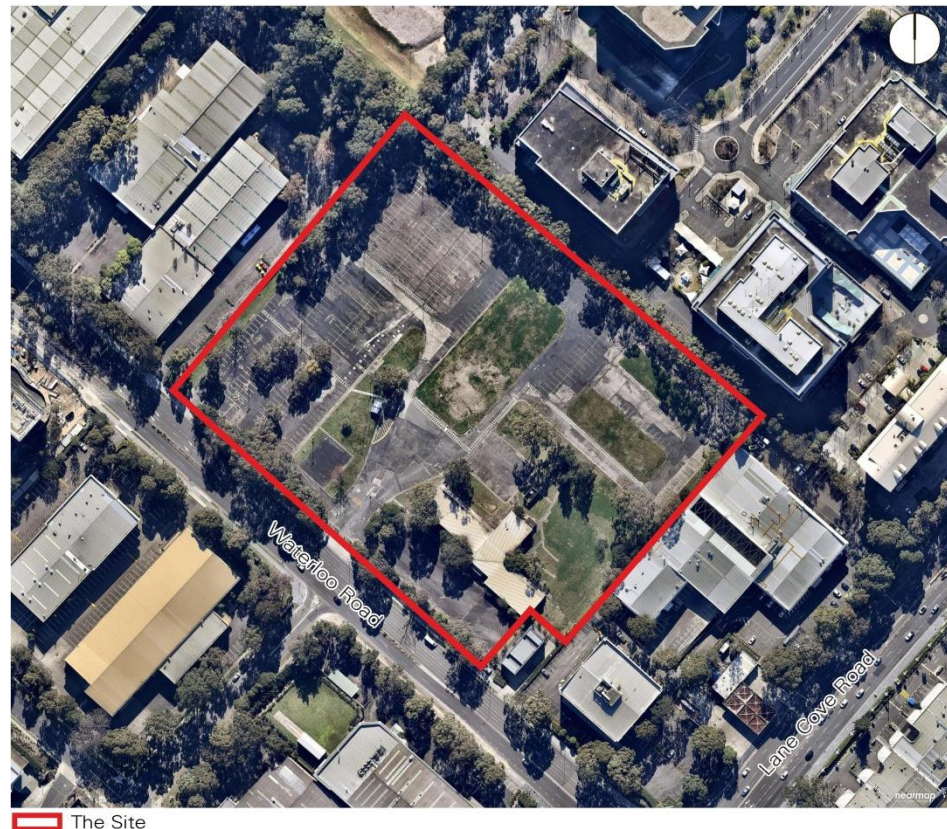
The site is legally described as Lot 102 in DP1130630, and an aerial photograph has been provided at **Figure 2**. The land is owned by Government Property NSW, and the site has a total area of 3.897Ha. The site is rectangular in shape, with a site width of approximately 221m, and a site length of approximately 178m.

The site generally slopes from a high point at the east towards the west of the site. A gully runs along the western frontage of the site, which is bisected by the property boundary between the site and adjacent 63-71 Waterloo Road. The site contains vegetation around the property boundaries, and only contains scattered trees throughout the middle of the site.

For the purposes of this Planning Proposal, the site has been referred to under the following boundary directions:

- 7-11 Talavera Road: Northern boundary.
- 35-41 Waterloo Road: Eastern boundary.
- Waterloo Road: Southern boundary.
- 63-71 Waterloo Road: Western boundary.

Photographs of the site have been provided at **Figures 3 to 6** below.



**Figure 2** – Aerial photograph of site





**Figure 3 – Existing building at the site**



**Figure 4 – Primary site access**



**Figure 5** – The site, as viewed from Waterloo Road at the main entrance



**Figure 6** – South-western corner of the site, including secondary access from Waterloo Road

### 3.3 Surrounding Development

As the case is for many sites within Macquarie Park, the site interfaces with a variety of building typologies. Photographs of the various building types surrounding the site have been reproduced at **Figures 7 to 11**.

To the north of the site are a variety of medium density commercial buildings separated by private green spaces, with heights ranging between approximately 5-7 storeys.

To the east of the site is a three storey office building, as well as a warehousing building further to the north-east. The warehousing building currently has a zero lot boundary to the site, with no windows along the relevant wall.



To the south-east of the site is also a small building used by Sydney Trains for servicing of the Epping-Chatswood Railway Line. This land is owned by Sydney Trains, and accordingly does not form part of this Planning Proposal.

Due to the length of the site's frontage to Waterloo Road, to the south of the site are a range of office and warehousing developments. These sites are on the opposite side of Waterloo Road, and include:

- the Macquarie Park Station portal at 42 Waterloo Road;
- the eight storey Hyundai Building at 394 Lane Cove Road;
- the two storey warehouse / office building at 36 Waterloo Road;
- the warehouse / office building at 50 Waterloo Road; and
- the seven storey 'Novartis' office building at 52 Waterloo Road.

To the west of the site is a two story office / warehouse building used by TPG.



**Figure 7** – Office development to the east of the site



**Figure 8** – Sydney Trains building to the south-east of the site



**Figure 9** – Macquarie Park station entrance, and buildings to the south of Waterloo Road





Figure 10 – 'TPG' building to the west of the site



Figure 11 – 'Novartis' building to the south of the site

## 4.0 The Proposal

This Planning Proposal seeks to facilitate the future delivery of a new park, whilst providing for no net loss of development potential from the remaining portion of the site. In order to achieve this, the following amendments to Ryde LEP 2014 are proposed:

- rezone a 7,000m<sup>2</sup> portion in centre of the site fronting Waterloo Road from B3 Commercial Core to RE1 Public Recreation;
- amend the maximum floor space ratio (FSR) development standard in order to:
  - remove the FSR limit applying to the new area zoned RE1 Public Recreation; and
  - evenly distribute the park site area and existing split FSRs of 1:1 and 2:1 at a unified rate of 2.26:1 across the land zoned B3 Commercial Core;
- amend the maximum height of building development standard to:
  - remove the height limit applying to the new area zoned RE1 Public Recreation; and
  - amend the height controls in the south-west corner of the site to reflect those adjacent and the proposed location of the park;
- include the 7,000m<sup>2</sup> public open space area on the relevant Land Acquisition Reservation Map as “Local Open Space”;
- amend the Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map in order to:
  - remove the FSR limit applying to the new area zoned RE1 Public Recreation; and
  - distribute the existing FSR at a rate of 3.66:1 across the land zoned B3 Commercial Core;
- amend the Macquarie Park Corridor Precinct Incentive Height of Buildings Map in order to remove the height limit applying to the new area zoned RE1 Public Recreation.

The proposal does not result in any additional FSR potential on the site.

This section of the report describes the future amendments to the Ryde LEP 2014 to facilitate the Proposal.

### 4.1 Proposed Amended Maps

The following amendments to the maps under the Ryde LEP 2014 are proposed. Amended Draft LEP Maps are included at **Appendix B**.

#### Land Zoning Map

Sheet LZN\_004 will be amended to rezone a 7,000m<sup>2</sup> area in centre of the site fronting Waterloo Road from B3 Commercial Core to RE1 Public Recreation (see **Figure 12**).



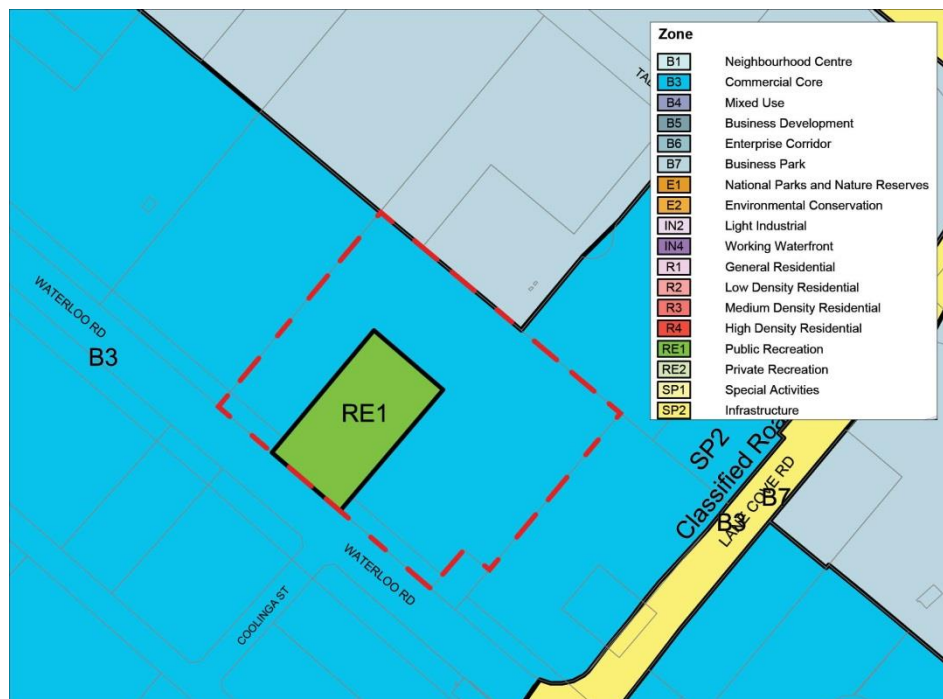


Figure 12 – Amended Land Zoning Map

### Floor Space Ratio Map

Sheets FSR\_004 and FSR\_005 will be amended to remove the FSR control as it applies to the area now zoned RE1 Public Recreation and apply an FSR of 2.26:1 to the area zoned B3 Commercial Core (see Figure 13).

The parts of the site mapped 1:1 and 2:1 have areas of 5,599m<sup>2</sup> and 33,388m<sup>2</sup> respectively. The proposed change evenly redistributes the existing development potential provided by the two FSRs evenly across the land zoned B3.

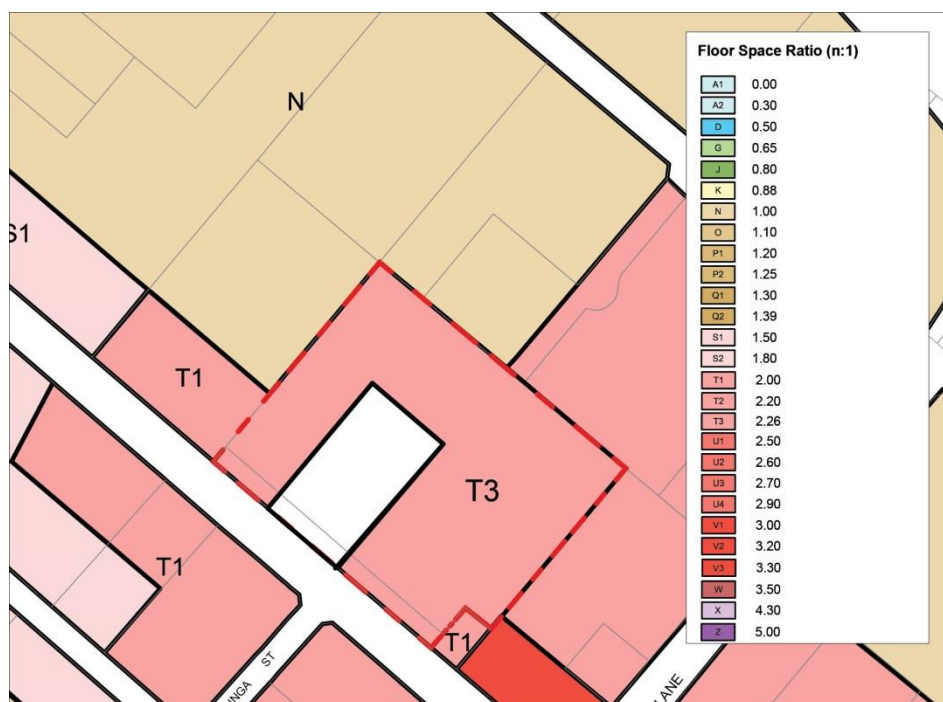


Figure 13 – Amended FSR Map

## Height of Buildings Map

Sheet HOB\_004 (see **Figure 14**) will be amended to:

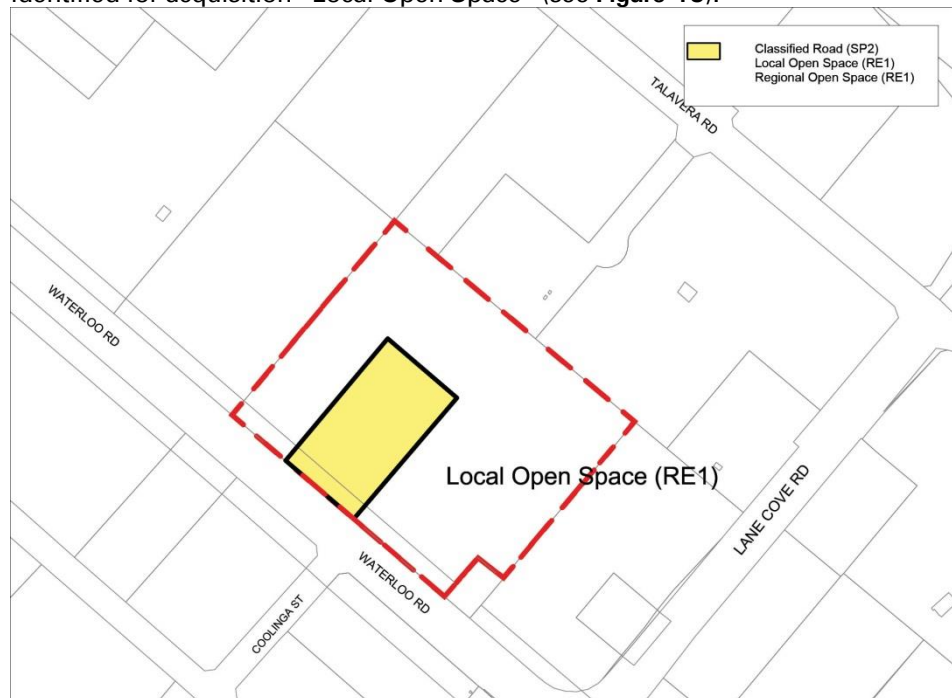
- remove the height control as it applies to the area now zoned RE1; and
- increase the 9m height limit in the south-west part of the site to reflect those adjacent (37m along Waterloo Road frontage, 30m away from frontage).



**Figure 14** – Amended Height of Buildings Map

## Land Reservation Acquisition Map

Sheet LRA\_004 will be amended to the land zoned RE1 Public Recreation as land identified for acquisition “Local Open Space” (see **Figure 15**).

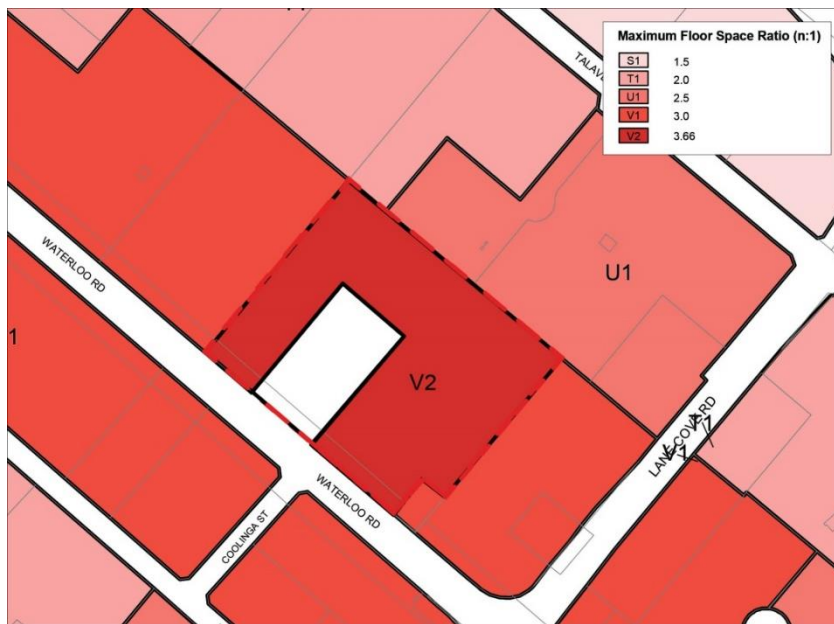


**Figure 15** – Amended Land Reservation Acquisition Map

### Incentives Floor Space Ratio Map

Sheets MFS\_004 and MFS\_005 will be amended to remove the FSR control as it applies to the area now zoned RE1 Public Recreation and apply an FSR of 3.66:1 to the area zoned B3 Commercial Core (see **Figure 16**).

The site currently has an incentives floor space ratio of 3:1, which extends across the whole site. The proposed change evenly redistributes the existing development potential provided by the existing incentive FSR evenly across the land zoned B3 Commercial Core.



**Figure 16** – Amended Incentives FSR Map

### Incentives Height of Buildings Map

Sheet MHB\_004 (see **Figure 17**) will be amended to remove the height control as it currently applies to the area now zoned RE1 Public Recreation.



**Figure 17** – Amended Incentives Height of Buildings Map

## 5.0 Need for the Planning Proposal

The existing planning controls in Ryde LEP 2014 do not reflect the desire of Council to deliver a large, high quality area of public open space capable of being used for both active and passive recreation purposes within close proximity to Macquarie Park railway station.

The need for additional public open space to attract corporations and businesses to Macquarie Park is noted within numerous studies undertaken for the Macquarie Park corridor, which have been further discussed at **Section 5.1** below.

Whilst noting the need for additional public open space, there is also a need to ensure that the provision of that open space does not result in any net loss of development potential and associated future employment provision on the site, under both the existing and incentive floor space controls.

In light of the above, a Planning Proposal is required to both provide for the open space whilst enabling an associated redistribution of development potential on the remainder of the site.

### 5.1 Is the Planning Proposal a result of any strategic study or report?

The planning of the Macquarie Park Corridor is informed by several studies including:

- Allen Jack and Cottier, (2008) Macquarie Park DCP (now known as Ryde DCP 2010 Part 4.5 Macquarie Park Corridor)
- Aspect Studios, (2008) Macquarie Park Public Domain Technical Manual
- Bitzios Consulting, (2008) Macquarie Park Growth Model: Transport Management Plan
- Space Syntax, (2010) Macquarie Park Baseline Movement Economy Report
- Drew Bewscher and Associates, (2010) Macquarie Park Flood Management Plan
- Coulston, (2012) Ryde Integrated Open Space Plan

In 2012 a multi-disciplinary team was engaged by Council to review the abovementioned (excepting the Flood Study) and to recommend:

- Height and Floor Space Ratios for inclusion in Amendment 1 to the Ryde LEP 2014;
- Practicable refinements to the Street, Pedestrian and Open Space Network Structure Plans in Ryde DCP 2010 based on financial feasibility.

Amendment 1 was then supported by the recommendations outlined in the resultant studies including:

- Architectus, (May 2013), Macquarie Park Plan Review Recommendations Paper
- Architectus, (May 2013), Macquarie Park Plan Review Options Paper
- Architectus, (November 2012) Macquarie Park Plan Review Issues Paper

All of the above studies are available on Council's website.



Specifically, this Planning Proposal provides the planning mechanism to support the implementation of the extensive strategic work referenced above, in regards to a mechanism of delivering public open space on the site.

Of the above studies, the Ryde DCP 2014 Part 4.5 – Macquarie Park Corridor and the Ryde Integrated Open Space Plan make specific reference to the demand for additional public open space, and indicate the site as the preferred location for the delivery of that space.

## 5.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

In the preparation of this Planning Proposal, three options were considered to enable the delivery of the public open space at the site. These options have been listed below:

- **Option 1: Do nothing**  
The first option considered was to do nothing on the site, and to not rezone the 7,000m<sup>2</sup> for the purposes of public open space. However this would be contrary to an agreement between Government Property, the Department and Council and would inhibit the provision of the open space, which would be of significant detriment to current and future workers and visitors to the area. Not providing the park would also not make use of the funding grant provided by the Department to Council for the infrastructure. Accordingly this option has not been pursued and a Planning Proposal has been undertaken.
- **Option 2: Site specific clause and redistribution of current floor space ratio**  
The second option considered was to redistribute the current FSR across the remainder of the site, but also include a site specific clause that allows for the site area of the park to be proportionately used for the purposes of calculating FSR. This option ensured that any uplift under Amendment 1 of the Ryde LEP 2014 was captured, whilst also ensuring that any future proposal that seeks to utilise that uplift also provides the necessary contribution towards the access network and recreation area upgrades. However, the gazettal of Amendment 1 made this option an overly complicated manner of achieving the same ultimate outcome as the preferred option below.
- **Option 3: Redistribution of the current and incentives floor space ratios under the Ryde LEP 2014**  
The third option considered was to amend floor space ratio maps, under both the existing floor space ratio and the incentives floor space ratio. Both maps would be amended to capture the 'lost' floor space potential from the dedication of the RE1 Public Recreation zoned site, and redistribute that potential across the remaining B3 Commercial Core zoned portion of the site. This option avoids the need for a site specific clause, whilst maintaining the existing and incentive floor space potential at the site, and has accordingly been pursued under this Planning Proposal.

## 5.3 Is there a net community benefit?

There will be a tangible and immediate community benefit arising from this Planning Proposal in the form of the expedition of a much needed, strategically located area of public open space within Macquarie Park. This land has been previously identified as the optimal site for such open space (see **Section 5.1**), and this Planning Proposal will enable the acquisition and future creation of the park to occur within a timely manner. This open space will ultimately act as a

catalyst for further development and jobs growth within Macquarie Park and assist with the identified open space shortage within the Macquarie Park Corridor.

## 6.0 Strategic and Statutory Framework

This chapter outlines the strategic and statutory planning framework within which the development and conservation outcomes for the land have been considered.

### 6.1 State and Regional Strategic Framework

#### 6.1.1 NSW 2021

NSW 2021 is a 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities.

The Planning Proposal will implement some of the core goals of the NSW 2021 Plan, including but not limited to enhancing sporting and recreation opportunities, improving the performance of the NSW economy, increasing the competitiveness of doing business in NSW.

#### 6.1.2 Plan for Growing Sydney

A Plan for Growing Sydney is the current strategic plan for the Sydney metropolitan area. Within A Plan for Growing Sydney, the site is located within the Macquarie Park strategic centre, which itself forms a crucial part of the Global Economic Corridor.

The provision of open space in demanded areas is a high priority within A Plan for Growing Sydney (Directions 3.2 and 3.3). The proposed open space will improve the appeal of nearby office space, whilst also serving nearby short and long term needs of workers and residents (such as students at Macquarie University, residents within the Herring Road and North Ryde Priority Precincts, and residents of the wider Ryde LGA).

The emphasis of provision of high quality commercial floorspace within Macquarie Park is repeatedly emphasised throughout A Plan for Growing Sydney (Directions 1.6, 1.7, North Subregion), and wherever possible this floor space needs to be maintained. This Planning Proposal ensures that the current commercial floor space, and any potential Macquarie Park Incentive floor space is maintained.

#### 6.1.3 NSW Long Term Transport Masterplan

The NSW Long Term Transport Masterplan (Transport Masterplan) has the aim of better integrating land use and transport within metropolitan Sydney. The Transport Masterplan has been prepared to integrate with the overall strategic plan for Sydney.

The proposed development will serve the objectives of the Transport Masterplan by delivering vital public open space which will increase the desirability of doing business within the Macquarie Park corridor; an area strategically located and well serviced by public transport. The facilitation of future development within this location will promote the use of public transport and reduce reliance on private motor vehicles, and any uplift from future Development Applications which seek to take advantage of the 'incentives' Clause 6.9 of the Ryde LEP 2014.

## 6.2 State Legislation

### 6.2.1 Environmental Planning and Assessment Act, 1979

The *Environmental Planning and Assessment Act, 1979* (the EP&A Act) and the *Environmental Planning and Assessment Regulations, 2000* set out amongst other things the:

- requirements for rezoning land;
- requirements regarding the preparation of a local environmental study as part of the rezoning process;
- matters for consideration when determining a development application; and
- approval permits and/or licences required from other authorities under other legislation.

This Planning Proposal has been prepared in accordance with the requirements set out in Section 55 of the EP&A Act in that it explains the intended outcomes of the proposed instrument. It also provides justification and an environmental analysis of the proposal.

#### Ministerial Directions

Ministerial Directions under Section 117 of the EP&A Act set out a range of matters to be considered when preparing an amendment to a Local Environmental Plan. The relevant Section 117 Directions for this Planning Proposal have been outlined at **Table 1** below.

**Table 1** – Consistency with Section 117 Directions

Ministerial Directions	Consistent			Comment
	Yes	No	N/A	
Employment and Resources				
1.1 Business and Industrial Zones	✓			The Planning Proposal doesn't reduce the level of potential employment uses within the site, and safeguards the site to benefit from any future uplift associated with the Macquarie Park Incentive Clause.
1.2 Rural Zones			✓	N/A
1.3 Mining, Petroleum Production and Extractive			✓	N/A
1.4 Oyster Aquaculture			✓	N/A
1.5 Rural Lands			✓	N/A
Environment and Heritage				
2.1 Environment Protection Zones			✓	This Planning Proposal facilitates the provision of public open space in an otherwise commercially zoned site. Any assessment of the environmental constraints will be the subject of future Development Application(s).
2.2 Coastal Protection			✓	N/A
2.3 Heritage Conservation	✓			The Planning Proposal will not affect Clause 5.10 which contains provisions relating to heritage items.
2.4 Recreation Vehicle Areas			✓	N/A



Ministerial Directions	Consistent			Comment
	Yes	No	N/A	
Housing, Infrastructure and Urban Development				
3.1 Residential Zones			✓	N/A
3.2 Caravan Parks and Manufactured Home Estates			✓	N/A
3.3 Home Occupations			✓	N/A
3.4 Integrating Land Use and Transport	✓			The proposal will facilitate the delivery of public open space and commercial floorspace within close proximity to Macquarie Park Station.
3.5 Development Near Licenced Aerodromes			✓	N/A
3.6 Shooting Ranges			✓	N/A
Hazard and Risk				
4.1 Acid Sulfate Soils			✓	The site is not listed as probably containing acid sulfate soils, and accordingly this direction doesn't apply.
4.2 Mine Subsidence and Unstable Land			✓	N/A
4.3 Flood Prone Land	✓			Further discussion has been provided at <b>Section 7.4</b> .
4.4 Planning for Bushfire Protection			✓	The site is not bushfire prone land under Council's Bushfire Prone Land Map.
Regional Planning				
5.1 Implementation of Regional Strategies			✓	N/A
5.2 Sydney Drinking Water Catchments			✓	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast			✓	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast			✓	N/A
5.8 Second Sydney Airport Badgerys Creek			✓	N/A
5.9 North West Rail Link Corridor Strategy			✓	The site is not within any of the nominated Local Government Areas.
Local Plan Making				
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	✓			The proposal seeks the dedication of land for the purposes of public open space. Approval of Council and the Department of Planning and Environment is sought by way of this Planning Proposal.
6.3 Site Specific Requirements	✓			No site specific provisions proposed.
Metropolitan Planning				
7.1 Implementation of A Plan for Growing Sydney	✓			This has been discussed at <b>Section 6.2.1</b> above.

## 6.3 State Environmental Planning Policies

An assessment of the Planning Proposal against the relevant State Environmental Planning Policies (SEPPs) is set out at **Table 2** below.

**Table 2** – Consistency with State Environmental Planning Policies

SEPP	Consistency			Comment
	Yes	No	N/A	
SEPP No. 1 Development Standards			✓	SEPP 1 does not apply to Ryde Council.
SEPP (State and Regional Development) 2011			✓	Not relevant to proposed LEP amendment. Will form part of future DA assessment if required.
SEPP (Exempt and Complying Development Codes)			✓	Not relevant to proposed LEP amendment. Will form part of future DA assessment if required.
SEPP (Infrastructure) 2007			✓	Not relevant to proposed LEP amendment. Will form part of future DA assessment if required.
SEPP 19 – Bushland In Urban Areas			✓	Will form part of future DA assessment if required.
SEPP No. 64 Advertising and Signage			✓	Not relevant to proposed LEP amendment.
SEPP No. 55 Remediation of Land	✓			A Stage 1 Site Assessment will be prepared if the project proceeds through Gateway.
SREP (Sydney Harbour Catchment) 2005	✓			The site falls within the Sydney Harbour Catchment. This Planning Proposal is not inconsistent with the planning principles of the Sydney Harbour Catchment.

## 6.4 Local Statutory Framework

The following section provides a summary of the local strategic framework.

### 6.4.1 Ryde Local Environmental Plan 2014

Ryde LEP 2014 is the key environmental planning instrument that applies to the site.

Ryde LEP 2014 transferred the Macquarie Park Corridor land use zone, and floor space requirements from the previous Ryde LEP 2010 (with minor amendments). Ryde LEP 2014 zones the site B3 Commercial Core with a split maximum floor space ratio of 1:1 at the north-west of the site, and 2:1 for the remainder of the site.

Ryde LEP 2014 also assigns a variety of height limits to the site, which include:

- a 9m height limit at the south-western corner of the site;
- a 37m height limit at the south-eastern corner of the site; and
- a 30m height limit for the remainder of the site.

Ryde LEP 2014 also includes an 'incentive clause' which provides for a maximum building height of 65m and FSR of 3:1 across the whole site if the consent authority is satisfied that:

- (a) there will be adequate provision for recreation areas and an access network, and
- (b) the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and

*(c) the configuration and location of the access network will allow a suitable level of connectivity within the precinct*

## 6.4.2 Ryde Development Control Plan 2014

The Ryde Development Control Plan 2014 provides detailed design guidelines to give support to the Ryde LEP 2014. The objective of the DCP is to promote design excellence through redevelopment; to expand and improve the public domain and to improve vehicular, pedestrian and cycle permeability within the Macquarie Park Corridor. Ryde DCP Part 4.5 Macquarie Park Corridor includes a Structure Plan comprised of four elements:

- Built form Structure Plan;
- Street Network Structure Plan;
- Open Space Network Structure Plan; and
- Pedestrian Network Structure Plan.

Of particular relevance to this Planning Proposal is the Open Space Network Structure Plan. As demonstrated at **Figure 19**, the site is specifically nominated under the DCP as accommodating a future “Central Park”.



**Figure 18** – Proposed open space network – subject open space land nominated as “No. 5” in above plan.

Source: City of Ryde Council

A high level assessment against the detailed controls for the envisaged park at Table 5.2.1 of the DCP has been provided at **Table 3** below.

**Table 3** – Assessment against site specific controls at Table 5.2.1

Control	Comment
Minimum area 1Ha, minimum dimension 65m.	The proposed park is 63m wide, and provides for an overall area of 7,000m <sup>2</sup> (0.7Ha). Although short of the requirements contained under the Ryde DCP, the proposed open space reflects the agreement between the Department, Council and NSW Government Property and continues to deliver a very large area for the purposes of public open space at the centre of Macquarie Park which meets the operational function intended for the park.
Park layout generally in accordance with Figure 5.3.1 (contained within Ryde DCP).	The size and shape of the RE1 Public Recreation use envisaged is general in accordance with the Ryde DCP. Park layout will be the subject of future detailed design work.
Central Park located abounding Waterloo Road.	The proposed park abuts Waterloo Road.
Implement new roads on two sides of Central Park (resulting in roads on three sides of Central Park).	The location of the proposed park does not inhibit the provision of roads along the eastern and western boundaries of the park.
Provide 10 park benches and 10 bicycle parking	This will be the subject of future detailed design work.

Control	Comment
spaces.	
Where practicable provide turf detention basin to minimum 50% of park area as Central Park is on the overland flow alignment.	This will be the subject of future detailed design work.

Overall, the proposed park is capable of achieving the future indicative character of a multi-function park that provides for active recreation, passive recreation and community events. The detailed design of the future park will form part of future work, and is not a relevant concern at the Planning Proposal stage.

## 6.5 Local Strategic Framework

### 6.5.1 The City of Ryde 2025 Community Strategic Plan

The Community Strategic Plan sets the vision for the City of Ryde as *“the place to be for lifestyle and opportunity at your doorstep”* (Page 9). The plan has seven outcome areas – defined through community consultation – that guide city improvements, Council policy and city planning. The seven outcomes are the City of Prosperity, City of Liveable Neighbourhoods, City of Wellbeing, City of Environmental Sensitivity, City of Connections, City of Harmony and Culture and City of Progressive Leadership.

The proposal directly addresses the stated goal of creating active public places and spaces (City of Liveable Neighbourhoods) through good planning and design, in that the Planning Proposal will facilitate the delivery of a much needed public open space area which is centrally located and will ultimately form an integral part of the Macquarie Park commercial core area.

The Planning Proposal, by way of facilitating the delivery of public open space, will also improve the appeal of the Macquarie Park Corridor, and lead to additional commercial investment. Nearby high quality public open space is a desirable element for employees, and the proposed open space will facilitate the provision of such space.

### 6.5.2 City of Ryde Economic Development Plan

On 10 March 2015, Council adopted the *City of Ryde Economic Development Plan 2015-2019* (Economic Development Plan). The plan has been prepared in order to *“stimulate the local economy and support jobs and business growth in the community”*, and includes a number of strategic goals for economic development within the Ryde LGA. The goals which are considered relevant to the proposal are listed as follows:

- *Goal 1: Macquarie Park continues to attract new businesses and a talented workforce.*
- *Goal 2: Town and neighbourhood centres are vibrant and attractive for residents, employees and visitors.*
- *Goal 4: Job seekers find work locally via employment services, vocational training and work experience opportunities.*
- *Goal 6: Market investment opportunities and permit a variety of activities within the city’s employment and industrial lands.*

The Planning Proposal supports the achievement of the goals in the Economic Development Plan in that it will facilitate the creation of jobs within Macquarie Park, maintaining commercial floorspace potential while providing attractive public open space, which is highly accessible and located close to major public transport nodes.

## 7.0 Environmental Analysis

This chapter of the report describes the rezoning 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.

### 7.1 Built Form

The proposed changes to the building height controls reflect the current LEP building heights within the Macquarie Park Corridor and are considerably lower than the maximum heights achievable under the Macquarie Park Incentive Clause.

The proposed changes to the FSR controls which comprise the provision of a flat rate of 2.26:1 across the land zoned B3 Commercial Core, equates to the same GFA potential that is achievable under the current controls. Accordingly there will be no greater density achieved on the site than is currently available.

Similarly, an amendment to the incentives Clause, which comprises the provision of a rate of 3.66:1 across the land zoned B3 Commercial Core, equates to the same 'incentives' floor space potential as that which is achievable under the current incentives controls. Accordingly, there will be no greater density achieved on the site than is currently available.

It is noted that the provision of the park in the centre of the site will mean the GFA is located within a more concentrated area, however, this form reflects Council's desired future character for the Macquarie Park Corridor to be more urban closer to the Stations and will be viewed in the context of the open space provided in the centre of the site.

### 7.2 Solar Access

The proposed open space location will be well suited to receive sufficient solar access, and is of such a size that any overshadowing from surrounding future commercial buildings will not overshadow the parkland at a level which will exceed Council's requirements of *"50% of new public space to receive 3 hours of direct sunlight between 9am and 3pm on June 21"*.

Detailed assessment of the solar access to the open space will be the subject of future assessment for other development at the site and its surrounds.

### 7.3 Traffic Generation

This Planning Proposal will act only so far as to rezone part of the site from B3 Commercial Core to RE1 Public Recreation, and transfer the potential floorspace from the public recreation zoned land to the commercially zoned land at the site. As no additional commercial floorspace will be created, there will be no increase in traffic movements to and from the site when compared to the existing approved commercial density.

Detailed assessment of the traffic generation of future commercial development on the B3 Commercial Core zoned portion of the site will be the subject of future detailed applications.

The location of the public park does not preclude the potential future provision of the local access roads through the site in accordance with DCP 2014.

## 7.4 Flooding

The site is identified as flood prone under the 'City of Ryde Macquarie Park Floodplain Risk Management Strategy and Plan', prepared by Bewsher Consulting Pty Ltd (2010). Additionally, under the Ryde Development Control Plan the Table 5.2.1 states that the site forms part of an overland flow path.

As per the current zoning, the impacts of any future proposed commercial development, particularly at western boundary of the site identified as flood prone under the 2010 Floodplain Risk Management Study, will be the subject of future assessment as the zoning of this portion of the site is not proposed to be changed.

Additionally, the proposed open space area will likely comprise largely permeable surfaces such as grass and soil, which have the potential to improve the water absorption characteristics of that portion of the site (including under the development incentives clause), when compared to the existing hard stand car parking area which covers most of the site.

As the proposal doesn't propose to rezone any existing flood sensitive zone (such as special use, recreation, etc) to a development zone (such as residential, business, etc), there will be no additional flooding impacts on the site.

## 7.5 Public Benefits of Proposal

### Additional Public Open Space in Macquarie Park

As has been outlined at **Sections 1.0** and **5.1** above, there is a strong and identified need for additional public open space within the Macquarie Park Corridor, with the site repeatedly noted throughout previous planning studies as the best possible location of delivering such additional open space.

This Planning Proposal provides a method for the required public open space to be provided, which will enable future use of the site by residents, workers and visitors to the area. The proposed open space will be central to the Macquarie Park Corridor, highly accessible from surrounding streets, and will create a focus point for active and passive recreation in Macquarie Park.

### Increased Economic Activity

The Planning Proposal will facilitate an increase in economic output within Macquarie Park. The Planning Proposal will enable the delivery of the same level of commercial floor space as is currently achievable on the site, but with the additional public benefit of providing a significant area of public open space.

The increase in economic activity will also arise in the longer term from an increased appeal of doing business in Macquarie Park, due to the provision of high quality public open space in the centre of the corridor. Space for workers to eat and recreate is a vital factor in attracting high quality commercial tenants to Macquarie Park, and this Planning Proposal will facilitate that.

## 7.6 Social and Economic Impacts

The proposed development will have significant social and economic benefits which are detailed in **Section 7.5** above. There are no negative social or economic impacts associated with the proposal.

## 8.0 Timeline

As outlined under the (then) Department of Planning and Infrastructure's *A Guide to Preparing Planning Proposals*, an indicative timeline has been provided of the project timeframe at **Table 4** below.

**Table 4** – Anticipated project timeline

Stage	Completion Date
Anticipated commencement date (date of Gateway determination)	April 2016
Timeframe for government agency consultation	N/A
Commencement and completion dates for public exhibition period	N/A
Consideration of submissions	N/A
Timeframe for the consideration of a proposal post exhibition	N/A
Date of submission to the Department to finalise the LEP	May 2016
Anticipated date RPA will make the plan (if delegated)	July 2016

## 9.0 State and Commonwealth Interests

### 9.1 Public Infrastructure

Under 'A guide to preparing planning proposals', Section D questions if there is adequate public infrastructure for the planning proposal.

The proposal will facilitate the provision of additional public open space in order to address a present shortage of such space in the Macquarie Park Corridor. The Department of Planning and Environment has provided \$6million to Council to fund the acquisition and embellishment of the park.

The proposal will redistribute the current and 'incentives' clause floor space of the site amongst the portion of the site zoned B3 Commercial Core. Accordingly, there will be no additional demand on public infrastructure arising from the Planning Proposal, combined with additional supply of public infrastructure in the form of public open space.

### 9.2 Consultation with State and Commonwealth Authorities

#### Department of Planning and Environment

The Planning Proposal is the outcome of an agreement between the Department, Council and Government Property NSW. Consultation has been undertaken with the Department of Planning and Environment as to the proposed approach outlined under **Section 4.0**, and the different options considered as part of this process.

#### Commonwealth Authorities

No formal consultation has been undertaken with Commonwealth Authorities, regarding this Planning Proposal. Where necessary, consultation with relevant authorities will be undertaken as required in accordance with an initial Gateway determination.



## 10.0 Community Consultation

It is proposed that given the minor nature of the Planning proposal a public exhibition period is not required. It is noted that confirmation of this will be given by the Minister as part of the LEP Gateway determination.

## 11.0 Conclusion

This Planning Proposal seeks to facilitate the future delivery of a new park, whilst providing for no net loss of development potential from the remaining portion of the site.

The Planning Proposal is considered justified for the following reasons:

- The proposal will enable the provision of a future park that will allow for active and passive recreation uses by workers, residents and visitors of the Ryde LGA and surrounding areas.
- The proposal is consistent with the objects of the EP&A Act, in that it facilitates the provision of land for public purposes.
- The proposal is consistent with the metropolitan, regional and sub-regional strategic planning framework, which all emphasise the need for high quality public open space in strategic locations such as Macquarie Park. The strategic framework also emphasises the jobs growth potential of the Macquarie Park Corridor, and the Planning Proposal ensures that this potential is not lost through the provision of the public open space.
- The proposal is consistent with the applicable SEPPs and Section 117 Directions.
- The proposal will have no adverse environmental impacts, in particular it will not affect the potential delivery of jobs within the Macquarie Park Corridor.

In light of the above, we would have no hesitation in recommending that the Planning Proposal proceed through the Gateway process.