

City Planning

Dunbar Park Estate Planning Proposal

Exhibition - 2018

Table of Contents

1.0 Introduction.....	3
1.1 Site Description and Context	3
1.2 Background	6
1.3 Current Planning Controls	9
2.0 Objectives and Intended Outcomes	12
3.0 Explanation of Provisions.....	13
4.0 Justification	14
4.1 Need for the Planning Proposal	14
4.2 Relationship to strategic planning framework	14
4.3 Environment, social and economic impact.....	27
4.4 State and Commonwealth interests	27
5.0 Mapping.....	29
6.0 Community Consultation	29
7.0 Project Timeline	29

Attachments

1. List of properties under Planning Proposal
2. Development Control Plan – Sobraon Road, Marsfield
3. Dunbar Park Estate Character Review
4. Economic Report by Hill PDA titled – **Dunbar Park Estate – Rezoning Proposal Review – R3 (Medium Density) to R2 (Low Density) Residential**
5. Draft Ryde LEP 2014 Land Zoning Map – Amendment 20
6. Copy of Council Resolution – 22 August 2017

1.0 Introduction

This Planning Proposal has been prepared by the City of Ryde in relation to the 72 allotments known as **Dunbar Park Estate** in Marsfield.

The Planning Proposal aims to rezone the land known as Dunbar Park Estate (the site) to:

- conserve and protect the character of the built environment of the site, and
- ensure the existing low density scale development that contributes to the character of the site is reflected in an appropriate zoning.

This Planning Proposal has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act 1979 (in particular Section 55) and relevant guidelines produced by the Department of Planning and Environment.

The Department of Planning and Environment requires a Planning Proposal to cover five main parts which form the basis of this document as follows:

Part 1 – Statement of Objectives and Intended Outcomes of the proposed LEP (refer to 2.0 of the Planning Proposal)

Part 2 – Explanation of the Provisions to be included in the LEP (refer to 3.0 of the Planning Proposal)

Part 3 – Justification of objectives, outcomes and process for implementation (refer to 4.0 of the Planning Proposal)

Part 4 – Maps to identify intent and applicable area (refer to 5.0 of the Planning Proposal)

Part 5 – Community Consultation proposed to be undertaken on the Draft LEP (refer to 6.0 of the Planning Proposal)

1.1 Site Description and Context

This planning proposal applies to the site known as the **Dunbar Park Estate**. The site is located in the suburb of Marsfield.

The development contained within Dunbar Park Estate is the result of a master planned residential estate subdivision carried out in the early 1980s. The Estate contains two parks Australia Park and Liberty Park.

Dunbar Park is located directly to the west of the site with Epping Road and Macquarie Park Corridor to the north (see Figure 1 Location Map and Figure 2 Aerial Photograph of site).

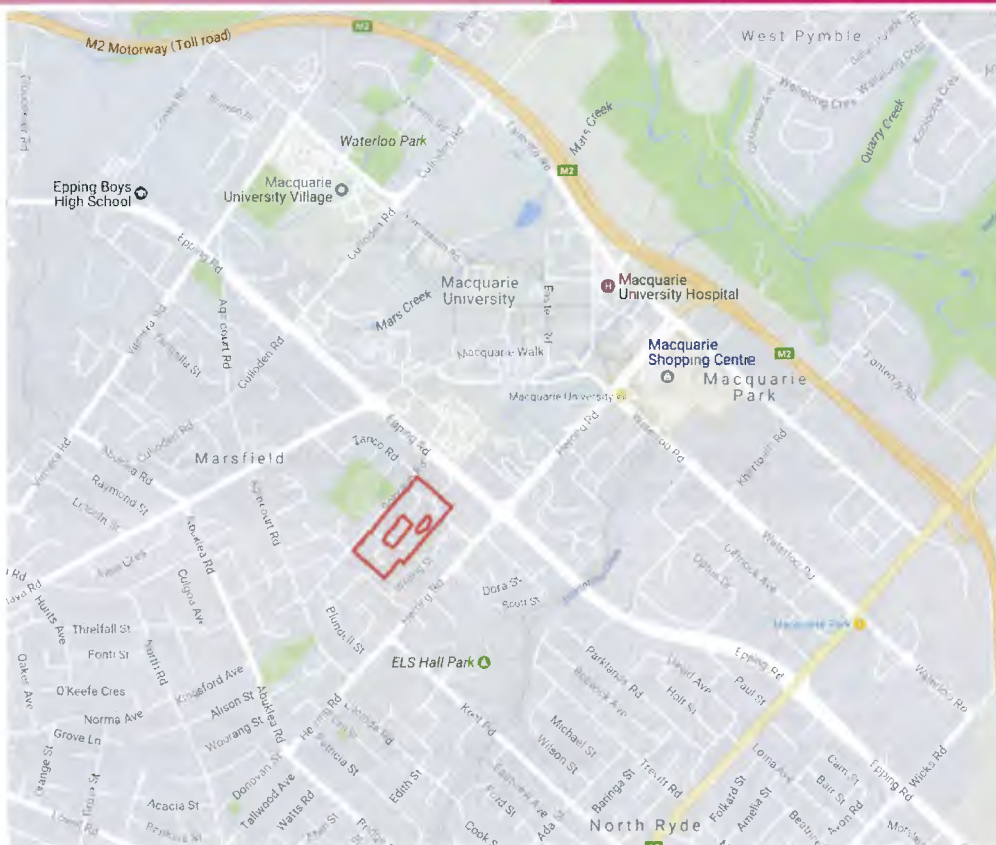


Figure 1 Location Map



Figure 2 Aerial Photograph of site

The site comprises 72 individual allotments of land of which 14 allotments (Fig 3) have been strata subdivided resulting in a total of 88 dwellings within Dunbar Park Estate. The dwellings are comprised of 58 dwelling houses, four triplexes (3 attached dwellings) and nine duplexes (2 attached dwellings). **Attachment 1** identifies each Lot and Deposited/Strata Plan comprising the site and the subject of this Planning Proposal.

LEGEND

Site Identification

- Subject Land
- Allotments which have been strata subdivided



Figure 3 – SPs allotments

1.2 Background

Dunbar Estate Master Plan

The site was zoned *Special Uses 'A' School* under the Ryde Planning Scheme, as gazetted in 1979.

In the early 1980s, the Department of Education formally abandoned plans to develop the site for educational purposes and determined to dispose of the land through residential development.

A Master Plan for the site was prepared by Henry Pollack and Associates Pty Ltd, and included the '*subdivision of surplus NSW Government Land Sobraon Road, Marsfield, NSW*'. (Dunbar Park Estate Masterplan).

The Neighbourhood Character statement in the Master Plan states the following (emphasis added):

The cul-de-sac street pattern has been introduced to achieve an '**estate' character** by eliminating through vehicular traffic, while creating a unique local visual quality. It is intended to develop these areas with detailed landscape design proposals both for the planting designs and for pavement treatments to create interesting textural and visual effects.

Three different types of preferred housing typologies were specified, in the Master Plan:

1. Dwelling houses – Forty eight (48) allotments were to be developed for conventional single dwelling houses with two typical single-storey dwelling houses designs prepared to illustrate the desired future character in term of scale and character.
2. Composite House 'A' - was described as comprising two dwelling houses within the one building envelope with the mass and shape of the building being designed to appear as a single dwelling house so as not to be inconsistent with the visual character or typical single, detached subdivision areas.
3. Composite House 'B' - was usually to be developed on corner allotments or those facing onto the proposed public open space and would comprise three dwellings sharing two party walls and would contain two two-storey dwellings and one single storey dwelling. It was envisaged that this built form would achieve a mass and scale similar to a large single dwelling house.

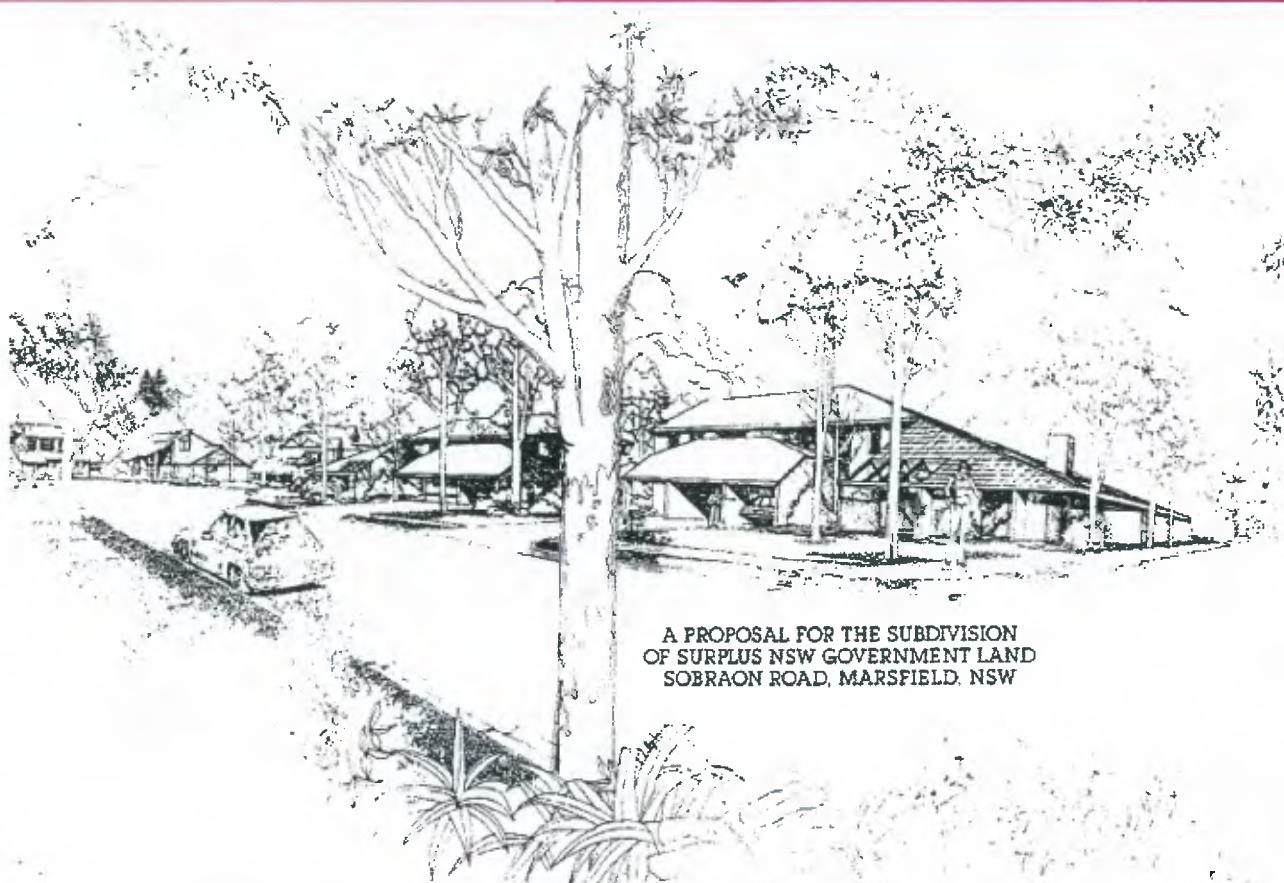


Image from Attachment 2 – Development Control Plan – Sobraon Road

Ryde Planning Scheme and Development Control Plan – Sobraon Road Marsfield

Under *State Environmental Planning Policy No.8 – Surplus Public Land* (effective 1983) the site was deemed to be surplus to government needs and was rezoned under Ryde Local Environmental Plan No. 15 on the 3 February 1984 *Residential 'E'*.

Under the **Residential 'E'** zoning dwelling houses were permitted without Council consent and the following uses were permitted with consent:

Child care centres; home occupations; hospitals; places of public worship; professional consulting rooms; public buildings; residential flat buildings; utility installation.

The LEP also specified development controls relating to site area, landscaped area, height and limited the number of dwellings on the site to a total of 98.

At the same time *Development Control Plan – Sobraon Road* came into effect. The aims of the DCP were:

- (a) To ensure that the land to which this plan applies is developed in a form which will maintain and enhance the character of adjoining residential areas.
- (b) To provide a range of residential accommodation including dispersed medium density development.

Under the DCP development had to be:

- in accordance with the plans prepared by Henry Pollack and Associates Pty. Ltd. and
- comply with minimum setbacks that were specified

The *Development Control Plan - Sobraon Road, Marsfield* is provided as **Attachment 2**.

Ryde Local Environmental Plan 2014

Under Ryde Local Environmental Plan 2014 the subject land is zoned R3 Medium Density Housing. The land uses permitted under the R3 zoning on the land are very similar to those originally permitted under the Ryde Planning Scheme Ordinance (RPSO).

In the City of Ryde a total of 10 areas, all of which vary in density and design, are zoned R3 Medium Density under Ryde LEP 2014. Each site was previously zoned Residential 'E' under the Ryde Planning Scheme (RPS) and under RPSO were under separate LEP controls and many under separate DCP controls.

The transition from Residential 'E' to R3 Medium Density was undertaken primarily given the similar permissible land uses and did not account for the varied character, density and design within the different areas subject to the Residential 'E' zone.

Character Statement

The impact of the Dunbar Park Estate Master Plan, the Ryde Planning Scheme, *Development Control Plan - Sobraon Road, Marsfield* and Ryde LEP 2014 has been the creation and maintenance of a site with a specific subdivision character and built form character.

Edwards Planning, on behalf of Council, undertook a character review of the subject area in August 2018 and concluded the following:

The Dunbar Estate is considered a representative example of a late 20th century 'master planned' estate subdivision for residential housing. It demonstrates a deliberate attempt to create a sense of community with the incorporation of a series of cul-de-sac streets. The housing stock, all attributed to the 1980s and 1990s, period provides a homogenous character, yet individuality in the built form is achieved through the application of differing architectural styles. The dwellings with their landscaped gardens, stitched together with the public open spaces culminate to provide a pleasant but not remarkable low density residential setting.

The Dunbar Park Estate Character Review prepared by Edwards Planning is provided as **Attachment 3**.

Council Resolution

Council at its meeting of 22 August 2017 resolved the following:

That Council prepare and submit to the NSW Department of Planning and Environment for Gateway Determination, a Planning Proposal for the "Dunbar Park Estate R3 Zone" in Marsfield.

The effect of the Planning Proposal is to amend Ryde Local Environmental Plan 2014 to rezone the land from R3 Medium Density Residential to R2 Low Density Residential in order to harmonise zonings in this area and ensure its character and amenity is maintained.

This Planning Proposal (PP) seeks to implement the Council resolution of the 22 August 2017 – provided as **Attachment 6**.

1.3 Current Planning Controls - Ryde Local Environmental Plan 2014 (RLEP 2014)

RLEP 2014 is the principle planning instrument applying to the site.

Zoning

Under RLEP 2014 the site is zoned R3 Medium Density Residential (see Figure 4 below).

Under the zone the following uses are permitted:

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Environmental protection works; Group homes; Home-based child care; Home businesses; Home industries; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Seniors housing; Serviced apartments.

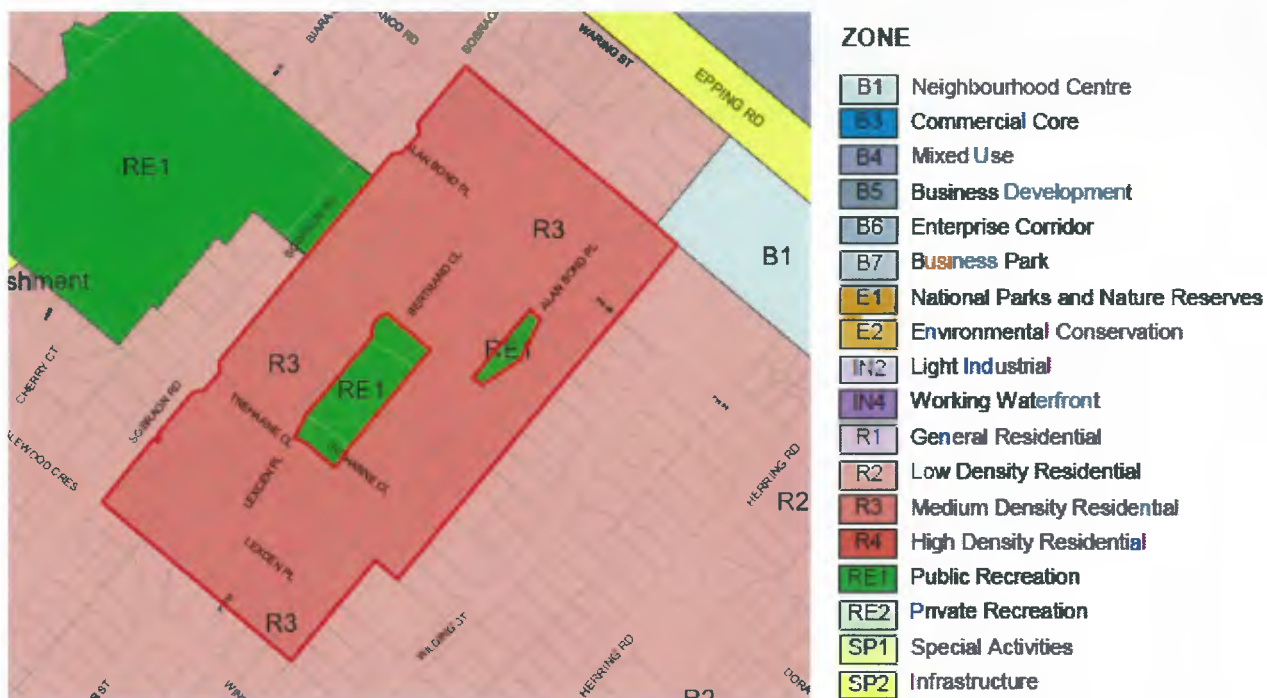


Figure 4 Excerpt Existing Land Zoning Map RLEP 2014

Building Height

The maximum building height permitted on the site, is 9.5m as per RLEP 2014 Height of Buildings Map (Figure 5 below).

The Height of Buildings control (maximum height of 9.5m) is the same as the maximum height of building control that applies to land zoned R2 Residential Low Density under RLEP 2014.

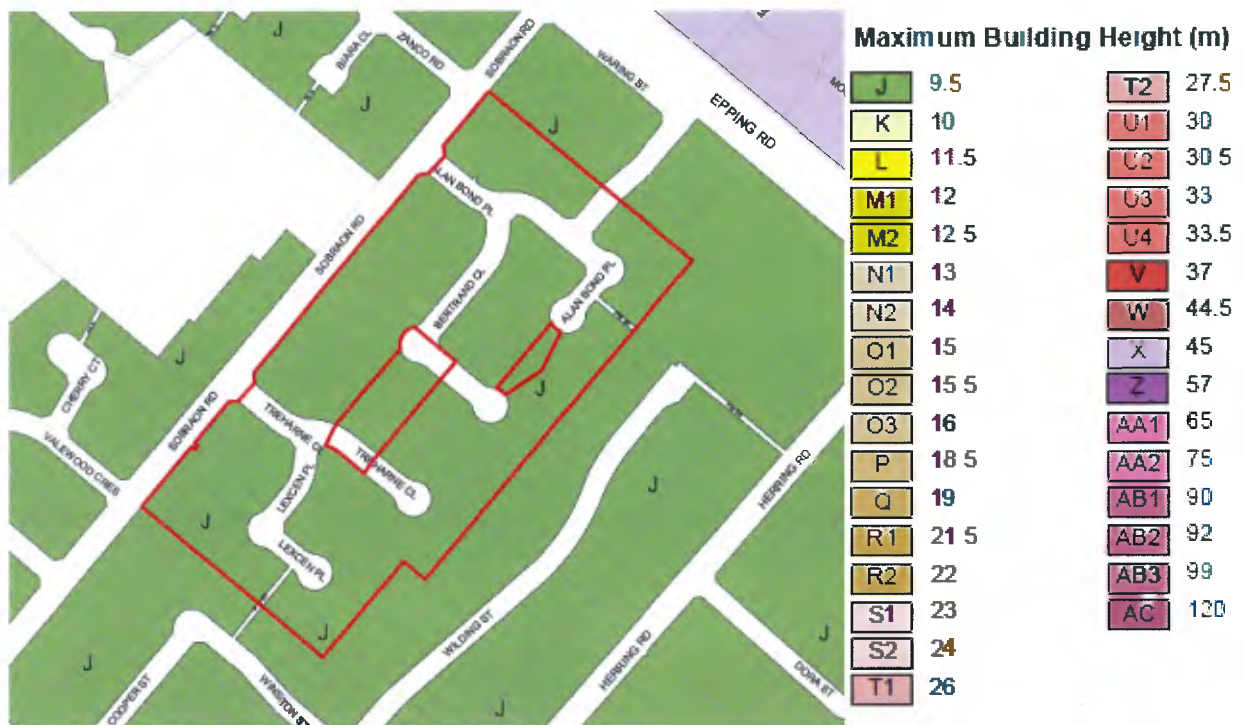


Figure 5 Excerpt Existing Height of Buildings Map RLEP 2014

Floor Space Ratio

The maximum floor space ratio permitted on the site is 0.5:1 as per RLEP 2014 Floor Space Ratio Map (see Figure 6 below).

The Floor Space Ratio control (maximum 0.5:1) is the same as the Floor Space Ratio control that applies to land zoned R2 Residential Low Density under RLEP 2014.

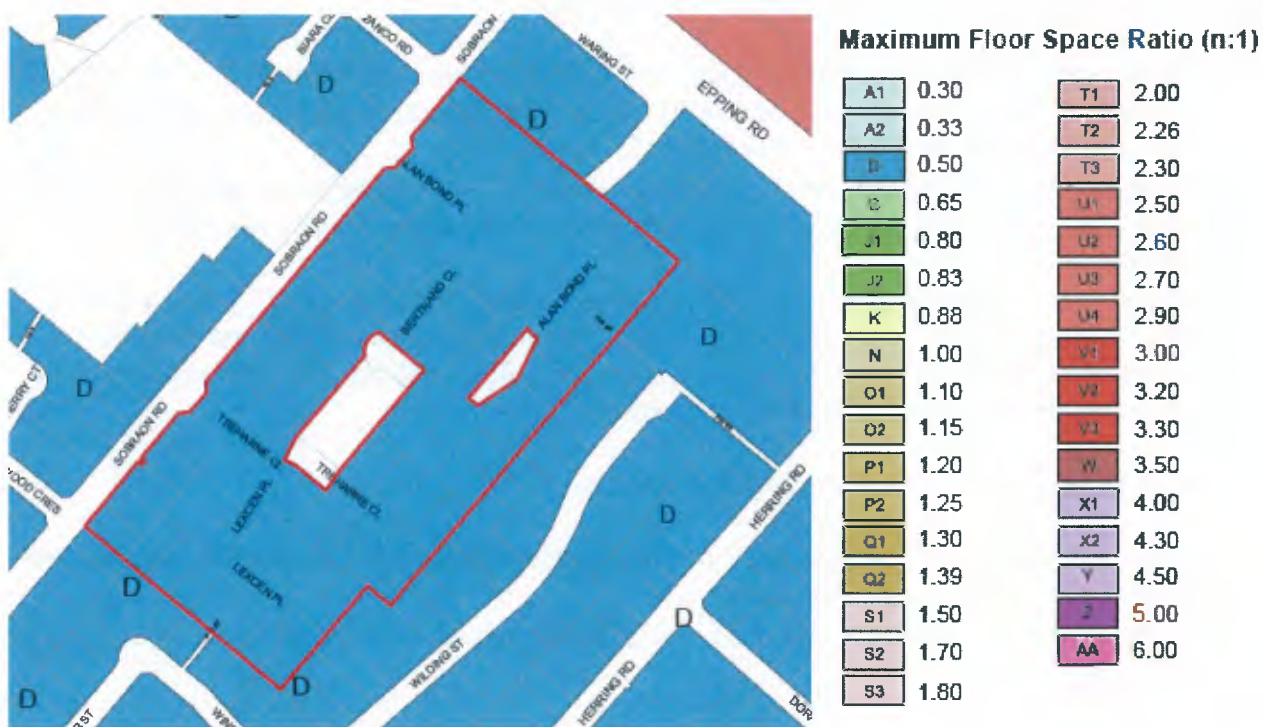


Figure 6 Excerpt Existing Floor Space Ratio Map RLEP 2014

2.0 Objectives and Intended Outcomes

This part of the planning proposal responds to Section 55(1) of the Environmental Planning and Assessment Act 1979 which requires an explanation of what is planned to be achieved by the proposed amendments to RLEP 2014.

The Planning proposal seeks to amend RLEP 2014 to:

- Ensure the character of the Dunbar Park Estate is retained through the rezoning of the site to a residential zone with land uses that only permit development that is sympathetic to that existing character of the site.
- Ensure the zoning of the site reflects the existing low density development controls that apply and have contributed to the establishment of a low density residential setting.
- To provide a savings and transition provision within LEP 2014 with respect to the site that ensures any development application or appeal processes received by Council before the PP amendment comes into effect, will be determined/assessed as if the PP amendment had not occurred.

The Intended outcome of the Planning Proposal is to:

- Allow land uses on the site which are compatible and supportive of the existing low density residential character of the site.
- To have the zoning of the site reflect the existing development controls that apply to the site.

3.0 Explanation of Provisions

The proposed Outcomes will be achieved by:

- Rezoning the site to R2 Low Density Residential (see Figure 7 below) which permits the following land uses:

Bed and breakfast accommodation; Boarding houses; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies (attached); Dwelling houses; Environmental protection works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hospitals; Multi dwelling housing; Places of public worship; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings.



Figure 7 Proposed Land Zoning Map RLEP 2014

Floor space and height of buildings

There is no proposed change to the Floor Space Ratio or Height of Buildings controls for the site as the current controls are identical to the controls that apply to all land zoned R2 Low Density Residential in the City of Ryde.

Savings and Transition Clause

To ensure that the proposed zoning amendment does not affect any current development applications or appeal processes, a savings and transition provision will be inserted into Ryde Local Environmental Plan 2014 with respect to this site.

4.0 Justification

Section 55 (3) of the Environmental Planning and Assessment Act 1979 enables the Director-General to issue requirements with respect to the preparation of a planning proposal. This section responds to all matters to be addressed in a planning proposal – including Director-General’s requirements for the justification of all planning proposals (other than those that solely reclassify public land).

4.1 Need for the Planning Proposal

4.1.1 Is the planning proposal a result of any strategic study or report?

The Planning Proposal is not the direct result of a specific strategic study or report. The proposed LEP amendment is to:

- Ensure the character of the Dunbar Park Estate is retained through the rezoning of the site to a residential zone with land uses that permits development that is sympathetic to the existing character of the site.
- Ensure the existing low density scale development that contributes to the character of the site is reflected in an appropriate zoning.

4.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes?

The planning proposal is the best means of achieving the intended outcome of rezoning the site to ensure the low density character of the site is retained.

4.2 Relationship to strategic planning framework

4.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The strategic planning context for the consideration of this Planning Proposal includes:

- A Plan for Growing Sydney
- Greater Sydney Regional Plan
- The North District Plan

A Plan for Growing Sydney (2014)

This Plan sets out the overarching land use strategy to accommodate population growth and infrastructure in the Sydney metropolitan area over the next 20 years while creating a high amenity and a liveable city.

The Plan sets out four key goals supported by directions and actions. *Goal 3: A great place to live with communities that are strong healthy and well connected:*

A Plan for Growing Sydney aims to create more vibrant places and revitalised suburbs where people want to live – welcoming places and centres with character and vibrancy that offer a sense of community and belonging. (Page 82)

The Planning Proposal supports the *A Plan for Growing Sydney* in that it aims to ensure the existing sense of community, belonging and local identity that has been developed as a result of the low scale residential character and interconnectedness of the site (that was actively planned for at the time the development was supported by the State Government) is maintained.

Greater Sydney Regional Plan - A Metropolis of Three Cities

The *Greater Sydney Region Plan* (2018) outlines how Greater Sydney will manage growth and change and guide infrastructure delivery over the next 40 years.

The Vision of the Plan is to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City.

The City of Ryde is located within the Eastern Harbour City. The Plan states that the established **Eastern Harbour City** will be building on its recognised economic strength and addressing liveability and sustainability. (p 8)

The Plan contains:

- Four key themes
- 14 Metrics ie. measurement tools
- Ten Directions and
- 40 Objectives

The four key themes are infrastructure and collaboration, liveability, productivity and sustainability.

The Planning Proposal which aims to retain the character of an area that has been specifically designed with a sense of creating a community through a consistency of development scale with incorporated housing choice supports the aims of the draft Plan.

In particular, the Infrastructure theme seeks to deliver “A city supported by infrastructure” (p 35) and this Planning Proposal will ensure development of the site remains consistent with the levels of infrastructure available. The site is located within a low density residential context and is immediately supported by commensurate levels of infrastructure. The topography, subdivision pattern, and location within the LGA provide limited potential for increased access to supporting infrastructure such as higher volume waste services

required to support higher densities, and appropriate access to open space and social infrastructure such as community and cultural facilities and education opportunities.

The Liveability theme has the following three directions (p47):

- A city for people - celebrating diversity and putting people at the heart of planning.
- Housing the city – giving people housing choices.
- A City of great places – designing places for people.

This Planning Proposal supports the delivery of these directions by ensuring the strong community desire to retain the character of Dunbar Estate as a thriving low density residential community is supported by appropriate zoning provisions. It will ensure Council's LEP continues to support the maintenance and delivery of a balanced mix of high, medium and low density housing choices and it will not inhibit Council's ability to deliver additional housing to support the future population (**Attachment 4** provides a report undertaken on behalf of Council by Hill PDA which indicates that the proposed changes to the zoning of the site will have no adverse impact on housing supply or land value).

North District Plan (2018)

The *North District Plan* (NDP 2018) sets out the planning priorities and actions for Greater Sydney's North District, which includes the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Northern Beaches, Mosman, North Sydney, the City of Ryde and Willoughby, as developed by the Greater Sydney Commission

The NDP provides the means by which the Greater Sydney Region Plan can be put into action at a local level, by setting out the opportunities, priorities and actions for the growth and development of the North District.

In keeping with the Greater Sydney Region Plan each District Plan contains:

- Four key themes – infrastructure and collaboration, liveability, productivity and sustainability
- Ten Directions – to guide the balanced delivery of the theme
- Metrics – to measure successful delivery of the plans
- District-specific Planning Priorities and Actions – to achieve results that provide a great quality of life for people in the District.

The Planning Proposal is consistent with the aims of the NDP in that it aims to retain housing choice whilst ensuring the character of the area which has promoted a sense of community to exist and for the community to feel connected to their area is protected through the rezoning of the land to reflect its low density character. The Planning Priorities particularly relevant to the proposal are addressed below.

- Planning Priority N1 – Planning for a city supported by infrastructure.
- Planning Priority N3 – Providing services and social infrastructure to meet people's changing needs

This Planning Proposal will ensure development of the site remains consistent with the levels of infrastructure available. The site is located within a low density residential context and is immediately supported by commensurate levels of infrastructure.

- Planning Priority N4 – Fostering healthy creative, culturally rich and socially connected communities.

The proposal responds to a strong community desire to retain the character and identity of the site in order to support the existing high levels of social connection. The proposed zoning will also ensure the levels and types of housing provided on the site are, as is currently the case, in keeping with the site's level of access to social and cultural infrastructure in nearby neighbourhood and strategic centres.

- Planning Priority N5 – Providing housing supply, choice and affordability, with access to jobs and services.

RLEP 2014 allows a balanced provision of high, medium and low density housing options across the City of Ryde. The site currently provides a mix of dwelling types: 58 dwelling houses including four triplexes (3 attached dwellings), and nine duplexes (2 attached dwellings). This balance of single dwellings, duplexes and triplexes, is broadly consistent with the R2 land surrounding the site and with the supporting infrastructure and amenity available to the site. The proposed change will ensure this balance is maintained. Dual Occupancy and multi dwelling housing will be permissible subject to the provisions of RLEP 2014 Part A.

An analysis (undertaken by Hill PDA on behalf of Council – see **Attachment 4**) of the potential impact of the proposed change on future housing delivery on the site found that:

in the event the zoning was changed from R3 (Medium Density) to R2 (Low Density) residential unit projects (medium density development) would not be precluded as they are not viable. Townhouse development is viable and permissible under both the current R3 and R2 Planning Controls.

While currently permissible, other constraints on the site are such that Residential Flat Buildings are not viable. Thus, while the proposed change will remove Residential Flat Buildings from the permissible uses available on the site, this will have no impact on the maintenance of a balanced and appropriate housing mix on the site.

- Planning Priority N6 – Creating and renewing great places and local centres, and respecting the District's heritage.

The proposed changes would see the site's zoning more accurately reflect the natural progression of the site's character. The initial intent of the estate was to provide a range of residential accommodation types, with an appropriate balance of medium density development (attached multi-dwelling housing), consistent with the surrounding neighbourhood and the level of supporting infrastructure and amenity. The proposal will also maintain the sense of place consistent with the functionality of the suburban, cul-de-sac oriented layout and subdivision pattern. The current scale and density, which are

proposed to be maintained, are pedestrian friendly and facilitate local community connection in the public domain.

4.2.2 Is the planning proposal consistent with the local council's local strategy, or other local strategic plan?

(1) Local Planning Study (LPS)

The LPS was prepared to guide the future growth of Ryde to 2021 and to inform the preparation of the comprehensive RLEP 2014. The LPS included a Housing Study, which planned for dwellings growth to 2021 and put forward ideas for investigating options for housing growth in the longer term.

The study adopted the following principles:

- Ensure that the dwelling target of 12,000 extra dwellings set by the Department of Planning can be met.
- Continue to ensure that most housing growth is concentrated in centres where there is good access to public transport.
- Ensure that a range of dwelling types can be provided to meet the needs of different household types.
- Ensure apartment dwellings function well for families.
- Ensure that a mix of housing types is provided in order to allow residents to remain within their own neighbourhood as they age.
- Ensure that dwellings have high levels of residential amenity.
- Ensure the protection of the streetscape character of the low density residential areas.

The Key recommendations were:

- Advise the Department of Planning that the additional 12,000 dwellings target can be met without change to the City of Ryde strategic planning direction.
- Allow villa developments and duplex buildings throughout the low density residential areas. This will deliver a range of smaller dwellings which are attractive to families, lone person households and ageing households. These dwellings will also be more affordable.
- Allow duplex buildings to be Strata subdivided in order to encourage this form of smaller, more affordable housing.
- Require sites for duplex developments to have a minimum frontage of 20 metres in order to deliver good streetscape outcomes.
- Review development controls for duplex and villa developments in order to deliver good streetscape outcomes and good residential amenity.
- Review development controls for apartment buildings to ensure the needs of families can be met.
- Undertake neighbourhood studies of the low density residential areas of the City of Ryde.

All of the recommendations of the Housing Study have been implemented, with the exception of preparing neighbourhood studies. This Planning Proposal is consistent with the principles and recommendations of the LPS.

In particular Ryde Local Government Area (LGA) has experienced exceptional housing growth since 2010 and is on track to exceed the growth target of 12,000 new dwellings by 2021 by many thousands. According to the Australian Bureau of Statistics, the total number of dwellings in the City of Ryde increased by 4,484 between 2011 and 2016.

The largest changes in the type of dwellings found in the City of Ryde between 2011 and 2016 were:

- High density (+4,200 dwellings)
- Medium density (+155 dwellings)
- Separate house (-138 dwellings)

According to the North District Plan “[t]he greatest increase in population [in the North District] is expected in Ryde Local Government Area (51,700 over the 20 years to 2036) due to the anticipated urban renewal in the area and the strong growth.

The Housing Study identified some areas adjoining centres for investigation for growth. This included an area south of Epping Road that includes the subject site. Based on current growth and housing demand it has not been necessary to consider a new growth corridor south of Epping Road.

The challenge now with respect to housing in Ryde is to meet the objectives of the new North District Plan and to address, in particular, the following issues:

- Diversity continues to be an issue with dwellings types being dominated by detached houses and apartments.
- Affordability is an emerging issue for Ryde with land values rising sharply in more recent years and stagnant wage growth
- Catering for a wide range of age groups – promoting aging in place.

Infrastructure provision to meet community demand and help unlock future growth potential is now a key, well documented, issue in Ryde. It is a particular issue in this locality with the bulk of the Ryde population increase and increased growth delivered through urban renewal in the Herring Road Area, the Macquarie Park Strategic Investigation Area, and the North Ryde Station Priority Precinct. Council’s planning controls permit multi-unit and dual occupancy development within the R2 lands. As a result, this PP will contribute to housing diversity, affordability, aging in place and housing supply.

(2) The City of Ryde 2025 Community Strategic Plan

The Community Strategic Plan sets out the future vision for the City of Ryde. The plan sets the desired outcomes and the aspirations of the community and the goals and strategies to achieve the desired outcomes. The seven outcomes for the City of Ryde articulated in the plan are:

- A City of Liveable Neighbourhoods
- A City of Wellbeing
- A City of Prosperity

- A City of Environmental Sensitivity
- A City of Connections
- A City of Harmony and Culture
- A City of Progressive Leadership

The Planning Proposal seeks to ensure that an existing neighbourhood, Dunbar Estate, maintains its local identity and character and as such supports Council's strategy of encouraging and supporting local identity and character in our suburbs.

In particular, the proposal contributes to:

A City of Liveable Neighbourhoods - Goal Two

Our community has a strong sense of identity in their neighbourhoods and are actively engaged in shaping them

Strategies:

To plan and design our neighbourhoods in response to our community's needs, wants and sense of belonging.

To encourage and support local identity and character in our suburbs and neighbourhoods and protect our local heritage.

4.2.4 Is the planning proposal consistent with applicable state environmental planning policies?

A summary assessment of the Planning Proposal in terms of State Environmental Planning Policies that are relevant to the City of Ryde is contained in the table below (Table 1).

This assessment indicates that the draft LEP contained in this Planning Proposal is consistent with all relevant State environmental planning policies.

Table 1 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A
	YES	NO	
EPP No 19 Bushland in Urban Areas	✓		
SEPP No 21 Caravan Parks			✓
SEPP No 30 Intensive Agriculture			✓
SEPP No 33 Hazardous and Offensive Development			✓
SEPP No 50 Canal Estate Development			✓
SEPP No 55 Remediation of			✓ There is no change

State Environmental Planning Policies (SEPPs)	Consistent		N/A
	YES	NO	
Land			to the use of the land for residential purposes and as such the SEPP does not apply
SEPP No.62 Sustainable Aquaculture			✓
SEPP No 64 Advertising and signage			✓
SEPP No 65 Design Quality of Residential Flat Development			✓The proposed zoning does not permit residential apartment development
SEPP (Affordable Rental Housing) 2009	✓ The proposal will not affect the provisions of the SEPP. It is acknowledged that the provisions relating to residential flat buildings will no longer apply.		
SEPP(BASIX) 2004	✓Any subsequent development applications will be compliant with these provisions		
SEPP (Exempt and Complying Development Codes) 2008	✓ The proposal does not affect the provisions of the SEPP		
SEPP(Housing for Seniors or People with a Disability) 2004	✓The proposal does not affect the provisions of the SEPP		✓
SEPP (Infrastructure) 2007	✓ The proposal does not affect the provisions of the SEPP		
SEPP (State Significant Precincts) 2005			✓ The site is not identified as a State Significant Precinct

State Environmental Planning Policies (SEPPs)	Consistent		N/A
	YES	NO	
SEPP (Miscellaneous Consent Provisions) 2007	✓ The proposal does not affect the provisions of the SEPP		
SEPP (State and Regional Development) 2005			✓
SEPP (Mining, Petroleum Production and Extractive Industries) 2007			✓
SEPP (Educational establishments and childcare facilities) 2017.	✓ The proposal does not affect the provisions of the SEPP		
State Environmental Planning Policy (Vegetation in Non Rural Areas) 2017	✓ The proposal does not affect the provisions of the SEPP		
Deemed SEPPs			
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005			✓
Draft SEPPs			
Environmental SEPP - the protection and management of our natural environment	✓		
Draft SEPP (Affordable Rental Housing) 2009 – amendment o parking provision for boarding houses	✓		

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

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act 1979*. These directions apply to planning proposals lodged with the Department of Planning and Infrastructure on or after the date the particular direction was issued:

Consideration of Relevant Section 117 Directions applying to planning proposals

Ministerial Directions under Section 117 of the Environmental Planning and Assessment Act 1979	Consistent		N/A
	YES	NO	
1. Employment and Resources			
1.1 Business and Industrial Zones Objectives are:- <ul style="list-style-type: none"> o Encourage employment growth in suitable locations o Protect employment land in business and industrial zones and o Support the viability of identified strategic centres. 			X
1.2 Rural Zones Objective: To protect the agricultural production value of rural land.			X
1.3 Mining, Petroleum Production and Extractive Industries Objective: To ensure that the future extraction of significant materials is not compromised by inappropriate development.			X
1.4 Oyster Aquaculture Objective: To protect oyster aquaculture from development that may result in adverse impact on water quality.			X
1.5 Rural Lands Objective: To protect and facilitate economic development of rural lands.			X

2. Environment and Heritage			
2.1 Environment Protection Zones Objective: To protect and conserve environmentally sensitive areas.			X
2.2 Coastal Protection Objective: To protect and manage coastal areas of NSW			X
2.3 Heritage Conservation Objective: To conserve items, areas, objects and places of environmental heritage significance and			X

indigenous heritage significance.			
<u>2.4 Recreation Vehicle Areas</u> Objective: To protect sensitive land from adverse impacts from recreation vehicles.			X
<u>2.5 Application fo E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs</u> Objective : To ensure that a balanced and consistnet approach is taken when applying environmental protection zones and overlays to lad on the NSW Far North Coast.			X

3. Housing, Infrastructure and Urban Development			
<u>3.1 Residential Zones</u> Objectives are: <ul style="list-style-type: none"> ○ To encourage a variety and choice of housing types to provide for existing and future housing needs ○ To make efficient use of existing infrastructure and services and endure that new housing has appropriate access to infrastructure and services ○ To minimise the impact of residential development on the environment and resource lands. 	X		
<u>3.2 Caravan Parks and Manufactured Home Estates</u> Objective: To provide a variety of housing types.			X
<u>3.3 Home Occupations</u> Objective: To encourage the carrying out of low impact small businesses in dwelling houses.	X		
<u>3.4 Integrating Land Use and Transport</u> Objectives are: <ul style="list-style-type: none"> ○ Improving access to housing , jobs and services by walking, cycling and public transport ○ Increasing choice of available transport and reduce dependence on cars and ○ Support of public transport services and reduce travel demand. ○ Providing for the efficient movement of freight. 			X
<u>3.5 Development Near Licensed Aerodromes</u> Objective: To ensure safe and effective operation of aerodromes.			X
<u>3.6 Shooting Ranges</u> Objective: To reduce land use conflict, maintain appropriate levels of public safety and amenity.			X

4. Hazard and Risk			
<u>4.1 Acid Sulfate Soils</u> Objective: To avoid significant adverse impacts from use of land that contains acid sulfate soils.			X
<u>4.2 Mine Subsidence and Unstable Land</u> Objective: To prevent damage to life, property and the environment on land identified as subject to mine subsidence.			X
<u>4.3 Flood Prone Land</u> Objective: To ensure an LEP includes consideration of appropriate flood impacts.			X
<u>4.4 Planning for Bushfire Protection</u> Objective: To encourage sound management of bush fire prone areas.			X

5. Regional Planning			
<u>5.1 Implementation of Regional Strategies</u> (Revoked 17 October 2017)			
<u>5.2 Sydney Drinking Water Catchments</u> Objective: To protect water quality in the Sydney drinking water catchment.			X
<u>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</u> Objective: To ensure the best agricultural land will be available for current and future generations.			X
<u>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</u> Objective: To manage commercial and retail development along the Pacific Hwy.			X
<u>5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)</u>			
<u>5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)</u>			
<u>5.7 Central Coast (Revoked 10 July 2008.)</u>			
<u>5.8 Second Sydney Airport: Badgerys Creek</u> Objective: To avoid incompatible development in the vicinity of any future second Sydney airport.			X
<u>5.9 North West Rail Link Corridor Strategy</u> Objective: To promote trains oriented development and manage growth around the eight train stations of the North West Rail Link			X
<u>5.10 Implementation of Regional Plans</u> Objective: To give legal effect to the vision, land use strategy, goals, directions and actions contained in			X

Regional Plans.			
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6. Local Plan Making			
<u>6.1 Approval and Referral Requirements</u> Objective: To ensure that LEP provisions encourage the efficient and appropriate assessment of development.			X
<u>6.2 Reserving Land for Public Purposes</u> Objective: To facilitate the provision of public services and facilities.			X
<u>6.3 Site Specific Provisions</u> Objective: To discourage unnecessary restrictive site specific planning controls.			X

7. Metropolitan Planning			
<u>7.1 Implementation of the Metropolitan Plan for Sydney 2036.</u> Objective: To give legal affect to the vision contained in the Metropolitan Plan for Sydney 2036. Comment:- The Planning Proposal is consistent with the aims of A Plan for Growing Sydney and Draft Greater Sydney Regional Plan as detailed previously (Section 7.2 of this report)	X		
<u>7.2 Implementation of Greater Macarthur Land Release Investigation</u> Objective: to ensure development within the Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan			X
<u>7.3 Parramatta Road Corridor Urban Transformation Strategy</u> Objective: To facilitate development within the Corridor that is consistent with the Strategy and the Parramatta Road Corridor Implementation Tool Kit.			X
<u>7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</u> Objective: To ensure development within the North West Priority Growth Area is consistent with the Strategy.			X
<u>7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</u> Objective: To ensure development within the Area			X

is consistent with the Implementation Plan.			
<u>7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</u> <u>Objective:</u> To ensure development within the Priority Growth Area is consistent with the Implementation Plan and Back ground Analysis.			X

4.3 Environment, social and economic impact

4.3.1 Impact on Critical Habitat, Threatened Species and Ecological Communities

The Planning Proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats nor is it expected to have any adverse environmental effects.

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

No. The Planning Proposal will not result in any significant environmental effects.

4.3.3 Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal provides a means by which Council can maintain the character and community connectedness of an area which was specifically designed to achieve a low density residential neighbourhood with housing diversity.

A report from Hill PDA titled **Dunbar Estate –Rezoning Proposal Review - R3 (Medium Density) to R2 (Low Density) Residential** has been undertaken respect to the economic impact of the proposed change in zoning of the land and concludes the following:

Conclusions - Land Value Change & Housing Supply Change

Our observations and research have identified a lack of unit development (“residential flat buildings”) in the Dunbar Estate that would be permitted by the R3 land uses and not permitted by the R2 land uses confirming our feasibility testing that reveals a lack of viability for units projects with an FSR of 0.5:1.0.

Townhouse development has been shown to be viable in our feasibility testing that is permissible under the R2 and R3 zones. Recent activity has occurred in the near vicinity of the Dunbar Estate in the surrounding R2 zoned area at Wilding Street and Kent Street Marsfield (see sales analysis in the annexures).

Therefore it follows that:

- in the event the zoning was changed from R3 (Medium Density) to R2 (Low Density) residential unit projects (medium density development) would not be precluded as they are not viable. Townhouse development is viable and permissible under both the current R3 and R2 Planning Controls. Therefore as the same form of development is permissible under R3 and R2 controls (townhouses) and the FSR is unchanged, there will be no loss of housing stock potential for this zoning change;*

- *It follows that there will be no change in land values given a zoning change from R3 to R2 as the same form of project (townhouses) remains viable under each zoning and the floor area (FSR) potential is unchanged.*

The Hill PDA report can be found at **Attachment 4**.

4.4 State and Commonwealth interests

4.4.1 Is there adequate public infrastructure for the planning proposal?

The planning proposal will not place additional demands on the existing infrastructure within the City of Ryde.

4.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Planning Proposal does not raise any issues that are expected to be of concern to any State or Commonwealth public authority.

Any State or Commonwealth authority that is identified for consultation in the gateway determination will be consulted following that determination.

5.0 Mapping

Proposed Draft Ryde LEP 2014 Land Zoning Map, indicating the proposed amendment being sought is provided in **Attachment 5**.

6.0 Community Consultation

This section provides details of the community consultation that is to be undertaken on the planning proposal.

The community consultation process to be undertaken for this Planning Proposal is expected to be undertaken in the following manner for a 28 day period:

- Written notice given:
 - in the local newspaper circulating in the area,
 - on Council's webpage, and
 - to local state government representatives;
 - to relevant State and Commonwealth authorities considered necessary by the Department of Planning and Environment.
- The written notice will:
 - provide a brief description of the objectives and intended outcomes,
 - state where the Planning Proposal can be inspected,
 - indicate the last date for submissions, and
 - confirm whether the Minister has chosen to delegate the making of the LEP.
- The following materials will be placed on exhibition:
 - the Planning Proposal, and
 - the Gateway Determination.
 - Council resolution and reports

7.0 Project Timeline

- | | |
|--|-----------------------|
| 1. Resolution of Council to prepare Planning Proposal and forward for Gateway Determination | 22 August 2017 |
| 2. Planning Proposal submitted to Gateway | January 2018 |
| 3. Gateway determination received by Council | 15 April 2018 |
| 4. Community consultation (28 days) | June/July 2018 |
| 5. Outcomes of Community consultation presented to Council | August/September 2018 |
| 6. Planning Proposal submitted to Department of Planning and Environment requesting notification on Government website | October 2018 |

ATTACHMENT 1

List of properties within Dunbar Estate – Planning Proposal

Property Address	Legal Description
3A Alan Bond PI MARSFIELD NSW 2122	Lot 2 DP 1085692
5A Lexcen PI MARSFIELD NSW 2122	Lot 2 DP 869784
5 Lexcen PI MARSFIELD NSW 2122	Lot 1 DP 869784
3 Lexcen PI MARSFIELD NSW 2122	Lot 600 DP 843403
6 Treharne CI MARSFIELD NSW 2122	Lot 73 DP 718680
8 Treharne CI MARSFIELD NSW 2122	Lot 59 DP 718680
10 Treharne CI MARSFIELD NSW 2122	Lot 58 DP 718680
12 Treharne CI MARSFIELD NSW 2122	Lot 57 DP 718680
14 Treharne CI MARSFIELD NSW 2122	Lot 56 DP 718680
13 Treharne CI MARSFIELD NSW 2122	Lot 55 DP 718680
11 Treharne CI MARSFIELD NSW 2122	Lot 54 DP 718680
9 Treharne CI MARSFIELD NSW 2122	Lot 53 DP 718680
7 Treharne CI MARSFIELD NSW 2122	Lot 52 DP 718680
5 Treharne CI MARSFIELD NSW 2122	Lot 51 DP 718680
7 Lexcen PI MARSFIELD NSW 2122	Lot 62 DP 718680
9 Lexcen PI MARSFIELD NSW 2122	Lot 63 DP 718680
11 Lexcen PI MARSFIELD NSW 2122	Lot 64 DP 718680
16 Lexcen PI MARSFIELD NSW 2122	Lot 65 DP 718680
29A Sobraon Rd MARSFIELD NSW 2122	Lot 47 DP 714190
13 Sobraon Rd MARSFIELD NSW 2122	Lot 5 DP 708147
5 Sobraon Rd MARSFIELD NSW 2122	Lot 1 DP 708147
15 Bertrand CI MARSFIELD NSW 2122	Lot 35 DP 710707
31 Sobraon Rd MARSFIELD NSW 2122	Lot 48 DP 714190
23 Sobraon Rd MARSFIELD NSW 2122	Lot 43 DP 714190
25 Sobraon Rd MARSFIELD NSW 2122	Lot 44 DP 714190
19 Sobraon Rd MARSFIELD NSW 2122	Lot 41 DP 714190
21 Sobraon Rd MARSFIELD NSW 2122	Lot 42 DP 714190
33 Sobraon Rd MARSFIELD NSW 2122	Lot 49 DP 714190
13 Bertrand CI MARSFIELD NSW 2122	Lot 36 DP 710707
9 Sobraon Rd MARSFIELD NSW 2122	Lot 3 DP 708147
4 Lexcen PI MARSFIELD NSW 2122	Lot 71 DP 718680
6 Lexcen PI MARSFIELD NSW 2122	Lot 70 DP 718680
8 Lexcen PI MARSFIELD NSW 2122	Lot 69 DP 718680
10 Lexcen PI MARSFIELD NSW 2122	Lot 68 DP 718680
12 Lexcen PI MARSFIELD NSW 2122	Lot 67 DP 718680
14 Lexcen PI MARSFIELD NSW 2122	Lot 66 DP 718680
5 Alan Bond PI MARSFIELD NSW 2122	Lot 10 DP 710706
7 Alan Bond PI MARSFIELD NSW 2122	Lot 11 DP 710706
9 Alan Bond PI MARSFIELD NSW 2122	Lot 12 DP 710706
11 Alan Bond PI MARSFIELD NSW 2122	Lot 13 DP 710706

Property Address	Legal Description
15 Alan Bond PI MARSFIELD NSW 2122	Lot 15 DP 710706
16 Alan Bond PI MARSFIELD NSW 2122	Lot 16 DP 710706
14 Alan Bond PI MARSFIELD NSW 2122	Lot 17 DP 710706
12 Alan Bond PI MARSFIELD NSW 2122	Lot 18 DP 710706
10 Alan Bond PI MARSFIELD NSW 2122	Lot 20 DP 710706
4 Bertrand CI MARSFIELD NSW 2122	Lot 26 DP 710706
6 Bertrand CI MARSFIELD NSW 2122	Lot 27 DP 710706
8 Bertrand CI MARSFIELD NSW 2122	Lot 28 DP 710707
10 Bertrand CI MARSFIELD NSW 2122	Lot 29 DP 710707
12 Bertrand CI MARSFIELD NSW 2122	Lot 30 DP 710707
16 Bertrand CI MARSFIELD NSW 2122	Lot 33 DP 710707
17 Bertrand CI MARSFIELD NSW 2122	Lot 34 DP 710707
11 Bertrand CI MARSFIELD NSW 2122	Lot 37 DP 710707
9 Bertrand CI MARSFIELD NSW 2122	Lot 38 DP 710707
3 Bertrand CI MARSFIELD NSW 2122	Lot 23 DP 710706
29 Sobraon Rd MARSFIELD NSW 2122	Lot 46 DP 714190
15A Sobraon Rd MARSFIELD NSW 2122	Lot 7 DP 708147
7 Sobraon Rd MARSFIELD NSW 2122	Lot 2 DP 708147
4 Treharne CI MARSFIELD NSW 2122	SP 32035
13 Alan Bond PI MARSFIELD NSW 2122	SP 31833
14 Bertrand CI MARSFIELD NSW 2122	SP 31748
7 Bertrand CI MARSFIELD NSW 2122	SP 31747
3 Treharne CI MARSFIELD NSW 2122	SP 31728
1 Bertrand CI MARSFIELD NSW 2122	SP 31444
17 Sobraon Rd MARSFIELD NSW 2122	SP 31315
27 Sobraon Rd MARSFIELD NSW 2122	SP 31272
8 Alan Bond PI MARSFIELD NSW 2122	SP 31131
3 Alan Bond PI MARSFIELD NSW 2122	SP 31015
2 Bertrand CI MARSFIELD NSW 2122	SP 30914
11 Sobraon Rd MARSFIELD NSW 2122	SP 30134
15 Sobraon Rd MARSFIELD NSW 2122	SP 30133
5 Bertrand CI MARSFIELD NSW 2122	SP 31273
2/11 Sobraon Rd MARSFIELD NSW 2122	Lot 2 SP 30134
1/11 Sobraon Rd MARSFIELD NSW 2122	Lot 1 SP 30134
2/15 Sobraon Rd MARSFIELD NSW 2122	Lot 2 SP 30133
1/15 Sobraon Rd MARSFIELD NSW 2122	Lot 1 SP 30133
2/5 Bertrand CI MARSFIELD NSW 2122	Lot 4 SP 63549
1/5 Bertrand CI MARSFIELD NSW 2122	Lot 3 SP 63549
17B Sobraon Rd MARSFIELD NSW 2122	Lot 2 SP 31315
17A Sobraon Rd MARSFIELD NSW 2122	Lot 1 SP 31315
1/1 Bertrand CI MARSFIELD NSW 2122	Lot 1 SP 31444
3/1 Bertrand CI MARSFIELD NSW 2122	Lot 3 SP 31444
2/1 Bertrand CI MARSFIELD NSW 2122	Lot 2 SP 31444

Property Address	Legal Description
1/27 Sobraon Rd MARSFIELD NSW 2122	Lot 1 SP 31272
2/27 Sobraon Rd MARSFIELD NSW 2122	Lot 2 SP 31272
2/4 Treharne CI MARSFIELD NSW 2122	Lot 2 SP 32035
1/4 Treharne CI MARSFIELD NSW 2122	Lot 1 SP 32035
2/13 Alan Bond PI MARSFIELD NSW 2122	Lot 2 SP 31833
1/13 Alan Bond PI MARSFIELD NSW 2122	Lot 1 SP 31833
2/3 Alan Bond PI MARSFIELD NSW 2122	Lot 2 SP 31015
1/3 Alan Bond PI MARSFIELD NSW 2122	Lot 1 SP 31015
3/13 Alan Bond PI MARSFIELD NSW 2122	Lot 3 SP 31833
3/7 Bertrand CI MARSFIELD NSW 2122	Lot 3 SP 31747
3/3 Treharne CI MARSFIELD NSW 2122	Lot 3 SP 31728
2/3 Treharne CI MARSFIELD NSW 2122	Lot 2 SP 31728
1/3 Treharne CI MARSFIELD NSW 2122	Lot 1 SP 31728
1/7 Bertrand CI MARSFIELD NSW 2122	Lot 1 SP 31747
2/7 Bertrand CI MARSFIELD NSW 2122	Lot 2 SP 31747
1/14 Bertrand CI MARSFIELD NSW 2122	Lot 1 SP 31748
2/14 Bertrand CI MARSFIELD NSW 2122	Lot 2 SP 31748
3/3 Alan Bond PI MARSFIELD NSW 2122	Lot 3 SP 31015
1/8 Alan Bond PI MARSFIELD NSW 2122	Lot 1 SP 31131
2/8 Alan Bond PI MARSFIELD NSW 2122	Lot 2 SP 31131
1/2 Bertrand CI MARSFIELD NSW 2122	Lot 1 SP 30914
2/2 Bertrand CI MARSFIELD NSW 2122	Lot 2 SP 30914
1/5 Bertrand CI MARSFIELD NSW 2122	Lot 3 SP 63549
2/5 Bertrand CI MARSFIELD NSW 2122	Lot 4 SP 63549



ATTACHMENT 2

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

DEVELOPMENT CONTROL PLAN NO. 3 – SOBRAON ROAD

Pursuant to Section 72 of the Environmental Planning and Assessment Act, 1979, the Council of the Municipality of Ryde has made the development control plan set out hereunder in order to provide more detailed provisions than are contained in the Ryde Planning Scheme Ordinance and Ryde Local Environmental Plan No. 15.

TOWN CLERK

Ryde 13th December, 1983.

Citation

1. This plan may be cited as 'Development Control Plan – Sobraon Road.'

Aims

2. The aims of this plan are:-
 - (a) To ensure that the land to which this plan applies is developed in a form which will maintain and enhance the character of adjoining residential areas.
 - (b) To provide a range of residential accommodation including dispersed medium density development.

Interpretation

3. In this plan, terms have the meaning ascribed to them in the Environmental Planning and Assessment Act, 1979 the Ryde Planning Scheme Ordinance and Ryde Local Environmental Plan No. 15.

Land to Which Plan Applies

4. This plan applies to the land, being Portions 592-595 and Lot 1, D.P. 231714 known as 7-33 Sobraon Road, Marsfield as shown by red edging on Sheet 2 of "Ryde Local Environmental Plan No.15."

Land Use Plan

5. A person shall not carry out development on land which this plan applies unless the land use is substantially in accordance with that indicated on Development Control Plan 'Sobraon Road' Plan No. TP15/83.

Development in accordance with approved plans

6. A person shall not carry out development work on land which this plan applies unless that development is generally in accordance with the plans prepared by Henry Pollack and Associates Pty. Ltd. And submitted to Council with the application for rezoning on 16/11/1982.

Public Reserve

7. Land indicated on the plans referred to in Clause 5 as public reserve, pathways and roads being transferred to Council, free of cost, for those purposes.

Access to 76 Waring Street

8. The responsible authority shall not consent to the carrying out of development for residential purposes on the subject land until satisfactory provision has been made for vehicular access to Lot 6, D.P. 2329678 known as 76 Waring Street. That access being in the form of a corridor minimum of 3.05 wide, to form part of Lot 6, D.P. 232967.

Building Setback

8. Buildings shall be set back from the street alignment and adjoining boundaries so as to provide privacy, light and air to all dwellings and enable adequate landscaping. Unless otherwise approved by Council the following standards shall be complied with:-

- (i) Buildings having frontage to Sobraon Road shall be setback a minimum of 7.5m from the street alignment.
- (ii) Building having frontage to roads other than Sobraon Road shall be setback a minimum of 6m from the street alignment.
- (iii) Where an allotment joins more than one street, buildings shall be setback a minimum of 3m from the secondary street alignment.
- (iv) A minimum setback of 10m shall be maintained between buildings with facing windows of habitable rooms unless privacy is provided by window treatment, screen walls or suitable landscaping to the satisfaction of Council.

Landscaping

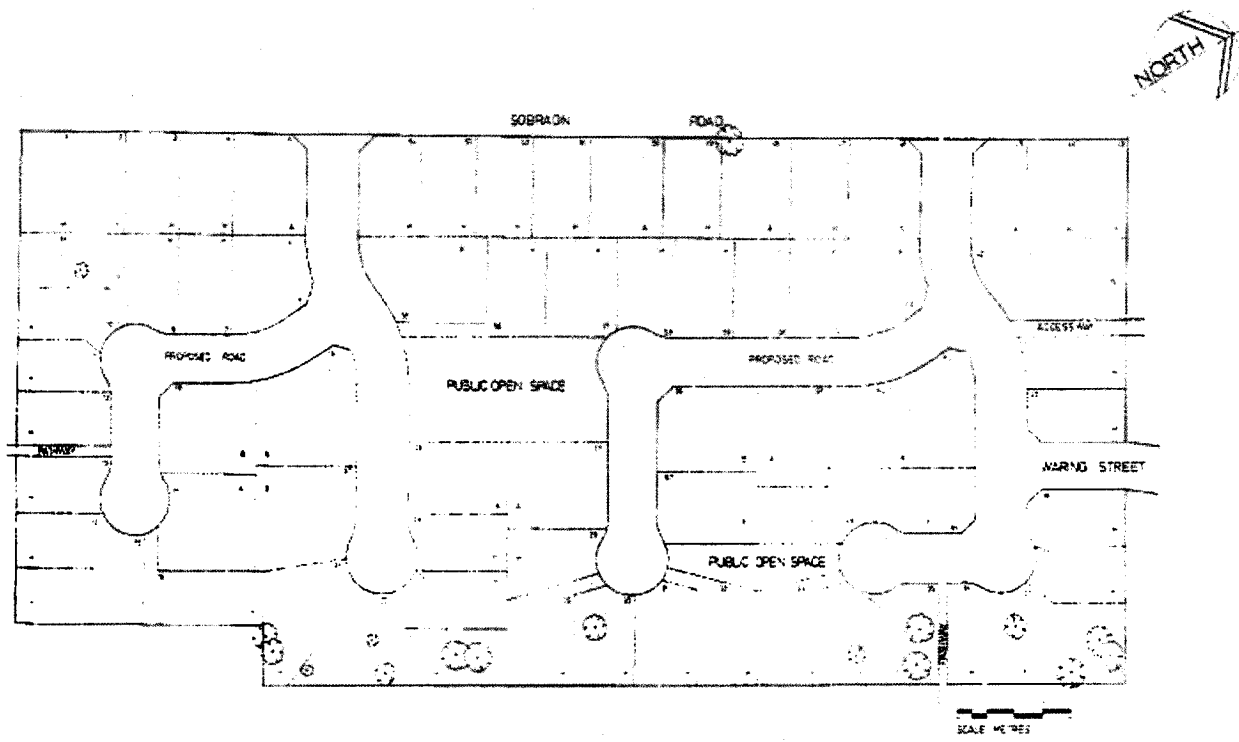
10. Unpaved portions of road reserves, front and side setback areas shall be landscaped in accordance with a plan prepared by a qualified landscaped architect, such plan being approved by Council.

Strata Subdivision

11. Attached dwellings being subdivided under the Strata Titles Act, 1973

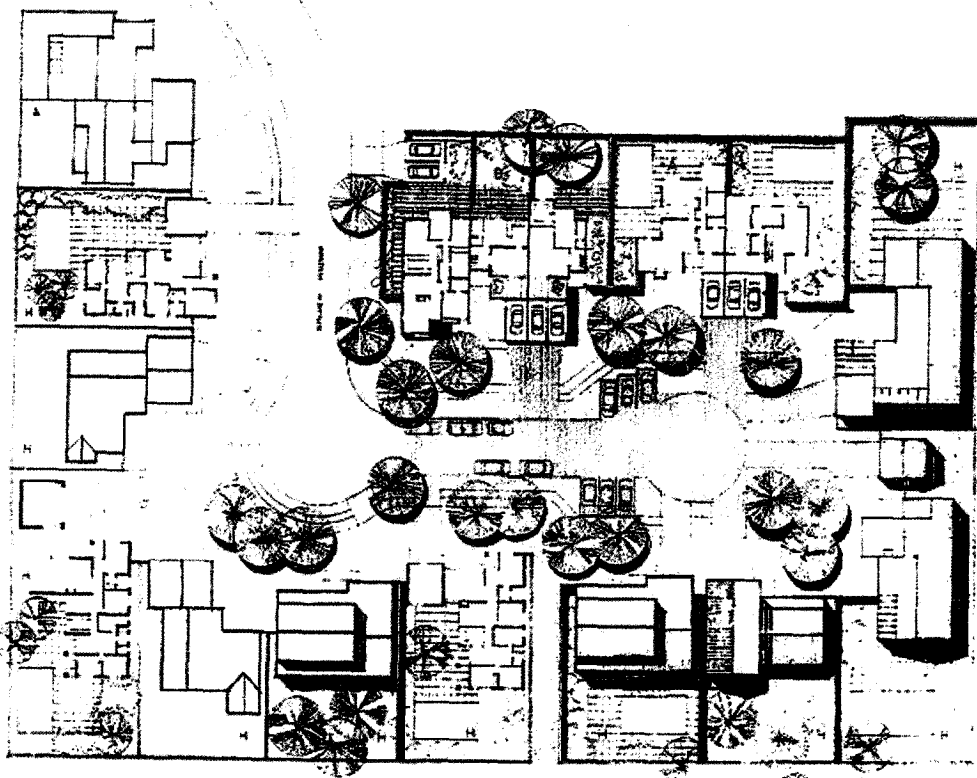









A PROPOSAL FOR THE SUBDIVISION
OF SURPLUS NSW GOVERNMENT LAND
SOBRAON ROAD, MARSFIELD, NSW



- A COMPOSITE HOUSE TYPE A TWO HOUSES PER LOT
- B COMPOSITE HOUSE TYPE B THREE HOUSES PER LOT
- C DETACHED HOUSE LOT

SUBDIVISION PLAN



-  LARGE TREE
-  MEDIUM TREE
-  SMALL TREE
-  SHRUB OR BUSH
-  FLOWER BED OR GARDEN
-  LAWN OR GRASS
-  PAVED AREA OR DRIVEWAY



INDICATIVE STREET PLAN

Neighborhood Character

The plan entitled "Neighborhood Character" has been prepared to provide a clearer indication of the development which is intended for the site. The plan is based on an aerial photograph which was taken of the neighborhood in 1st April, 1977. The relative site coverage and density is low when compared to the town housing which is adjacent to the proposed development, in the northeast corner. The cul-de-sac street pattern has been introduced to achieve an 'estate' character by eliminating through vehicular traffic, while creating a unique local visual quality. It is intended to develop these areas with detailed landscape design proposals both for the planting designs and for pavement treatments to create interesting textural and visual effects.

Residential Design Innovations

The proposed development is based on provision of three different types of residential accommodation.

The proposal would provide forty-eight (48) allotments for conventional single dwelling house. Two typical single dwelling house designs have been illustrated to provide an indication of the scale and character which might be achieved with this type of accommodation.

Composite House 'A'

This dwelling is comprised of two dwelling units within the one building envelope. The mass and shape of the building would be designed to appear as a single dwelling house so as not to be inconsistent with the visual character or typical single, detached subdivision areas.

Each type 'A' composite house would comprise one single-storey dwelling and one two-storey dwelling which share a common party wall. The outer side walls would be open, and set back from the side boundary to comply with Class 1 dwelling conditions.

Both dwelling units in the Composite House 'A' plan would have a private garden area which would be of a comparable size to that normally associated with a typical single dwelling unit.

Composite House 'B'

On specific allotments, usually being corner allotments or those facing onto Public Open Space, a dwelling type comprised of three dwellings sharing two party walls, and side boundary setbacks as proposed for the Composite House 'A' design.

These Composite House designs would contain two two-storey dwellings and one single storey dwelling. As can be seen from the drawings, the Composite House 'B' would be visually similar in mass and shape to a large, single dwelling house of the type which could

be constructed on the conventional allotments which are associated with single dwelling house subdivision.

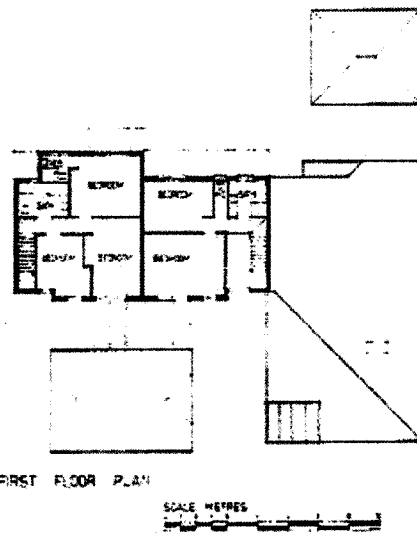
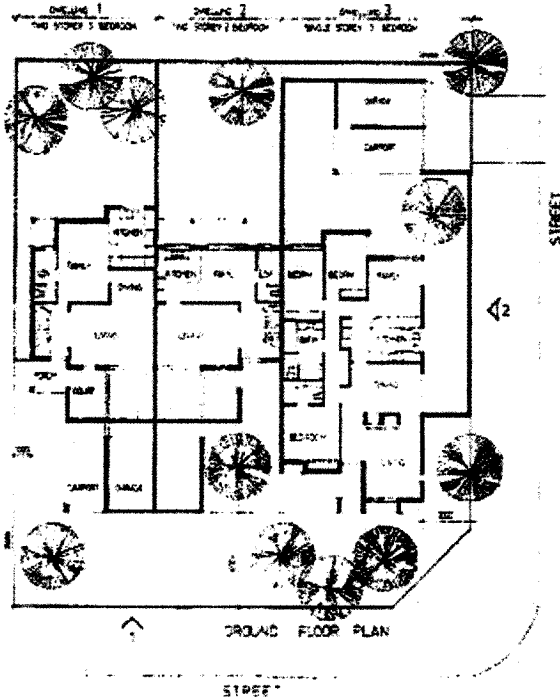
The composite house proposals have been created to provide optimal use areas, both within and outside the dwellings. As previously mentioned, large private garden areas have been provided for each dwelling. It has been proposed to have side boundary setbacks to match those for the single dwelling houses proposed in the development, however, this will give rise to planning implications in regard to certain requirements of the Local Government Act, 1919 as discussed under the section "Development Implications" in this submission.

Front yards have been minimized within the development because they tend to be rather static areas requiring ongoing maintenance. The visual amenity of front yards will remain and assure that a wall-like appearance along the building line is not created. This will be achieved by the combination of short street and cul-de-sac frontages and stepped façade treatments as illustrated on the various drawings. The perspective drawings, and the large scale plan will begin to illustrate the character which will be achieved by the varied building lines and short street alignments.



ELEVATION 1

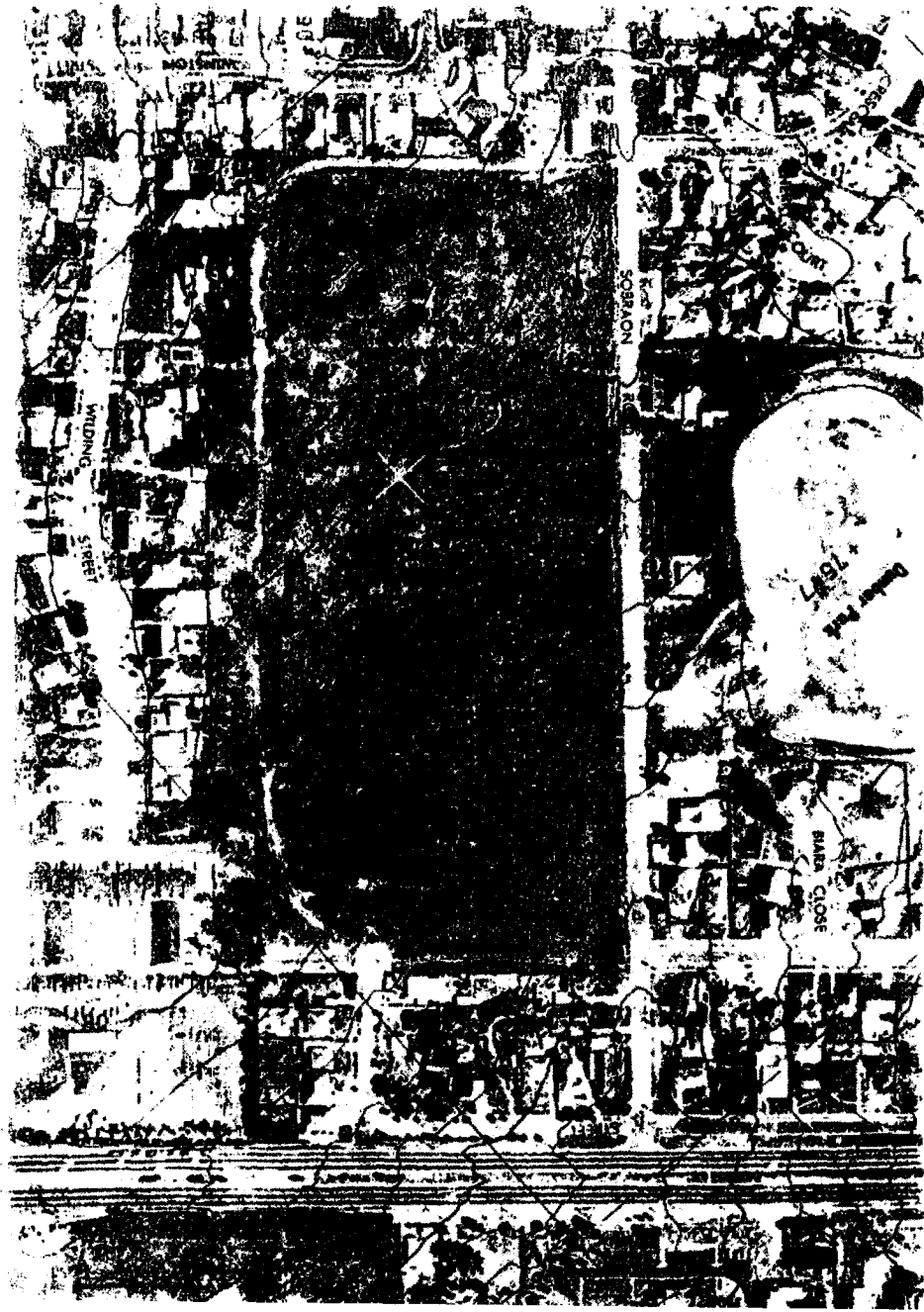
ELEVATION 2

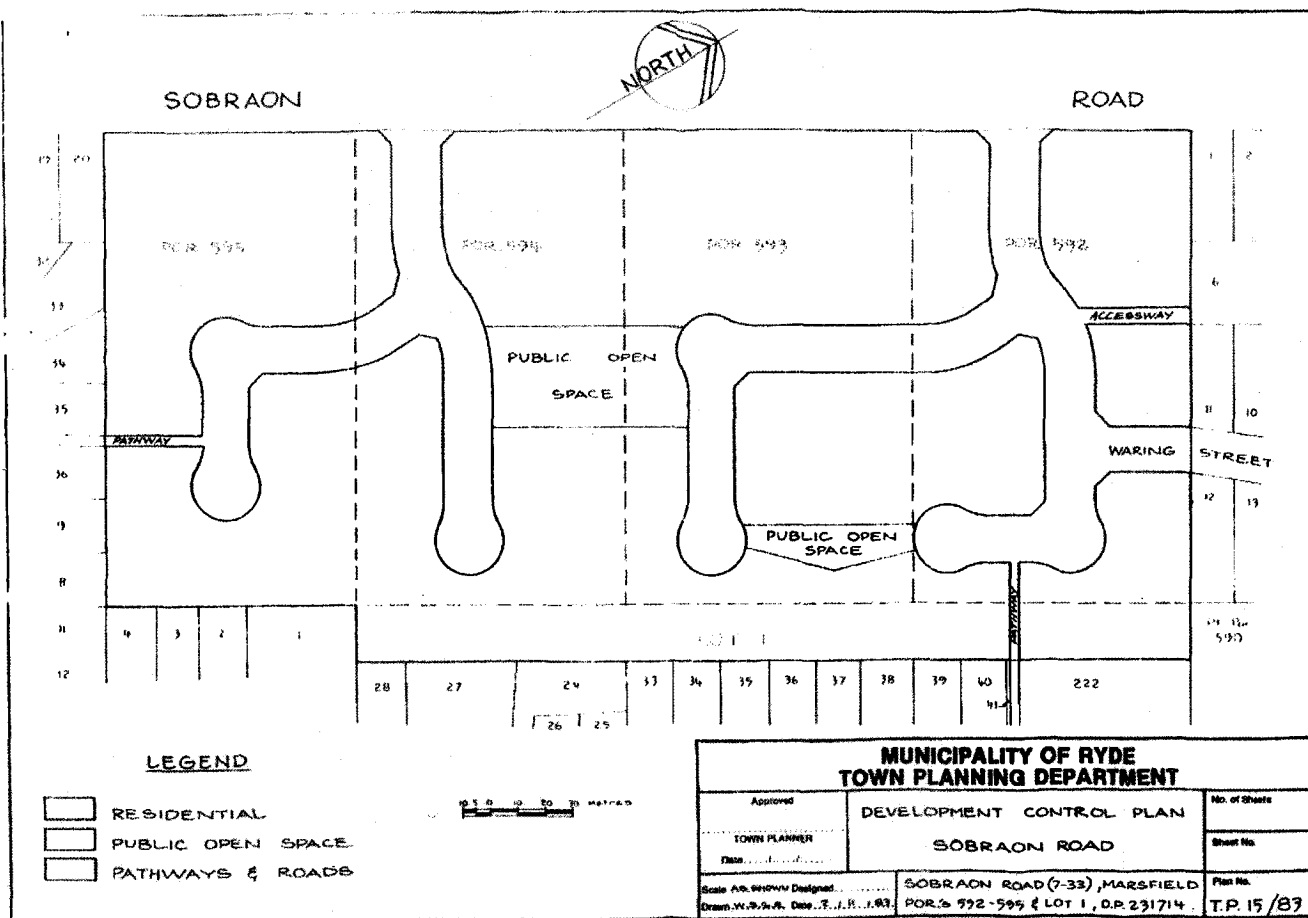


COMPOSITE HOUSE TYPE B



A Typical Streetscape of Mirvac Homes, Cherrybrook.





Sobraon Road (7-33), Marsfield. Portions 592-595 and Lot 1, D.P.
Western side between Blundell Street and Waring Street.
Development Control Plan - Sobraon Road.

RECOMMENDATION: (a) That Council approve draft Development Control Plan
Sobraon Road in the form in which it was publicly exhibited.

(b) That Public Notice be given of Council's decision
and such notice contain the information that the plan will come into force
on the day that draft Local Environmental Plan No. 15 is published in the
Government Gazette.

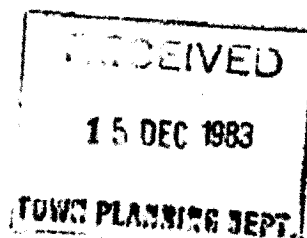
(c) That the Secretary of the Department of Environment
and Planning be furnished with a certified copy of Development Control
Plan - Sobraon Road.

- ooo -

EXTRACT FROM REPORT OF G.P.B. & D. COMMITTEE NO. 22/83
MEETING HELD ON 6TH DECEMBER, 1983 AND CONSIDERED BY
COUNCIL MEETING 13TH DECEMBER, 1983, VIDE MINUTE NO. 398.

ADOPTED

Gazetted 3/2/84





ATTACHMENT 3

Character Statement for Dunbar Estate, Sobraon Road, Marsfield

Historical background

The Dunbar Estate has its genesis from part of Harry Curzon Smith's 'Curzon Hall Estate', who built the impressive Curzon Hall in the 1890s.

With much of the surrounding land still heavily wooded, during the 1890s, Harry Smith had begun subdividing his property and selling off various portions.

In 1892, Portions 595, 593 and 594 were purchased by Robert and Mary Christie.

Robert and his wife Mary had emigrated to Australia from Paisley, Scotland on-board the *Routenburn* in July 1886¹, settling initially in Rozelle, where Robert worked as a designer for linoleum patterns with retailing giant Anthony Horderns².

Desirous of establishing themselves in their own home, the Christie's purchase of land in what was then known as Eastwood, saw them travelling to their property on weekends in order to work hard at clearing the land. The long journey from Rozelle to the Eastwood property was by no means an easy one, taking the tram to the terminus at Gladesville Bridge before making the remaining journey by foot. There must have been much relief when the family was able to permanently relocate to the property once they had finished building for themselves a modestly scaled timber house³, which they named 'Dunbar', presumably after their Scottish roots.

After clearing the land, Robert Christie established extensively flourishing orchards, including peaches, nectarines, persimmons, figs, quinces and guavas.

A stone dwelling and adjoining coachhouse were also erected around 1892, with the stone having been quarried on the property, providing accommodation for staff and their family.

In 1910, Robert asked his son Hugh, who was by this time, working elsewhere, if he would come and help at the family property. Hugh accepted his father's invitation and together they formed a partnership, establishing the 'Dunbar Poultry Stud'.

A series of purpose-built timber framed structures were erected, including at least three main laying and breeding sheds measuring 250ft in length and 15ft in width, together with a number of other sheds for the housing of poultry, incubation and hatching of eggs and three large grain feed silos⁴.

Much of the surrounding orchard landscape which Robert had established in the 1890s remained, providing not only shade and grassed open spaces for the free-ranging poultry, but a continued supply of fresh fruit for the family.

There were also numerous fields under cultivation, with patches of lucerne and clover and with the fields irrigated, ensured a steady supply of 'succulent greens' – part of the successfulness of the poultry stud with Christie a firm believer in the value of fresh greens forming part of the diet of his 200,000 strong poultry.

¹ 'Marsfield pioneers' family celebrate centenary'. Northern District Times 22nd October 1986.

² Carmichael, D. 1973. 'Dunbar Park'.

³ Ibid.

⁴ Marr, W. 1960. 'Dunbar Poultry Stud Commenced 50 Years Ago' in 'Poultry' Saturday 28th May 1960.

The Dunbar Poultry Stud quickly became well regarded in the industry, commended for its highly successful farming practices and winning multiple First Prizes at the Sydney Royal Show for producing fine quality Leghorns and Australorps.

During the 1920s, Samuel Jordan Small sold his land on the western side of Sobraon Road, directly opposite the Christie's Dunbar Poultry Stud. Robert Christie was the successful purchaser, increasing his estate to 22 ½ acres, divided practically in half by Sobraon Road.

When Robert Christie died in 1934, the Dunbar Poultry Stud continued under the management of Christie's son, Hugh, who had been in partnership since its establishment in 1910. Later, Hugh's two sons Gordon and Wallace joined the partnership.

Meanwhile, the newly acquired land on the western side of Sobraon Road included a trotting track, sinuously following the edge of the remaining pocket of uncleared bushland vegetation. This had been established by the previous owner and well-known local reinsman, Samuel Jordan Small and had become known colloquially as 'Jordie's Track'. Although there is no evidence of Robert Christie having been interested in horses, the track on his land continued to be used by local reinsmen.

The trotting track however, was not without its hazards, with many locals using the land as an unofficial rubbish tip as well as a driving circuit for learner drivers⁵.

In September 1950, Hugh Christie sold the trotting track and property on the western side of Sobraon Road to Ryde Council for £1,950. Because Council was short of money at the time, Hugh offered the land for sale at not only a generous price, but also on generous terms, agreeing to give the Council a period of seven years to pay off the land at 'bank overdraft interest rates'⁶.

Local resident George Horton was keen to see the Council establish an agricultural showground on the 8ha site, however the proposal was met with opposition from local farmers, citing that the showground would be too noisy.

Following a barrage of legal opposition, the idea was eventually abandoned and the Council considered alternative options for its future use.

One such alternative option was aired in 1960, when the Council publically exhibited plans to rezone the land on both sides of Sobraon Road to permit its use as a golf course.

The proposal sparked the fury of the Christie family who wrote to Council in late August 1960 expressing their outrage at the prospect of their land being acquired for a golf course. The letter cited that not only was it considered an insult to the Christie family who had a long-established use and occupation of the land, but also that they were gravely concerned at the impact on their commercial operations as a poultry stud, potentially being faced with having to relocate their business, not to mention the significant costs and disruption in operations in the course of doing so.

By this time, there were a total of six dwelling houses on the land, including an impressive array of poultry shed and various other ancillary structures.

⁵ Coleman, G. 1988. 'Quick trot had its hazards' Northern District Times 13th April 1988.

⁶ 'Eastwood resident fights Council'. Northern District Times 6th September 1972'.

The proposal did not eventuate, being eclipsed in 1965 when the Department of Education persuaded Hugh Christie to sell 15 acres to them. Either the offer was substantial enough to have convinced Christie to sell, or the land was compulsorily acquired, for the 15 acres of land was sold (comprising Portions 592, 593, 594 and 595).

The Department of Education soon set about demolishing the old timber cottage being the original Christie home, together with numerous poultry sheds, the fine home of son Wallace Christie and two workman's cottages. The speed with which the demolition occurred so soon after acquiring the land suggested that it would be equally quickly developed.

However, the land would sit vacant for much of the next twenty years.

Over the other (western) side of the road, having acquired the land back in 1950, Ryde Council were by 1972, moving full steam ahead in the redevelopment of the land. A new proposal for the site had been drawn up, converting its use to a rubbish tip for 'non-offensive waste'⁷, which would later be developed into a recreational park.

The proposal to develop the land once again drew the fury of the Christie family, who were still residing on part of the land at the time. Gordon Christie, Robert Christie's grandson, quickly came to regret the generous terms in which he sold the land to Ryde Council in 1950, claiming that had he known that Council would develop the land for a rubbish tip, he would have imposed covenants on the land to prevent such a use occurring.

Not only were the Christie family in opposition, but so strong was the public opposition that many local residents indulged in civil disobedience, physically removing pipes laid by the Council and obstructing workers from cutting down trees. Bulldozers found it difficult to navigate Sobraon Road, with many motorists having decided to intentionally saturate parking spaces along the road⁸.

After much public opposition, the plan for a rubbish tip appears to have been abandoned, largely owing to a fortunate timing with local government elections, which resulted in a change in Ryde Council. The newly elected Council instead jumped ahead to develop the land as the Dunbar Athletic Field, including a number of soccer fields. The land was then subsequently cleared, which involved the demolition of the remaining early buildings associated with the former Dunbar Poultry Stud.

By the early 1980s, the Department of Education formally abandoned any plans of developing the site, instead resolving to dispose of the surplus land through residential development.

A master planned estate subdivision for residential development was subsequently prepared by Henry Pollack and Associates Pty Ltd, for the 'subdivision of surplus NSW Government Land Sobraon Road, Marsfield, NSW'. The proposal sought to subdivide the land into forty-eight (48) residential allotments with interconnecting public open spaces and a cul-de-sac street pattern to achieve a low-density 'estate' character by 'eliminating through vehicular traffic, while creating a unique local visual character'⁹.

Three different types of Preferred housing styles, with three different types of housing specified, with two typical single-storey dwelling houses designs being prepared to illustrate the desired future character in term of scale and character.

⁷ 'Eastwood resident fights Council'. Northern District Times 6th September 1972'.

⁸ McAndrew, A. 'Eastwood – Marsfield – partners in history'.

⁹ City of Ryde Council, 1984. Development Control Plan No.3 – Sobraon Road.

Subsequently, 'Composite House 'A'' was described as comprising two dwelling houses within the one building envelope with the mass and shape of the building being designed to appear as a single dwelling house so as not to be inconsistent with the visual character or typical single, detached subdivision areas.

'Composite House 'B'' however, were to be on specific allotments, usually corner allotments or those facing onto the proposed public open space and would comprise three dwellings sharing two party walls and would contain two two-storey dwellings and one single storey dwelling. It was envisaged that this built form would achieve a mass and scale similar to a large single dwelling house.

The allotments were designed to ensure that each dwelling would be afforded large private garden areas with sufficient setbacks to ensure a sense of spaciousness through building separation. Interestingly however, it was proposed to reduce the size of the front yards on the basis that 'they tend to be rather static areas requiring ongoing maintenance'¹⁰.

The Dunbar Estate Masterplan was submitted to Ryde Council along with the application for rezoning on 16th November 1982, being approved in 1984, and thus changing the zoning to 'Residential E' under the then *Ryde Planning Scheme Ordinance* – the equivalent of which is the R3 Medium Density Residential under the present *Ryde Local Environmental Plan 2014*.

The Department of Education were quick to dispose of the property, for in late August 1984, the first of a series of plans of subdivision were prepared. Subdivision of the Dunbar Estate as it had become known, was effectively achieved over three stages spanning August 1984 to October 1985.

The first phase in August 1984, involved the carving up of Portions 592 and 593 into eight (8) new residential lots. Lots 1-7 each had direct frontage to Sobraon Road, while Lot 8 comprised the residual larger area behind.

The second phase in September 1984 involved the subdivision under two separate plans of Lot 8 from the August 1984 subdivision, together with Portions 594 and 595¹¹.

The third and final phase of subdivision occurred in October 1985, when the residual land was subdivided, completing the Dunbar Estate.

It is unclear why this phased approach to the subdivision of the estate was adopted and not subdivided in a singular manner.

Notwithstanding, true to the approved masterplan, the subdivision created a series of short cul-de-sac streets, together with two inter-connecting public open spaces.

Less than two years earlier, Australia had won the 1983 Americas Cup with the Australian built 12-metre-class challenge racing yacht *Australia II*. Clearly still revelling in the victory, the Dunbar Estate pays tribute to the *Australia II* through the names of Lexcen Place (after Ben Lexcen who is responsible for having designed the *Australia II*), Treharne Close (after Hugh Trehane, crew member of *Australia II*), Bertrand Close (after skipper John Bertrand) and Alan Bond Place (after Alan Bond, owner of *Australia II*). The two public open spaces were also named Liberty Park (after the *Liberty* – a competitor yacht facing *Australia II* to the victory line) and Australia II Park.

¹⁰ City of Ryde Council, 1984. Development Control Plan No.3 – Sobraon Road.

¹¹ NSW Land and Property Information, 2017. DP710706 & DP710707



Despite the final subdivision of the Dunbar Estate not having been completed until late 1985, the erection of dwelling houses had already commenced on many of the allotments created in the 1984 subdivisions.

Most of the allotments were developed over the next few years and by the early 1990s, there were few vacant lots remaining. Subsequently, much of the Dunbar Estate evokes a strong 1980s-1990s housing character.

Character Statement

The Dunbar Estate forms part of the land that was subdivided from Harry Curzon Smith's 'Curzon Hall Estate' in the early 1890s.

Having been purchased in 1892 by Robert and Mary Christie, they went on to establish extensive orchards on the land, together with a small stone house. By 1910 Robert and his son Hugh formed a partnership to establish the 'Dunbar Poultry Stud', which went on to become an award-winning poultry stud, highly regarded for the fine quality poultry and successful farming practices.

In 1960, Ryde Council had proposed to rezone the land for use as a public golf course, sparking much opposition from the Christie family. While the proposal did not eventuate, by 1965, the Department of Education acquired Christie's land on the eastern side of Sobraon Road, demolishing the numerous early dwellings and the extensive array of poultry sheds.

However by the early 1980s, the Department of Education had abandoned plans to develop the site for a school and the NSW Government disposed of the land, preparing a masterplanned subdivision together with the rezoning to permit residential housing.

The estate itself was created out of four phases of subdivision occurring between August 1984 to October 1985, creating a total of seventy-three allotments (71 building lots and 2 public open space lots). A small number of allotments have direct frontage to Sobraon Road, however, the remainder were all designed to be centred around a series of short cul-de-sac streets to achieve a low-density 'estate' character by eliminating through vehicular traffic, while creating a unique local visual character.

The name of the estate bears testament to the 'Dunbar Poultry Stud' which occupied the site in the first half of the 20th century, though the nomenclature applied to the streets and two park bears testament to the *Australia II* – an Australian built 12-metre-class challenge racing yacht which was victorious in winning the 1983 America's Cup.

The allotments themselves range from 575sqm to over 1,200sqm, with an average of around 650sqm. The allotments all have direct street frontage, though seven are accessed via battle-axe handles.

Overall, the subdivision pattern demonstrates a deliberate arrangement to achieve a low-density residential character, with generous dimensions to accommodate landscaped front gardens, modestly scaled dwelling houses and landscaped rear gardens with separation between the built forms.

The original c1984-1985 subdivision pattern remains substantially intact, with only one example of re-subdivision occurring in Lexcen Street.

Two interconnecting public open spaces (Australia II Park and Liberty Park) provide connectivity to the streetscapes, providing communal green space for private recreation as well as contributing to the sensory appeal of the streetscapes through the established treed canopy.

Street tree planting is a consistent feature of the estate, comprising mostly native Eucalyptus and Callistemon species in an 'ad-hoc' planting arrangement, with the exception of Treharne Close, which features Cocos Palms planted at uniform spacing on both sides to create a tree-lined character. The maturity and scale of the street trees suggests they were most likely planted as part of the initial estate subdivision.

Resultantly, the established street trees contribute to the landscaped setting of the estate, providing a pleasant appeal to the public domain, complementing the established treed canopy dispersed throughout many of the residential allotments.

The estate has a gentle undulating topography, with many of the allotments being at street-level or having a gentle transition in levels through the front landscaped gardens.

A consistently domestic built form defines the streetscapes, with a variety of single and double storey detached dwelling houses, together with a variety of single and double storey attached townhouses. The prevalent built form however, is two-storey detached style housing. With the exception of the battle-axe allotments, the dwelling houses all have a strong presentation and relationship to the street.

Each of the allotments were developed in the mid to late 1980s period, with a small number of allotments not being developed until the very early 1990s. While there is evidence of urban renewal with one 'knock-down rebuild' occurring more recently in Lexcen Place, the Dunbar Estate evokes a strong 1980s-1990s housing character.

Housing is consistently of brick veneer construction, with a prevalent characteristic of face-brick to external walls of blonde, brown and red 'clinker' and 'sandstock' bricks and roofs which are finished with dark coloured terracotta tile cladding. The geometry and form of the roofing is predominantly hipped, with gables presenting to the front facades. A small number of dwellings feature jerkin head roofs. Chimneys are still a consistent feature of many of the houses and are of simple face-brick construction with little detail.

Front facades are mostly asymmetrically arranged in their composition and feature an integrated garage, prominently positioned and directly accessible from the street. Double car garages (2x single garages) are the more prevalent characteristic, with some dwellings incorporating up to three single garage doors.

Building elevations are well modulated and in the case of double-storey dwellings, the upper storey is often regressive in its scale and footprint, achieved by either increasing the setbacks of the upper storey, or being skilfully designed to integrate into the main roof, with some roof planes punctuated by clerestory windows.

Verandahs are also a prevalent characteristic of the housing within the estate, with many dwellings featuring a verandah at the ground floor, either incorporated beneath the main roof form or dwelling footprint, or having its own roof plane projecting off the facades.

With the majority of the housing having been erected around the same time period, a fairly homogenous domestic character has emerged, defined by the consistent placement and orientation of dwellings, their scale, and key features (ie: verandahs, garages, hipped roofs).

Despite this, the dwellings display architectural variety and individuality through their respective detailing and form.

Generically, the houses are all attributed to the 'brick veneer project homes' of the late 20th Century Australian Nostalgic Style, though display features that are attributed to a number of individual design influences and styles, including 'Sydney Bush School', 'Stockbroker Tudor', 'Georgian' and what is colloquially termed 'Fake Federation'.

Defining features of the dwellings collectively include aluminium framed windows with 'fake' glazing bars and imitation window shutters, projecting bay windows to ground floors, timber shingle cladding to gabled facades, brick arched openings to garages and verandahs, simple timber balusters to balconies yet providing a 'heavy look', verandahs supported by Corinthian columns and timber posts with timber fretwork and detailing, 'Hardiplank' and 'Villaboard' cladding to upper storeys and selected facades above windows with imitation weatherboard profiling.

The dwellings are each situated within landscaped garden settings and the consistent placement of the dwellings forward on their respective allotments has resulted in smaller front landscaped gardens.

Landscaped front gardens are generally simplistic, yet provide a pleasant setting and enhance the sensory appeal of the streetscape. They comprise areas of open lawn, raised garden beds with bush rock edging and a variety of shrubs and small trees.

Landscape plantings within the estate typically comprise Conifers, Agaves, Azaleas, Agapanthus, Murraya, Geraniums, Buxus hedging, Nandinas, Camellias, May Bush and various Palms.

Territorial reinforcement is achieved to side boundaries with timber paling or steel panel fencing, though front landscaped gardens are consistently open with no boundary fencing, reinforcing the strong visual relationship to the streetscape.

Only those properties fronting Sobraon Road having a low-height retaining wall owing to the site topography.

Driveways are consistently cementitious with an exposed aggregate 'Pebblecrete' finish.

Overall, the dwellings each display features which are considered typical of their respective architectural style. Beyond the estate, the surrounding precinct is characterised by low-density residential housing and the built form within the estate reinforces the surrounding broader housing character. Despite this, the boundaries of the Dunbar Estate can be clearly read through the concentration of similarly aged and scaled housing.

The Dunbar Estate is considered a representative example of a late 20th century 'master planned' estate subdivision for residential housing. It demonstrates a deliberate attempt to create a sense of community with the incorporation of a series of cul-de-sac streets. The housing stock, all attributed to the 1980s and 1990s, period provides a homogenous character, yet individuality in the built form is achieved through the application of differing architectural styles. The dwellings with their landscaped gardens, stitched together with the public open spaces culminate to provide a pleasant but not remarkable low density residential setting.

Prepared by: Edwards Planning on behalf of City of Ryde

Date: 29 September 2017



ATTACHMENT 4

21 December 2017

Dear David

Subject: Dunbar Estate –Rezoning Proposal Review - R3 (Medium Density) to R2 (Low Density) Residential

We have been requested to examine the Planning and property valuation matters arising from a possible re-zoning of the precinct known as the Dunbar Estate (Marsfield) from R3 (Medium Density) to R2 (Low Density) Residential Use under the current Ryde LEP 2014.

Background

We understand the residents of the Dunbar Estate have made representations to Council to change the zoning from R3 (Medium Density) to R2 (Low Density) Residential Use. In response the Council has prepared a Planning Proposal that requires an Economic and Planning Analysis to reveal the issues arising. This analysis is intended for reliance by Council and the Department of Planning & Environment.

Residents' Concerns

As conveyed to us residents have the following concerns to be remedied by this zoning change:

- They seek to deter medium density residential development compliant with the R3 land use objectives;
- They seek to deter any higher density residential development that may exceed the R3 code;
- They seek to eliminate the possibility of neighbourhood shops being built alongside their housing; and
- They seek to preserve their established neighbourhood amenity with minimised increases in traffic, population, building shadowing and noise.

Instruction

Council has requested we address the following to explore the issues arising from this zoning change:

- Land value change given a zoning change from R3 to R2;
- Overview of recent sales in the estate to reveal the extent of medium density development; and
- Current density potential (R3) to proposed density potential (R2) with specific regard to:
 - Any land holdings conspicuously affected by the loss of medium density zoning; and
 - Potential housing (no. of dwellings) loss given a zoning change from R3 to R2.

Findings

Without a change in floor area supply (ie. no change in FSR) and building height for a zoning change from R3 to R2, there is projected to be no change in housing supply potential and land values. The higher order land use of Residential Flat Buildings allowed in R3 presently has been shown to be non-viable for this low FSR of 0.5:1.0, resulting in the same key residential land use of townhouses being permitted in both zonings.

Therefore, the effective residential density of the land will not be changed.

The diversity of housing (choice of building types) will remain as broad after this zoning change as before.

New housing (townhouses) under an R2 zoning will still have a similar access to infrastructure and services.

We have given consideration to the objectives of the direction contained in S117(2) of the EP&A Act.

Planning Controls

The Ryde LEP 2014 sets the principle Planning Controls for the Dunbar Estate which are largely similar for each zoning of R2 and R3 as highlighted below.

Table 1: LEP Planning Controls – Dunbar Estate

Planning Control	R2 – Low density	R3 Medium density
FSR	0.5:1.0	
Building height	9.5metres	
	Similarities	
LEP objectives	Bed and breakfast accommodation	
	Child care facilities (centre and home based)	
	Dual occupancies (attached)	
	Dwelling houses	
	Group homes	
	Multi dwelling housing	
	Respite Day Care Centres	
	Differences	
	Hospitals	
	Residential care facilities	
	Attached dwellings	
	Residential flat buildings	
	Serviced apartments	
	Neighbourhood shops	
	Seniors' Housing	

The medium density zoning (R3) permits higher density housing in the LEP objectives by allowing:

- Attached dwellings, Residential flat buildings, Serviced apartments and Seniors' housing.

The low density zoning (R2) permits a greater density than detached housing in the LEP objectives by allowing:

- Dual occupancies, Group homes and Multi dwelling houses.

The LEP definition of **"multi dwelling housing"** means three or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

This is widely understood to include townhouses and villas that are consistent with the only type of medium density development witnessed in the Dunbar Estate to date.

Observations and Conclusions for the Planning Controls

It is evident the R3 and R2 zoning controls have the same FSR (0.5:1) and building height (9.5metres).

It is evident the R3 and R2 zoning controls allow townhouse and villa development with the land use of “multi dwelling housing” included for both.

The R3 zone permits the following not permitted by R2 land uses:

- Residential flat buildings
- Serviced apartments
- ✱ Neighbourhood shops

There are no witnessed examples of this (scale and type of) development in the Dunbar Estate.

The absence of this higher density development permitted by the R3 land uses indicates a lack of development feasibility. This is confirmed by our experience whereby an FSR of 0.5:1 is generally found to be incompatible with residential flat buildings. This is particularly so in the Dunbar Estate where the development land purchase prices are significantly higher than “raw land” due to the prevalence of substantial, reasonably modern detached brick housing throughout the Precinct. That is, developers must pay a premium over raw land prices for a dwelling that is later demolished to effectively compete with owner occupiers and investors.

Whilst the R3 land use allows residential flat buildings, the development feasibility is not viable evident in a lack of such development activity and our feasibility modelling.

If the R3 land use of residential flat buildings is not viable, then its loss through a zoning change from R3 to R2 for the Dunbar Estate would result in no change to the land values, development activity or potential housing supply.

Review of Recent Property Sales in the Dunbar Estate

The ownership trend depicted by our sales analysis review indicates a high proportion of owner occupiers and investors in detached dwellings with negligible medium density development activity in recent years (see details below).

Our analysis of sales over a broad timeframe reveals the following key factors:

- ✱ Residential sales in 2017 comprised only one detached dwelling at 10 Lexcen Place Marsfield that sold for \$1.915million in March 2017 (5 bedrooms, 3 bathrooms & 2 storeys);
- No residential sales occurred in 2016;
- ➡ The last townhouse sale occurred in March 2014 at 2/13 Alan Bond Place (\$1.05million) with 4 bedrooms, 2 bathrooms and a garage for one car;
- No medium density development activity (townhouses or villas) has occurred in recent years;
- The last nearby townhouse development occurred just beyond the Dunbar Estate at 35A Wilding Street Marsfield and appears to have been completed by an owner occupier of the original residence that built two townhouses after demolition of the detached dwelling. One townhouse was retained and the other was sold (\$1.80million in April 2017. This is therefore excluded in indicative of development activity. See annexures for a summary.
- ✱ A twin townhouse development has recently occurred in the R2 zoning area around the Dunbar Estate at 123 Kent Road where the single dwelling site was acquired in 2015 for \$1.55million. A resulting townhouse (1 of 2) was sold in June 2017 for \$1.85million.

Development Site Sales and (DA) Applications

All properties in the Dunbar Estate revealed a status of improved housing being mostly detached, although some examples of townhouses built in the mid 1980's were observed.

Only one recent DA application has been detected (6 Lexcen Place) for construction of a 2 storey building containing 4 units (3 bedrooms each) enclosing a floor area of 387m² upon a site of 612m² (FSR of 0.63:1) that exceeds the Planning controls of 0.5:1. The status is reported in Cordells as "refused" (confirmed with Council's Planners).

There have been no development site sales observed in the Dunbar Estate. Our research shows two townhouse development site sales nearby to the Estate within the R2 zoned area at:

- 35 Wilding Street, Marsfield; and
- 123 Kent Street Marsfield.

See sales analysis annexed and commentary above.

Conclusions - Land Value Change & Housing Supply Change

Our observations and research have identified a lack of unit development ("residential flat buildings") in the Dunbar Estate that would be permitted by the R3 land uses and not permitted by the R2 land uses confirming our feasibility testing that reveals a lack of viability for units projects with an FSR of 0.5:1.0.

Townhouse development has been shown to be viable in our feasibility testing that is permissible under the R2 and R3 zones. Recent activity has occurred in the near vicinity of the Dunbar Estate in the surrounding R2 zoned area at Wilding Street and Kent Street Marsfield (see sales analysis in the annexures).

Therefore it follows that:

- in the event the zoning was changed from R3 (Medium Density) to R2 (Low Density) residential unit projects (medium density development) would not be precluded as they are not viable. Townhouse development is viable and permissible under both the current R3 and R2 Planning Controls. Therefore as the same form of development is permissible under R3 and R2 controls (townhouses) and the FSR is unchanged, there will be no loss of housing stock potential for this zoning change;
- It follows that there will be no change in land values given a zoning change from R3 to R2 as the same form of project (townhouses) remains viable under each zoning and the floor area (FSR) potential is unchanged.

Should you have any questions concerning our proposal, please do not hesitate to contact us in our Sydney office on 02 8198 7611.

Yours sincerely,



CHRIS D. SMITH FAPI MRICS
Senior Associate




APPENDIX A : MARKET RESEARCH



A.1 Market Research – Residential sales within Dunbar Estate

The following reflects sales in the Dunbar Estate and reveals a scarcity of recent sales.

We believe this low sales rate is indicative of a high level of owner occupiers within the area in addition to some investors. Developers are deterred by the relatively high entry cost for sites being the existing improved properties (ie. substantial detached dwellings).

Table 2: Dunbar Estate Residential sales




Address	Sale Date	Price Site Area	Rate Shown	Property Type Zoning
10 Lexcen Place, Marsfield	March 2017	\$1,915,000 668m ²	\$2,866/m ² of land area	Detached House R3 Medium Density Residential
	Located on a corner of Lexcen Place. The property forms a double storey brick veneer house of circa 1980 construction with 5 bedrooms, 3 bathrooms and 2 car garage.			
5 Alan Bond Place Marsfield	July 2015	\$2,240,000 738m ²	\$3,035/m ² of land area	Detached House R3 Medium Density Residential
	Located along Alan Bond Place and near Waring Street. This property is a double storey brick veneer house of circa 1990 construction with 5 bedrooms, 3 bathrooms and double car garage.			
15 Bertrand Close, Marsfield	June 2015	\$2,402,000 703m ²	\$3,416/m ² of land area	Detached House R3 Medium Density Residential
	Located at the end of the Bertrand Close cul-de-sac with a curved street frontage. The property is a double storey brick veneer house of circa 1990 construction with 4 bedrooms, 3 bathrooms and 2 car garage.			

Address	Sale Date	Price Site Area	Rate Shown	Property Type Zoning
2/13 Alan Bond Place Marsfield	March 2014	\$1,050,000 317m ²	\$3,312/m ² of land area	Townhouse R3 Medium Density Residential
	Located on a corner of Alan Bond Place. This townhouse is in a development of 3 dwellings. This double storey brick veneer townhouse was built circa 1985 with 4 bedrooms, 2 bathrooms and single car garage.			
2/27 Sobraon Road, Marsfield	March 2014	\$1,130,000 161m ²	\$7,018/m ² of land value	Duplex R3 Medium Density Residential
	Located on the corner of Sobraon Road and Treharne Close. This duplex is one of two built circa 1990. Our market research has revealed the other duplex has not been sold since its construction. The construction form is double storey brick veneer with 3 bedrooms, 2 bathrooms and single car garage.			

A.2 Market Research – Residential sales outside Dunbar Estate

The following reflects recent sales that have occurred in close proximity to the Dunbar Estate.

Address	Sale Date	Price Site Area	Rate Shown	Property Type Zoning
35 Sobraon Road Marsfield	August 2017	\$1,680,000 575m ² (estimate)	\$2,921/m ² of land area	Detached House R2 Low Density Residential
	Located on Sobraon Road opposite Valewood Crescent. A residential house on steel posts circa 1980. The house has 3 bedrooms, 1 bathroom and 1 car bay.			

Address	Sale Date	Price Site Area	Rate Shown	Property Type Zoning
35A Wilding Street Marsfield	April 2017	\$1,800,000 309m ² (estimate)	\$5,825/m ² of land area	Townhouse R2 Low Density Residential
	Located at the cul-de-sac end of Wilding street, this townhouse is one of two, with the owner not selling the second townhouse. It is a double storey brick veneer townhouse built circa 2016 with 5 bedrooms, 3 bathrooms and single car garage.			
123A Kent Street Marsfield	June 2017	\$1,850,000 379m ²	\$4,881/mm ² of land area	Duplex R2 Low Density Residential
	A newly constructed duplex located 480 meters from Dunbar Estate and backing onto Els Hall Park. The site was purchased in 2015 for \$1,550,000. It is a double storey brick veneer duplex with 4 bedrooms, five bathrooms and single car garage.			
6A Plunkett Street Marsfield	November 2017	\$1,978,000 582m ²	3,398/m ² of land value	Duplex R2 Low Density
	Located on the corner of Plunkett Street facing Pioneer Park. This circa 2017 duplex is 700 metres to Dunbar Estate and consists of 3 bedroom, 2 bathrooms double car garage.			

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This consultancy is prepared on the assumption that the lender or addressee as referred to in this consultancy report (and no other) may rely on the consultancy for mortgage finance purposes and the lender has complied with its own lending guidelines as well as prudent finance industry lending practices, and has considered all prudent aspects of credit risk for any potential borrower, including the borrower's ability to service and repay any mortgage loan. Further, the consultancy is prepared on the assumption that the lender is providing mortgage financing at a conservative and prudent loan to value ratio.
8. HillPDA makes no representations or warranties of any kind, about the accuracy, reliability, completeness, suitability or fitness in relation to maps generated by HillPDA or contained within this report.

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ATTACHMENT 5

DRAFT Land Zoning Map
Dunbar Estate

ZONE

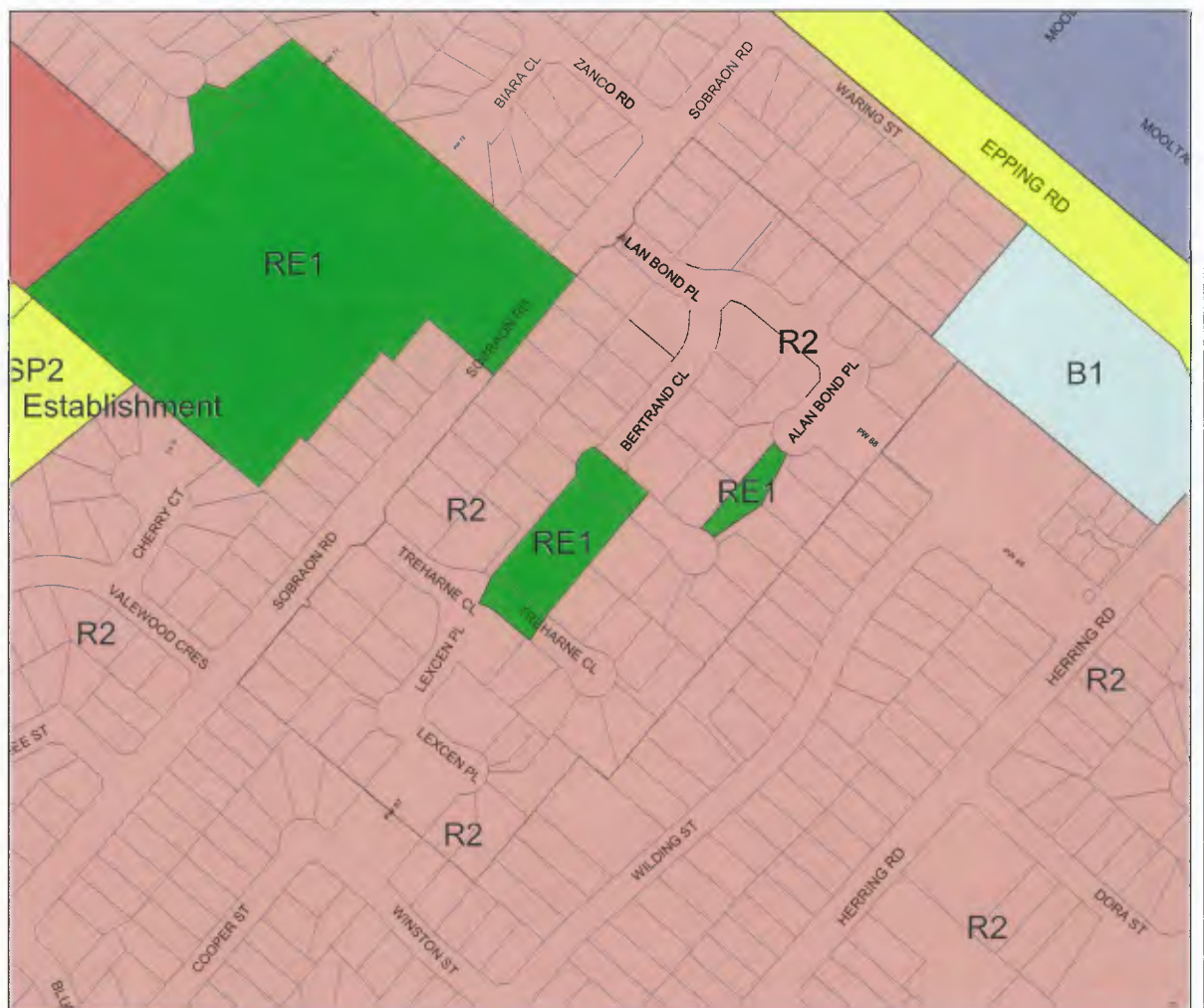
- Neighbourhood Centre
- Commercial Core
- Mixed Use
- Business Development
- Enterprise Corridor
- Business Park
- National Parks and Nature Reserves
- Environmental Conservation
- Light Industrial
- Working Waterfront
- General Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Public Recreation
- Private Recreation
- Special Activities
- Infrastructure
- Deferred Matter

Base data 01/01/1999. © Land and Property Information (LPI) Addendum data 21/11/2016
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Scale 1:1000 @ A3

Map identification number





ATTACHMENT 6

**EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 7/17 AT ITS MEETING HELD ON 22 AUGUST 2017**

NOTICE OF MOTION

**3 NOTICE OF MOTION - DUNBAR PARK ESTATE ZONING – Councillor
Jerome Laxale**

Note: Peter Raptis, Oliver Sheehan, Gary Pilgrim and Peter Aylett addressed the meeting in relation to this Item.

Note: A Dunbar Park Estate Zoning Map from Ryde LEP 2014 from Councillor Laxale was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Laxale and Simon)

That Council prepare and submit to the NSW Department of Planning and Environment for Gateway Determination, a Planning Proposal for the “Dunbar Park Estate R3 Zone” in Marsfield.

The effect of the Planning Proposal is to amend Ryde Local Environmental Plan 2014 to rezone the land from R3 Medium Density Residential to R2 Low Density Residential in order to harmonise zonings in this area and ensure it's character and amenity is maintained.

Record of the Voting:

For the Motion: Unanimous

