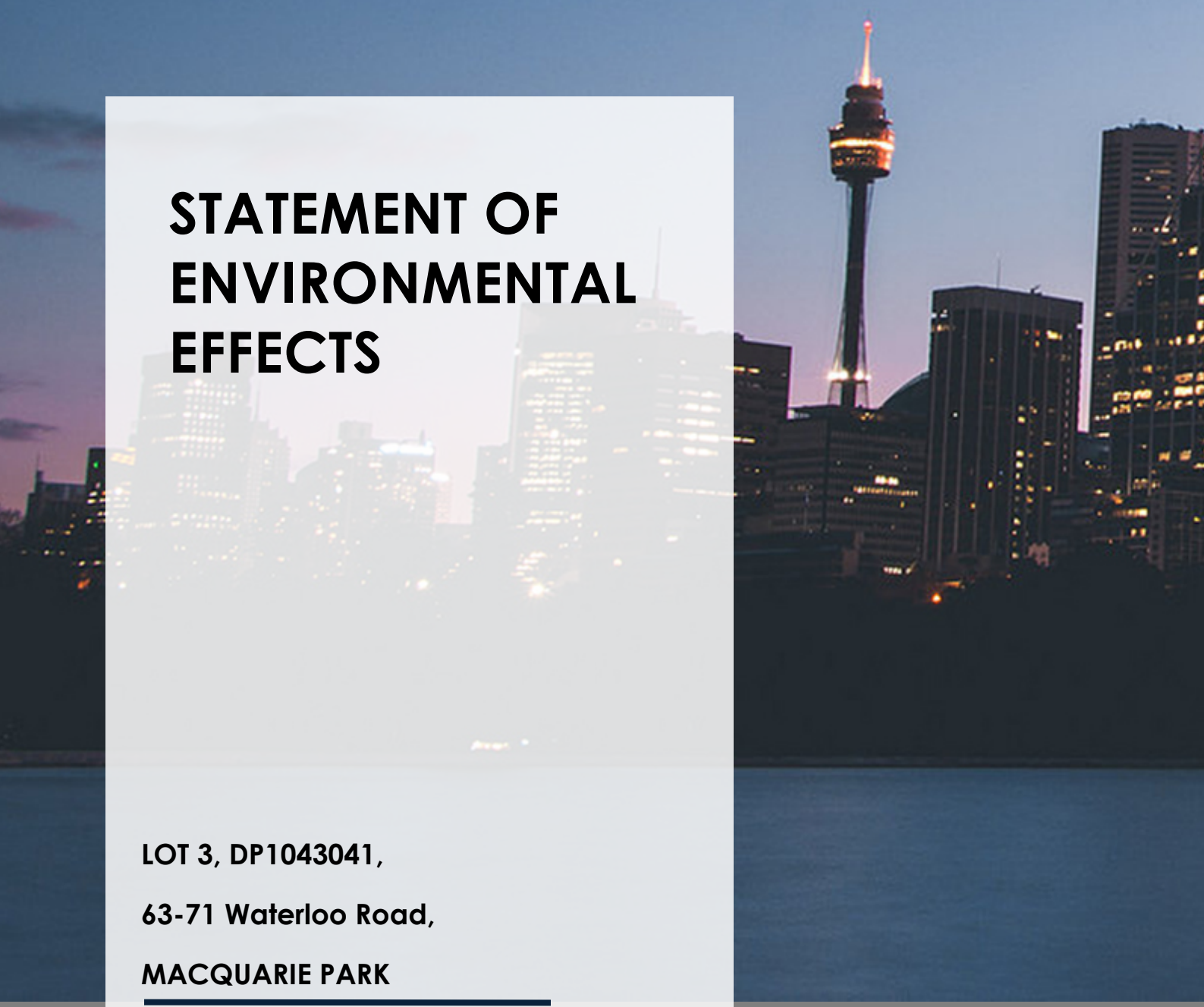

STATEMENT OF ENVIRONMENTAL EFFECTS

LOT 3, DP1043041,

63-71 Waterloo Road,

MACQUARIE PARK

Development Application for:

- demolition of existing structures;
- staged development of commercial buildings to accommodate a mix of land uses including:
    - construction of roadway
    - retail premises;
    - office Premises; and,
    - basement car parking.

5 May 2021

HDC
Haskew de Chalain
PLANNING

This report was prepared and approved for release by Gilbert de Chalain.

Haskew de Chalain

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1 Introduction

This report has been prepared as a Statement of Environmental Effects in assessment of a Development Application seeking approval for:

- demolition of existing structures;
- staged development of commercial buildings to accommodate a mix of land uses including:
    - construction of roadway;
    - retail premises;
    - office Premises; and,
    - basement car parking.

This proposal relates to **Lot 3 in DP1043041 known as 63-71 Waterloo Street, MACQUARIE PARK**.

This report is submitted in accordance with Clause 50(1)(a) of the Environmental Planning and Assessment Regulation 2000 ("the EPAA Regulation 2000"). The purpose of this Statement of Environmental Effects is *to provide a description and general information about the site and the proposed development in accordance with Clause 1 of Schedule 1 of the EPAA Regulation 2000.* Furthermore, in accordance with Clause 2 of Schedule 1 of the EPAA Regulation 2000, to provide the following information:

- The environmental impacts of the development;
- How the environmental impacts of the development have been identified; and,
- The steps to be taken to protect the environment or to lessen the expected harm to the environment.

To address the above statutory requirements, the report considers the following matters:

- Description of the site, surrounding development and the wider locality;
- Description of the proposed development;
- Assessment of the proposed development in accordance with all statutory controls and Council's Development Control Plan (DCP); and,
- A broader environmental assessment of the proposal, having regard to the matters for consideration contained within Section 4.15 of the Environmental Planning and Assessment Act, 1979.

The future development will occur upon land zoned B3 Commercial Core. *Commercial premises*, are a permitted land use within this zone.

The subject site provides a total land area of 19,763sqm and development as proposed satisfies the Ryde Local Environmental Plan, 2014 and Ryde Development Control Plan, 2013 – North Ryde Station Precinct and Ryde Development Control Plan 2014.

Provided with this Statement of Environmental Effects are architectural plans and supporting documentation to enable the determination of the development application.

The site, proposal and development controls are discussed, and with a Section 4.15 summary assessment of the proposal, forms the required Statement of Environmental Effects.

2 Site details

2.1 Site Description

The subject site is situated on the northern side of Waterloo Road, approximately midway between the intersections of Lane Cove Road and Khartoum Road. The site is a single lot which is situated within a stretch of Waterloo Road containing a mix of commercial and mixed use buildings.

The site has a street frontage of 111.205 metres to Waterloo Road. The eastern side boundary is 166.2 metres in length, and the western side boundary is 164.645 metres in length. The site is 111.13 metres wide at the rear. The site area is 19,763m

The subject site has primary frontage to Waterloo Road and extends north to a proposed new road at the rear. This new road will improve accessibility within the locality and could provide future access to the subject site. This proposal identifies the location of the new road and proposes the development of the site within an appropriate and complying building envelope derived from permitted building height and development density development standards.

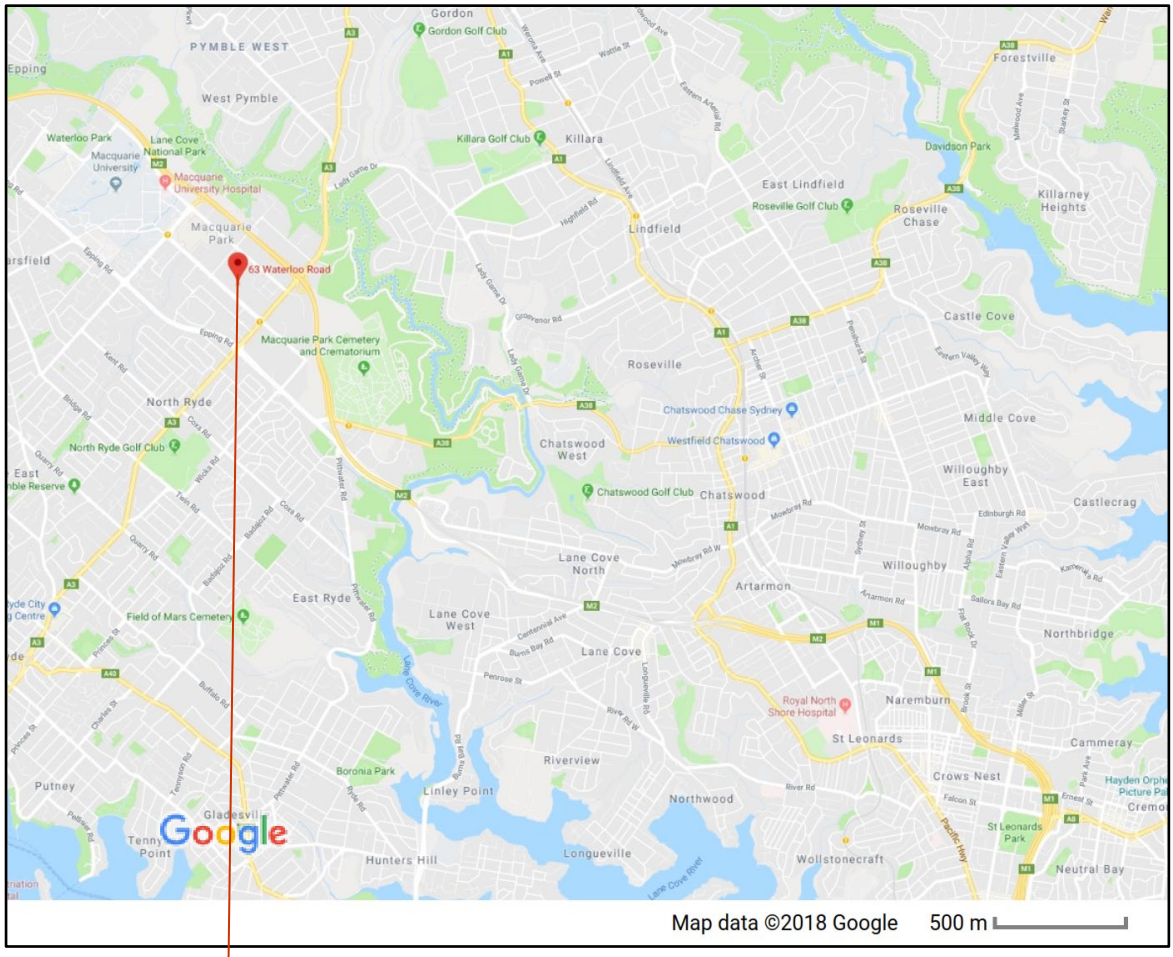


Figure 1: Site Location (Regional Context)

The site is officially described as Lot 3 in DP1043041 known as 63-71 Waterloo Street, MACQUARIE PARK. The site is regularly shaped with a total area of 19,763sqm. The subject site currently supports commercial usage. ***A survey is provided with the application which details the location of the building and levels of the site.***

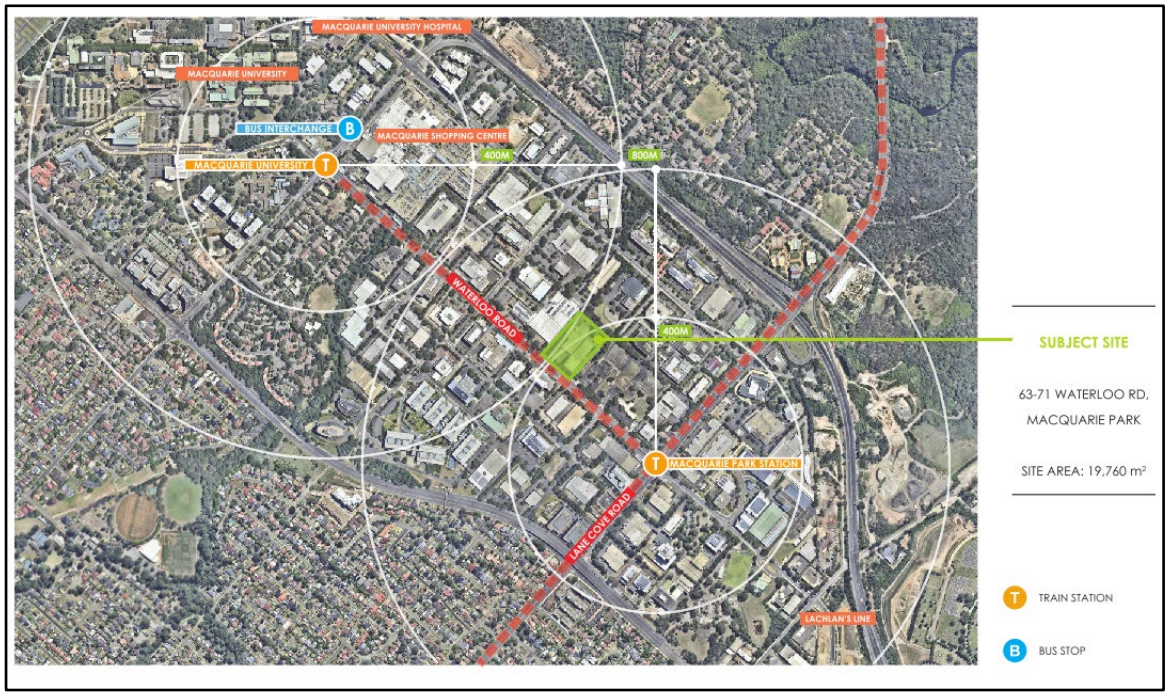


Figure 2: Site Location (Local Context)

Figure 3: Aerial Photograph (Detailed Site View)**:** Subject site - LOT 3 IN DP1043041 known as 63-71 Waterloo Street, MACQUARIE PARK

2.2 EXISTING DEVELOPMENT

Existing improvements over the site consist of two buildings used for commercial activities. The current building design is inconsistent with the significant redevelopment in occurrence in the locality and in this regard, this proposal seeks approval for the demolition of the existing structures, the provision of new roadway and then the construction of two (2) commercial towers (Buildings A & B), consistent with recent development within the locality.

Reference should be made to the following figures for an indication of existing development over the subject site.

Reference should be made to the following images for a record of existing development.

Figures 4 and 5: Waterloo Road frontage – Buildings 1 and 2.

2.3 SITE CONTEXT

The subject site is located within a B3 Commercial Core zone with B7 Business Park zone to the north. The subject site is located on a wide street with predominantly commercial uses occurring. Significant redevelopment is underway and will likely continue.

The site is well located in terms of access to public transport. As detailed in the traffic report submitted with this application the existing public transport services available in the vicinity of the subject site include rail and bus services within walking distance of the site.

2.4 VEGETATION

This proposal will result in the removal of a number of trees. The submitted arborist report considers the value of trees to be removed and justifies their need for removal. Trees to be retained are to be protected through the establishment of tree protection zones. As shown on the submitted landscape plan, the site will be replanted to replace tree loss and contribute to site and locality revegetation. ***Reference should be made to landscape plan.***

2.5 LOCAL SERVICES

A full range of services including, public transport, shopping, professional and educational facilities are accessible within the wider locality.

2.6 SUITABILITY OF THE SITE

The key opportunities from which the proposed development responds are:

- The development site is located in an area which is experiencing significant redevelopment.
- The development site is of proportions able to support development of the scale proposed.
- The development site provides the opportunity for a built form serviced by a new road network that will provide for significant employment opportunities.
- The site is within close proximity to existing retail and commercial services which will support the visitors and workers.
- The site is well located with regard to the public transport services

3 Proposed Development

3.1 OVERVIEW

This site is zoned B3 Commercial Core. This zoning permits the development of the land for a variety of commercial uses with development consent. This proposal will enable the site to be developed in accordance with the applicable development standards and satisfying zone objectives.

This proposal seeks consent for the demolition of existing structures, construction of two commercial towers (Buildings A & B) and provision of a new road. The proposed buildings and location of the new road are consistent with the development standards and the Development Control Plan.

Building A will include 5,117sqm retail GFA and 36,112sm commercial GFA. Building B will include 1,407sqm retail GFA and 19,768sqm commercial GFA.

This proposal is considered to be a complementary and modern addition to the area in which it sits. The height and setbacks of the proposed buildings will enable development that complements that surrounding and adjoining the subject site.

With respect to the design, this proposal was derived after consideration of the Ryde Local Environmental Plan 2014, and the Ryde Development Control Plan. This proposal is considered to be consistent with the objectives and requirements of these documents. ***The proposal is detailed in the architectural package prepared by A Plus Design Group*** accompanying this application.

The redevelopment of the site will be delivered in three (3) stages as shown below

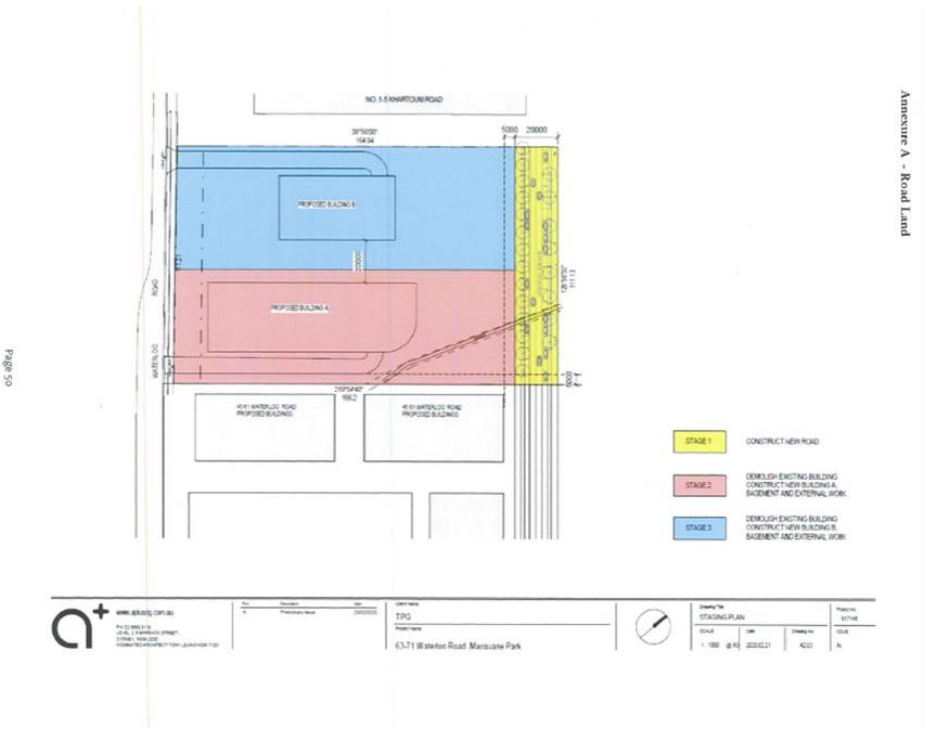


Figure 6: Staging Plan

3.2 Stage 1 – Proposed Road

This application seeks consent for the construction a road in accordance to the design requirements of the Council. The proposed roadway will contribute to an improved access network serving the precinct.

The proposal is fully detailed in the drawings prepared by Aplus Design Group and Civil Engineering Design prepared by Calibre

3.3 Stage 2 – Proposed Demolition of Existing Building and Construction of First Commercial Building

This application seeks consent for the demolition of the existing building and construction of the first commercial building (Building A) that has been designed to comply with incentive development standards and satisfy the relevant aims and objectives of the Development Control Plan.

The proposal is fully detailed in the drawings prepared by Aplus Design Group accompanying this application.

3.4 Stage 3 –Construction of Second Commercial Building

The final stage of development will see the demolition of the existing building and construction of the second commercial tower (Building B) that has been designed to comply with incentive development standards and satisfy the relevant aims and objectives of the Development Control Plan.

The proposal is fully detailed in the drawings prepared by Aplus Design Group accompanying this application.

3.5 Development Design

The building design has been informed by the applicable development standards while at the same time, seeking to work with site constraints to minimise disruption and enable effective development staging.

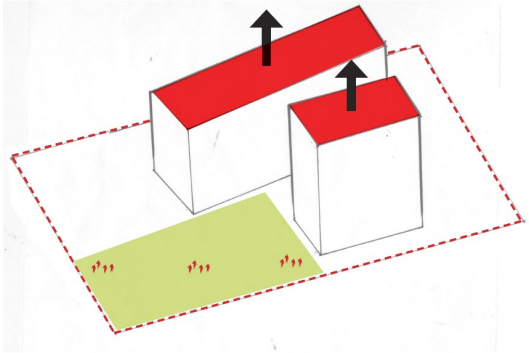


Figure 7 shows the building envelops which maintain existing building footprints. The proposed building height and floor space ratio is compliant.

Building envelops respect required building setbacks facilitating the provision of attractive and usable areas of open space. Buildings are also set back from easements and future new road network.

Figure 7: Building envelops

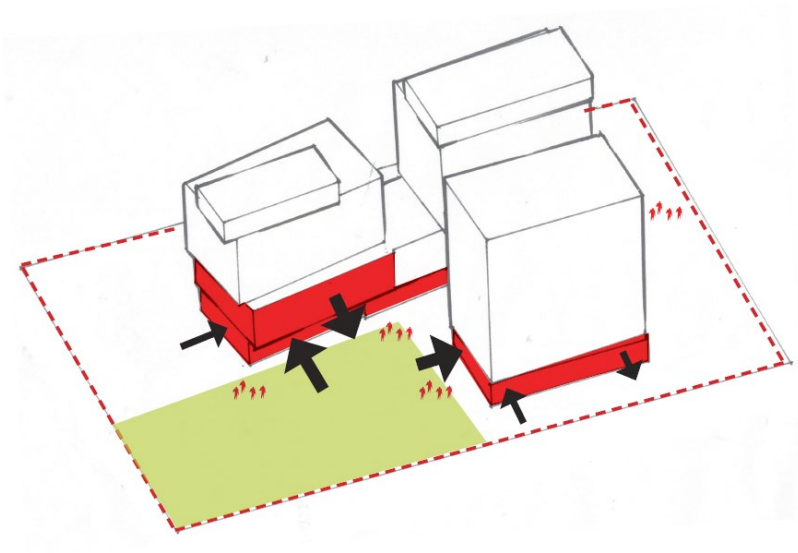


Figure 8 shows the Separation of the upper levels reduces shadows to adjacent future public park identified as part of the proposed open space network.

The building form is articulated to reduce the perception of building bulk.

The buildings are permeable and connected to areas of open space.

Figure 8: Building envelope refined

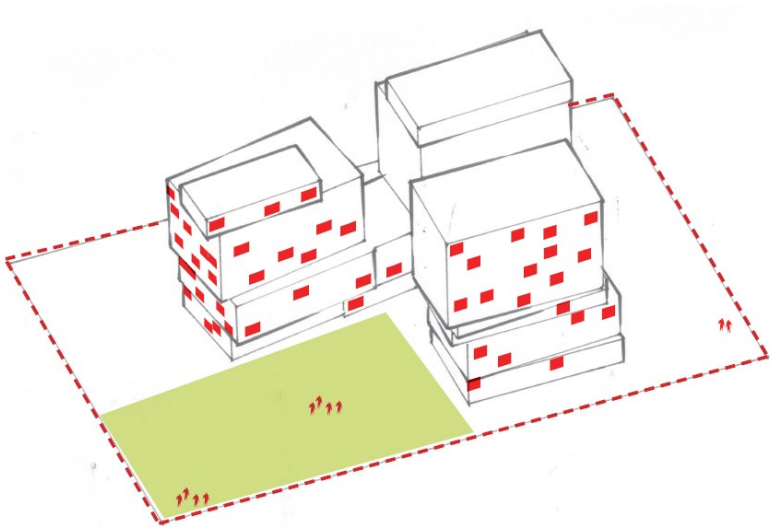


Figure 9 depicts the refined building envelope. The massing provides a setback at rear to maximise the public open space.

Figure 9: Building and façade articulation

As demonstrated in figures 10 and 11 below, site planning has considered setbacks to rail corridor, provision of future roadway and the existence of an existing drainage easement. Furthermore, this proposal includes significant areas of publicly accessible areas of open space, which will be landscaped and embellished.

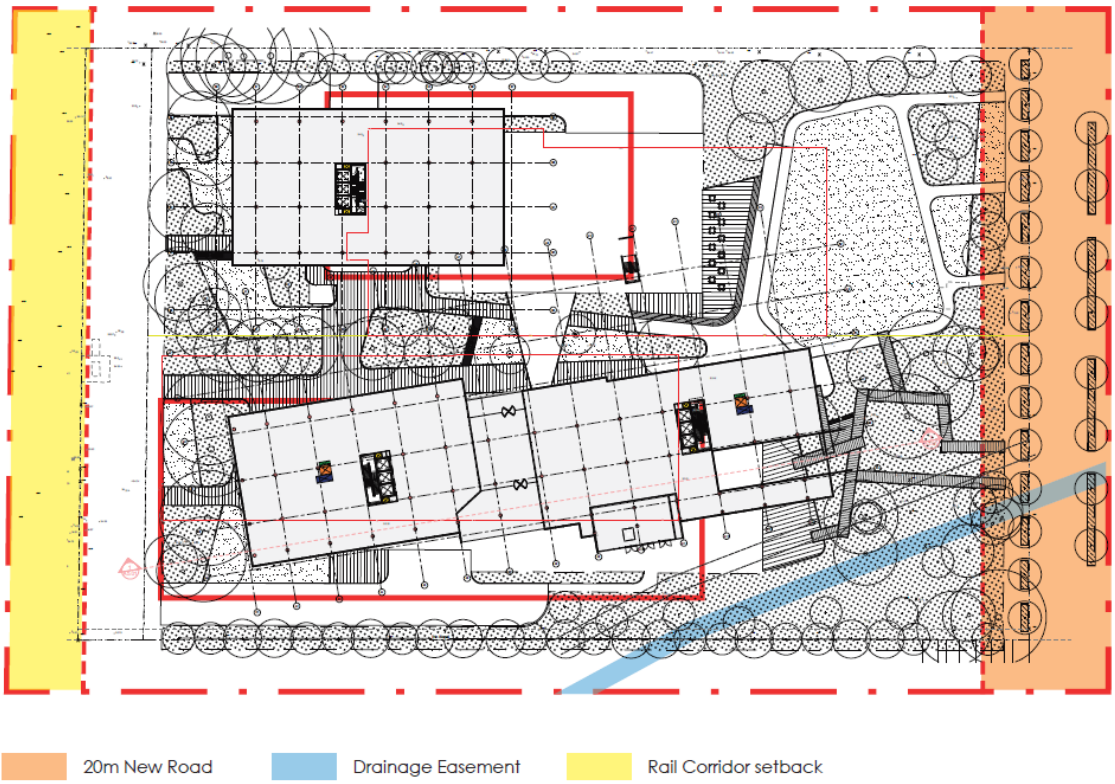


Figure 10: Site planning and setbacks

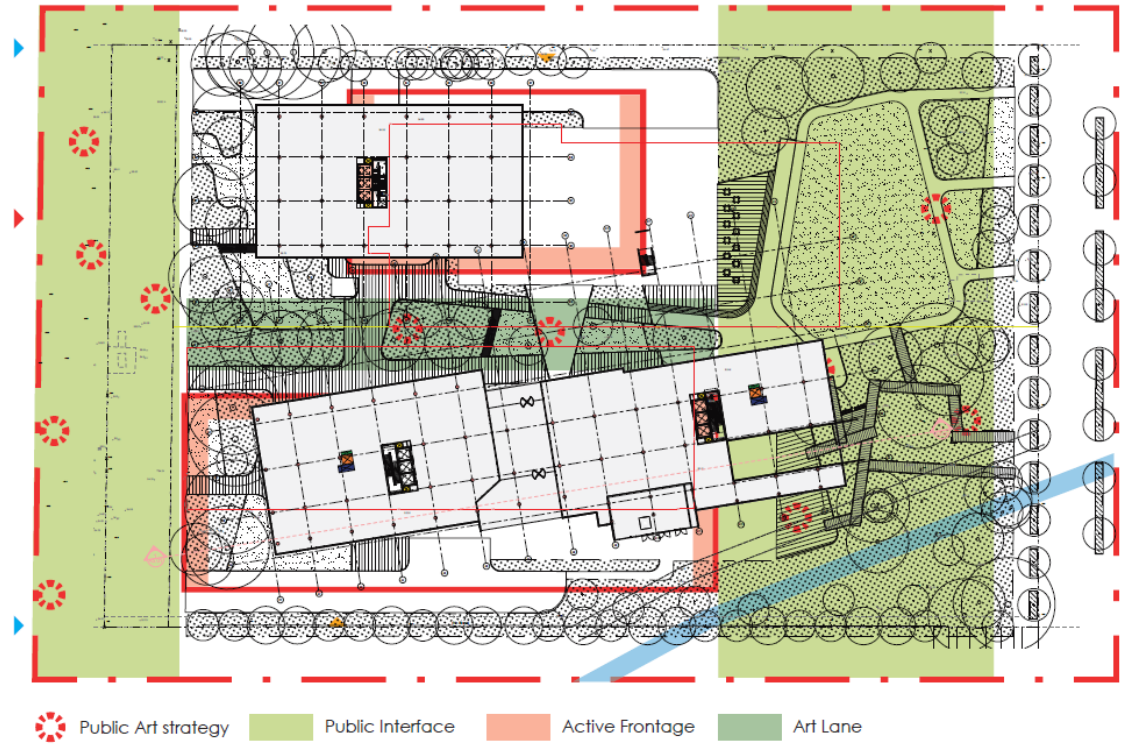


Figure 11: Publicly accessible open space

3.6 DEVELOPMENT DATA

The project architect has provided a summary of development data as produced below.

Area Schedule (Gross Building)		
Level	Name	Area
Ground level	BUILDING B LEVEL G4	222.4 m²
Ground level	BUILDING B LEVEL G3	259.8 m²
Ground level	BUILDING B LEVEL G2	521.0 m²
Ground level	BUILDING A LEVEL G1	177.9 m²
Ground level	LOBBY A	528.9 m²
Ground level	BUILDING B LEVEL G1	1557.1 m²
Ground level	LOBBY B	199.7 m²
Ground level	BUILDING B LEVEL G5	162.6 m²
Ground level	BUILDING A LEVEL G6	66.8 m²
Level 1	BUILDING B LEVEL 1	1912.7 m²
Level 1	BUILDING A2 LEVEL 1	1383.3 m²
Level 1	BUILDING A1 LEVEL 1	1509.9 m²
Level 2	BUILDING B LEVEL 2	1909.5 m²
Level 2	BUILDING A2 LEVEL 2	1663.0 m²
Level 2	BUILDING A1 LEVEL 2	1522.5 m²
Level 3	BUILDING A2 LEVEL 3	1663.0 m²
Level 3	BUILDING A1 LEVEL 3	1522.5 m²
Level 3	BUILDING B LEVEL 3	1899.9 m²
Level 4	BUILDING B LEVEL 4	1909.4 m²
Level 4	BUILDING A1 LEVEL 4	1522.5 m²
Level 4	BUILDING A2 LEVEL 4	1663.0 m²
Level 5	BUILDING A1 LEVEL 5	1182.0 m²
Level 5	BUILDING A2 LEVEL 5	1370.6 m²
Level 5	BUILDING B LEVEL 5	1899.7 m²
Level 6	BUILDING B LEVEL 6	1809.0 m²
Level 6	BUILDING A2 LEVEL 6	1370.6 m²
Level 6	BUILDING A1 LEVEL 6	1451.8 m²
Level 7	BUILDING B LEVEL 7	1845.5 m²
Level 7	BUILDING A1 LEVEL 7	1451.8 m²
Level 7	BUILDING A2 LEVEL 7	1370.6 m²
Level 8	BUILDING B LEVEL 8a	1291.1 m²
Level 8	BUILDING A1 LEVEL 8	1451.8 m²
Level 8	BUILDING A2 LEVEL 8	1370.6 m²
Level 8	BUILDING B LEVEL 8b	621.3 m²
Level 9	BUILDING A1 LEVEL 9	1413.5 m²
Level 9	BUILDING A1 LEVEL 9	1451.8 m²
Level 9	BUILDING A2 LEVEL 9	1370.6 m²
Level 10	BUILDING B LEVEL 10	1413.8 m²
Level 10	BUILDING A1 LEVEL 10	1451.8 m²
Level 10	BUILDING A2 LEVEL 10	1370.6 m²
Level 11	BUILDING B LEVEL 11	1413.5 m²
Level 11	BUILDING A1 LEVEL 11	1451.8 m²
Level 11	BUILDING A2 LEVEL 11	1370.6 m²
Level 12 / A2 Plant Level	BUILDING B LEVEL 12	1413.5 m²
Level 12 / A2 Plant Level	BUILDING A1 LEVEL 12	1451.8 m²
Level 13 / B1 Plant Level	BUILDING A1 LEVEL 13	1451.8 m²
GRAND TOTAL		59289.0 m²

PARKING SCHEDULE		
Level	Count	Family
Basement 2	245	Parking_ParkingSpace
Basement 1	231	Parking_ParkingSpace
Grand total: 476		

Site Area:	19763sqm
Permitted FSR:	3:1
Maximum Permissible GFA:	59289sqm
Proposed GFA:	59289sqm

Table 1: Development Summary

3.7 VEHICULAR ACCESS AND PARKING

This proposal identifies car parking within basements, service/loading space has also been identified. Car parking design and number is able to comply with Council's development controls. Spaces have been designed to allow for adequate maneuvering area and to comply with Australian Standards. Off-street parking is to be provided in multi-level basement car parking areas for a total of 472 parking spaces to meet the needs of future occupiers and complying with Council's requirements. Loading and servicing will be from a variety of commercial vehicles up to and including 12.5m long Heavy Rigid Vehicles (HRV).

This proposal will also include the partial construction of Road 1 to the rear of the site in accordance with City of Ryde Development Control Plan 2014, Part 4.5, Macquarie Park Corridor document. Council has accepted the Applicant's offer to enter into a VPA to provide Road 1 and a monetary contribution in return for incentive building height and FSR.

The Traffic Impact assessment says that:

> *The results of the SIDRA movement …….. clearly demonstrating that the additional traffic flows as a consequence of the subject development proposal will have minimal impacts in terms of total average vehicle delays, and that the key intersections in the vicinity of the site can be expected to continue to operate at the same levels of service under existing traffic conditions.*
>
> ***Off-Street Parking Provisions***
>
> *The maximum off-street parking provisions permitted on the site as part of the development proposal are specified in the Development Control Plan Part 9.3 – Parking Controls document in the following terms:*
>
> *New Industrial and Commercial Premises located in the Macquarie Park Corridor 1 space per 100m2*
>
> *Retail Premises and Industrial Retail Outlet 1 space per 25m2 GFA*
>
> *Application of the above parking requirements to the proposed development comprising 6,524m2 retail floor area and 58,880m2 commercial GFA yields a maximum permissible off-street car parking provision of 820 spaces …….*
>
> *The proposed development makes provision for a total of 472 car spaces, thereby satisfying the maximum permissible car parking requirements specified in Council's car parking code.*
>
> ***Conclusion***
>
> *In summary, the proposed parking and loading facilities satisfy the relevant requirements specified in Council's Parking Code, as well as the Australian Standards and it is therefore concluded that the proposed development will not have any unacceptable parking or loading implications.*

This proposal is also support by a Framework Travel Plan. This plan seeks to set site-specific actions and incentives to manage travel demands and embrace the principles of sustainable transport to encourage the greater use of transport modes that have a lower environmental impact such as walking, cycling, public transport and car share schemes. The plan identifies a number of actions that could be implemented to:

- Manage private vehicle use; and,
- Promote the usage of public transport, cycling and walking.

Reference should be made to the Traffic and Parking Assessment Report and Framework Travel Plan accompanying this application.

3.8 BUILDING CODE OF AUSTRALIA (BCA) 2019

An assessment of the proposed development against the National Construction Code, Volume 1, Building Code of Australia, 2019 Amendment 1 (the "NCC") has been conducted. The assessment addresses all relevant Deemed-To-Satisfy (DTS) Clauses of the NCC and provides comment on the compliance status of the proposed development. If the development does not comply with a DTS Clause, where appropriate, a recommendation to prepare/obtain a Performance Solution is specified.

Reference should be made to the NCC Assessment Report, Access Assessment Report and Section J Report accompanying this application.

3.9 ACOUSTIC ASSESSMENT

Noise Impact assessment has been completed and based on reasonable predictions, the acoustic assessment concludes that noise levels likely will not give rise to offensive noise provided that a number of recommendations are adopted.

Reference should be made to the Noise Impact Assessment report accompanying this application.

3.10 WASTE MANAGEMENT

A construction and demolition waste management plan accompanies this application. This plan seeks to identify opportunities to recycle/reuse materials reducing the volume of waste directed to landfill. Significant opportunities have been identified and will be implemented.

An operational waste management plan has also been prepared for this proposal and based on the estimated volume of waste generated the appropriate number of bins and frequency of collection recommended.

The operational waste management plan considers the potential waste types and assigns procedures and responsibility for the management of the waste.

Reference should be made to the Waste Management plans accompanying this application.

3.11 CONCEPT DRAINAGE DESIGN

This proposal is accompanied by a concept drainage design that demonstrates consistency with Council requirements. The design incorporates onsite detention and rainwater reuse facilities.

Reference should be made to the Concept Drainage Design accompanying this application.

3.12 OVERSHADOWING

Solar access diagrams provided with the application demonstrate that the shadow cast by the proposed development does not unreasonably impact on premises in the vicinity of the subject site.

Reference should be made to the architectural package that includes comprehensive shadow analysis.

3.13 LANDSCAPING

When fully developed this proposal would result in significant landscape improvements. Careful landscape design will provide for an attractive and usable development. Attention has been given to areas of publicly accessible open space to deliver usable and attractive landscaped areas.

Reference should be made to the landscape plan accompanying this application.

3.14 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

A CPTED assessment accompanies this application. The CPTED assessment identifies the locations across the proposal deserving particular attention and in this regard recommendations have been made to improve actual safety and the perception of safety. Furthermore, general advice has been provided to in relation to site layout, ground level activity, landscaping and lighting. Following the suite of recommendations will ensure that the completed development will include design measures to discourage crime and/or antisocial behaviour.

Reference should be made to the CPTED assessment accompanying this application.

3.15 SOCIAL IMPACT ASSESSMENT

A Social Impact Assessment accompanies this application. This assessment find that:

Overall, the proposal has been found to provide significant employment benefits to the area, in addition to improvements to the availability of quality open spaces within the site. The proposed uses are consistent with the surrounds and impacts arising from substantial change in built form can be managed through engagement with surrounding businesses. Overall, the proposal is considered to present significant net social benefits for the surrounding and wider community.

3.16 ECONOMIC IMPACT ASSESSMENT

An Economic Impact Assessment accompanies this application. This assessment find that:

The Proposal provides a significant economic benefit over the base case as it would provide $218 million in salaries for the 2,866 workers on the subject site and contribute $304 million in GVA every year.

Moreover, design and construction would generate additional economic activity in the local economy (+$407 million) and jobs (+925 job years directly and indirectly in the Ryde LGA).

This would contribute to both the development, viability and vibrancy of this Macquarie Park Strategic Centre while also meeting the employment targets identified for the centre.

3.17 ESD ASSESSMENT

An ESD assessment accompanies this report which seeks to provide cost effective environmentally sustainable development design guidance in accordance with local legislation and benchmark sustainable rating schemes. Best practice ESD initiatives have been assessed against the following categories:

- Management
- IEQ
- Energy
- Transport
- Water
- Materials
- Land Use and Ecology
- Emissions

The assessment advises that targeting of these eight categories shows a comprehensive commitment to sustainable design. The assessment shows that the proposed development is able to demonstrate best practice in achieving a development that is ecologically sustainable.

Reference should be made to the ESD assessment accompanying this application.

3.18 ACCESSING INCENTIVE FLOOR SPACE RATIO AND BUILDING HEIGHT

This development application seeks to have applied the Floor Space and Building Height Incentives provided under the Ryde LEP 2014. This proposal includes the offer to construct part of a roadway and then the dedication of the roadway to the Council. This has been confirmed by way of offer to enter into a Voluntary Planning Agreement.

Furthermore, reference has been made to the Council's current Fees and Charges for the charges levied on the incentive floor space developed and it is understood that a monetary contribution applies to additional floor area above the base FSR. The Applicants preliminary offer to enter into a Voluntary Planning Agreement was considered by Council and Council resolved to accept the offer.

Hence, the applicable development standards to be applied to this proposal are HOB 65m and FSR of 3.0:1. This proposal complies with the incentive development standards.

4 Relevant Planning Controls

The relevant environmental planning instruments and development controls are outlined below and comment on compliance provided.

4.1 State Environmental Planning Policy No. 55 - Remediation Of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Preliminary site investigation has revealed that:

The review of the site history indicated that the site was potentially used for rural and agricultural purposes (i.e. grazing, cropping, and/or market gardens) until site infrastructure similar to existing was constructed sometime between 1975 and 1982. The site has remained a commercial property since.

Potential contamination sources are summarised as:

- *Building construction and maintenance have the potential to have introduced contaminants in the form of asbestos (fibrous cement sheets as a construction material), pesticides (pest control) and heavy metals (paints, pest control, use of galvanised materials). Depending on historical site usage, buildings may have previously stored fuels, oils and chemicals that could pose a health risk.*

- *Fill material, including builder's rubble and PACM was observed within gardens and retaining wall / boundary corridors, and may have potentially introduced heavy metals, asbestos, zinc treated (galvanised) metals, and/or lead based paints to the site.*

- *Geotechnical investigations indicate fill material was observed up to 0.5 mBGL underneath some hardstand areas across the site. Potential fill may have been used during initial site development, introducing heavy metals, asbestos, zinc treated (galvanised) metals, and/or lead based paints to the site. The site was historically used for agricultural purposes, and agricultural chemicals, pesticides and heavy metals for pest control may have been applied during site use as market gardens / rural uses.*

- *Groundwater may have been contaminated by local service station.*

Overall, the site is considered to generally have a risk of contamination across the site. It is understood that the proposed development includes basement development, which will involve significant site excavation and removal of site soils.

To determine potential risk of harm to human health and environment under proposed development conditions, assessment of the identified AEC should be undertaken prior to any future development.

Where contamination in excess of SAC is identified a remedial action plan (RAP) may be required.

Provided the above recommendations are adhered to and any required onsite remediation is undertaken and adequately validated, we consider that the site shall be able to be made suitable for the proposed development.

In this regard it is considered that the risk of contamination and/or risk to the environmental or human health is present and that further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55.

Reference should be made to the preliminary site contamination investigation report accompanying this application.

4.2 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Traffic generating developments, to be referred to Roads and Maritime Services (RMS), are detailed in SEPP (Infrastructure) 2007. This requirement seeks to ensure that the RMS is made aware of, and is given an opportunity to comment on certain developments listed in Schedule 3 of the SEPP. This proposal requires referral to RMS. ***Reference should be made to the traffic report accompanying this application.***

4.3 RYDE LOCAL ENVIRONMENTAL PLAN 2014

The relevant clauses of the Ryde Local Environmental Plan 2014 are addressed below.

The subject site is zoned B3 Commercial Core pursuant to the Ryde Local Environmental Plan 2014 as depicted in the extract from the Local Environmental Plan following.

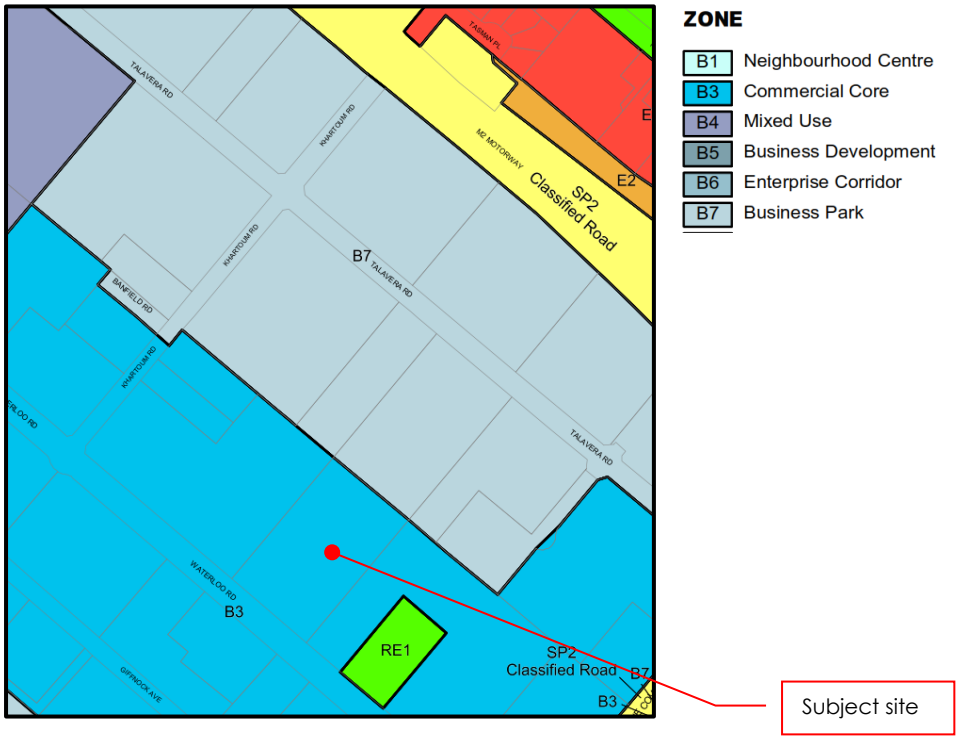


Figure 12: Land use zone

4.3.1 Satisfying zone objectives

The objectives of the B3 Commercial Centre zone are:

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

It is considered that commercial that will be facilitated through this consent will satisfy the relevant zone objectives. That is, this proposal will:

- enable the provision of floorspace that will be used for a mix of retail, business and office land uses;
- represents an employment generating land use within close proximity to excellent public transport services and improved road network.

- maximise public transport patronage and encourage walking and cycling by limiting on site car parking, and by being located in close proximity to public transport services.

There is no doubt that development of the subject site as indicated in this application would satisfy all of the B3 zone objectives.

4.3.2 Permissibility

Land uses permitted with consent within the B3 Zone are:

> *Building identification signs; Business identification signs; Centre-based child care facilities;* ***Commercial premises****; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Serviced apartments; Any other development not specified in item 2 or 4*

This proposal relates to a development application that if proceeded with would provide for ***Commercial premises*** and such land uses are permitted with consent in the B3 Zone.

4.4 Principal Development Standards

The Ryde Local Environmental Plan 2014 sets a number of standards relevant to this proposal as summarised below.

4.4.1 Height of Buildings

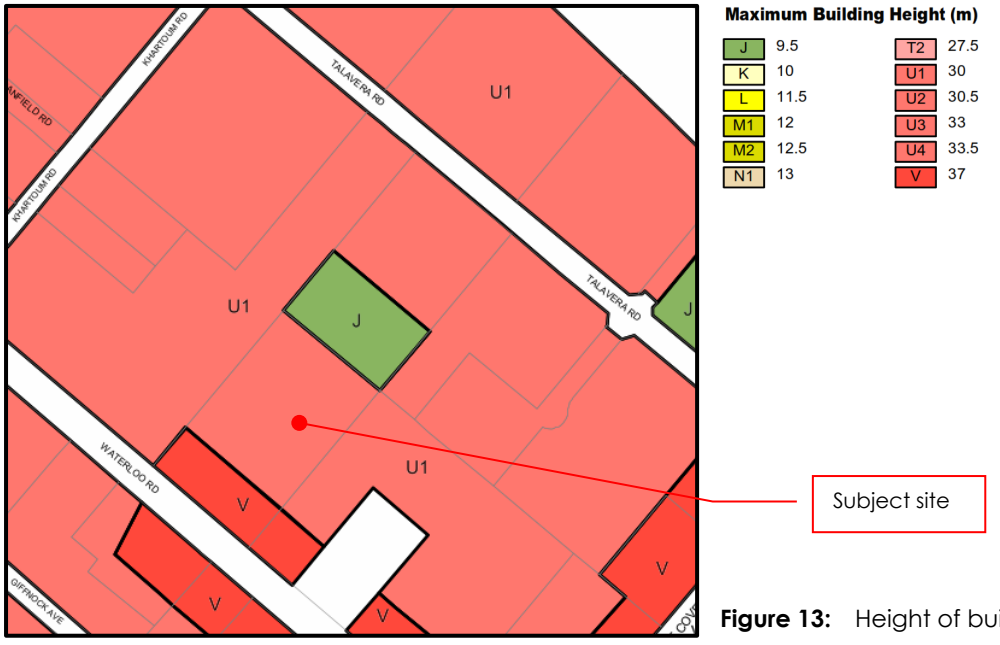


Figure 13: Height of buildings

"Base" Maximum Building Height applied to the subject site is V-37m and U1-30m. However, it is noted that the subject site enjoys an "incentive" height of buildings bonus as discussed at section 4.5.

4.4.2 Floor Space Ratio

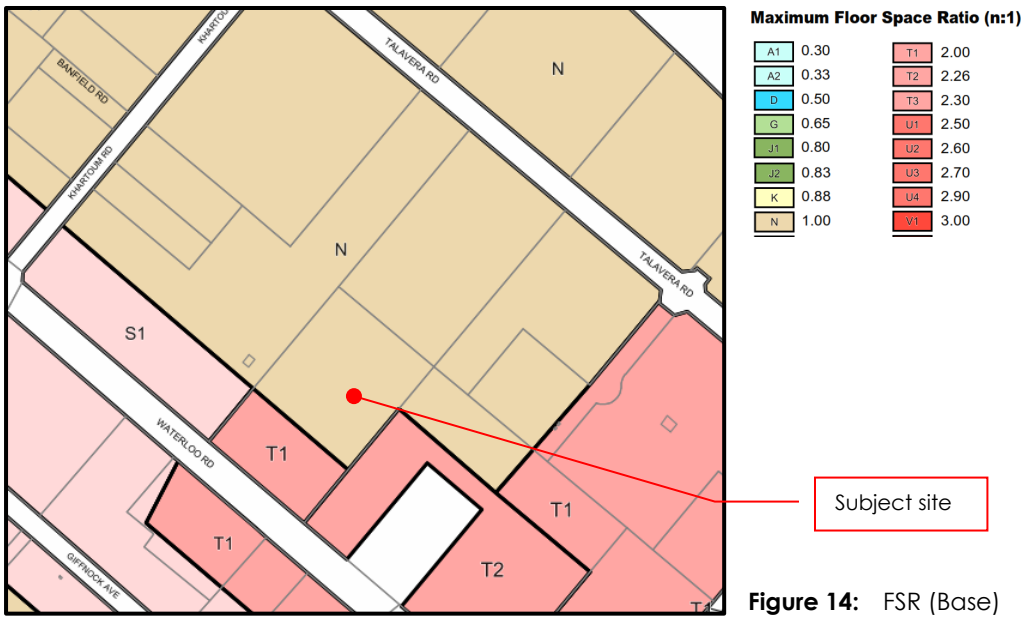


Figure 14: FSR (Base)

The "Base" Maximum Floor Space Ratio applied to the subject site is T1-2.0:1 and N-1.0:1 for the subject site is 1.0:1. However, it is noted that the subject site may enjoy an "incentive" FSR bonus as discussed at section 4.5.

4.5 Additional Local Provisions - Development in Macquarie Park Corridor

Development in Macquarie Park may enjoy incentive building height and floor space ratio bonuses. That is ***clause 6.9 - Development in Macquarie Park Corridor*** says:

> *(1) The objective of this clause is to encourage additional commercial development in Macquarie Park Corridor co-ordinated with an adequate access network and recreation areas.*
>
> *(2) This clause applies to land in Macquarie Park Corridor, identified as "Precinct 01—Macquarie Park" on the Macquarie Park Corridor Precinct Map.*
>
> *(3) The consent authority may approve development with a height and floor space ratio that does not exceed the increased building height and floor space ratio identified on the Macquarie Park Corridor Precinct Incentive Height of Buildings Map and the Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map, but only if the consent authority is satisfied that:*
>
> *(a) there will be adequate provision for recreation areas and an access network, and*
>
> *(b) the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and*
>
> *(c) the configuration and location of the access network will allow a suitable level of connectivity within the precinct.*

As shown on the following map, the subject site is located within Precinct 01 – Macquarie Park on the Macquarie Park Corridor Precinct Map.

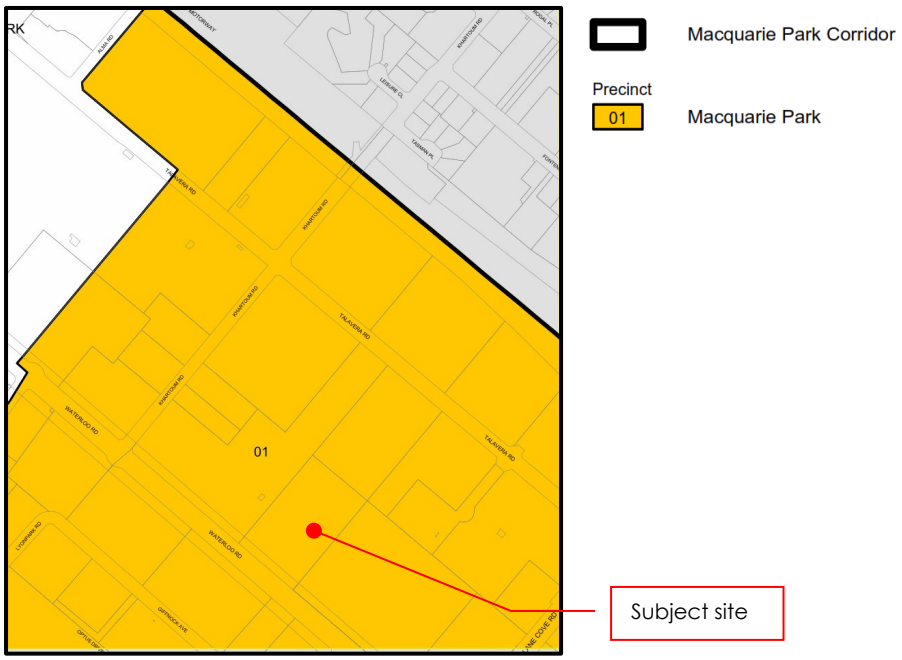


Figure 15: Macquarie Park Corridor Precinct Map

Therefore, development over the subject site may be awarded bonus height and FSR, but only if the consent authority is satisfied that:

> *(a) there will be adequate provision for recreation areas and an access network, and*
>
> *(b) the configuration and location of the recreation areas will be appropriate for the recreational purposes of the precinct, and*
>
> *(c) the configuration and location of the access network will allow a suitable level of connectivity within the precinct.*

As detailed in this report and shown on plan, this proposal will result in the construction of part of the desired roadway and the dedication of the road to Council, hence contributing to the improvement of accessibility and connectivity within the precinct. Reference to the architectural plans and civil design drawings showing the area of the site to be dedicated for road, consistent with Council's Development Control Plan. Hence, the subject site may be awarded the bonus height and FSR.

4.5.1 Macquarie Park Corridor Precinct Incentive Height of Buildings

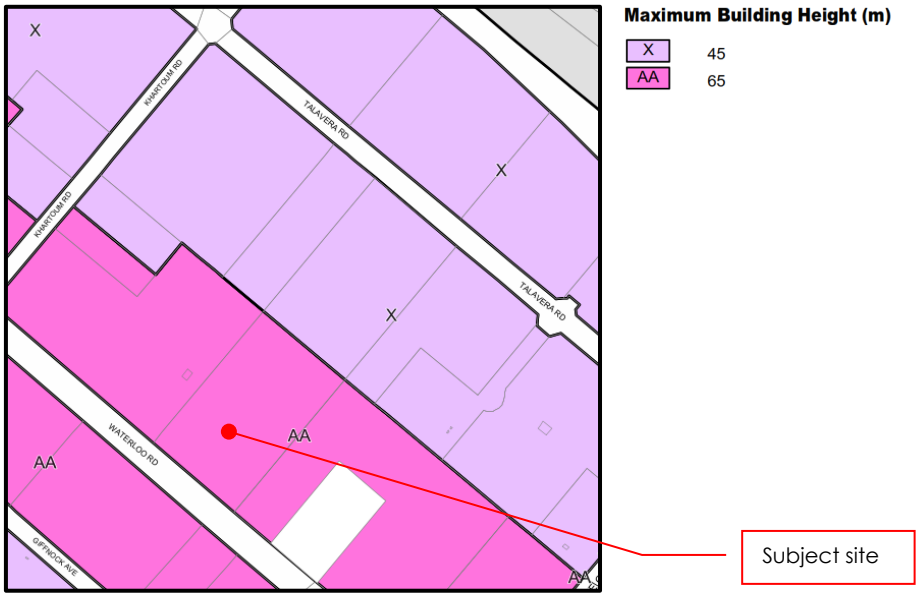


Figure 16: Incentive Height of Buildings

Provided it can be demonstrated that the development of the subject site as proposed will contribute to the improvement of the access network and connectivity within the precinct the maximum building height is **AA - 65 metres**.

4.5.2 Macquarie Park Corridor Precinct Incentive Floor Space Ratio

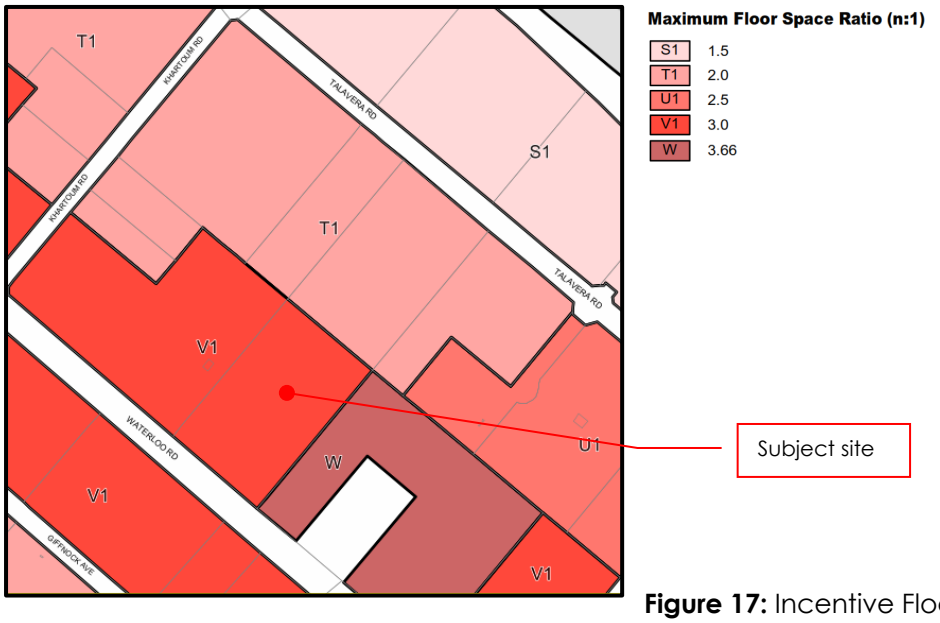
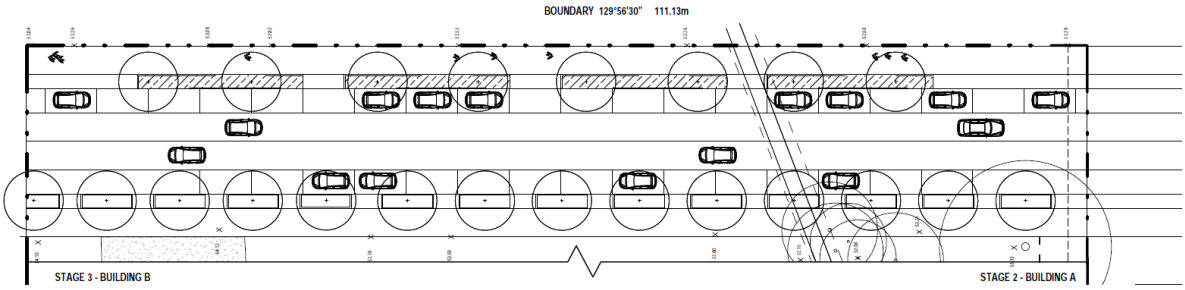


Figure 17: Incentive Floor Space Ratio

Provided it can be demonstrated that the development of the subject site as proposed will contribute to the improvement of the access network and connectivity within the precinct the maximum floor space ratio is **V1 – 3.0:1**.

4.6 IMPROVING CONNECTIVITY WITHIN THE MACQUARIE PARK PRECINCT

To access the "bonus" Building Height and Floor Space Ratio the proposed development must contribute to the improvement of connectivity within the Macquarie Park Precinct. Reference should be made to the architectural package which identifies land that could be dedicated to contribute to the improved local road network as suggested in *Part: 4.5 Macquarie Park Corridor within the City of Ryde Development Control Plan 2014*. That is, as shown in the figure below this proposal identifies land to be dedicated to Council and road to be constructed to contribute to the desired improved road network.



STAGE 1 - PROPOSED ROAD PLAN
1 : 400

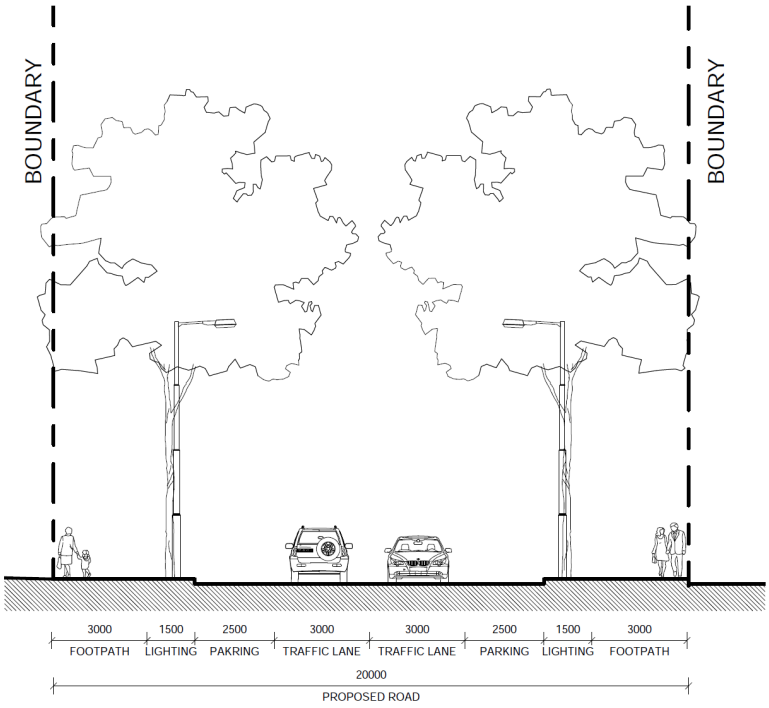


Figure 18: Proposed Road

5 s.4.15 Planning Assessment

In determining the environmental effects of a development proposal' the consent authority, is required to consider those matters relevant as listed in section 4.15 of the Environmental Planning and Assessment Act, 1979. These matters are listed below with commentary where required.

5.1 Environmental Planning Instruments - Section 4.15(1)(a)(i)

The relevant environmental planning instruments have been identified and discussed in section 4 of this statement. This proposal is permissible subject to the provisions of the *Ryde Local Environmental Plan 2014* and it is considered that the provisions of all relevant environmental planning instruments have been satisfactorily addressed within Section 4 of this statement.

5.2 Draft Environmental Planning Instruments - Section 4.15(1)(a)(ii)

At the time of preparing this application there were no draft planning instruments which would affect this site.

5.3 Development Control Plans - Section 4.15(1)(a)(iii)

The Ryde Development Control Plan applies to this proposal and it is argued that the proposal is consistent with the aims and objectives of the DCP and generally compliant with the specific controls applicable to the site and the type of development proposed. A summary of the relevant controls prescribed by the DCP and commentary is provided at appendix 1.

While the DCP is a relevant consideration when making a determination of this proposal, Council is reminded that the proclamation of the Environmental Planning and Assessment Amendment Act 2012 on 1 March 2013 confirmed the status and weight that should be placed on development control plans when making a determination of a development application. The amendments to the Environmental Planning and Assessment Act 1979 clarified the purpose, status and content of development control plans (DCPs), and how they are to be taken into account during the development assessment process.

The Amendment Act makes it clear that the principal purpose of a DCP is to provide guidance to a consent authority on land to which the DCP applies.

The Amendment Act reinforces that the provisions contained in a DCP are not statutory requirements and are for guidance purposes only. Furthermore, it should be noted that the weight a consent authority gives to a DCP in assessing a development application will depend on a number of factors, including whether the DCP provides a sensible planning outcome.

The Amendment Act confirms that Council can confidently apply development control plans flexibly and if a development application does not comply with provisions in a DCP, a consent authority must be flexible in the way it applies the controls and also allow for reasonable alternative solutions to achieve the objectives of those standards.

Reference should be made to Appendix 1 of this statement.

5.4 Any Planning Agreement - Section 4.15(1)(a)(iiia)

The most appropriate means of contribution to the improvement of the Macquarie Park access and open space network may be via Voluntary Planning Agreement. The Applicant has made an offer to Council to make contributions to the identified public improvements. This offer has been accepted by the Council.

5.5 The Regulations (To The Extent That They Prescribe Matters For The Purposes Of This Paragraph) - Section 4.15(1)(a)(iv)

Clause 92 of the Environmental Planning and Assessment Regulation 2000 requires that in the case of development involving demolition of a building the provisions of Australian Standard AS 2601 – 2001: The Demolition of Structures need to be taken into consideration. ***Reference should be made to the Demolition report accompanying this application.***

5.6 Environmental And Social Impacts - Section 4.15(1)(b)

Section 4.15(1)(b) requires the consent authority to consider:-

"(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality."

The relevant matters are addressed below.

5.6.1 Impacts on The Natural Environment

it is argued that this proposal has considered the site attributes and has been designed to incorporate measures to minimis impact to the natural environment. While accepting that the site is situated within a highly urbanized area, opportunity to conserve and reuse potable water have been explored. Furthermore, a comprehensive ESD assessment has been conducted and this proposal is able to achieve ESD targets.

5.6.2 Impacts on The Built Environment

Bulk and scale

The proposed design is of a scale which meets the objectives of Council's LEP and DCP controls which permits development at the scale proposed for this location. The proposed development will achieve the desired bulk and scale sought by Council.

The proposed buildings are of a scale which meets the objectives of Council's LEP and DCP controls which permits development at the density and scale proposed.

Overshadowing

Solar access diagrams provided with the application demonstrate the shadow cast by the proposed development is not unacceptable.

Privacy and visual impacts

The proposed buildings will not give rise to privacy or visual impacts. The building envelopes as proposed have been established with respect to the relevant development standards within the Ryde Local Environmental Plan and Ryde Development Control Plan.

Acoustic

Acoustic assessment confirms that Development as proposed for commercial land uses are not likely to give rise to adverse acoustic impact.

Traffic and parking

A traffic and parking report accompanies this application in support of the proposal. Parking with satisfactory access is proposed. Accessible parking is available, and parking is adequately secure.

Social and economic impacts

It is to the benefit of the local government area to develop the currently underdeveloped site. An increase in commercial floor space will enhance the economy and provide employment opportunity in a location highly convenient to services and transport.

5.7 THE SUITABILITY OF THE SITE - SECTION 4.15(C)

Section 4.15(c) requires the consent authority to consider:

"(c) the suitability of the site for the development."

The existing development site and the adjacent sites do not provide any constraints which would render the site unsuitable for development as proposed.

5.8 SUBMISSIONS - SECTION 4.15(D)

Section 4.15(d) requires the consent authority to consider:

"(d) any submissions made in accordance with this Act or the regulations".

Any relevant submissions will require consideration by the consent authority in the determination of this proposal. The applicant will also seek the opportunity to respond to submissions if received after exhibition of this proposal.

5.9 PUBLIC INTEREST - SECTION 4.15(E)

Section 4.15(e) requires the consent authority to consider:

"(e) the public interest".

The public interest is best achieved by the orderly and economic use of land for permissible purposes that do not impact unreasonably on development and/or enjoyment of surrounding land. In this case, it is considered that this proposal represents an efficient, orderly and economic use of land while also satisfying a market demand for commercial floor space.

The proposal is in the public interest as it will:

- Allow for development of an appropriately zoned and serviced site;
- Allow for development of a underutilised site; and,
- It will enable the provision of valuable commercial development in an area close to services and transport.

5.10 DEVELOPMENT CONTROL PLANS- SECTION 4.15(3A)

Section 4.15(3A) of the Act the Environmental Planning and Assessment Act, 1979 requires Councils to be flexible in applying any provisions that apply to a proposal and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

As stated in this statement, the proposed development warrants a flexible application of the Ryde DCP as the proposal meets the applicable objectives of the controls and will provide a high level of amenity for future workers and visitors, without adversely impacting on the natural, social and built environments.

6 Conclusion

This Development Application seeks approval for the:

- demolition of existing buildings; and,
- for the construction of commercial towers not exceeding a building height of 65 metres and floor space ratio of 3.0:1 to accommodate a commercial land uses to be delivered in stages.

The design and accompanying documentation demonstrates that the proposed buildings, along with car parking is compliant with the relevant development standards and controls.

It is considered that the proposed development satisfies the relevant zone objectives. That is, this proposal will:

- enable the provision of floorspace that will be used for a mix of retail, business and office land uses;
- represents an employment generating land use within close proximity to excellent public transport services and improved road network.
- maximise public transport patronage and encourage walking and cycling by limiting on site car parking, and by being located in close proximity to public transport services.

The overall development design is considered contemporary and sympathetic to the adjoining development and future development. The overall amenity of the proposed will be excellent in terms of location, access to facilities and services, appearance and layout.

The proposed development as submitted has the potential to deliver a well-designed, high-quality, commercial development to Macquarie Park and is deserving a positive determination from the consent authority.

The proposed development as submitted has the potential to deliver a well-designed, high-quality, commercial development to Macquarie Park and is deserving a positive determination from the consent authority.

7 Appendix 1 – Development Control Consistency Summary Table

The following table summarises the **most relevant** (not all) development controls and compliance with such controls.

Clause	Guidance	Comment	Consistency
Part: 1.0 Introduction			
1.3 Land to which this Plan applies	This Plan applies to all land within the City of Ryde.	Noted	
Part: 4.5 Macquarie Park Corridor			
1.3 Land Covered by this Part	The land covered by this Part is shown in Figure 1.3.1 …..	Subject site is within the area covered by this part of the DCP	
4.1 Streets	a. Provide new public streets and pedestrian connections in accordance with Figure 4.1.1 Access Network. b. New streets are to be dedicated to the Council. New streets are to be maintained by the landowner until dedicated to Council. c. Buildings are not permitted to be located on any proposed street and are required to be setback from proposed streets identified in Figure 4.1.1 Access Network. d. Each site is to provide for co-ordination of proposed streets with neighbouring sites, including level adjustments and detailed plans. This detail is to be provided together with the development application. e. Lighting, paving and street furniture, landscaped setbacks and tree planting are to be provided as required in the Macquarie Park Corridor Public Domain Technical Manual. f. Provide new Streets as follows i. 20m wide (typical) streets in accordance with Figure 4.1.2 ii. 14.5m wide (typical) streets in accordance with Figure 4.1.3 g. Where required by Council an additional 0.5m footpath is to be provided to augment the 14.5m	This development application identifies land as identified in the DCP that could be dedicated to Council as part of this consent. Offer to construct part of roadway and dedication of land by way of VPA has been accepted by Council. Proposed buildings a are not located on any proposed street and are setback appropriately. Refer to street design documentation as part of this application Noted Land has been identified as part of this application to provide land for future streets of this application relates to the partial construction of required roadway Noted.	YES YES YES ABLE TO COMPLY YES ABLE TO COMPLY

Clause	Guidance	Comment	Consistency
	streets to achieve a minimum 2.5m footpath		
4.2 Pedestrian Connections	a. Provide pedestrian bridges in accordance with the Access Structure Plan. Figure 3.4.1 b. Provide pedestrian connections in accordance with Figure 4.1.1 Access Network. b. Provide pedestrian connections in accordance with Figure 4.1.1 Access Network.	Subject site is not affected by pedestrian access requirements.	N/A
4.3 Bicycle Network	Dedicated cycle lanes are to be provided along all existing and new streets within the Corridor, as shown in Figure 4.1.1.	Subject site is not affected by cycle lanes requirements.	N/A
4.4 Sustainable Transport	**Public transport** a. Upgrade the bus interchange in Herring Road in accordance with the Access Structure Plan to: i. Accommodate additional bus stops to provide for increased bus patronage ii. Reduce pedestrian and vehicle conflict iii. Enable active frontage b. Any DA that includes residential development on the Macquarie Shopping Centre site is to provide a master plan that demonstrates how the bus interchange upgrade may be achieved. **Travel Plans** c. A Framework Travel Plan. (FTP) is required to be submitted to Council for approval together with a DA for all development that exceeds 10,000sqm new floor space. For all development (including residential development)	Noted. Not residential Travel plan has been provided.	 N/A YES
5.0 PUBLIC DOMAIN	The Open Space Structure Plan identifies new public space and augments existing public open spaces within the Corridor….	Subject site is not affected by Open Space Network requirements	N/A
6.0 IMPLEMENTATION – INFRASTRUCTURE, FACILITIES AND PUBLIC DOMAIN IMPROVEMENTS	a. Floor Space Ratios and Height of Buildings are to comply with the Ryde LEP 2014. Note: Where it is proposed to take advantage of Floor Space and/or Height	This proposal complies with development standards. This proposal seeks to take advantage of FSR and Height incentives. The applicant has	YES YES

Clause	Guidance	Comment	Consistency
	Incentives, applicants are to present and discuss their scheme with Council prior to lodgement of a development application.	met with the officers of the Council to discuss the matter. This application identifies land to be dedicated to Council to provide for access network. Applicant is willing to enter into a VPA in accordance with the Council's requirements. Council has accepted the Applicant's offer.	ABLE TO BE COMPLIED WITH
	b. The Access Network being roads and the Open Space Network being parks are to	Land will be dedicated to the Council	ABLE TO BE COMPLIED WITH
	i. be dedicated to Council as part of a new development and are to	Conforms with the access plan	ABLE TO BE COMPLIED WITH
	ii. conform with the Macquarie Park Corridor Access Structure Plan.	Noted	ABLE TO BE COMPLIED WITH
	iii. be design and constructed in accordance with the Macquarie Park Corridor Public Domain Technical Manual and Section 4 of this Part.	Noted	ABLE TO BE COMPLIED WITH
	c. The public land such as the road verge adjoining a development site is to be embellished and dedicated to Council as part of any new development. The design and construction of the works are to be undertaken in accordance with the Macquarie Park Public Domain Technical Manual and Section 4 of this Part.		
7.0 BUILT FORM	**7.1 Site Planning and Staging** a. Sites are to be planned to allow for the future provision of new streets and open spaces in accordance the Figure 4.1.1 Access Network and Figure 5.1.1 Proposed Open Space Network.	This proposal identifies the location of future roads in accordance with Figure 4.11.	YES
	7.2 Activity Centres	Subject site is not located within an activity centre.	N/A
	7.3 Active frontage a. Continuous ground level active uses must be provided where primary active frontages are shown in Figure 7.3.2 Active Frontage and Setback Control Drawing. Buildings must address the street or public domain.	Site not identified as being within the primary active frontage area	N/A

Clause	Guidance	Comment	Consistency
	b. Front door and street address is to be located on the primary frontage. c. Loading docks, vehicular access is not to be located where primary active frontages are shown in Figure 7.3.2 Active Frontage and Setback Control Drawing unless it can be demonstrated that there is no alternative. d. Active ground level uses are encouraged where secondary active frontages are shown in Figure 7.3.2 Active Frontage and Setback Control Drawing. e. Active uses are defined as one or more of the following: i. shop fronts; ii. retail/service facilities with a street entrance; iii. cafe or restaurants with street entrance; iv. community and civic uses with a street entrance; v. recreation and leisure facilities with a street entrance; vi. commercial or residential lobbies with a street entrance not more than 20% of the total length of the building's street frontage f. Entries to active frontage tenancies are to be accessible and at the same level as the adjacent footpath. g. Active uses must occupy the street frontage for a depth of at least 10m. Refer Figure 7.3.1 Active Frontages Plan Diagram and Active Frontages Elevation Diagram. h. On sloping sites, the maximum level change between ground floor tenancies and the adjacent footpath is 600 mm. i. Where active frontage is required a minimum of 90% of the building frontage is to be transparent i.e. windows and glazed doors (A maximum 10% active frontage may be fire stairs, plant, masonry walls and other non-active uses). j. Clear glazing is to be provided to windows and doors. The sill height for	This proposal seeks to establish retail uses on the ground floor. Noted	YES ABLE TO BE COMPLIED WITH

Clause	Guidance	Comment	Consistency
	windows must be maximum 1200mm above the footpath, including for sloping sites. Refer Figure 7.3.1 below. **7.4 Setbacks and Build-to Lines** a. Minimum setbacks and build-to lines must be provided as shown Figure 7.3.2 Active Frontage and Setback Control Drawing – summarised as follows: i. Zero setbacks / build-to lines to Primary Active Frontage; ii. 5m setback to all existing and new streets unless otherwise specified; iii. 10m setback to Waterloo Road and Talavera Road; iv. 10m green setbacks to the M2 tollway and Epping Road; and v. 5m built form setback to all parks (existing and proposed – subject to providing a Riparian Corridor in accordance with the NSW Office of Water's Guidelines for Riparian Corridors on Waterfront Land). b. Subject to negotiation with Council single storey structures which include active uses may be located within the Secondary Active Frontage. These structures must address the public domain, be transparent as far as practicable and will be subject to the ECRL Guidelines. c. Provide 2m setbacks to pedestrian pathways (unless within a building). d. Despite clause 7.2.a development may be set back further from the street or public domain where it can be demonstrated to Council that the impacts of development on underground rail infrastructure are not in accordance with the ECRL Underground Infrastructure Protection Guidelines Report No. 20007300/ PO-4532 obtainable from Transport for NSW.	Subject site is within the secondary frontage area Noted, 5 metre setback to new street complied with 10 metre setback to Waterloo Street complied with	ABLE TO BE COMPLIED WITH YES YES

Clause	Guidance	Comment	Consistency
	e. Council encourages development that complies with Figure 7.3.2 Active Frontage and Setback Control Drawing and meets the requirements of the ECRL Second Reserve Support Zone. The following are permitted in the Second Reserve support zone: i. Excavations less than 3m in depth are not required to be assessed. Excavations 3m or more in depth are required to be assessed for their impact on the underground infrastructure, including impacts during construction. ii. Shallow footings with relatively light loadings (allowable bearing pressure of less than 150kPa on small pad or strip footings) are not required to be assessed. Other shallow footings and deep foundations are required to be assessed.	Assessment has been carried out	YES
	f. Underground parking is not permitted to encroach into the front setback areas unless it can be demonstrated that the basement is designed to support significant mature trees and deep root planting. Refer to Figure 7.4.1.	Common basement carpark extends beyond building envelope. However opportunity for significant trees exist	NO
	g. Awnings, canopies, balconies, sun shading and screening elements can project forward of the street setback line.	Noted	
	COMMERCIAL h. 60% of the street setback area is to be soft landscaping. Existing mature trees are to be retained where possible. Paved areas are to relate to the materials and finishes of the adjacent streetscape. At grade car parking must not be located within this setback.	Refer to Landscape plan Basement Parking proposed	YES N/A
	7.5 Awnings and Canopies a. Awnings must be provided where Primary Active Frontages are shown in Figure 7.3.2 Active	Not within a Primary Frontage area.	

Clause	Guidance	Comment	Consistency
	Frontage and Setback Control Drawing. **Entry Canopies** i. Entry canopies and discontinuous awnings may be provided to building entries not located along Active Frontages. j. Entry canopies may be glazed or solid, and are to be coordinated with a soffit height of 3.6 m minimum. **7.6 Rear and Side Setbacks** a. Buildings are to be set back 10m from the rear boundary and 5m from a side boundary unless a proposed new road is shown on the site. b. Buildings are not to be constructed on the locations for proposed new roads. An allowance for a 5m setback from a proposed road should also be made. c. Awnings, canopies, balconies, sun shading and screening elements may project into the rear setback zones. d. Basement car park structures should not encroach into the minimum required rear or side setback zone unless the structure can be designed to support mature trees and deep root planting. e. Above ground portions of basement car-parking structures are discouraged and deep soil planting is promoted. f. Natural ground level is to be retained throughout side and rear setbacks, wherever possible. Refer to Section 8.4 Topography and Building Interface for controls. **7.7 Building Separation Commercial** a. Provide minimum 20 m separation between buildings facing each other within a site. Refer to Figure 7.7.1 Commercial Building Separation Controls. b. Provide minimum 10 m separation between buildings perpendicular to each other within	Land for proposed new Road to be set aside and dedicated to Council. Buildings to be setback as required. Basement mostly within building envelope. Extensions beyond building envelop do not encroach into rear and side setbacks. Noted Noted Minimum of 20 metre separation between buildings proposed	YES YES YES YES ABLE TO BE COMPLIED WITH YES

Clause	Guidance	Comment	Consistency
	a site. This reduced building separation control only applies where the width of the facing facades does not exceed 20 m. Refer to Figure 7.7.1 Commercial Building Separation Controls.		
	Residential: c. Provide building separation as per SEPP 65 - Design Quality of Residential Apartment Development requirements.	Not residential	N/A
	7.8 Building Bulk and Design a. The floor-plate of buildings above 8 storeys is not to exceed 2,000m², unless it can be demonstrated that slender building forms are achieved through courtyards, atria, articulation or architectural devices.	Buildings do not exceed floor plate controls.	YES
	b. Buildings are to address the street, and are to have a street address.	Building provide for street address. Building satisfies controls.	YES
	c. Facade design is to i. Reflect and respond to the orientation of the site using elements such as sun shading and other passive environmental controls where appropriate. ii. Provide building articulation such as well design roof forms, expressed vertical circulation etc. iii. Express corner street locations by giving visual prominence to parts of the façade (eg a change in building articulation, material or colour, or roof expression). iv. Integrate and co-ordinate building services such as roof plant, parking and mechanical ventilation with the overall façade and building design, and be screened from view. v. Roof forms, building services and screening elements are to occur within the overall height controls. Refer to Ryde LEP 2014 for height controls. vi. Ventilation louvres and car park entry doors are to be coordinated with the overall façade design.	Noted	ABLE TO BE COMPLIED WITH

Clause	Guidance	Comment	Consistency
	d. The distance of any point on a habited floor from a source of natural daylight should not exceed 12m (such as from the core to an external window). i. Atria and courtyards are to be used to promote access to natural light, pedestrian links and slender building forms. ii. Arrange courtyards and atria to respond to street lot & solar orientation. iii. The preferred height to width ratio of atria is 3:1. e. Buildings are to be designed to be flexible – car parking above the ground level is to have a floor to ceiling height of not less than 2.7m.		
8.0 SITE PLANNING AND STAGING	**8.1 Site Planning and Staging** a. Sites are to be planned to allow for the future provision of new streets, pedestrian connections and open spaces in accordance with Figure 4.1.1 Access Network and Figure 5.1.1 Proposed Open Space Network. Where it is proposed to vary the locations of open space, and roads; a master plan must be submitted with the development application in accordance with clause 8.1.b (below) and the following:….. b. All sites 15,000m² or more in area should lodge a site-specific Master Plan and/or Stage 1 development application for approval. The Master Plan must be supported by a: i. Transport Management and Access Plan that entails the following measures: - Maximise access by sustainable modes of transport and reduce car dependency (i.e. Public Transport, Cycling and Walking) - Maximise public access (example: Bus Stops, public pick-up and drop-off points,'thru' pedestrian connections and links); ii. Proposed vehicular access to and from the site;	This Development Application identifies the location of proposed streets as identified in the DCP. Variation of location not proposed. Noted	YES N/A ABLE TO BE COMPLIED WITH

Clause	Guidance	Comment	Consistency
	including the provisions parking; iii. Economic Impact Report which details retail floor space and impacts on local centres with 5 kms, the quantum of employment floor space and likely employment generation; iv. Proposed floor space and height and general site layout that preserve the natural heritage of the site (as appropriate) and protect the amenity of the local neighbours; v. Details of any proposed public benefits and proposed incentive bonus; vi. Arts Plan; and vii. Social Impact Study. Note: Stage 1 DAs (Master plans) approved by Council may guide general variations to the DCP provisions. **8.2 Site Coverage, Deep Soil Areas and private open space** a. A minimum 20% of a site must be provided as deep soil area. b. Deep soil areas must be at least 2 m deep. c. For the purpose of calculating deep soil areas, only areas with a minimum dimension of 20 m x 10 m may be included. d. A minimum 20% of the site area is to be provided as Landscaped Area. Landscaped Area is defined as: Area on the site not occupied by any buildings, except for swimming pools or open air recreation facilities, which is landscaped by way of gardens, lawns, shrubs or trees and is available for use and enjoyment by the occupants of the building, excluding areas used for driveways, parking areas or drying yards. e. Solar access to communal open spaces is to be maximised. Communal courtyards must receive a minimum of 3 hours direct sunlight between 9 am and 3 pm on the 21st of June.	Refer to Traffic Report submitted with this application Economic Impact Report submitted with this DA when Refer to landscape plan Refer to section 4.5 of this report and draft VPA Location of art identified on plan Social Impact Study submitted with this DA Refer to Architectural Plans and Landscape Plan.	YES YES YES YES YES YES YES

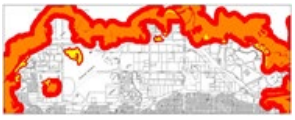
Clause	Guidance	Comment	Consistency
	f. Appropriate shading is to be provided so that communal spaces are useable during summer. g. Communal open spaces are to incorporate the primary deep soil area where possible. h. Landscaping is to contribute to water efficiency and effective stormwater management. Landowners are to consult with Council for requirements to address stormwater quality. **8.3 Planting on Structures** a. Provide optimum conditions for plant growth by providing appropriate irrigation and drainage methods. b. Design planters to provide the largest possible volume of soil, in accordance with the following recommended standards: i. Large trees (canopy diameter up to 16 m at maturity) Min. soil volume 150 m3 Min. soil depth 1.3 m, Min. soil area 10 m x 10 m or equivalent ii. Medium trees (canopy diameter up to 8 m at maturity) Min. soil volume 35 m3 Min. soil depth 1 m Min. soil area 6 m x 6 m or equivalent iii. Small trees (canopy diameter up to 4 m at maturity) Min. soil volume 9 m3 Min. soil depth 800 mm Min. soil area 3.5 m x 3.5m or equivalent iv. Shrubs Min. soil depth 500-600mm v. Ground cover Min. soil depth 300-450mm vi. Turf Min. soil depth 100-300mm **8.4 Topography and Building Interface** a. Level changes across sites are to be resolved within the building footprint. i. Where buildings are built to the street boundary (i.e.	Overall Landscape plan included with this application. Not built to boundaries	ABLE TO BE COMPLIE WITH N/A

Clause	Guidance	Comment	Consistency
	zero setbacks, refer to Section 7.4 Setbacks and Build-to Lines), a level transition must be provided between the building and the adjacent footpath. This level must be maintained for a minimum depth of 10m into the building. ii. Where buildings are set back from the street boundary, entries are to be provided at street level wherever possible. b. An accessible path of travel is to be provided from the street through the main entry door of all buildings. i. Where necessary, stairs and ramps are to be integrated with the landscape design of front setbacks. c. Natural ground level is to be retained for a zone of 4 m from the side and rear property boundaries. Retaining walls, cut and fill are not permitted within this zone. d. The maximum height of retaining walls within the front, side and rear setbacks is not to exceed 1.2 m. e. Publicly accessible open spaces under private ownership (courtyards, forecourts) must be provided at footpath level. Where level changes cannot be avoided due to topography, the finished level of the open space must not exceed 1.2 m above footpath level.	Noted	YES
	8.5 Site Facilities **Commercial** a. Vehicular access to loading facilities is to be provided from secondary and tertiary streets where possible. b. Rubbish and recycling areas must be provided in accordance with Section 6.3 Waste Management. These areas must: i. be integrated with the development;	Access from Waterloo Rd to be maintained, Assess from proposed road not possible at this stage. Refer to waste management plan	NO YES

Clause	Guidance	Comment	Consistency
	ii. minimise the visibility of these facilities from the street; and iii. be located away from openable windows to habitable rooms. c. Barrier free access is to be provided to all shared facilities.		
	8.6 Vehicular Access a. Vehicular access is not permitted along streets identified as 'Active Frontages' (refer to Section 7.3 Active Frontages). b. Where practicable, vehicle access is to be from secondary streets. c. Potential pedestrian/vehicle conflict is to be minimised by: i. limiting the width and number of vehicle access points ii. ensuring clear site lines at pedestrian and vehicle crossings iii. utilising traffic calming devices iv. separating and clearly distinguishing between pedestrian and vehicular accessways d. The appearance of car parking and service vehicle entries is to be improved by i. locating or screening garbage collection, loading and servicing areas visually away from the street ii. setting back or recessing car park entries from the main façade line iii. avoiding black holes in the façade by providing security doors to car park entries iv. where doors are not provided, it is to be ensured that the visible interior of the car park is incorporated into the façade design and material selection and that building services pipes and ducts are concealed, and v. returning the façade material into the car park entry recess for the extent visible from the street as a minimum. e. The width of driveways is to be determined in accordance with the requirements of Ryde DCP	Access from Waterloo Rd to remain. Proposed new road designed in accordance with Part 4.5 of DCP. Noted, refer to traffic report and architectural plans	YES YES

Clause	Guidance	Comment	Consistency
	2014 and the relevant Australian Standards. **8.7 On-site Parking** a. Safe and secure 24-hour access to car parking areas is to be provided for building users. **At-grade parking** b. Parking areas must not be located within the front, side, or rear setbacks. c. Parking areas are to be screened from view from the street, public domain and communal open space areas, using site planning and appropriate screen planting or structures. d. Provide safe and direct access from parking areas to building entry points. e. Provide appropriate mature vegetation between parking bays to provide shade and enhance visual impact. **Basement parking** f. Basement parking areas should be located directly under building footprints to maximize opportunities for deep soil areas unless the structure can be designed to support mature plants and deep root plants. g. Basement parking areas must not extend forward of the building line along a street. h. Along active frontages, basement parking must be located fully below the level of the footpath. Refer to Section 7.3 Active Frontages. i. Basement parking should be contained wholly beneath ground level along public streets. j. Where this cannot be achieved due to topography, the parking level must protrude no more than 1.2 m above ground level for no more than 60% of the building frontage along a public street (Refer to Figures 8.7.1 and 8.7.2). k. Ventilation grills or screening devices of car park openings are to be integrated into the overall	Noted Basement parking proposed Noted Proposed basement not within building footprint, however deep soil planting not compromised. Noted Noted Noted Noted	ABLE TO BE COMPLIED WTH N/A ABLE TO BE COMPLIED WITH YES YES ABLE TO BE COMPLIED WITH

Clause	Guidance	Comment	Consistency
	façade and landscape design of the development. **Parking in structures** l. Along all street frontages, above ground parking levels are to be laminated with another use for a minimum depth of 10 m, e.g. building entry lobbies, retail tenancies, commercial floor space. m. Temporary above ground parking structures are to be designed to allow future adaptation to other uses. Ramps should be located internally rather than on the facades of parking structures to allow ease of adaptation of use. **8.8 Fencing** a. Fencing is not permitted on the perimeter boundary of sites. Security should be provided within buildings.	Noted. Noted Noted	
9.0 ENVIRONMENTAL PERFORMANCE	a. Commercial development is required to achieve a 4 Star Green Star Certified Rating. b. Additional floor space maybe permitted within a development where the building can demonstrate design excellence and environmental sustainability. For consideration of the additional floor space a minimum 5 Green Star-Green Building Council of Australia (GBCA) should be provided. Refer to Ryde LEP 2014 and Section 6 of this Part. c. Residential development is to comply with BASIX (Building Sustainability Index) requirements. d. Development is required to comply with Section 7 Built Form. **9.1 Wind Impact** a. Buildings shall not create uncomfortable or unsafe wind conditions in the public domain which exceeds the Acceptable Criteria for Environmental Wind Conditions. Carefully locate	Refer to Energy Efficiency Performance & ESD Report Noted	YES ABLE TO COMPLY

Clause	Guidance	Comment	Consistency
	or design outdoor areas to ensure places with high wind level are avoided……		
	9.2 Noise and Vibration a. An Acoustic Impact Assessment report prepared by a suitably qualified acoustic consultant is required to be submitted with all development applications for commercial, industrial, retail and community buildings, with the exception of applications minor building alterations….	Acoustic Assessment accompanies this application	YES
	9.3 Bushfire Management 	Noted. Subject site not affected	N/A
	9.4 Soil Management a. Development is to comply with the City of Ryde DCP 2014…….	Noted	ABLE TO BE COMPLIED WITH
Part: 9.3 Parking Controls			
Part: 9.3 Parking Controls	**1.3 Application** a. This part of Ryde DCP applies to all land identified under Ryde Local Environmental Plan 2014. b. This part of the DCP applies to development that includes one or more of the following: i. New floor space or buildings. ii. Alterations or additions to any existing building, whether or not such additions or alterations involve any change in the purpose for which such buildings are used. iii. Change of use.	This part of the DCP applies to this proposal.	YES
	2.0 PARKING REQUIRED IN RESPECT OF SPECIFIC USES a. Where the calculation of the parking required results in a fraction, the parking requirement will be rounded up to the nearest whole number.	Noted	
	b. Where it is proposed to provide more parking than required, the additional parking floor space will be included in the calculation of floor space for the	Noted	

Clause	Guidance	Comment	Consistency
	purposes of Floor Space Ratio calculations in accordance with Ryde Local Environmental Plan 2014.		
	c. Where a change of use which, under this Part, would require the provision of a greater number of on-site parking spaces than the previous use, the amount of parking required will be the difference between the existing parking for the previous use and the amount of parking required for the proposed use.	Noted	
	d. All car parking must be provided on-site.	Noted	YES
	e. Tandem or stack parking may be carried out for a development if it is considered appropriate to the proposed development or land use/s. Tandem or stack parking will only be permitted where: i. each tandem or stacked parking arrangement is limited to a maximum of two spaces; ii. in residential buildings and commercial/retail developments, the spaces are attached to the same strata title; iii. in residential buildings and serviced apartments, they are used for resident parking only; iv. in commercial or retail development, they are used for staff parking only; v. they are not used for service vehicle parking; and vi. the manoeuvring of stacked vehicles is able to occur wholly within the premises.	Noted	ABLE TO BE COMPLIED WITH
	f. The minimum length of a tandem or stacked space is to be 10.8 m.		
	g. Up to 10% of the required car spaces may be nominated as "small" car spaces within any development. Small car spaces shall comply with AS 2890.1 2004 (at least 2.3 m wide and 5.0 m long)		
	h. A Traffic and Parking Impact Assessment Report will be required by Council, where:		

Clause	Guidance	Comment	Consistency
	i. development is likely to generate significant traffic and / or parking; ii. an activity or land use is not included in Section 2.0 Parking Required In Respect of Specific Uses. **2.3 Non–residential Land Uses** a. Car parking spaces are to be provided on-site in accordance with the following requirements: Figure 2.3.1 Maximum Parking Rates for New Industrial and Commercial Premises in the Macquarie Park Corridor	Refer to Traffic Report The proposed development makes provision for car spaces, not exceeding the maximum permissible car parking requirements specified in Council's car parking code.	YES
	2.4 Mixed-use Development a. Where a development comprises two or more different land uses, parking provisions will be assessed as the sum of the requirements in s2.0 for each component of the mixed– use development. Calculations shall include an appropriate proportion of any common or administrative areas. b. Where the main usage periods for components of mixed-use development do not coincide, Council may consider a reduction in the required parking. In this case, the parking requirement will be based on whichever of the components generates the greatest parking requirement. The onus will be on the proponent to satisfy Council that the uses will not be operated concurrently **2.5 Large Development** a. To vary the provisions of this Part (particularly required parking) for large scaled development; comparisons should be drawn with similar	Noted Noted	ABLE TO COMPLY

Clause	Guidance	Comment	Consistency
	development and outlined in Traffic and Parking Impact Assessment Report submitted together with the Development Application. Such comparisons should include a minimum of two case studies drawn from the Ryde Local Government Area or adjoining Local Government Areas. Note: Large scaled development will generally be defined as having a parking provision greater than 100 spaces. …… Where a site is sufficiently large to include a local roads network Council will require the roadways to be designed to allow for two lanes of travel and one parking lane (i.e. the carriageway is to be approximately 9 metres wide). This requirement will be implemented where it is proposed that waste collection services will be carried out on-site and / or to accommodate on site loading and unloading facilities. Note: The local roads network may include an on-site laneway or existing local roads.	Noted	ABLE TO BE COMPLIED WITH
	b. All large retail and commercial development shall be required to provide parking facilities and secure storage of electric scooters used by people with disabilities. Facilities should be generally in accordance with AS 2890.6.	Noted	ABLE TO BE COMPLIED WITH
	2.6 Parking Contributions Council may accept or require the payment of a parking contribution in lieu of the provision of off-street parking.	Noted, contribution not required	N/A
	2.7 Bicycle Parking a. In every new building, where the floor space exceeds 600 m GFA (except for dwelling houses and multi unit housing) provide bicycle parking equivalent to 10% of the required car spaces or part thereof.	Noted Bicycle parking proposed	YES

Clause	Guidance	Comment	Consistency
	Note: Cycling is approximately 10% of the journey to work. The control provides for minimum quantum of bicycle parking to cater for anticipated increasing demand and additional space to meet current cycling rates.	Not a boarding house	N/A
	b. Bicycle and motor cycle parking is to be provided for boarding house development in accordance with the requirements of State Environmental Planning Policy (Affordable Rental Housing) 2009, and Part 3.6 Boarding Houses under this DCP.	Noted	YES
	d. Bicycle parking and access should ensure that potential conflicts with vehicles are minimised. e. Bicycle parking is to be secure and located undercover with easy access from the street and building entries.		YES
	f. Bicycle parking is to be located in accordance with Safer by Design principles. g. End of trip facilities accessible to staff (including at least 1 shower and change room) are to be provided in all commercial, industrial and retail developments. h. Provide secure bicycle storage in all residential developments where the floor space exceeds 600 m GFA except for dwelling houses and multi-unit housing. i. Provide signage to Council's satisfaction indicating the location of bicycle parking and bicycle facilities, where provided, in all new buildings.		
	3.1 On- Site Loading and Unloading Facilities a. All developments involving new floor space are required to provide on-site loading and unloading facilities, except: i. Dwelling houses, dual occupancies ii. Residential flat buildings and multi dwelling housing	Loading facilities proposed	YES

Clause	Guidance	Comment	Consistency
	with access from the local road network. iii. Residential flat buildings and multi dwelling housing located on Main or County Roads are required to provide on-site loading and unloading facilities to ensure that vehicles do not stand on the road or footway. b. Loading docks shall be located in such a position that vehicles do not stand on any public road, footway, laneway or service road and, that where possible, vehicles entering and leaving the site move in a forward direction.	Noted Noted	YES YES
	3.2 Design of Parking Areas General a. All parking areas shall be designed in accordance with Australian Standards AS2890.1, AS2890.2 and AS2890.6 b. The appearance of car parking and service vehicle entries and areas is to be improved by: i. locating or screening visually from the street ii. setting back or recessing car park entries from the main façade line iii. avoiding black holes in the façade by providing security doors to car park entries iv. where doors are not provided, it is to be ensured that the visible interior of the car park is incorporated into the façade design and material selection and that building services pipes and ducts are concealed. c. Provide safe(well lit and free of concealment opportunities) and direct 24 hour access between car parking areas and building entries. d. Where practicable car parking and loading access is to avoid areas where active frontage is required (refer Part 4 of this DCP for Active frontage requirements). **Basement parking** e. Basement parking areas are to be located directly	Noted Basement parking proposed not contained within building footprint	ABLE TO BE COMPLIED WITH NO

Clause	Guidance	Comment	Consistency
	under building footprints to maximize opportunities for deep soil areas unless the structure can be designed to support mature plants and deep root plants.		
	f. Along active frontages, basement parking must be located fully below the level of the footpath. Refer to Part 4 for locations of active frontage within Urban Centres.	Noted	YES
	g. Basement parking should be contained wholly beneath the ground level along public streets. Where this cannot be achieved due to topography, the parking level must protrude no more than 1.2 m above ground level.	Noted.	YES
	h. Ventilation grills or screening devices of car park openings are to be integrated into the overall façade and landscape design of the development.	Noted	ABLE TO BE COMPLIED WITH
	At-grade parking i. Parking areas must not be located within the front building setbacks including for sites located along Victoria Road, Epping Road and Lane Cove Road. Refer also Part 4 Urban Centres for setbacks.	Basement parking proposed	N/A
	j. Parking areas are to be screened from view from the street, public domain and communal open space areas, using site planning and appropriate screen planting or structures.		
	Construction Standards k. All parking areas are to be constructed in accordance with Part 8.1 Construction Activities of this DCP.	Noted.	ABLE TO BE COMPLIED WITH
	3.3 Macquarie Park Corridor Applications within the Macquarie Park Corridor should also refer to Part 4.5 Macquarie Park Corridor and in particular Sections 4.4 Sustainable Transport and 8.7 On-site Parking.	Noted	

Clause	Guidance	Comment	Consistency
Part: 9.5 Tree Preservation			
Part: 9.5 Tree Preservation	**4.0 DEVELOPMENT APPLICATIONS**	This proposal will result in the loss of trees. Reference should be made to the arborist report submitted with this application. Trees to be removed are not considered significant. Landscape plan submitted with this application provides an indication of the revegetation of the site.	YES