

**ATTACHMENT 1 - Reasons For Refusal**

- (1) The application is not satisfactory for the purposes of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the submission pursuant to clause 4.6 of Ryde Local Environmental Plan 2014 relating to Clause 4.3 Building Height is not well founded.
- (2) The application is not satisfactory for the purposes of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the proposed development does not satisfy State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development with respect to adequately addressing 6 of the 9 Design Quality Principles in respect of:

*Principle 1: Context and Neighbourhood Character;*

*Principle 2: Built form and Scale;*

*Principle 5: Landscape;*

*Principle 6: Amenity;*

*Principle 8: Housing Diversity and social interaction; and*

*Principle 9: Aesthetics.*

The failure to address the above Principles will result in a development that does not meet the desired form of development for the site, is not suitable for the locality in terms of bulk, scale and massing, provides poor transition to and relationship with the adjoining low density zone, does not provide sufficient deep soil provision, does not provide sufficient common open space, does not provide sufficient dwelling mix, and presents an excessive scale of built form as viewed from the public domain. These issues will also result in adverse amenity impacts for adjoining development and future occupants and set an undesirable precedent for the area.

- (3) The application is not satisfactory for the purposes of Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as site planning and built form outcomes are inconsistent with the strategic vision for the site as articulated through site specific controls under Section 8.6 of Ryde DCP 2014.
- (4) The application is not satisfactory for the purposes of Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 due to non-compliance with Ryde DCP 2014 in relation to:
- a. Section 3.9 Public Art
  - b. Section 4.1 Building height
  - c. Section 4.2 Setbacks and build-to lines
  - d. Section 4.3 Building depth
  - e. Section 4.4 Architectural and design quality
  - f. Section 6.2 Water management
  - g. Section 7.1 Landscaping/Deep soil zone
  - h. Section 7.2 Solar Access
  - i. Section 7.3 Visual privacy

- j. Section 7.4 Acoustic privacy
- k. Section 7.6 Housing choice
- l. Section 8.0 Future character
- m. Section 8.2 Stormwater and Floodplain Management
- n. Section 8.3 Driveways

Non-compliance with the above DCP controls will result in a development that is inconsistent with the desired built form for the site, which is not suitable for the locality in terms of built form siting, provides poor transition to and relationship with the adjoining low density zone, does not provide sufficient deep soil provision and boundary landscaping, and does not provide sufficient dwelling mix. These non-compliances will result in unacceptable amenity impacts on adjoining development and future occupants, and will set an undesirable precedent for the area.

(5) The application is not satisfactory for the purposes of Section 79C(1)(iv) of the Environmental Planning and Assessment Act 1979 as insufficient information has been provided to enable a thorough assessment of the application in relation to:

- *Traffic management*
- *Waste management*
- *Acoustic impact*
- *Stormwater Management & Flooding Controls*
- *Existing use rights*
- *Land contamination*
- *Owner's consent - tree removal*
- *Internal solar access – shadow analysis required between 9am and 3pm*
- *Residential storage – schedule of allocation storage for residential units is required*
- *Workplace travel arrangements – A workplace travel arrangement plan is required.*

(6) The application is not satisfactory for the purposes of Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979 as it is not in the public interest to vary the building height controls under Clause 4.3 of Ryde LEP 2014, the ADG building depth and separation controls or the site specific controls under Section 8.6 of Ryde DCP 2014 as the building will result in significant amenity impacts for adjoining residents and reflect a built form of a scale, height and massing inconsistent with the strategic vision for the site.