

COUNCIL ASSESSMENT REPORT

Panel Reference	Building C: PPSSNH-196 Building D: PPSSNH- 234
DA Number	Building C: LDA2021/0035 Building D: LDA2021/0159
LGA	City of Ryde
Proposed Development	Building C: Detailed proposal for Building C (comprising 7 storey and 11,261m ² GFA commercial building) consistent with Stage 3 of Concept DA approved under LDA2020/0229 Building D: Detailed proposal for Building D (comprising 8 storeys and 12,069m ² GFA commercial building) and associated park as part of Stage 4 of the Concept masterplan for the site as approved under LDA2020/0229
Street Address	11-17 Khartoum Road, Macquarie Park
Applicant/Owner	Applicant: Stockland Corporation Limited Owner: The Trust Company Limited
Date of DA lodgement	Building C: 18 February 2021 Building D: 13 May 2021
Total number of Submissions Number of Unique Objections	No submissions received for either application
Recommendation	Approval for both applications
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	General Development over \$30 Million – Cost of works: Building C (LDA2021/0035) = \$ 57,354,088.00 Building D (LDA2021/0159) = \$67,272,934.00
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Regulation 2000; • Environmental Planning and Assessment Act 1979; • Water Management Act 2000; • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (State and Regional Development) 2011; • State Environmental Planning Policy No. 55 – Remediation of Land; • State Environmental Planning (Vegetation in Non Rural Areas) 2017; • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; • Greater Sydney Regional Plan - A Metropolis of Three Cities, 2018; • Ryde Local Environmental Plan 2014; • Draft Remediation of Land State Environmental Planning Policy;

	<ul style="list-style-type: none"> • Draft Environment State Environmental Planning Policy; • City of Ryde Development Control Plan 2014; and • City of Ryde Section 7.11 Development Contributions Plan 2020.
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Attachment 1: Draft Conditions of consent for Building C – LDA2021/0035 • Attachment 2: Draft Conditions of consent for Building Dese – LDA2021/0159 • Attachment 3: Plans submitted for Building C (LDA2021/0035) • Attachment 4: Plans submitted for Building D (LDA2021/0159)
Clause 4.6 requests	Nil
Summary of key submissions	N/A
Report prepared by	Madeline Thomas, Senior Coordinator Development Assessment
Report date	5 October 2021

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? Yes
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? Not applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions Not applicable

Conditions

Have draft conditions been provided to the applicant for comment? Yes
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

1. EXECUTIVE SUMMARY

This report considers two (2) development applications (DA) for the subject site, being 11-17 Khartoum Road, Macquarie Park (Lot 1 DP 633221). Both DAs form part of the concept approval ('Concept DA') on the site which is a four-stage commercial development, comprising four commercial buildings (Buildings A, B, C and D). The Concept DA was originally approved under LDA2017/0547, and subsequently modified by an amending development application, LDA2020/0229, which was approved on 15 December 2020 by the Sydney North Planning Panel (SNPP).

The two DAs considered in this report are for Buildings C and D.

Building C – LDA2021/0035

LDA2021/0035 relates to the detailed design of Building C as part of Stage 3 of the Concept DA approved under LDA2020/0229. LDA2021/0035 proposes the following:

- Construction of a seven storey commercial building, including 11,261m² of gross floor area;
- 200m² of retail floor space for one retail tenancy;
- 192 parking spaces (39 at lower ground level, 159 encompasses in 2 levels of basement);
- End of trip facilities;
- Landscaped areas within the Khartoum Road and Talavera Road setbacks;
- Construction of part of the central through site pedestrian link connecting Talavera Road to future Road 1; and
- Internal private access road from Khartoum Road.

Building D – LDA2021/0159

LDA2021/0159 relates to the detailed design of Building D as part of Stage 4 of the Concept DA approved under LDA2020/0229. LDA2021/0159 proposes the following:

- Construction of an 8 storey commercial building, including 12,069m² of gross floor area;
- 191 parking spaces, plus an additional 3 car share spaces, motorbike parking, 2 EV charging points and bicycle parking across four basement levels;
- End of trip facilities;
- Two (2) retail tenancies (471m² floor space in total) and lobby areas located on the ground floor;
- Commercial floor areas located on levels 1-7;
- Construction of the central part of the through site link connecting Talavera Road to future Road 01 and completion of the internal road connection to the rear of Building D; and
- Associated landscaping including approximately 2,000m² of deep soil area within the central open space (to remain in private ownership) fronting Khartoum Road (also known as "Bochetto Park"), and soft landscaping to the rear of Building D along the through site link.

Community notification and advertisement

Both applications were notified and advertised in accordance with the *Ryde Community Participation Plan* and no submissions were received for either application. None of the amendments to the plans for each application during the assessment period necessitated the renotification of the applications.

Section 4.15 Assessment summary

The Concept DA (as amended by LDA2020/0229) approved four buildings, including three commercial buildings and one data centre. The Concept DA approved maximum building heights, floor space ratios, tree removal and vehicular and pedestrian access. One of the commercial buildings (Building A) was approved as part of the Concept DA, and the data centre was approved by the Department of Planning, Industry and Environment (DPIE) as State Significant Development (SSD) on 31 May 2021.

Both proposed DAs are consistent with the requirements set out in the Concept DA. The proposals also comply with the planning requirements under the Ryde Local Environmental Plan 2014 (Ryde LEP 2014). In particular, the proposal utilises the incentive provisions under clause 6.9 of Ryde LEP 2014 for additional floor space and height which is to be distributed across the site under the approved Concept DA.

A Planning Agreement has been executed between the applicant and Council which allows for the carrying out of road works, associated road dedication, public domain works, and creation of a pedestrian link and associated easement. This Planning Agreement was amended via a Deed of Variation (executed 27 November 2020).

Each DA aligns with the staging and configuration of the Concept DA, as well as the Planning Agreement, and satisfies the relevant conditions of consent for LDA2020/0229.

The maximum building height approved under the Concept DA for Building C was 36m, and 39m for Building D. Building C has a maximum building height of 34.55m, and Building D has a maximum building height of 39m.

The combined Gross Floor Area (GFA) for the two approved buildings (Building A and B) and the two proposed buildings (Building C and D) is 53,784m², complying with the maximum GFA approved under the Concept DA of 55,129m².

With respect to the Ryde Development Control Plan 2014 (RDCP 2014), the proposal results in non-compliances in relation to the building separation, building address to the street, deep soil area and configuration of the pedestrian link. Each of these non-compliances have been addressed in the report and the variations can be supported on their merits. A number of these non-compliances were identified and approved as part of the Concept DA. It is noted that the Concept DA prevails over the requirements of the RDCP 2014.

Environmental constraints that affect the site include the existing vegetation found throughout, the relatively shallow groundwater level, and site topography. The application has demonstrated that the site is of minimal contamination risk and that no further information is required to satisfy clause 7 of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).

Transport for NSW (TfNSW) have provided their support for each application subject to conditions. TfNSW required that the applicant provide a financial contribution to

intersection upgrades within the locality. The applicant has agreed to the payment of this contribution.

After consideration of the development against section 4.15 of the EP&A Act and the relevant statutory and policy provisions, the proposal is considered suitable for the site and within the public interest.

The proposed applications result in the orderly development of the site, in accordance with the planning strategy approved for the site under the Concept DA.

Consideration of technical matters by Council's engineering and landscaping departments has not identified any fundamental issues of concern, with any matters of concern recommended to be addressed via new or amended conditions of consent.

This report concludes that in its context, these development proposals are able to be supported in terms of the development's broader strategic context, function and overall public benefits. This report recommends that consent be granted to LDA2021/0035 in accordance with conditions in **Attachment 1** and LDA2021/0159 in accordance with conditions provided in **Attachment 2**. These conditions have been reviewed and agreed to by the applicant.

2. APPLICATION DETAILS

Applicant: Stockland Corporation Limited

Owner: The Trust Company Limited

Capital Investment Value:

LDA2021/0035: \$57,354,088.00 inc. GST

LDA2021/0159: \$67,272,934.00 inc. GST

Disclosures: No disclosures with respect to the Local Government and Planning Legislation Amendment (Political Donations) Act 2008 have been made by any persons.

3. SITE DESCRIPTION

The site is positioned on the corner of Khartoum Road and Talavera Road, as shown in **Figure 1**, and has a total site area of approximately 30,030m². The development site, known as the Macquarie Technology Park, has two primary frontages being Khartoum Road to the north-west (181.05m) and Talavera Road to the north-east (165.96m). The site comprises a single regularly-shaped allotment legally described as Lot 1 in DP 633221.

The site previously contained two buildings, each comprising office and warehouse development within approximately 400 at-grade parking spaces between each building. These buildings have been partially demolished, as shown in **Figure 1** below and site photographs at **Figures 2 to 7**. Mature tree planting is located across the site, predominantly along the boundary frontages of Talavera and Khartoum Road.



Figure 1: Aerial Image of the site location

The site falls moderately from the western corner to the eastern corner by approximately 11m. Both street frontages are lined by mature trees, landscaped garden beds, hedging and turf, creating a vegetative buffer to the adjoining footpaths and cycleway. Some mature trees are present across car parking and building entrances with landscaping at building edges predominantly comprising of hedging.

The subject area for Building C is on the northern corner of the site, at the intersection of Talavera Road and Khartoum Road. The subject area for Building D is approximately in the middle of the site.



Figure 2: View to south western boundary of subject site, showing locality of Bochetto Park/Building A



Figure 3: View to south east when looking at Talavera Road frontage



Figure 4: View from south eastern boundary towards Talavera Road showing remaining existing building on the site



Figure 5: View from main driveway (Khartoum Road) looking south east at the site



Figure 6: View of existing building on corner of Khartoum Road and Talavera Road, as viewed from Talavera Road

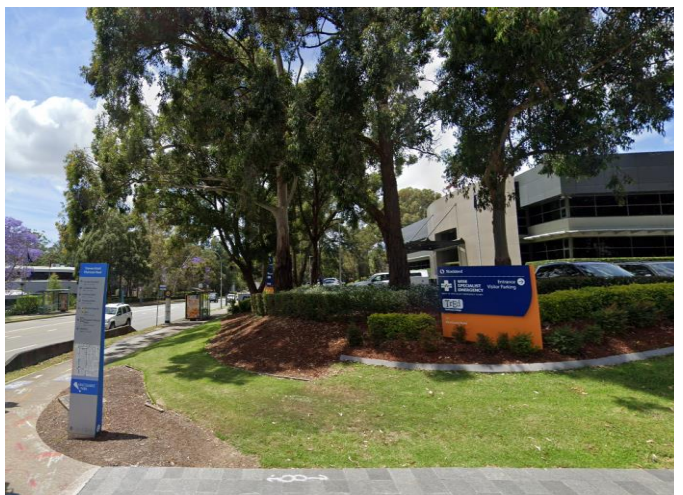


Figure 7: View of vegetation on the corner of the Talavera/Khartoum Road intersection, as viewed from Khartoum Road

Surrounding Development

The site is generally surrounded by commercial development consistent with Macquarie Park's function and character as a business precinct. Buildings in the immediate vicinity of the subject site include:

- Talavera Road: Health Macquarie Park, Westpac Data Centre, DXC Technology, Ancare Australia, Hitachi Vantara Australia, Merial Australia and Toshiba
- Khartoum Road: AstraZeneca, Fuji Xerox, Kennards Self Storage, Beiersdorf Australia

Nearby buildings are shown within the images below at **Figures 8 and 9**.



Figure 8: Fuji Xerox building opposite the site, on Khartoum Road

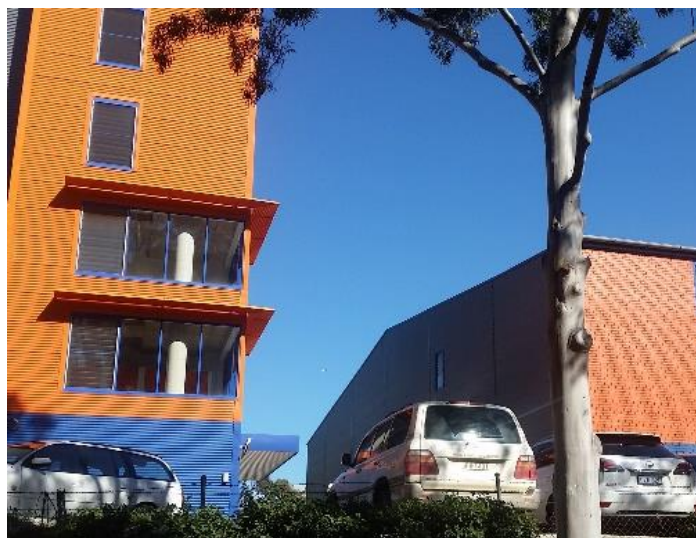


Figure 9: Kennards Self Storage (L) adjoining the site (R) at the rear, southwest boundary

Approvals History

Table 1 below provides details of existing approvals and applications relating to the site.

Table 1: Development Approvals History Summary

<i>Development Application</i>	<i>Description</i>	<i>Relevant dates and information</i>
LDA2017/0547	<p>Concept Development Application across whole site and Stage 01 works. The Concept DA included establishing building envelopes and layout, parking, roads, open space and staging of future development on the site.</p> <p>Stage 01 works included demolition of the existing south-western building on the site, construction of a 10-storey commercial and retail building with 3 levels of basement car parking known as Building A, construction of the internal road connecting to Khartoum Road, construction of a portion of the</p>	<p>Development consent was granted by the Sydney North Planning Panel for the Concept DA and Stage 1 works on 4 December 2019.</p>

Development Application	Description	Relevant dates and information
	pedestrian through site link and associated landscaping.	
MOD2020/0046	<p>Section 4.55(1A) Modification to LDA2017/0547 relating primarily to the Part 2 Stage 01/Building A approval to delete temporary turning bay, changes to basement layout and ground floor, relocation of substation and replanning of rooftop plant space and screening.</p> <p>This also amended Part 1 of the Concept DA to increase the maximum permitted height of Building A from 44.5m to 45m.</p>	Approved by Council 17 July 2020
MOD2020/0091	<p>Section 4.55(2) Modification to LDA2017/0547 to delete the requirement for a 'tanked basement' from Part 2 of the consent relating to Building A. This application was an integrated development application, with the General Terms of Approval issued by Water NSW being the only component of the consent to be amended.</p> <p>Ordinarily this application would be considered by the SNPP for determination being an integrated development approval. However with the COVID amendments to the EP&A Act and Regulations, this application was delegated back to Council for determination.</p>	Approved by Council 20 August 2020
MOD2020/0158	<p>Modification to LDA2017/0547 to reinstate turning bay, minor changes to basement layout, extend ground floor commercial tenancy fronting Khartoum road to facilitate future tenant, provision of 10 surface car spaces at internal road, minor façade and layout changes on levels above.</p> <p>All proposed modifications are to the Stage 01/Building A component of LDA2017/0547 and do not affect the rest of the Concept DA.</p>	Application withdrawn 7 August 2020
MOD2020/184	<p>Modification to LDA2017/0547 to make the following design modifications in relation to the Stage 01/Building A approval under Part 2 of LDA2017/0547:</p> <ul style="list-style-type: none"> Design changes to expand tenancy at ground level fronting Khartoum Road including: <ul style="list-style-type: none"> Convert conference theatre floor space to tenancy floor space Extend glass line towards internal road Reconfiguration of main lobby entry and internal spaces at ground level Reinstatement of turning bay removed by MOD2020/0048 	Approved by Council 1 December 2020.

Development Application	Description	Relevant dates and information
	<ul style="list-style-type: none"> • Provision of 10 on-grade car spaces at ground level • Amend extent of internal and external floor space on Level 1 • Minor amendments to Basement 01 configuration and entrance/exit ramp • Amend layout of core on all levels • Minor façade changes, reflecting amendment to core layouts, entry locations building line changes. • Reduce height of roof in the eastern corner by 150mm and amend roof parapet to ensure rooftop elements comply with 45m height limit, thereby satisfying Condition 2(b) in Part 2 of the development consent. • Minor amendment to Condition 173 relating to disabled access. 	
MOD2020/0227	This application sought to delete Condition 59(d) of Part 2 of LDA2017/0547 relating to Stage 01/Building A which restricts the access from Khartoum Road into the private access road for Building A to 'Left In/Left Out' movements only.	Approved by Council 15 March 2021
LDA2020/0284	<p>This DA approved the demolition of the eastern-most warehouse building on the site known as the Chubb warehouse building. The demolition works comprised the mezzanine, auditorium and ground floor offices, a bunker, toilet and amenities, and hallway at the demolition interface. The demolition works also included the removal of external pavements which form carparks and circulation around the warehouse to be demolished.</p> <p>This application approved the removal of 8 trees being trees 51, 57, 58, 60, 62, 63, 64 and 65. These trees are shown to be removed under this application.</p>	Approved by Council 12 November 2020
LDA2020/0229 *see notes below	Amending DA, to modify LDA2017/0547 to reduce the number of buildings proposed from five (5) to four (4) along with changes to the approved staging plan, building footprints, open space provision, and internal road network. Notably, LDA2020/0229 introduced a new data centre, being Building B, in the eastern portion of the site, with Buildings A, D and C sited around a reduced Bochetto Park in the west.	Approved by the SNPP on 9 December 2020
SSD-10467	State Significant Development Application for the construction and 24-hour operation of a five-storey data centre within the Building B development site.	Approved by DPIE on 31 May 2021

Development Application	Description	Relevant dates and information
MOD2021/0043	This application modified Condition 12 and 32 of LDA2020/0229 in relation to the Water Sustainable Urban Design Strategy Plan and the parking allocation.	Approved by Council on 20 July 2021
MOD2021/0210	This application modified Condition 34 of LDA2020/0229 in relation to the tree retention, resulting in no net loss of trees being retained for the site.	Approved by Council on 5 October 2021

Amending Development Application – LDA2020/0229

LDA2020/0229 sought to amend a number of elements of the Concept DA approved under LDA2017/0547. In summary, LDA2020/0229 approved the reduction in the number of buildings proposed from five (5) to four (4) along with changes to the approved staging plan, building footprints, open space provision, and internal road network. Notably, LDA2020/0229 introduced a new data centre, being Building B, in the eastern portion of the site, with Buildings A, D and C sited around a reduced Bochetto Park in the west. An excerpt of the amended staging plan approved under LDA2020/0229 is shown in **Figure 10** below.

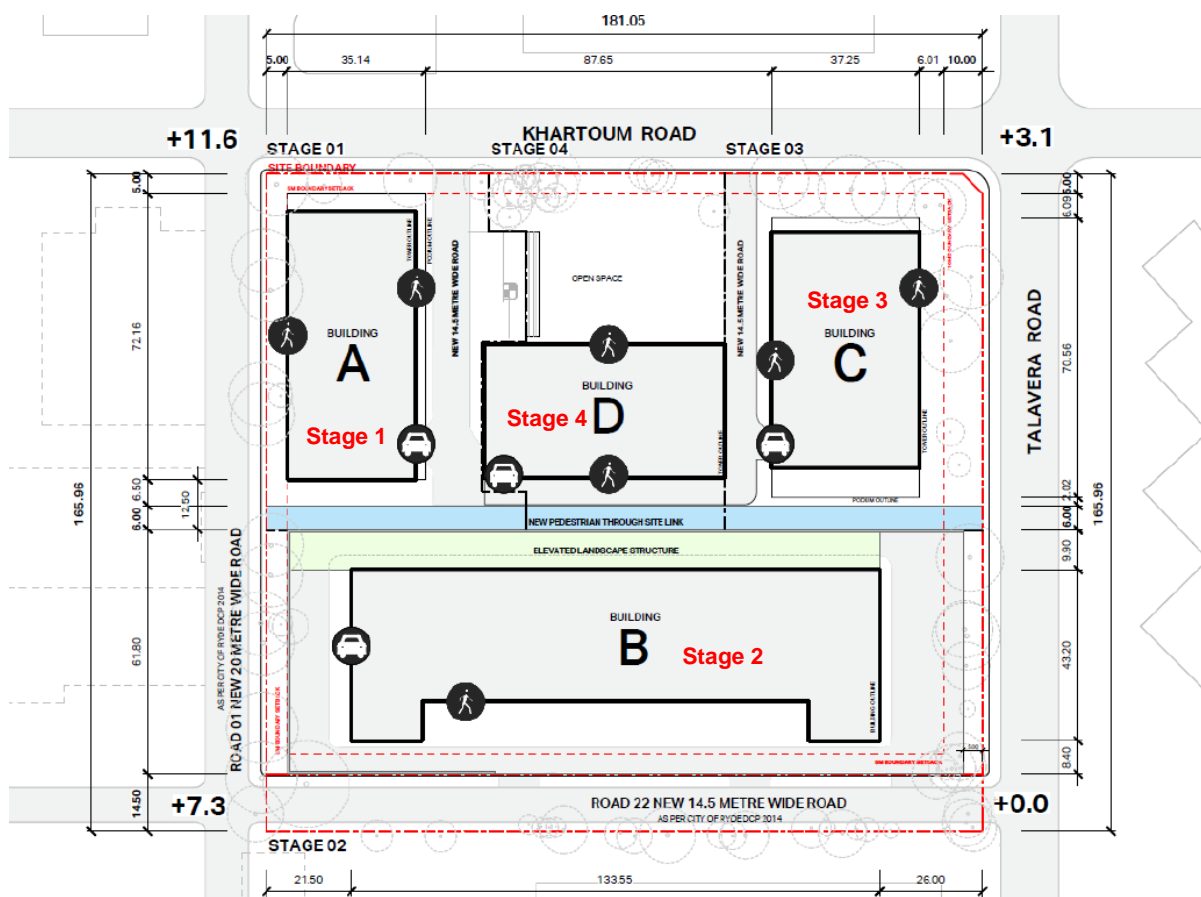


Figure 10: Approved staging plan (approved under LDA2020/0229). The current DAs are in respect of Building C and Building D.

The Concept Approval (as approved under LDA2020/0229) has approved the following:

- Three commercial office buildings and one storage premises (data centre) that would be subject to future DA approvals.
- A total floor space of 59,769sm² comprising commercial office, data centre and retail uses.
- Building heights of 45 metres.
- Interconnected basement car parking for Buildings A, C and D.
- New internal private roads.
- New Road 22 along the south-eastern boundary of the site connecting to Talavera Road (to be dedicated to Council).
- New pedestrian through site link connecting Talavera Road and future Road 1.
- Indicative landscape concept for a central publicly accessible open space.
- Associated infrastructure and servicing works.

It is noted that during the assessment of LDA2020/0229, the VPA was amended via a Deed of Agreement (executed 27 November 2020) to reflect the changes to the Concept DA.

4. SITE CONTEXT

The site is located approximately 12km north-west of the Sydney CBD within Macquarie Park. Macquarie Shopping Centre and Macquarie University's main campus entrance are located 550m and 850m north-west of the subject site respectively, with access to the Lane Cove National Park and Lane Cove River approximately 900m to the north-east (refer **Figure 11**).

The site is located within the B7 Business Park zone under the Ryde LEP 2014, on the corner of Khartoum Road and Talavera Road. The surrounding area contains land within the B4 Mixed Use to the west and land within the B3 Business Park zone immediate to the south. Adjoining properties on either side of Talavera Road are also located within the B7 zone.

The surrounding built form consists of lower density, older warehouse and office spaces, and higher density contemporary office buildings. The scale and style of buildings are diverse, indicative of the current trend of aged building stock being replaced by modern commercial offices, as well as technology and service-based industries.

Macquarie Park and Macquarie University metro stations are located approximately 750m south-west and north-west of the site respectively, with high frequency bus services running adjacent to the site on both Khartoum Road and Talavera Road. A marked bicycle path located along the Talavera Road frontage provides access to the wider walking and cycling network located in the vicinity.



Figure 11: Site context and locality

5. PROPOSAL

5.1 Building C – LDA2021/0035

The proposal for LDA2021/0035 is for Stage 3 works of the Concept DA, being Building C.

The application proposed construction of a seven storey commercial building, including 11,261m² of commercial floor area. The location of Building C is on the north western corner of the subject site, fronting both Khartoum Road and Talavera Road. The application also comprises:

- Demolition of existing building on site, including at grade car park;
- Removal of twelve (12) trees;
- 11,261m² commercial floor area across seven stories, including 200m² of retail floor area;
- 192 car parking spaces across three levels (Basement Level 1, Basement Level 2 and Ground level);
- End of trip facilities;
- Landscaped areas along the Khartoum Road and Talavera Road setbacks;
- Partial construction of pedestrian through site link along southern side of the proposed building; and
- Partial construction of private road from Khartoum Road, located on the western side of the proposed building.



Figure 12: 3D image of proposed Building C as viewed from Khartoum Road

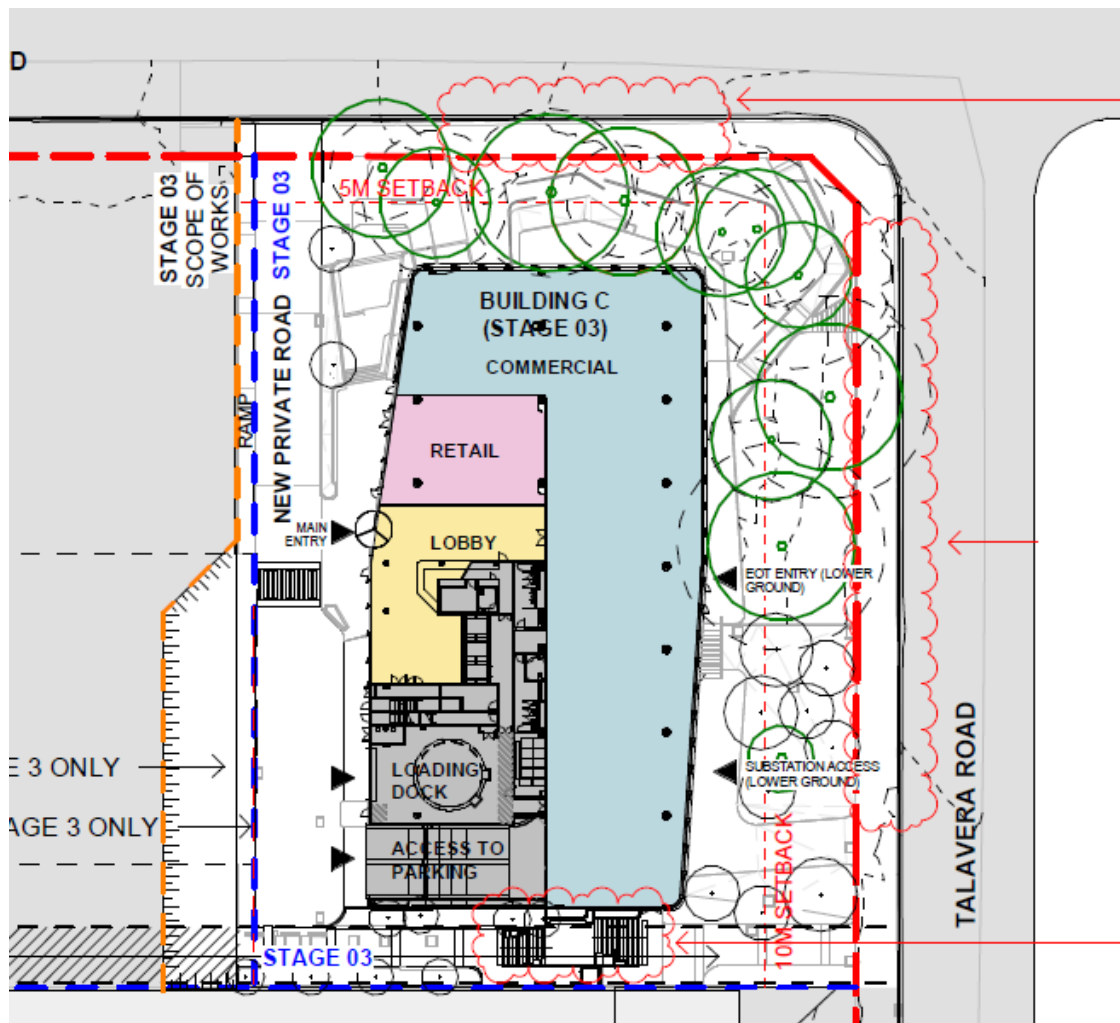


Figure 13: Extract of proposed site plan for Building C

Tree Removal and replacement planting

It is proposed to remove twelve (12) trees as part of Stage 3, including five (5) trees within the Stage 4 area of the subject site (Trees 86, 87, 88, 89 and 90). It is proposed to retain fifteen (15) trees elsewhere within this area of the subject site, as shown in **Figure 14** below.

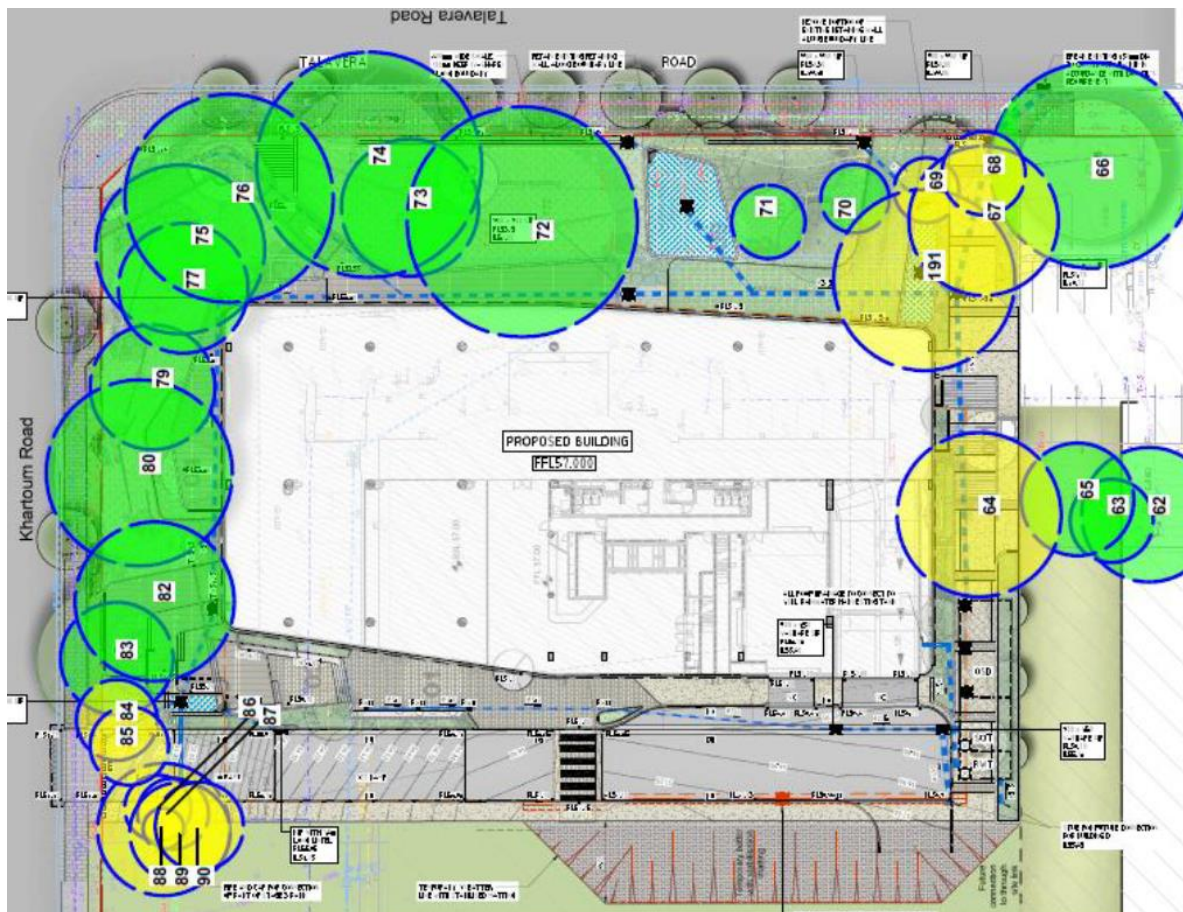


Figure 14: Tree Location Plan for Stage 3/Building C

The proposed trees to be removed include the following:

- 2 x *Eucalyptus microcorys* (Tallowwood) – Trees 64 and 66
- 1 x *Eucalyptus punctata* (Grey Gum) – Tree 68
- 1 x *Corymbia maculata* (Spotted Gum) – Tree 69
- 2 x *Allocasuarina torulosa* (Forest She-oak) – Trees 84 and 85
- 6 x *Casuarina cunninghamiana* (River Sheoak) – Trees 86, 87, 88, 89, 90 and 191

The removal of the trees is expected to have a moderate impact on the landscape character of the site, however, significant effort has been made to retain significant trees along the northern and western boundaries of the site. Only three of the trees being removed are endemic to the Ryde Local Government Area (LGA). A minimum of thirteen (13) replacement trees are proposed within the site, and **Condition 68** in **Attachment 1** has been imposed that an additional nine (9) street trees are to be provided along both road frontages.

Pedestrian link

The Concept DA approved a common through site link to run from Talavera Road to future Road 1. This pedestrian link runs in between Buildings A, C and D (to the north west) and Building B (to the south east).

The Building C DA proposes to construct the pedestrian link for the section of the site behind Building C only. This section of the pedestrian link includes two flights of stairs, as well as a lift to ensure the pedestrian link is accessible.

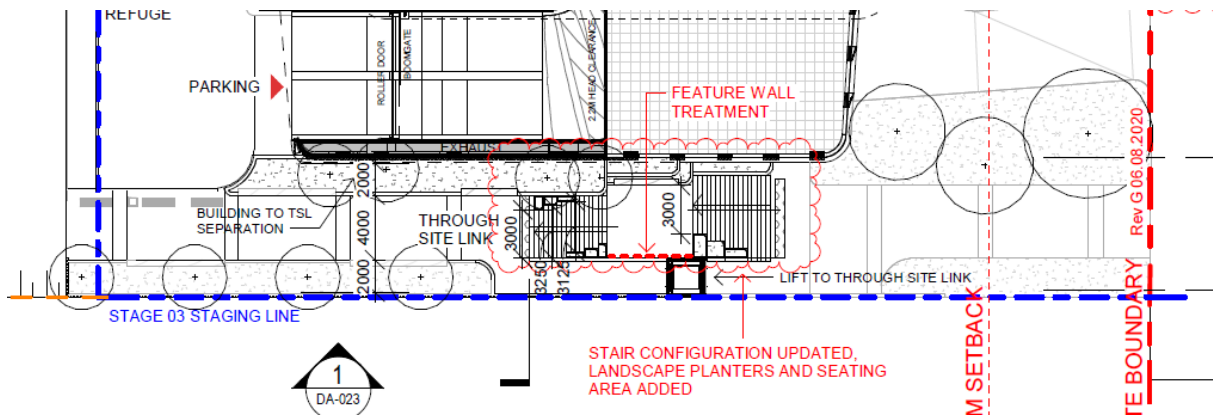


Figure 15: Extract of site plan for Building C, showing proposed through site link to the south east of the proposed building

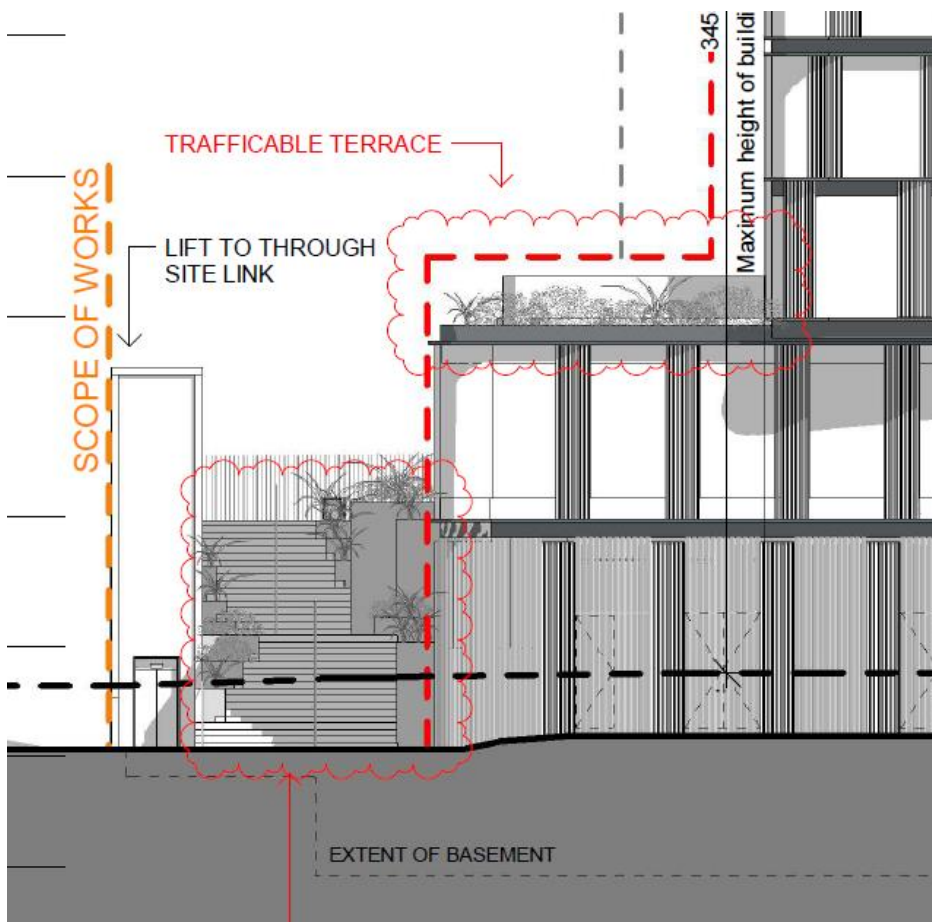


Figure 16: Extract of north eastern elevation of Building C, showing through site link as viewed from Talavera Road

It is noted that the width of the pedestrian path is 4m wide with 2m of adjoining landscaping, except for the stairs section, which narrows to 3m to accommodate for

additional planters and seating along the stairs. The wider planters and seats encourage more activation along this link. This is generally consistent with Condition 33 of the Concept DA, which specifies that the right of way for the pedestrian link is to have a 4m wide pedestrian path and 2m landscaping. The overall width of 6m is maintained for the pedestrian link, with minor variation for the stairs section only. The stairs are a slower zone within the pedestrian link, and a width of 4m has not been found necessary by Council's Urban Designer and Public Domain Engineer.

Outdoor Terrace

An outdoor terrace is proposed on Level 1, facing the pedestrian through link at the rear of the building. The terrace will be used solely for tenants of the commercial building.

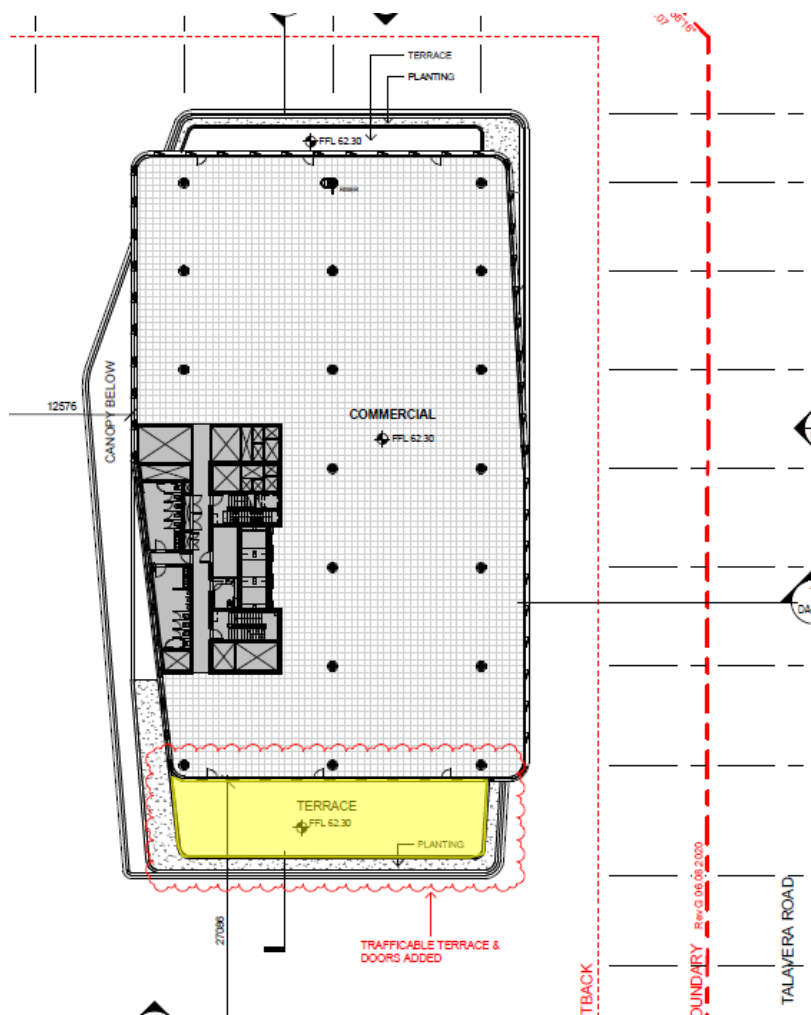


Figure 17: Extract of Level 1 floor plan of Building C, showing terrace at the rear of the building (shaded in yellow)

Signage zones

The applicant has proposed “signage zones” to provide proposed areas for signage on the site. Two signage zones are proposed, one on north western (Khartoum Road) elevation and one on the north eastern (Talavera Road) elevation. The signage zones are proposed to have the following maximum dimensions:

- North western (Khartoum Road) elevation – 8.2m x 1.6m
- North Eastern (Talavera Road) elevation – 11.4m x 1.8m.

Details of the content of each sign will be subject to a future application.

5.2 Building D – LDA2021/0159

The proposal for LDA2021/0159 is for Stage 4 works of the Concept DA, being Building D.

The application proposed construction of an eight storey commercial building, including 12,069m² of commercial floor area. The proposal also includes a landscaped area, centrally located between Buildings A, C and D, known as 'Bochetto Park'. The park will remain in private ownership, and will not be dedicated to Council. Building D is located to the north east of Bochetto Park.

The application comprises:

- Removal of seven (7) trees;
- 12,069m² commercial floor area across seven stories and two (2) retail tenancies on the ground floor with a total floor area of 471m²;
- Private park, being Bochetto Park;
- 191 car parking spaces across four basement levels;
- 3 car share spaces within the basement;
- 2 x EV charging points within the basement;
- End of trip facilities;
- Construction of the central part of the through site link connecting Talavera Road to future Road 01 Landscaped areas along the Khartoum Road and Talavera Road setbacks; and
- Completion of the internal road connection to the rear of Building D accessed from Khartoum Road.



Figure 18: 3D image of proposed Building D as viewed from Khartoum Road. Bochetto Park is located in the foreground.

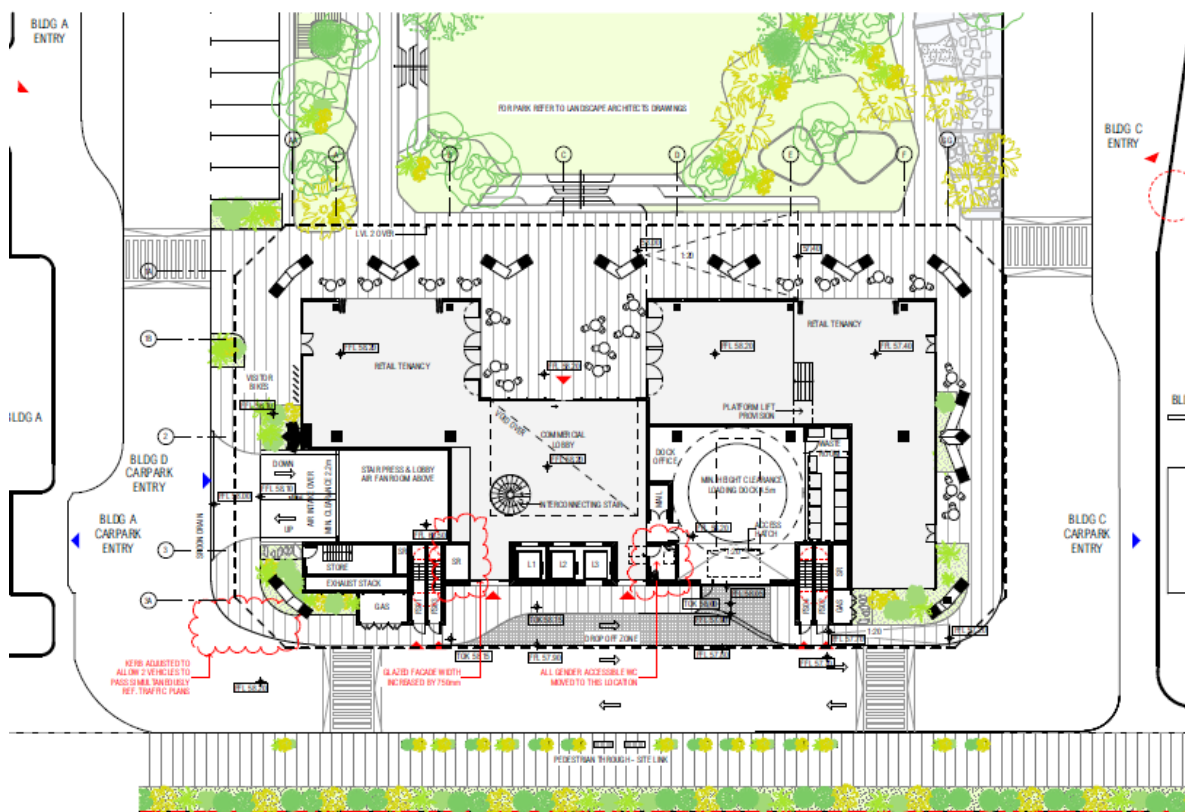


Figure 19: Extract of proposed site plan for Building D

Tree Removal and replacement planting

It is proposed to remove seven (7) trees as part of Stage 4. 16 trees will be retained elsewhere within this area of the subject site, as shown in **Figure 20** below.

The proposed trees to be removed include the following:

- 4 x *Eucalyptus microcorys* (Tallowwood) – Trees 110, 114, 115 and 116
- 1 x *Brachychiton acerifolius* (Illawarra Flame Tree) – Tree 111
- 2 x *Acacia sp.* (Acacia) – Tree 112 and 113

It is noted that Figure 21 below shows seven trees (Trees 84, 85, 86, 87, 88, 89 and 90) located near the private road near Stage 3/Building C to be removed. As stated earlier in this report, the removal of these seven trees will occur under Stage 3 due to the impact of the private road on these trees.

The removal of the trees is expected to have a low impact on the landscape character of the site. All significant trees have been retained on the site, with particular mention of the trees along the Khartoum Road frontage. None of the trees being removed are endemic to the Ryde Local Government Area (LGA). **Condition 50** in **Attachment 2** has been imposed that an additional three (3) street trees are to be provided along the Khartoum Road frontage.

Significant replacement planting is proposed in Bochetto Park.

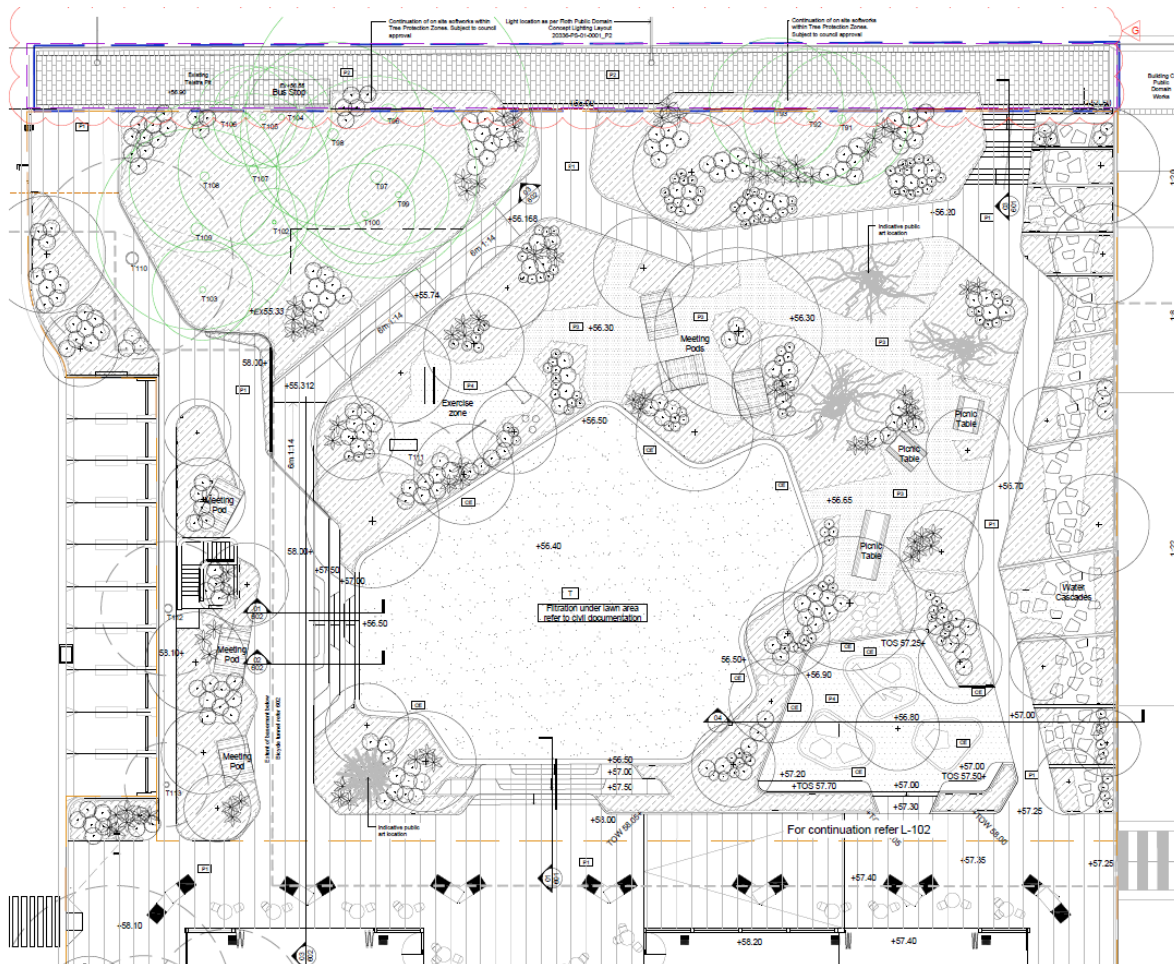


Figure 21: Extract of landscape plan showing Bochetto Park

Signage zones

The applicant has proposed “signage zones” to provide proposed areas for signage on the site. The main tenant signage zone is proposed to be 6.6m x 1.8m (and affixed to the north western elevation). In addition to this, there are proposed to be six other smaller tenant signage zones at the lower levels of the building – measuring 2.4m x 0.9m each.

Details of the content of each sign will be subject to a future application.

6. HISTORY OF APPLICATIONS

DA History

Table 2: History of each development application

<i>BUILDING C – LDA2021/0035</i> <i>Stage 3</i>	<i>BUILDING D – LDA2021/0159</i> <i>Stage 4</i>
<u>18 February 2021</u> The application was lodged.	<u>13 May 2021</u> The application was lodged.
<u>28 February 2021</u> The Urban Design Review Panel undertook a review of the application. The UDRP were generally supportive of the proposed design, with some concern raised in relation to the	<u>15 June 2021</u> TfNSW issued an identical referral response to that of Building C (LDA2021/0035), requesting a monetary contribution of \$2 million for the

BUILDING C – LDA2021/0035 Stage 3	BUILDING D – LDA2021/0159 Stage 4
location of the loading dock, the environmental performance of the building due to the façade treatment due to solar and glare control and the lack of transparency and entry points along the Talavera Road frontage.	cumulative traffic impact of Buildings B, C and D.
<u>17 March 2021</u> A letter was sent to the applicant requesting additional information, including the following: <ul style="list-style-type: none"> • Additional detail for the pedestrian link • Revised footpath design to allow for a width compliant with the Ryde Development Control Plan 2014 • Sections of telecommunications services along Talavera and Khartoum Road frontages, as well as along pedestrian link • Revised traffic modelling 	<u>1 July 2021</u> The Urban Design Review Panel undertook a review of the application. The UDRP were generally supportive of the proposed design, with minor concern raised in relation to accessibility of Bochetto Park, and requested a minor reconfiguration of the ground floor lobby to improve physical connectivity at the ground level. It has been suggested that the accessible WC on the ground level be relocated away from the secondary entry to achieve this.
<u>7 April 2021</u> A further request for information was sent to the applicant, requesting a revised arborist report addressing the impact of the stormwater infrastructure within the Khartoum Road and Talavera Road frontages on the existing trees.	<u>21 July 2021</u> A letter was sent to the applicant requesting additional information, including the following: <ul style="list-style-type: none"> • A Section 4.55 (1A) application be lodged to rectify inconsistencies with the tree removal and Condition 34 of LDA2020/0229 • The applicant is to demonstrate that the central access lawn (Bochetto Park) is compliant with DDA Access requirements • Sections of telecommunications services along Khartoum and pedestrian link • Revised traffic modelling • Formalised request to address the issues raised in the UDRP meeting held 1 July 2021 • It was requested the applicant provide an update on their negotiations with TfNSW with respect to the monetary contribution requested
<u>27 April 2021</u> The referral from Transport for NSW (TfNSW) was received and was sent to the applicant. This referral requested the following: <ul style="list-style-type: none"> • Revised traffic modelling • An assessment of the cumulative impact of both Building C and Building D • The dedication of 5m wide strips of land along both frontages for future intersection upgrade works 	<u>6 August 2021</u> The applicant submitted amended plans and documentation to address the RFI letter dated 21 July 2021.

BUILDING C – LDA2021/0035 Stage 3	BUILDING D – LDA2021/0159 Stage 4
<ul style="list-style-type: none"> • Consultation with TfNSW to enter into a Transport Infrastructure Contributions Deed (Further Stages Deed), which would be payable prior to the construction certificate for Building C 	
<u>14 May 2021</u> TfNSW issued a revised referral response, amending their advice to state that “land has to be allocated to support the proposed intersection upgrade works”, without specifying the areas applicable, or whether these were required to be dedicated to TfNSW as part of this application.	<u>1 September 2021</u> TfNSW provided an amended referral response, reducing the monetary contribution for the upgrade of the intersection to \$853,650. This contribution is to address the cumulative traffic impact from Buildings B, C and D.
<u>26 May 2021</u> The applicant submitted amended plans and reports to address the previous requests for information. This documentation included: <ul style="list-style-type: none"> • Revised stormwater plans to ensure stormwater infrastructure did not encroach on tree protection zones; • Revised architectural plans, with additional façade detail to satisfy the UDRP commentary on the building’s environmental performance; • Amended Traffic report and modelling; • Revised arborist report; and • Amended civil plans and public domain package. 	<u>17 September 2021</u> An RFI letter was sent to the applicant requesting the following: <ul style="list-style-type: none"> • Revised DRAINS model • Amended swept paths and small amendments to basement configuration to allow for manoeuvring • Resolution for street trees over Sydney Water main • Revised longitudinal sections • Revised pedestrian link plans addressing inconsistencies in levels
<u>23 June 2021</u> Another request for information letter was sent to the applicant, raising the following concerns: <ul style="list-style-type: none"> • Traffic modelling and report is still inadequate. • The telecommunication and utility services investigation sections have not adequately addressed the previous request for information. • The revised TfNSW referral response was also sent to the applicant. TfNSW revised their response to remove all requests for land acquisition, instead requesting the following: 	<u>1 October 2021</u> Amended plans addressing the RFI letter dated 17 September 2021 were submitted to Council.

BUILDING C – LDA2021/0035 Stage 3	BUILDING D – LDA2021/0159 Stage 4
<i>The applicant is to enter into a Transport Infrastructure Contribution Deed (Stage 2 Deed) with Transport for NSW, prior to the issue of a construction certificate that authorises the construction of Building C, for the delivery of road improvement works at the intersection of Khartoum Road and Talavera Road, Macquarie Park comprising a monetary contribution of \$2 million. This contribution amount is for the cumulative traffic impacts from Buildings B, C and D.</i>	
<u>13 July 2021</u> The applicant submitted additional public domain section drawings and a traffic response to address the outstanding issues.	
<u>10 August 2021</u> Further information was requested of the applicant, as follows: <ul style="list-style-type: none"> • The public domain sections provided have not accounted for all the sections requested; • Further mitigation measures are required to address the traffic impact of the development in the interim, such as a raised central median within Khartoum Road to restrict the access to “left in/left out”. This, in principal, has been discussed with the applicant, however, no plans have been provided to demonstrate this arrangement. • Request to improve the activation and surveillance along the through site link. A desktop review by the UDRP found that more could be done to improve the safety, surveillance and activation along this link, other than simply providing CCTV surveillance, as suggested by the applicant. 	
<u>24 August 2021</u> An additional RFI letter was sent to the applicant requesting the following: <ul style="list-style-type: none"> • Revised Traffic Report requesting the report be amended to include a central median strip on Khartoum Road across from the northernmost access on Khartoum Road, to ensure the access is restricted to left in/left out 	

BUILDING C – LDA2021/0035 Stage 3	BUILDING D – LDA2021/0159 Stage 4
<ul style="list-style-type: none"> Revised public domain section to remove encroachment of retaining wall Amended DRAINS model Amended plans to address the issues raised by the UDRP on 10 August 2021 	
<u>1 September 2021</u> TfNSW provided an amended referral response, reducing the monetary contribution for the upgrade of the intersection to \$853,650. This contribution is to address the cumulative traffic impact from Buildings B, C and D.	
<u>1 October 2021</u> The applicant submitted amended plans as follows: <ul style="list-style-type: none"> Adding an outdoor terrace to face the pedestrian link to increase the surveillance in the through site link Amending the configuration of the stairs to create a bigger landing, as well as adding landscaped planters for seating Providing concept lighting plan for pedestrian link Providing conceptual public art plan for the pedestrian link 	

7. APPLICABLE PLANNING CONTROLS

The following legislation, policies and controls are of relevance to the development:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy No. 64 – Advertising and Singage;
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
- Ryde Local Environmental Plan 2014;
- Draft Environment State Environmental Planning Policy;
- Draft Remediation of Land State Environmental Planning Policy
- City of Ryde Development Control Plan 2014; and
- City of Ryde Section 7.11 Development Contributions Plan 2020

8. PLANNING ASSESSMENT

8.1 Environmental Planning and Assessment Act 1979

In accordance with Section 7.4 of the EP & A Act 1979, Concept Approval (LDA2020/0229) required the applicant to enter into a VPA with Council for the establishment of a public road (Road 22 for Stage 2) and pedestrian pathway as well as monetary contributions payable for each stage of development. The two development applications are consistent with the staging outlined in the VPA and the Concept Approval.

Division 4.4 Concept development applications

As outlined earlier in this report, both development applications are detailed proposals for Buildings C and D as identified within the Concept DA, approved under LDA2017/0547 (and amended by LDA2020/0229). In accordance with Division 4.4 of the EP & A Act 1979, Condition 7 was imposed on the Concept DA to read as follows:

Condition 7. Consistency of future development applications. While this consent remains in force, the determination of any further development application in respect of the site cannot be inconsistent with this consent.

As assessment of each application against the Concept DA is provided in **Table 3** below.

Table 3: Assessment of application against Concept DA

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
Condition 1. Pursuant to Clause 100 of the Environmental Planning and Assessment Regulation 2000, this Notice of Determination relates to a concept development application applying to Lot 1 in DP 633221. Subsequent development application(s) are required for any work on the site for Stages 2, 3 and 4.	Noted. This application relates to Stage 3.	Noted. This application relates to Stage 4.
Condition 2. Approved Plans/Documents – Concept Plan.	This application is consisted with the approved staging plans and concept masterplan detailed in Condition 2 of LDA2020/0229.	This application is consisted with the approved staging plans and concept masterplan detailed in Condition 2 of LDA2020/0229.
Condition 3. Matters Not Approved – Concept DA.	Noted. This application seeks removal of trees, demolition of existing building and detailed design of Building C.	Noted. This application seeks removal of trees and detailed design of Building D.

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>Condition 4. Floor space ratio for total site. The following applies to Floor Space Ratio:</p> <p>(a) Precise details of the distribution of floor space shall be provided with the future development application/s for Stages 2, 3 and 4.</p> <p>(b) The total gross floor area approved as part of this application is 55,129sqm. This figure is inclusive of Stage 01. The gross floor area is to be calculated in accordance with the provisions of Clause 4.4 and 4.5 of the Ryde Local Environmental Plan 2014.</p>	<p>Condition 4 requires the overall GFA to be a maximum of 55,129m².</p> <p>Building A GFA = 18,309m² (approved) Building B (SSD approved) = 12,069m² Building C (proposed) = 11,261m² Building D (proposed) = 10,906m²</p> <p>Total GFA for all buildings is 53,784m², which complies with Condition 4.</p>	<p>Condition 4 requires the overall GFA to be a maximum of 55,129m².</p> <p>Building A GFA = 18,309m² (approved) Building B (SSD approved) = 12,069m² Building C (proposed) = 11,261m² Building D (proposed) = 10,906m²</p> <p>Total GFA for all buildings is 53,784m², which complies with Condition 4.</p>
<p>Condition 5.</p> <p>(a) The height of the buildings must not exceed the following heights to the top of the building:</p> <p>Building A: 45m Building B: 45m Building C: 36m Building D: 39m</p> <p>(b) Building Height shall be calculated in accordance with Clause 4.3 and 4.3A of the Ryde Local Environmental Plan 2014, applicable at the time of development consent.</p>	<p>Building C has a maximum building height of 34.55, complying with the maximum height specified under Condition 5 of 36m.</p>	<p>Building D has a maximum building height of 39, complying with the maximum height specified under Condition 5 of 39m.</p>
Condition 6 – deleted under LDA2020/0229.		
<p>Condition 7. Consistency of future development applications. While this consent remains in force, the determination of any further development application in respect of the site cannot be inconsistent with this consent.</p>	<p>As discussed in this report, this application is consistent with the Concept DA.</p>	<p>As discussed in this report, this application is consistent with the Concept DA.</p>
<p>Condition 8. Development in Macquarie Park – Access network (Pedestrian Link).</p> <p>A 6m wide pedestrian link incorporating a 4m wide accessible paved footpath plus 2m landscape strip adjacent to it shall be provided connecting Talavera Road and future Road 1, with the layout to be generally in accordance with Ryde Development Control Plan 2014 Part 4.5 Macquarie Park Corridor.</p> <p>The detailed design of the Pedestrian Link shall follow the concept design by 3XN, especially Drawing No DA-009 (Revision A). Full construction details demonstrating compliance with the City</p>	<p>The partial construction of the pedestrian link on the southern side of Building C is proposed under LDA2021/0035, in accordance with the staging in the Concept DA.</p> <p>The section of the pedestrian link proposed under this application has a total width of 6m, complying with Condition 8. The width of the pavement is generally 4m with 2m landscape, with the exception of the two stairs sections at the rear of the building, which</p>	<p>The partial construction of the pedestrian link on the southern side of Building D is proposed under LDA2021/0159, in accordance with the staging in the Concept DA.</p> <p>The proposed pedestrian link has a 4m pavement width and 2m landscape strip in accordance with the Ryde DCP and Condition 8.</p> <p>This section of the pedestrian link is accessible for people with a disability. The lighting strategy of the overall site is being prepared separately to</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>of Ryde Public Domain Technical Manual PDTM Chapter 6 – Macquarie Park Corridor are to be submitted with the stage in which the pedestrian link is to be delivered, being prior to the Building A (Stage 01) Construction Certificate, and Building C (Stage 03) Construction Certificate and Building D (Stage 04) Construction Certificate and shall include the following details:</p> <p>(a) The design must provide a clear delineation as a pedestrian-only zone as well as sufficient design variation/articulation to create an experience of high amenity for users moving through the site. Landscape variation and features to relieve the gun-barrel style design should be incorporated to distinguish the pedestrian link from the new internal roadways;</p> <p>(b) The through-site link must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.</p> <p>(c) Fully dimensioned plans showing the width of the pedestrian link, footpath, transitions and landscaping areas along the footpath;</p> <p>(d) Selection of paving type, colour and dimensions in accordance with Council's requirements;</p> <p>(e) Fencing in consultation with Council is to be provided along the eastern boundary of the pedestrian link;</p> <p>(f) Provision of adequate lighting (category P2 according to Australian Standards AS/NZS 1158 Set: 2010 Lighting for Roads and Public Spaces) for illumination of the footpath to ensure safety and security of the users during night time;</p> <p>(g) The pedestrian link shall be accessible for people with disabilities. Adequate details and certification demonstrating compliance with Disability Discrimination Act and applicable accessibility legislation is to be submitted for approval by Council.</p> <p>The pedestrian link shall be constructed by the developer/ owner with the Building A, C and D development, at no cost to Council and full public access will be required to be available at all times over the pedestrian link.</p>	<p>has a 3m pavement width. The pavement width of the stairs has been narrowed to allow for wider planters and seating. The planters and seating provide improved activation to the pedestrian link. Council's Public Domain Engineer has advised that the narrowing of the pavement width is acceptable, given the pedestrian pace will be slower on the stairs, and the activation of pedestrian link will be improved.</p> <p>The pedestrian link still achieves the overall width of 6m, and meets the objectives of the Ryde DCP 2014. As such, the proposal is consistent with Condition 8.</p> <p>A concept lighting plan has been provided to show the lighting along the pedestrian link. The lighting strategy of the overall site is being prepared separately to this development application. A condition of consent has been imposed that the lighting detail is to be provided prior to the issue of the Construction Certificate (see Condition 66 in Attachment 1).</p> <p>The provision of a lift from Talavera Road to the top of the stairs ensures that the pedestrian link is accessible for people with disabilities.</p>	<p>this development application. A condition of consent has been imposed that the lighting detail is to be provided prior to the issue of the Construction Certificate (see Condition 49 in Attachment 2).</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>Condition 9. Bochetto Park. Detailed Landscape Plans are to be submitted for Bochetto Park with the future Stage 04 Development Application which have been prepared by a suitably qualified landscape architect with demonstrated experience in the design of public open spaces. The plans are to be consistent with the approved plans in condition 1 Part 1.</p>	N/A – applicable to Stage 4/Building D.	The landscape plan includes details for Bochetto Park. Council's Consultant Landscape Architect/Arborist has assessed the design of the park is satisfactory. The size and details of the park are consistent with the Concept DA.
<p>Condition 10. Vehicle Access & Parking. All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards) AND Council's DCP sections relevant to vehicle access.</p> <p>To ensure this, the following documentation must be provided with any future development application for works on the site;</p> <p>(a) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.</p> <p>(b) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate</p>	The vehicle access has been assessed by Council's Senior Development Engineer, who has raised no issues with the driveway grades and accessibility to parking areas.	The vehicle access has been assessed by Council's Senior Development Engineer, who has raised no issues with the driveway grades and accessibility to parking areas.

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.</p> <p>(c) A vehicle swept path analysis must be prepared for all forms of vehicle access (loading bay, garage, etc) demonstrating safe and clear vehicle access may be attained in crucial areas of the proposed development parking areas.</p> <p>This documentation must be submitted with any future development application for the proposed works encompassed under this Concept Approval, for the approval by the consent authority.</p>		
<p>Condition 11. Traffic Impact Assessment Report. A Traffic Impact Assessment Report shall be submitted to Council for future Development Applications associated with each future stage of the Masterplan development. This study is to be undertaken by a suitably qualified traffic consultant to ensure the traffic and parking impacts generated by each stage of development are addressed.</p>	<p>A Traffic Impact Assessment report was submitted with the application. Council's Senior Traffic Engineer and Transport for NSW (TfNSW) have raised no issues with respect to the Traffic Impact Assessment report.</p>	<p>A Traffic Impact Assessment report was submitted with the application. Council's Senior Traffic Engineer and Transport for NSW (TfNSW) have raised no issues with respect to the Traffic Impact Assessment report.</p>
<p>Condition 12. Water Sustainable Urban Design Strategy Plan. To ensure that the development's stormwater management system integrates the principles of water sustainable urban design (WSUD) as required by Council's DCP and policies, as well as best practise design approach to urban stormwater management, a Water Sustainable Urban Design Strategic Plan (WSUDSP) must be prepared detailing WSUD components to be implemented throughout each stage of the development.</p> <p>The WSUDSP must be prepared by a suitably qualified drainage engineer, in collaboration with a landscape architect, to implement WSUD components in the stormwater management system for the development. The plan must generally be in accordance with the WSUD concept detailed in the Stormwater Management report by Northrop Pty Ltd, reference SY171708, dated 30th November 2017, and Councils DCP Part 8.2 (Stormwater and Floodplain Management) and comply with the following;</p>	<p>A WSUD details have been provided in the landscape plan and stormwater management report addressing the requirements set out in Condition 12.</p> <p>Council's Senior Development Engineer has raised no issues in this regard.</p>	<p>A WSUD details have been provided in the landscape plan and stormwater management report addressing the requirements set out in Condition 12.</p> <p>Council's Senior Development Engineer has raised no issues in this regard.</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>(a) To encourage stormwater treatments which are aesthetically pleasing, at least half of the WSUD components must be integrated into the landscape plans for the site. The use of any proprietary / mechanical products is discouraged.</p> <p>(b) Rainwater storage is to be provided which will meet at least 20% of the non-potable water demand of the development. To demonstrate this, the WSUDSP will be required to present a water balance model analysing such uses respective of rainfall statistics.</p> <p>(c) Satisfy the requirements of a WSUD management plan as specified in the DCP Part 8.2 (Stormwater and Floodplain Management)</p> <p>The WSUDSP must be submitted with the first Development Application for any above ground development works. The approved WSUDSP is to be implemented for every following development application.</p>		

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>Condition 13. Loading Bay. To ensure the service requirements of the commercial floor area are satisfied at each stage of the development, a Loading Bay / Service Delivery Management Plan is to be submitted with each future Development Application. The Plan must specify the location of service bay areas / loading bay docks, analyse the number and frequency of service vehicle movements for the existing and proposed commercial floor area and demonstrate that such service requirements can be satisfied on the site.</p>	<p>A Traffic Impact Assessment report has been submitted to provide details of the loading bay/service delivery area. No issues have been raised by Council's Waste Officer or Senior Development Engineer. The loading bay facilitates the servicing of Building C. It is noted that the Urban Design Review Panel (UDRP) raised concern that the large loading dock occupied a large section of the ground floor frontage. The UDRP requested the investigation of a shared basement with Building C. The applicant has advised that the change in levels across the site and the head height clearance required for the trucks, the ramp length for a shared basement would occupy a significant portion of the ground floor, and would result in poorer activation of the Building C ground floor.</p> <p>The UDRP have accepted this, and sufficient activation of the ground floor has been proposed.</p>	<p>A Traffic Impact Assessment report has been submitted to provide details of the loading bay/service delivery area. No issues have been raised by Council's Waste Officer or Senior Development Engineer.</p>
<p>Condition 14. Public Domain Works. All works in the public domain including future roads that will be dedicated as public roads, shall be undertaken in accordance with Council's standards and specifications, and City of Ryde Development Control Plan DCP 2014 Part 4.5 Macquarie Park Corridor, and the City of Ryde Public Domain Technical Manual (PDTM) Chapter 6 – Macquarie Park Corridor. A public domain plan must be prepared by a suitably qualified architect, urban designer, landscape architect or engineer and must be lodged with the development applications relating to Stages 2, 3 and 4. The public infrastructure works along Khartoum Road and Talavera Road are to be in accordance with City of Ryde Development Control Plan 2014 Part 4.5 Macquarie Park Corridor and the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park.</p>	<p>Civil and landscape plans have been submitted details the proposed public domain works within Stage 3. These plans are consistent with Part 4.5 of the Ryde DCP 2014.</p>	<p>Civil and landscape plans have been submitted details the proposed public domain works within Stage 4. These plans are consistent with Part 4.5 of the Ryde DCP 2014.</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
Condition 15. Private Roads. The new 14.5 metre wide private roads are to be paved to the satisfaction of Council's landscape architect and public domain team. These roads are to reinforce the pedestrian nature of the site. Details are to be consistent with the approved material in the Stage 1 development application.	The private road (south western side of Building C) within Stage 3 has a width of 14.5m. Council's Public Domain Engineer and Consultant Landscape Architect are satisfied subject to conditions of consent.	The private road within Stage 4 (at rear of Building D) has a width of 14.5m. Council's Public Domain Engineer and Consultant Landscape Architect are satisfied subject to conditions of consent.
Condition 16. Ausgrid. Consultation is required with Ausgrid to ensure that technical and statutory requirements in regard to the safe and reliable operation and maintenance of the Ausgrid's network is maintained.	A letter was submitted with the application evidencing that the applicant had consulted with Ausgrid in designing Stage 3.	A letter was submitted with the application evidencing that the applicant had consulted with Ausgrid in designing Stage 4.
Condition 17. Stormwater Management. Stormwater runoff from the development shall be collected and piped by gravity flow to the public inground drainage infrastructure in roadways adjoining the site, in accordance with Council's DCP Part 8.2 (<i>Stormwater and Floodplain Management</i>) and associated documentation. The detailed plans and documentation of the drainage system for each subsequent development application must be prepared by a suitably qualified Civil Engineer and is to be submitted to the consent authority for approval. The stormwater management system must comply with the following; (a) Each stormwater management plan shall be generally in accordance with the Stormwater Management report by Northrop Pty Ltd, reference SY171708, dated 14th May 2020 and the associated plan " <i>Stormwater Management and Indicative Services Plan</i> " (Project No. 171708 Drawing number DA04.04, revision 04 dated 15th May 2020). (b) Incorporate onsite detention having design parameters compliant with detailed design methodology in Council's Development Controls. NOTE: As per the DCP, the development sites elected PSD (Permissible Site Discharge) must be based on the maximum level of stormwater discharge from the post-development impervious area, arising from the 20% AEP storm event. (c) The submitted design is consistent with the submitted architectural and landscape plan. (d) The stormwater system must incorporate WSUD (water sustainable	Council's Senior Development Engineer has reviewed the stormwater management plan submitted with the application, and no issues have been raised subject to conditions of consent.	Council's Senior Development Engineer has reviewed the stormwater management plan submitted with the application, and no issues have been raised subject to conditions of consent.

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>urban design) components integrated into the landscaped open space areas where possible. This is to ensure such features are easily maintained and not reliant on a manufactured, proprietary product.</p> <p>(e) The subsurface drainage system must be designed to preserve the pre-developed groundwater table so as to prevent constant, ongoing discharge of groundwater to the public drainage network, as well as avoid long term impacts related to the support of structures on neighbouring properties. Any pump-sump systems provided must discharge directly to the inground public drainage network so as to avoid the nuisance discharge of stormwater runoff on road surfaces.</p>		
<p>Condition 18. Crime Prevention Through Environmental Design. Development Applications for Stages 2, 3 and 4 are to comply with the principles of Crime Prevention Through Environmental Design.</p>	<p>The Statement of Environmental Effects submitted addresses the Crime Prevention Through Environmental Design provisions.</p>	<p>The Statement of Environmental Effects submitted addresses the Crime Prevention Through Environmental Design provisions.</p>
<p>Condition 19. Framework Travel Plan. A Framework Travel Plan is to be submitted with any future Development Application for Stages 2, 3 and 4. The Framework Travel Plan is to be prepared in accordance with the requirements of Part 4.5 Macquarie Park Corridor DCP 2014 and include (but not be limited to):</p> <p>(a) Details of the car sharing scheme on the site (in accordance with the conditions of this consent),</p> <p>(b) Measures/ incentives to encourage occupants to enter into the car sharing scheme to be located on the site,</p> <p>(c) Measures/ incentives for public transport usage,</p> <p>(d) Extension of the current parking management plan in effect at the centre, addressing the resident parking component.</p> <p>(e) Measures / incentives to encourage cycling, including detailing end of trip facilities, bicycle parking facilities, signage and notification to residents and patrons to the centre.</p>	<p>A Framework Travel plan has been included in the Traffic Impact Assessment Report, addressing the provisions in Condition 19.</p> <p>A condition of consent (see Condition 157 in Attachment 1) has been imposed that a final FTP is required to be submitted to Council for approval prior to the issue of an Occupation Certificate.</p>	<p>A Framework Travel plan has been included in the Traffic Impact Assessment Report, addressing the provisions in Condition 19.</p> <p>A condition of consent (see Condition 136 in Attachment 2) has been imposed that a final FTP is required to be submitted to Council for approval prior to the issue of an Occupation Certificate.</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
Condition 20. Waste Collection. The Stage 2, 3 and 4 Development Applications shall demonstrate compliance with Council's requirements for waste collection and Part 7.2 of DCP 2014 Waste Minimisation and Management. This is to include the submission of a Waste Management Plan and detailed architectural plans which address Council's requirements.	A suitable Waste Management Plan has been submitted with the application. Council's Waste Officer has raised no issues in this regard.	A suitable Waste Management Plan has been submitted with the application. Council's Waste Officer has raised no issues in this regard.
Condition 21. Landscaping. A detailed landscape plan is to be submitted with Stages 2, 3 and 4 Development Applications respectively. The landscaping plan is to comply with the numerical site coverage, deep soil areas and open space requirements in addition to the design requirements under Section 8.0 of Part 4.2 of Ryde DCP 2014. The landscaping plan should also include rainwater capture and include details on where/how and for what purpose the water will be used and demonstrate water efficiency and effective stormwater management.	A detailed landscape plan has been submitted with the application. Council's Consultant Landscape Architect has assessed that the landscape plan is satisfactory, and meets the requirements of the Ryde DCP 2014.	A detailed landscape plan has been submitted with the application. Council's Consultant Landscape Architect has assessed that the landscape plan is satisfactory, and meets the requirements of the Ryde DCP 2014.

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>Condition 22. Ground floor interface. All sides of each building are to be provided with ground floor uses that promote pedestrian interaction and activity. Where possible, service areas are not to be situated along ground floor façades.</p>	<p>Suitable activation has been provided along the pedestrian link, private roads and Khartoum and Talavera Road frontages. The ground floor of Building C consists of 200m² of retail floor space facing the private road and Bochetto Park.</p> <p>In balancing the other site constraints, stairs, substations and plant rooms have been located along this frontage together with active uses such as EOT access and the commercial tenancy space to the north east.</p> <p>Consideration has been given to passive surveillance along this frontage through the location of the core to the south west of the building. This allows contiguous office floor space along the length of the Talavera road elevation and thus creates activation and passive surveillance of the pedestrian footpath. Additionally, this area of the site benefits from the close proximity to the 24/7 publicly accessible through site link which will provide further passive surveillance and activation.</p> <p>The Urban Design Review Panel (UDRP) has supported the design of the ground floor interface of Building C.</p>	<p>The ground floor of Building D consists of two retail tenancies and commercial lobby, providing an active use to Bochetto Park and the pedestrian link.</p>
<p>Condition 23. Noise impact assessment report. A noise impact assessment report is to be submitted with any relevant Stage 2 Development Application. The report must be prepared by a suitably qualified acoustical consultant and demonstrate that the noise levels emitted from the premises will comply with the noise criteria specified in the New South Wales Industrial Noise Policy (EPA, 2000).</p>	<p>A Noise Impact Assessment report has been submitted with this application. A condition of consent has been imposed that the recommendations of the report are to be implemented (see Condition 62 in Attachment 1).</p>	<p>A Noise Impact Assessment report has been submitted with this application. A condition of consent has been imposed that the recommendations of the report are to be implemented (see Condition 45 in Attachment 2).</p>
<p>Condition 24. Construction Noise Management Plan. A Construction Noise Management Plan must be prepared and submitted with any Stage 2 Development Application.</p>	<p>A Construction Noise Management Plan was submitted with this application.</p>	<p>A Construction Noise Management Plan was submitted with this application.</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>Condition 25. Public Art. A detailed public art strategy is to be developed for the site/development in accordance with Part 4.5 Macquarie Park Corridor DCP 2014 and the Arts Plan (Public Art Strategy) prepared by Site Image Public Art Consultants dated 22 May 2020. The new plan is to address the following:</p> <p>(a) Public art concept/s illustrated in such a way that the form, dimensions, materials and locations of the proposed artwork/s are developed and clearly communicated.</p> <p>(b) Brief statement explaining how the artwork themes developed for each of the four sites/interventions identified in the preliminary public art strategy.</p> <p>(c) Site plans (ie architectural and landscape drawings) that show how the artwork is integrated with the site. The plans must clearly present a public art space (eg the surface or 3D envelope that will contain the artwork/s).</p> <p>(d) Program for detailed design documentation, fabrication and installation; and</p> <p>(e) Details of the artist/s developing the documentation and artwork.</p> <p>(f) Costing of the proposed works.</p> <p>The requirement to accommodate public art as part of the redevelopment of the site must be included as part of a Stage 4 Development Application.</p>	<p>The public art plan for the overall site is being developed. A condition of consent has been imposed that the public art plan is to be submitted to Council for approval prior to the Construction Certificate (see Condition 63 in Attachment 1).</p>	<p>The public art plan for the overall site is being developed. A condition of consent has been imposed that the public art plan is to be submitted to Council for approval prior to the Construction Certificate (see Condition 46 in Attachment 2).</p>
<p>Condition 26. Wind. Prior to the lodgement of a Stage 2 Development Application, the detailed design shall be subject to wind tunnel testing to ascertain the impacts of the development on the wind environment and conditions within the publicly accessible space, the surrounding streets, communal external areas and bus interchange area. Any recommendations of this wind tunnel testing and wind assessment report shall be incorporated into the final detailed design lodged as a Stage 2 Development Application.</p>	<p>A Wind Assessment report has been submitted with the application. A condition of consent has been imposed that the recommendations of this report be implemented (see Conditions 64 and 132 in Attachment 1).</p>	<p>A Wind Assessment report has been submitted with the application. A condition of consent has been imposed that the recommendations of this report be implemented (see Conditions 47 and 113 in Attachment 2).</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>Condition 27. Bicycle Parking. Bicycle parking is to be provided for any development involving an increase in the floor space for retail, commercial or residential land uses. Details of the location, number and class of bicycle parking must be included in the Stage 2 Development Applications. At a minimum the number of bicycle parking is to be consistent with Council's requirements in DCP 2014. End of trip facilities are to be provided for any retail and commercial development. These facilities are to be located in close proximity to the bicycle parking.</p>	<p>Bicycle parking is provided in the basement. A condition of consent has been imposed that a minimum of 43 bicycle parking space are to be provided for Building C (see Condition 60 in Attachment 1).</p>	<p>39 bicycle parking spaces are provided in the basement of Building D. A condition of consent has been imposed that a minimum of 43 bicycle parking space are to be provided for Building D (see Condition 43 in Attachment 12).</p>
<p>Condition 28. Draft Construction Pedestrian and Traffic Management Plan. As part of a Stage 2 development application, the proponent shall prepare a draft Construction Pedestrian and Traffic Management Plan (CPTMP).</p>	<p>A draft construction management plan has been submitted with the application (dated January 2021). A condition of consent has been imposed that a Demolition and Construction Management Plan be submitted to the PCA prior to any demolition and Construction Certificate (see Conditions 36 and 56 in Attachment 1).</p>	<p>A draft construction management plan has been submitted with the application (dated March 2021). A condition of consent has been imposed that a Construction Management Plan be submitted to the PCA prior to any Construction Certificate (see Condition 40 in Attachment 2).</p>
<p>Condition 29. Environmental Sustainability Design Report. An Environmental Sustainability Design Report must be submitted with any Stage 2 Development Application.</p>	<p>An ESD report has been submitted with the application.</p>	<p>An ESD report has been submitted with this application.</p>
<p>Condition 30. Prior to the submission of the Stage 2 development application, the applicant is to: (a) Undertake detailed traffic modelling using an appropriate modelling tool to assess road network performance within the area of influence of the site. The traffic model is to be prepared to the satisfaction of Ryde City Council and TfNSW; and (b) Identify local and regional impacts using traffic modelling and propose mitigation measures to ameliorate the impacts identified as a result of the development proposed in further stages of the Concept Plan.</p>	<p>A Traffic Impact Assessment has been submitted with modelling to the satisfaction of Council's Senior Traffic Engineer and Transport for NSW (TfNSW).</p>	<p>A Traffic Impact Assessment has been submitted with modelling to the satisfaction of Council's Senior Traffic Engineer and Transport for NSW (TfNSW).</p>
<p>Condition 31. Loading Bay / Service Delivery Management Plan. To ensure the service requirements of the commercial floor area are satisfied at each stage of the development, a</p>	<p>A loading bay/service delivery management plan has been prepared and included in the Traffic Impact Assessment. Council's Waste Officer,</p>	<p>A loading bay/service delivery management plan has been prepared and included in the Traffic Impact Assessment. Council's Waste Officer, Senior</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment										
Loading Bay / Service Delivery Management Plan is to be submitted with each future Development Application. The Plan must specify the location of service bay areas / loading bay docks, analyse the number and frequency of service vehicle movements for the existing and proposed commercial floor area and demonstrate that such service requirements can be satisfied on the site. The use of onstreet parking to accommodate this aspect of any development on the site will not be supported.	Senior Development Engineer and Traffic Engineer have raised no issues with this plan.	Development Engineer and Traffic Engineer have raised no issues with this plan.										
Condition 32. Parking Capacity and Allocation. Each development must comply with the following parking allocation requirements, as specified in accordance with the Council 2014 DCP Part 9.3 (<i>Parking Controls</i>), approved Traffic Report and any other associated conditions in this consent, listed as follows; (c) Commercial (office) use areas must be allocated no more than 1 parking space per 60m2 GFA. (d) Retail, restaurant and café use must be allocated a minimum of 1 parking space per 25m2 GFA. Variation to this rate will be considered subsequent to submission a parking demand analysis for the proposed use. (e) Each building must provide no less than 2 loading bays, one of which must be capable of accommodating at least an MRV vehicle (as per AS 2890.2). Any variation seeking less than this will need to demonstrate that such services do not rely on the Public Domain for standing or access to service vehicles. (f) Each building must have a dedicated waste loading area capable of accommodating the largest Council waste vehicle (dimensions available from Council's Waste Department). Any variation to this will need to demonstrate that the adequacy and safety of waste loading areas is not compromised. (g) Each Building in the development site must be allocated no more than the following number of spaces; <table><tr><td>Building</td><td>Maximum Parking Spaces</td></tr><tr><td>A</td><td>304</td></tr><tr><td>B</td><td>51</td></tr><tr><td>C</td><td>264</td></tr><tr><td>D</td><td>261</td></tr></table>	Building	Maximum Parking Spaces	A	304	B	51	C	264	D	261	<p>The parking spaces provided for Building C are as follows:</p> <ul style="list-style-type: none">• Minimum 19 retail spaces (75% located on Basement 1) incorporating 1 small space and 1 disabled space.• 173 commercial spaces (incorporating 5 small spaces, 5 disabled spaces, 2 recharge bays and 1 service space)• Minimum 3 Carshare spaces <p>Maximum car parking spaces provided in Stage 3 is 195, complying with Condition 32.</p>	<p>The parking spaces provided for Building D are as follows:</p> <ul style="list-style-type: none">• Maximum 184 commercial spaces• Minimum 8 retail spaces• Minimum 12 motorbike spaces• Minimum 43 bicycle spaces <p>Maximum 192 car parking spaces provided in Stage 4, complying with Condition 32.</p>
Building	Maximum Parking Spaces											
A	304											
B	51											
C	264											
D	261											

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
<p>Condition 33. Land Dedications - Road No. 22 and Pedestrian Link. In accordance with the future access network plan depicted in the Council 2014 DCP Part 4.5 (<i>Macquarie Park Corridor</i>) Figure 4.1.1 (Access Network) and the VPA agreement made between the Council of the City of Ryde and Stockland Trust Management and subject to any variations to this agreement, the following encumbrances will be required on the land for public benefit ;</p> <p>(a) The dedication of land for the purpose of implementing the future public road (Road 22). The road dedication is to be located as shown on the approved plans (adjoining the eastern boundary of the subject lot), must be a minimum 14.5m in width and the containing assets must be designed in accordance with Council's Public Domain standards and approved plans. The road must be dedicated to Council within 6 months of the date the occupation certificate is issued for Building B.</p> <p>(b) A Public Access – Right of Way must be created over the constructed pedestrian access links constructed through the land. The ROW must be no less than 6m wide and incorporate a min 4m wide pedestrian path and 2m of adjoining landscaping. The terms of the instrument must be in accordance with Council's standard terms for the public access instrument and any variations subject to approval by Council. The right of way may be registered in parts (as per the VPA staging) however each part must be registered prior to the occupation of the relevant stage in which the works are completed.</p> <p>All costs associated with the registration and assessment of these encumbrances must be borne by the applicant, at no cost to Council. Council's acceptance of the road dedication and endorsement of the encumbrances will generally be subject to the works being completed to Council's satisfaction, warranting CCTV inspections for the constructed drainage network and rectification of any defects. Any further particulars concerning this matter may be included in subsequent Development Consents.</p>	<p>The pedestrian link is provided in accordance with the VPA and Concept DA. A condition of consent has been imposed that a right of way (ROW) be registered over the pedestrian link in accordance with the Deed of Agreement staging (see Condition 139 in Attachment 1).</p>	<p>The pedestrian link is provided in accordance with the VPA and Concept DA. A condition of consent has been imposed that a right of way (ROW) be registered over the pedestrian link in accordance with the Deed of Agreement staging (see Condition 121 in Attachment 2).</p>

Condition under Concept DA	Building C – LDA2021/0035 Compliance/Comment	Building D – LDA2021/0159 Compliance/Comment
Condition 34. Tree retention. All existing trees as nominated for retention within the Arboricultural Impact Assessment prepared by Birds Tree Consultancy dated 16 August 2021 are to be retained as part of any future Development Application associated with this Concept Masterplan.	The application proposes to retain trees as recommended in the Arboricultural Impact Assessment prepared by Birds Tree Consultancy dated 16 August 2021.	The application proposes to retain trees as recommended in the Arboricultural Impact Assessment prepared by Birds Tree Consultancy dated 16 August 2021.
Condition 35. Open Space Design. The design of open space areas to be represented within future landscape documentation is to be prepared in consultation with a suitably qualified AQF Level 5 Arborist to ensure those trees nominated for retention under the Concept Masterplan are not adversely impacted and are capable of retention in the long-term. All built structures within the open space are to be located as far away from existing trees as practical to limit the level of root severance and canopy pruning required.	A suitable landscape plan has been submitted for Stage 3.	A suitable landscape plan has been submitted for Stage 4, including design of Bochetto Park.
Condition 36. Sydney Water. Prior to the submission of the Stage 2 development application, the applicant is to undertake the following with regard to Sydney Water requirements.	The applicant has submitted documentation evidencing consultation with Sydney Water for this application. A condition of consent has been imposed in Attachment 1 that consultation is to occur with Sydney Water prior to Construction Certificate (see Condition 46 in Attachment 1).	The applicant has submitted documentation evidencing consultation with Sydney Water for this application. A condition of consent has been imposed in Attachment 2 that consultation is to occur with Sydney Water prior to Construction Certificate (see Condition 32 in Attachment 2).

8.2 Environmental Planning and Assessment Regulation 2000

This application satisfies Clause 50(1)(a) of the Regulation as it is accompanied by the nominated documentation required.

8.3 State Environmental Planning Policy (Infrastructure) 2007

Transport for NSW – Clause 104 (Traffic-generating development)

Both development applications are identified within Schedule 3 of the Infrastructure SEPP as each comprise greater than 10,000m² in gross floor area associated with a commercial premises. In accordance with Clause 104 the DAs were referred to the Transport for NSW (TfNSW) for comment. TfNSW provided their final comments on 1 September 2021. These comments are discussed below:

The applicant is to enter into a Transport Infrastructure Contribution Deed (Stage 2 Deed) with Transport for NSW, prior to the issue of a construction certificate that authorises the construction of Building D, for the delivery of road improvement works at the intersection of Khartoum Road and Talavera Road, Macquarie Park comprising a

monetary contribution of \$853,650. This contribution amount is for the cumulative traffic impacts from Buildings B, C and D.

The above requirement has been agreed to by the applicant.

8.4 State Environmental Planning Policy (State and Regional Development) 2011

Both applications are categorised as a 'General Development over \$30 million' under Schedule 7 of the above planning instrument and as such the applications are required to be determined by the Sydney North Planning Panel in accordance with Section 4.7 of the EP&A Act.

8.5 State Environmental Planning Policy No. 64 – Advertising and Signage

The development has proposed two signage zones for Building C, and seven signage zones for Building D. The applicant intends to submit a separate development application for the installation of signage within the above zones.

The signage zones are consistent with the aims and objectives of the SEPP.

A consent authority must not grant development consent to an application unless the signage satisfies the assessment criteria specified in Schedule 1. This is detailed below:

SCHEDULE 1 – ASSESSMENT CRITERIA	
1 Character of the area	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes – The design of the signage is compatible with the existing building. The signs are compatible with other signage in Macquarie Park.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	A consistent theme for signage in Macquarie Park is large identification signage at the top of buildings. The proposed signage is consistent with this requirement.
2 Special areas	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No.
3 Views and vistas	
Does the proposal obscure or compromise important views?	No views are affected by the proposal.
Does the proposal dominate the skyline and reduce the quality of vistas?	No.
Does the proposal respect the viewing rights of other advertisers?	Yes.
4 Streetscape, setting or landscape	

Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposal is appropriate for the building as well as streetscape.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposal will contribute to the visual interest of the streetscape.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal reduces clutter and simplifies advertising.
Does the proposal screen unsightliness?	There is no unsightliness to be screened.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The sign will not protrude above the building or tree canopies in the area.
Does the proposal require ongoing vegetation management?	The location of the proposed signage will not require any ongoing vegetation maintenance.
5 Site and building	
The proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage is in proportion to the respective buildings.
Does the proposal respect important features of the site or building, or both?	The signage is consistent with the architectural appearance of the buildings.
Does the proposal show innovation and imagination in its relationship to the site or building, or both	At this stage details of the signs are not known. This will be considered in the future development applications.
6 Associated devices and logos with advertisements and advertising structures	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	This will be considered as part of future development applications.
7 Illumination	
Would illumination result in unacceptable glare?	This will be considered as part of future development applications.
Would illumination affect safety for pedestrians vehicles or aircraft?	Illumination would not affect the safety of pedestrians, vehicles and air craft in the proposed location. Details of any illumination would be subject to a future DA.
Would illumination detract from the amenity of any residence or other form of accommodation?	The illumination would not impact upon any residential dwellings.
Can the intensity of illumination be adjusted, if necessary?	This will be considered as part of the future development applications.
Is the illumination subject to a curfew?	This will be considered as part of the future development applications.
8 Safety	
Would the proposal reduce the safety for any public road?	The signage will not affect road safety as the site is setback from Khartoum and Talavera Roads.
Would the proposal reduce the safety for pedestrians or bicyclists?	The signage will not affect pedestrian or cyclist safety.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not obscure any sightlines from public areas.

8.6 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The Vegetation SEPP provides approval pathways for the removal of vegetation in non-rural areas and matters for consideration in the assessment of applications to remove vegetation. This policy applies to land in the Ryde local government area on land within the B7 Business Park zone.

Building C – LDA2021/0035

It is proposed to remove twelve (12) trees as part of Stage 3, including five (5) trees within the Stage 4 area of the subject site (Trees 86, 87, 88, 89 and 90). It is proposed to retain fifteen (15) trees elsewhere within this area of the subject site, as shown in **Figure 14** earlier in this report.

The proposed trees to be removed include the following:

- 2 x *Eucalyptus microcorys* (Tallowwood) – Trees 64 and 66
- 1 x *Eucalyptus punctata* (Grey Gum) – Tree 68
- 1 x *Corymbia maculata* (Spotted Gum) – Tree 69
- 2 x *Allocasuarina torulosa* (Forest She-oak) – Trees 84 and 85
- 6 x *Casuarina cunninghamiana* (River Sheoak) – Trees 86, 87, 88, 89, 90 and 191

The removal of the trees is expected to have a moderate impact on the landscape character of the site, however, significant effort has been made to retain significant trees along the Talavera Road and Khartoum Road boundaries of the site. Only three of the trees being removed are endemic to the Ryde Local Government Area (LGA). A minimum of thirteen (13) replacement trees are proposed within the site (see **Condition 68** in **Attachment 1**). The proposed tree removal is consistent with the Concept DA, specifically, Condition 34.

Building D – LDA2021/0159

It is proposed to remove seven (7) trees as part of Stage 4. It is proposed to retain sixteen (16) trees elsewhere within this area of the subject site, as shown in **Figure 20** earlier in this report.

The proposed trees to be removed include the following:

- 4 x *Eucalyptus microcorys* (Tallowwood) – Trees 110, 114, 115 and 116
- 1 x *Brachychiton acerifolius* (Illawarra Flame Tree) – Tree 111
- 2 x *Acacia* sp. (Acacia) – Trees 112 and 113

The removal of the trees is expected to have a low impact on the landscape character of the site. All significant trees have been retained on the site, with particular mention of the trees along the Khartoum Road frontage. None of the trees being removed are endemic to the Ryde Local Government Area (LGA). **Condition 50** in **Attachment 2** has been imposed that an additional three (3) street trees are to be provided along the Khartoum Road frontage.

Significant replacement planting is proposed in Bochetto Park.

8.7 State Environmental Planning Policy No. 55 – Remediation of Land

The requirements of State Planning Policy No. 55 – Remediation of Land apply to the subject site. In accordance with Clause 7 of SEPP 55, the consent authority must consider if the land is contaminated and, if so, whether it is suitable, or can be made suitable, for the proposed use.

A Phase 1 Environmental Site Assessment prepared by Golder Associates (dated 17 November 2017) was submitted with the approved Concept DA with the report concluding that *“This assessment indicates that there is a low potential for historical and current activities to have caused contamination.”*

During the assessment of the Concept DA, Council’s Environment Health Officer concluded that there would appear to be minimal risk of contamination and the site is considered suitable for the proposed development.

8.8 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This Plan applies to the whole of the Ryde Local Government Area. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given the nature of the project and the location of the site, there are no specific controls that directly apply to both applications, and any matters of general relevance (erosion control, etc) are able to be managed by conditions of consent.

8.9 Ryde Local Environmental Plan 2014

The following is an assessment of the both applications against the applicable provisions of Ryde Local Environmental Plan 2014 (RLEP 2014).

Clause 2.2 – Zoning

The site is located within the B7 Business Park zone under the RLEP 2014 as indicated within **Figure 22**.



Figure 22: Land zoning map

Development for commercial and retail purposes as proposed for Buildings C and D are permitted with consent in this zoning.

Clause 2.3 – Zone Objectives

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives for the *B7 Business Park* zone are as follows:

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To encourage industries involved in research and development.

Both applications comply with the above objectives, and are deemed consistent with the State and local strategic intent for the zone and the Macquarie Park Corridor by introducing commercial buildings, facilities and retail services, which encourage employment opportunities and serve the diverse employment needs of the local and wider community.

It is considered that the Building C and D developments satisfactorily meet the objectives of the B7 Business Park zone.

Clause 4.3 - Height of Buildings

A maximum building height limit under RLEP 2014 of 30m applies to the development site. Incentive building heights are permissible under the provisions of clause 6.9 of the RLEP 2014 which allows a maximum height of 45m across the development site as shown at **Figure 23**.

In accordance with the Concept DA, Building C is permitted to have a maximum building height of 36m, and Building D is permitted to have a maximum building height of 39m. Building C has a maximum building height of 34.55m, and Building D has a maximum building height of 39m.

As such, both applications comply with the maximum building height requirement.

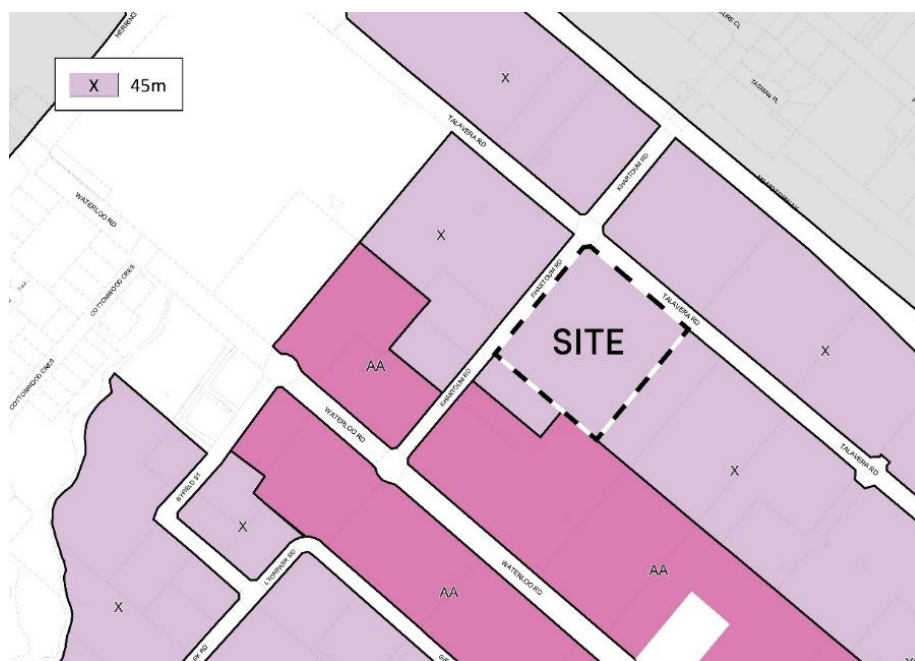


Figure 23: Macquarie Park Corridor Precinct Incentive Height of Buildings Map
(X – maximum height of 45m)

Clause 4.4 – Floor Space Ratio

Under the RLEP 2014, a floor space ratio (FSR) of 1:1 applies to the development site. Incentive floor space is permissible under the provisions of Clause 6.9 of the RLEP 2014 which allows a maximum floor space ratio of 2:1 as shown at **Figure 24**.



Figure 24: Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map (T1 – maximum FSR of 2:1)

A floor space ratio of 1.83:1 was approved for the Amending Concept DA. Condition 4 of the Concept DA caps the total GFA across the site at 55,129m². The allocation of GFA as already approved and proposed under this application is shown below:

- Building A = 18,309m² (approved for Stage 1 under LDA2020/0229)
- Building B (Data Centre) = 12,069m² (approved for Stage 2 under SSD-10467)
- **Building C = 11,261m² (proposed for Stage 3 – LDA2021/0035)**
- **Building D (proposed) = 10,906m² (proposed for Stage 4 – LDA2021/0159)**

Total GFA for all buildings is **53,784m²**, which complies with Condition 4.

Clause 6.2 - Earthworks

The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

Subject to appropriate conditions of consent, the development is considered satisfactory.

Clause 6.4 - Stormwater Management

Development consent must not be granted to development on land within residential, business and industrial zones unless the consent authority is satisfied that the development:

- is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and
- includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
- avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.

Council's Senior Development Engineer has advised that the proposed stormwater management system for the both applications is acceptable subject to conditions of consent. (See condition numbers 119, 133, 134, 135, 137 and 163 in **Attachment 1** and condition numbers 100,115, 117, 118, 119 and 142 in **Attachment 2**).

Clause 6.6 - Environmental Sustainability

The objective of this clause is to ensure that this development (being land in a business zone) embraces principles of quality urban design and is consistent with principles of best practice environmentally sensitive design.

This clause states that consent must not be granted to development on land in a business or industrial zone exceeding 1,500m² in GFA unless the consent authority is satisfied that development has had regard to a number of prescribed environmental outcomes.

An Environmental Sustainable Design Report, prepared by Cundall, was submitted with the approved Concept DA which provided a summary of the applicant's sustainable design commitments for the four buildings within the subject site.

An additional report was submitted for the Building C application, also prepared by Cundall, dated 16 December 2020. The project for Building C is aiming to pursue environmental certifications as follows:

- 5-Star Green Star Design & As-Built v1.3 rating
- 5-Star NABERS Energy base building rating

An additional report was also submitted for the Building D application, dated 23 March 2021. The project for Building D is aiming to pursue environmental certifications as follows:

- 5-Star Green Star Design & As-Built v1.3 rating
- 5-Star NABERS Energy base building rating
- 4-Star Water whole building rating

The Cundall report for Building D also details the aspirational environmental certification targets for Building D as follows:

- 6-Star Green Star Design & As-Built v1.3 rating
- Net Zero Carbon in operation

The ESD Report submitted with each application satisfies the provisions for environmental sustainability in Clause 6.6 of the RLEP 2014.

Clause 6.9 – Development in Macquarie Park Corridor

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.

In this regard, the Macquarie Park Corridor Precinct Height of Building Map allows for an increase in height of the buildings from 30m to 45m. Similarly, the Macquarie Park Corridor Precinct Incentive Floor Space Ratio Map allows for an increase in FSR from 1:1 to 2:1. Compliance with these allowances is detailed above in Clauses 4.3 and 4.4.

A Voluntary Planning Agreement with Council has been executed in accordance with Clause 6.9 to allow for the incentive height and FSR controls as discussed earlier in this report.

8.10 Draft Environmental Planning Instruments

Draft Remediation of Land State Environmental Planning Policy

The Draft SEPP is a relevant matter for consideration as it is an Environmental Planning Instrument that has been placed on exhibition. The explanation of Intended Effects accompanying the draft SEPP advises:

“As part of the review of SEPP 55, preliminary stakeholder consultation was undertaken with Councils and industry. A key finding of this preliminary consultation was that although the provisions of SEPP 55 are generally effective, greater clarity is required on the circumstances when development consent is required for remediation work”.

The draft SEPP does not seek to change the requirement for consent authorities to consider land contamination in the assessment of development applications. The conclusions made in relation to SEPP 55 are equally applicable to the draft SEPP.

Draft Environment SEPP

The draft Environment SEPP was exhibited from 31 October 2017 to 31 January 2018. The consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways and urban bushland areas. Changes proposed include consolidating SEPPs, which include:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The proposal is consistent with the provisions of the draft SEPP.

8.11 Ryde Development Control Plan 2014

The following sections of the Ryde DCP 2014 are of relevance:

- Part 4.5 – Macquarie Park Corridor;
- Part 7.1 – Energy Smart, Water Wise;
- Part 7.2 – Waste Minimisation and Management;
- Part 8.2 – Stormwater Management;
- Part 9.1 – Advertising Signage;
- Part 9.2 – Access for People with Disabilities; and
- Part 9.3 – Parking Controls

With regard to Parts 7.1 and 8.2, noting the advice received from the various technical departments within Council and the consideration of issues previously in this report, the proposal is satisfactory in relation to the above matters. Therefore, the following assessment addresses Parts 4.5, 7.2, 9.1, 9.2 and 9.3.

Part 4.5 – Macquarie Park Corridor

The compliance table of the relevant controls pursuant to Part 4.5 Macquarie Park Corridor is below in **Table 4**. It is noted that there are a number of non-compliances within this table being:

Building C – LDA2021/0035

- Section 4.2 (c) – Pavement width of pedestrian link reduced to 3m for the stairs section, which is less than the specified 4m pavement width required.
- Section 7.7(a) – Proposed building separations are below 20m and for a length which exceeds 10m which is non compliant with the control. This non-compliance was assessed as part of the Concept DA and considered acceptable.
- Section 7.8(b) – Buildings are to address the street and are to have a street address. The design of Building C faces the internal loop road, rather than to Khartoum Road or Talavera Road. This non-compliance was assessed as part of the Concept DA and considered acceptable.
- Section 7.8 (d) – The distance of any point on a habited floor from a source of natural daylight exceeds 12m.
- Section 8.2(a) – A minimum 20% of a site must be provided as deep soil area. The proposal includes only 15.7% deep soil area. This non-compliance was assessed as part of the Concept DA and considered acceptable.

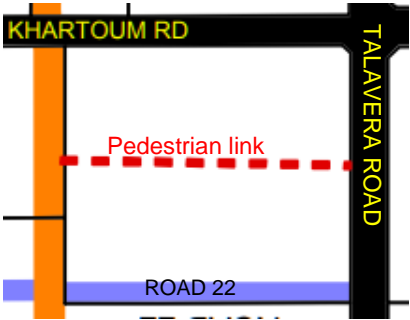
Building D – LDA2021/0159

- Section 7.7(a) – Proposed building separations are below 20m and for a length which exceeds 10m which is non compliant with the control. This non-compliance was assessed as part of the Concept DA and considered acceptable.
- Section 7.8(b) – Buildings are to address the street and are to have a street address. The design of Building D faces the internal loop road, rather than to Khartoum Road or Talavera Road. This non-compliance was assessed as part of the Concept DA and considered acceptable.
- Section 7.8 (d) – The distance of any point on a habited floor from a source of natural daylight exceeds 12m.
- Section 8.2(a) – A minimum 20% of a site must be provided as deep soil area. The proposal includes only 15.7% deep soil area. This non-compliance was assessed as part of the Concept DA and considered acceptable.

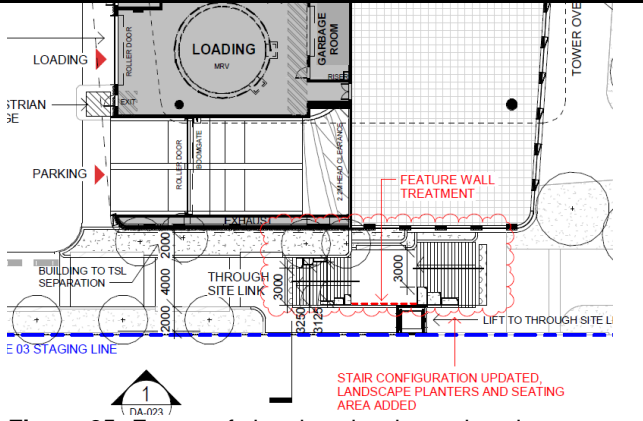
These non compliances are justified within the report.

Table 4: Assessment Building C and D against Part 4.5 of Ryde DCP 2014

<i>Relevant Control</i>	<i>Building C and D – comment</i>
<i>3.0 The Structure Plan</i>	
<i>3.2 Urban Structure Plan</i>	
The Business Park areas at the edges of the Corridor are characterised by lower density development with green leafy setbacks and attractive landscaping.	Building C Complies –

Relevant Control	Building C and D – comment
	<p>The proposal for Building C complies with the height and floor space controls for the site, as approved under the Concept DA.</p> <p>The proposed Landscape Plan allows for the retention of street trees where possible particularly along the Talavera Road boundary of the site.</p> <p>Building D Complies – The proposal for Building D complies with the height and floor space controls for the site, as approved under the Concept DA.</p> <p>The proposed Landscape Plan allows for the retention of street trees where possible particularly along the Talavera Road boundary of the site. The proposal for Building D also provides for a centralised open space in the form of Bochetto Park.</p>
4.0 Access Network	
4.1 Streets	
<p>a) Provide new public streets and pedestrian connections in accordance with Figure 4.1.1 Access Network.</p> <p>b)</p>  <p>Extract from Figure 4.1.1</p>	<p>Building C and D Complies – Each proposal provides for a section of the pedestrian site through link approved under the Concept DA. The extent of the pedestrian link proposed under both applications is to be delivered in accordance with the Concept DA and the VPA.</p>
<p>c) New streets are to be dedicated to Council. New streets are to be maintained by the landowner until dedicated to Council.</p>	<p>Building C N/A – Building C does not involve any new Roads. Road 22 is to be delivered under Stage 2.</p> <p>Building D N/A – Building D does not involve any new Roads. Road 22 is to be delivered under Stage 2.</p>
<p>d) 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.</p>	<p>Building C and D Complies – Building C or D will not be located near Road 1 or 22.</p>

Relevant Control	Building C and D – comment
e) Each site is to provide for coordination of proposed streets with neighbouring sites, including level adjustments and detailed plans. This detail is to be provided together with the development application.	Building C and D N/A – no roads are proposed under either application.
f) Lighting, paving and street furniture, landscaped setbacks and tree planting are to be provided as required in the <i>Macquarie Park Corridor Public Domain Technical Manual (PDTM)</i>	Building C Complies – The development will be conditioned to provide appropriate public domain improvements. It is noted that conceptual lighting location along the pedestrian link has been provided for Building C to demonstrate the proposal is capable of meeting the CPTED principles. A condition of consent is imposed requiring details of the lighting for the site to be provided. Building D Complies – The development will be conditioned to provide appropriate public domain improvements.
g) Provide new streets as follows: i. 20m wide (typical) streets in accordance with Figure 4.1.2. or ii. 14.5m wide (typical) streets in accordance with Figure 4.1.3.	N/A – no roads provided for either application.
<u>4.2 Pedestrian Connections</u>	
a) Provide pedestrian bridges in accordance with the Access Structure Plan. Figure 3.4.1	N/A
b) Provide pedestrian connections in accordance with Figure 4.1.1 Access Network	Building C and D Complies – Pedestrian site through link from Talavera Road to new Road 01 is provided. Delivery of each section of the pedestrian link is in accordance with Concept DA and VPA.
c) Pedestrian connections are to: i. Be a minimum of 6m wide comprising 4m wide paving ii. Be designed with a 2m setback to any building. iii. Be publicly accessible at all times. iv. Provide a clear sightline from one end to the other for surveillance and accessibility. v. Maximise active frontages pedestrian connections. vi. Be designed to consider pedestrian safety and the security of adjacent businesses, particularly at night (for example, where pedestrian through-site links are provided between buildings, windows are to be provided between the internal	Building C Complies (in part) – The section of the pedestrian link proposed under LDA2021/0035 generally complies with the requirements of this control. The pedestrian link for the Building C section is 6m in width, and generally maintains 4m wide paving for its entirety. However, the stairs section (2 flights) of the pedestrian link reduce the pavement width to 3m. This is to enable wider landscape planters and seats for the stairs section, which was requested by Council's Urban Designer in order to improve activation for pedestrian link (see Figure 25 below).

Relevant Control	Building C and D – comment
<p>ground floor space of the building and the pedestrian link).</p> <ul style="list-style-type: none"> vii. Extend and enhance the public domain and have a public domain character. viii. Be in accordance with Part 9.2 of the RDCP 2014 (Access for People with Disabilities) and designed to provide barrier-free access in accordance with AS 1428 and the Disability Discrimination Act 1992. ix. Paving shall be in accordance with the Macquarie Park Public Domain Technical Manual. x. Remain in private ownership and be created as Rights-of- Way in favour of Council or a similar mechanism. 	 <p>Figure 25: Extract of site plan showing reduced pavement width for stairs along pedestrian link</p> <p>The reduction in the width of the paving is acceptable as the reduction in width is limited to the stairs, which are a slower zone of the pedestrian link. The provision of seating and wider landscape planters along the stairs allow for better activation along the link.</p> <p>This section of the pedestrian site link is DDA compliant through the provision of the lift (see Figure 25 above).</p> <p>A right-of-way (pedestrian link easement) is to be provided over the pedestrian through-site link as required. This is a requirement of the Planning Agreement and has been imposed by Condition 139 in Attachment 1.</p> <p>Building D Complies – The section of the pedestrian link proposed under LDA2021/0159 has been designed in accordance with this control. 4m wide pavement and 2m landscape planting is proposed, and the levels proposed ensure the pedestrian link is DDA compliant.</p> <p>A right-of-way (pedestrian link easement) is to be provided over the pedestrian through-site link as required. This is a requirement of the Planning Agreement and has been imposed by Condition 121 in Attachment 2.</p>
<p>d) Each site is to provide for coordination of pedestrian connections with neighbouring sites, including level adjustments and detailed plans. Detailed plans, sections and other material as necessary are to be provided</p>	<p>Building C and D Complies – Suitable pedestrian connections are provided throughout the site, as set out in the Concept DA.</p>

Relevant Control	Building C and D – comment
<u>4.3 Bicycle Network</u>	
a) Provide dedicated cycle access in accordance with <i>Ryde Bicycle Strategy 2014</i> in accordance with <i>Figure 4.3.1 Indicative Cycleways</i> .	Complies - An existing cycle path is located on Talavera Road.
<u>4.4 Sustainable Transport</u>	
<u>Travel Plans</u>	
a) Upgrade the bus interchange in Herring Road in accordance with the Access Structure Plan to: <ul style="list-style-type: none"> i. Accommodate additional bus stops to provide for increased patronage; ii. Reduce pedestrian and vehicle conflict; iii. Enable active frontage. 	N/A The site is not located near Herring Road bus interchange.
b) Any DA that includes residential development on the Macquarie Shopping Centre is to provide a master plan that demonstrates how the bus interchange upgrade may be achieved.	N/A The proposal does not include residential development.
c) A Framework Travel Plan (FTP) is required to be submitted to Council for approval together with a DA for all development that exceeds 10,000m ² new floor space d) For all development the FTP must also: <ul style="list-style-type: none"> i. Identify measures in an Action Plan that will implement the 40% public transport/60% private transport target for the journey to work, including appointing a Travel Plan Coordinator, minimising drive alone trips to work, encouraging walking, cycling, car sharing, car pooling and public transport use. e) Provide a Final Travel Plan to Council for certification prior to the issue of any Occupation Certificate.	<p>Building C Able to comply – The proposal has a total floor space of 11,261m² as such, a Framework Travel Plan (FTP) is required. A draft FTP has been included in the Traffic Impact Assessment.</p> <p>A final FTP is required to be prepared to satisfy the requirements of the DCP and submitted for approval prior to the issue of an Occupation Certificate (see Condition 157 in Attachment 1).</p> <p>Building D Able to comply – The proposal has a total floor space of 12,069m² as such, a Framework Travel Plan (FTP) is required. A draft FTP has been included in the Traffic Impact Assessment.</p> <p>A final FTP is required to be prepared to satisfy the requirements of the DCP and submitted for approval prior to the issue of an Occupation Certificate (see Condition 136 in Attachment 2).</p>
<u>Parking Rates</u>	
f) Bicycle parking and end-of-trip facilities are to be provided in accordance with the RDCP 2014 Part 9.3 Parking Controls.	Building C and D The provision of bicycle parking is detailed under Part 9.3 of the RDCP 2014.
g) Parking is to be provided in accordance with the RDCP 2014 Part 9.3 Parking Controls.	Building C and D The provision of parking is detailed under Part 9.3 of the RDCP 2014

Relevant Control	Building C and D – comment
<u>Car Sharing Parking</u>	
<p>h) All parking spaces for car share schemes are to be:</p> <ul style="list-style-type: none"> i. Publicly accessible 24 hours a day seven days per week. ii. Located together in the most convenient locations. iii. Located near and with access from a public road and integrated with the streetscape through appropriate landscaping where the space is external. iv. Designated for use only by car share vehicles by signage. v. Parking spaces for car share schemes located on private land are to be retained as common property by the Owners Corporation of the site. 	<p>Building C Complies – Building C provides three (3) car share spaces on Basement Level 1. The requirement for a final FTP has been conditioned, and final details of the car share will be provided prior to Occupation Certificate.</p> <p>Building D Complies – Building D provides three (3) car share spaces on Basement Level 1. The requirement for a final FTP has been conditioned, and final details of the car share will be provided prior to Occupation Certificate.</p>
<u>5.0 Public Domain</u>	
<u>5.2 New Open Space</u>	
<p>a) Provide public open space as shown in Figure 5.1.1 Proposed Open Space Network and in accordance with sections 5.3 and 5.6 of this Part. To vary public open space requirements, refer to master plan controls under Clause 8.1 Site Planning and Staging.</p>	<p>N/A</p> <p>Figure 5.1.1 does not apply to the development site.</p> <p>Notwithstanding, Building D seeks to provide open space (Bochetto Park) which will be owned and managed by the developer.</p>
<p>b) Buildings are not permitted to be located on any proposed new park identified in the Open Space Structure Plan identified in Figure 5.1.1.</p>	<p>N/A</p> <p>Figure 5.1.1 does not apply to the development site.</p>
<p>c) Parks are to be dedicated to the Council, unless by agreement with Council where they may be provided as privately-owned public spaces (POPS).</p>	<p>N/A.</p> <p>Bochetto park will be maintained as a privately-owned public space.</p>
<p>d) New parks are to be maintained by the landowner until dedicated to Council.</p>	<p>N/A</p>
<p>e) POPS are to be created as Rights-of-Way in favour of Council.</p>	<p>Building C Complies – A condition of consent (see Condition 139 in Attachment 1) has been imposed to require the registration of a pedestrian link easement as per the staging in the Planning Agreement.</p> <p>Building D Complies – The Planning Agreement does not include any rights-of-way over the park. However, a through-site link is provided through the centre of the site, and registration of a pedestrian link easement over that part of the site, is required by the Planning Agreement and Condition 121 in Attachment 2.</p>

Relevant Control	Building C and D – comment
f) POPS are to be maintained by the landowner in perpetuity. Public liability Insurances up to \$20,000,000 are to be maintained by the landowner.	<p>Building C Complies – Condition 139 in Attachment 1 sets out requirements in this regard for the Right of Way.</p> <p>Building D Complies – Condition 121 and 122 in Attachment 2 sets out requirements in this regard for the Right of Way.</p> <p>As Bochetto Park will remain in private ownership and no easement over the space is required, the issue of public liability rests with the land owner rather than Council.</p>
g) At least 50% of new public space is to receive 3 hours direct sunlight between 9am and 3pm on 21 June.	<p>Building C N/A</p> <p>Building D Complies – Bochetto Park will receive adequate solar access as required under this clause.</p>
l) Provide pedestrian pathways and cycleway connections to adjoining public domain spaces.	Building C and D Complies –
m) Accommodate a range of seating areas with prospect and views across open space.	<p>Building C N/A – no new open space provided for Building C.</p> <p>Building D Complies – The Building D Landscape Plan shows the provision of a variety of outdoor seating types for different types of use of the park.</p>
n) Provide a mix of paved and open lawn/turf areas, shaded and sunny areas.	<p>Building C N/A – no new open space provided for Building C.</p> <p>Building D Complies – The Building D Landscape Plan shows the provision of a variety of surfaces for active and passive uses of the park.</p>

Relevant Control	Building C and D – comment
<p>o) Provide infrastructure.</p> <p><u>Paving</u></p> <p>p) Provide high-quality pavement that relates to public domain of adjoining streets in accordance with the <i>Macquarie Park Public Domain Technical Manual</i>.</p> <p><u>Park Furniture</u></p> <p>q) Install park lighting along key pedestrian routes. Reduce visual clutter by incorporating light fittings on built elements where possible.</p> <p>r) Provide a generous quantum of seating in sun/shade areas</p> <p>s) Locate bins at park entries/exits.</p> <p>t) Provide directional/information signage as key zones.</p>	<p>Building C N/A – no new open space provided for Building C.</p> <p>Building D Complies – The development has provided distinctive areas within the park that will provide for adequate seating and interest. The private park will remain in private ownership but be publicly accessible.</p>
<p><u>Vegetation</u></p> <p>u) Minimum 20% consolidated area of the open space area should be provided as deep soil zone to establish large trees.</p>	<p>Building C N/A – no new open space provided for Building C.</p> <p>Building D Complies – Approximately 80% of the new Bochetto Park will be provided as deep soil area.</p>
<p>v) Provide exotic and endemic species (minimum 60%), large scale shade trees (over 8m height).</p>	<p>Building C N/A – no new open space provided for Building C.</p> <p>Building D Complies – Range of different species considered suitable by Council's Consultant Landscape Architect/Arborist.</p>
<p>w) Protect and retain existing trees over 5m in height.</p>	<p>Building C Complies – Significant trees along Talavera and Khartoum Road frontages have been retained, in accordance with Concept DA.</p> <p>Building D Complies – Significant trees along Khartoum Road frontage have been retained, in accordance with Concept DA.</p>
<p>Stormwater</p> <p>x) Implement water sensitive urban design. Provide for on-site absorption; manage water quality and run-off on site.</p> <p>y) Improve stormwater treatment through site and explore possibilities for incorporating stormwater drainage infrastructure as an</p>	<p>Building C and D Complies – Suitable WSUD measures provided. See referral comments by Council's Senior Development Engineer.</p>

Relevant Control	Building C and D – comment
evocative element within urban design.	
<u>5.8 Street Trees, Front Setback Tree Planting and Significant Trees</u>	
a) Street trees and front setbacks must be provided in accordance with the Street Tree Key Plan in the <i>Macquarie Park Public Domain Technical Manual (PDTM)</i> , and their health guaranteed for min. 5 years.	<p>Building C Complies – Significant trees along Talavera and Khartoum Road frontages have been retained, in accordance with Concept DA.</p> <p>Building D Complies – Significant trees along Khartoum Road frontage have been retained, in accordance with Concept DA.</p>
b) At grade parking is not permitted in the front setback.	<p>Building C and D Complies – No at grade parking proposed within Talavera Road or Khartoum Road setbacks.</p>
<u>5.10 Art in Publicly Accessible Spaces</u>	
a) Art must be included in all new development with more than 10,000m ² new floor space in the amount of 0.1% of the construction cost of the works capped at \$1,500,00.00.	<p>Building C and D Complies – The applicant has provided Conceptual Public Art Plan prepared by Stockland. The detailed Public Art Plan is being prepared for the overall site. A condition of consent has been imposed that the detailed Public Art Plan be provided prior to Occupation Certificate for each application.</p>
<u>6.0 Implementation – Infrastructure, facilities and Public Domain Improvements</u>	
a) Floor Space Ratios and Height of Buildings are to comply with the Ryde LEP 2014.	<p>Building C and D Complies – As mentioned earlier in this report, the FSR and Height of Building comply with the Concept DA and the Ryde LEP 2014.</p>
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 <i>Macquarie Park Public Domain Technical Manual</i> and Section 4 of this Part.	<p>Building C and D Able to comply – Required public domain embellishment works associated with Stage 3 and 4 works will be undertaken as part of this application under Condition 68 in Attachment 1 and Condition 50 in Attachment 2.</p> <p>There is no requirement for the dedication of any land to Council.</p>
<u>7.0 Built Form</u>	
<u>7.1 Site Planning and Staging</u>	
a) Sites are to be planned to allow for the future provision of new streets and	<p>Building C and D Complies –</p>

Relevant Control	Building C and D – comment
open spaces in accordance the Figure 4.1.1 Access Network and Figure 5.1.1 Proposed Open Space Network.	<p>New roads and pedestrian links for the whole development site has been approved under the Concept Plan approval and will be constructed in stages in accordance with the access network plan under the RDCP 2014.</p> <p>The through site pedestrian link is facilitated in accordance with the delivery specified in the VPA and Concept DA.</p>
<u>7.3 Active Frontage</u>	
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.	<p>Building C and D Complies –</p> <p>The site is not required to provide active frontages as per the DCP. The development does provide ground floor retail uses proposed to activate the building frontages to the pedestrian site through link and Bochetto Park.</p>
<u>7.4 Setbacks and Build-to Lines</u>	
<p>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:</p> <ul style="list-style-type: none"> (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). 	<p>Building C Complies –</p> <p>The proposal has a 16m setback to Talavera Road and a setback of approximately 11m to Khartoum Road.</p> <p>The proposal includes a 2m setback to the through site link.</p> <p>The proposed siting of Building C is consistent with the Concept DA.</p> <p>Building D Complies –</p> <p>The building is setback in exceedance of 10m from Talavera Road and all other existing and proposed streets.</p> <p>The proposed siting of Building D is consistent with the Concept DA.</p>
c) Provide 2m setbacks to pedestrian pathways (unless within a building)	Complies as above.
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.	<p>Building C and D Complies –</p> <p>Basements for Buildings C and D are all contained within the required boundary setbacks and situated beneath the building above.</p>
g) 60% of the street setback area is to be soft landscaping. Existing mature trees are to be retained where possible.	<p>Building C and D Complies –</p>

Relevant Control	Building C and D – comment
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.	Almost 100% of the Khartoum Road and Talavera Road frontages will comprise soft landscaping. Mature trees will be retained where possible within these frontages, with tree removal occurring within the internal side setbacks of the site. The tree removal is consistent with the Concept DA.
<u>7.5 Awnings and Canopies</u>	
a) Awnings must be provided where Primary Active Frontages are shown in Figure 7.3.2 Active Frontage and Setback Control Drawing. Entry canopies and discontinuous awnings are encouraged elsewhere in the Corridor.	<p>N/A – The site is not affected by the Primary Active Frontage requirements of Figure 7.3.2.</p> <p>It is noted that an awning canopy is proposed over the main entrance and retail tenancy entrance fronting the new private internal road for Building C.</p> <p>Both primary entries of Building D will be weather protected by the Level 2 slab which sits over the ground floor public domain.</p>
<u>7.6 Rear and Side Setbacks</u>	
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.	<p>Building C and D Complies –</p> <p>Both buildings provide at least 5m setbacks to existing roads.</p> <p>The building setbacks from both Buildings C and D to the new internal loop road that are less than 5m. As private roads however this control does not strictly apply to this area of the development.</p> <p>The setbacks are consistent with the Concept DA building envelopes.</p>
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.	<p>Building C and D Complies –</p> <p>Both buildings are not located on locations for proposed roads. Road 22 is located within Stage 2/Building B.</p>
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.	<p>Building C and D Complies –</p> <p>The basement car park for each building does not encroach into the minimum side and rear site setbacks prescribed by the DCP.</p>
<u>7.7 Building Separation</u>	
<p>a) Provide minimum 20m separation between buildings facing each other within a site. Refer to Figure 7.7.1 Commercial Building Separation Controls.</p> <p>a) Provide minimum 10 m separation between buildings perpendicular to each other within a site. This reduced building separation control only applies</p>	<p>Building C Does not comply – Justified</p> <ul style="list-style-type: none"> • Building C to Building D: 12.5m <p>Consistent with Concept DA building siting. Buildings are perpendicular to each other, and therefore non-compliance is limited.</p>

Relevant Control	Building C and D – comment
<p>where the width of the facing facades does not exceed 20 m. Refer to Figure 7.7.1 Commercial Building Separation Controls.</p>	<ul style="list-style-type: none"> • Building C to Building B: 18.5m <p>Consistent with Concept DA building siting. Buildings are perpendicular to each other, and therefore non-compliance is limited to the podium of the Building C development. The towers are setback further and achieve the 20m separation (27m).</p> <p>Building D Does not comply – Justified</p> <ul style="list-style-type: none"> • Building C to Building D: 12.5m <p>Consistent with Concept DA building siting. Buildings are perpendicular to each other, and therefore non-compliance is limited.</p> <ul style="list-style-type: none"> • Building D to Building A: 17.9m <p>Consistent with Concept DA building siting. Sufficient landscaping provided, and no unacceptable overshadowing results in the non-compliance.</p>
<u>7.8 Building Bulk and Design</u>	
<p>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.</p>	<p>Building C and D Complies –</p> <p>Neither Building C and D exceed a floor plate of 2,000m².</p>
<p>b) Buildings are to address the street, and are to have a street address.</p>	<p>Building C and D Does not Comply – Justified –</p> <p>Building C and D will present largely to the central loop road (private) with the address to Khartoum Road.</p> <p>With regard to Building C, this is also due to Council's requirement that the trees along the corner of Khartoum Road and Talavera Road be retained where possible. Despite this technical non-compliance the campus style development will be clearly definable and way-finding for vehicles and pedestrians alike will not be affected by this design.</p> <p>This non-compliance was addressed at the time of the Concept DA and considered acceptable.</p>
<p>c) Facade design is to</p> <p>(i) Reflect and respond to the orientation of the site using elements such as sun shading and</p>	<p>Building C and D Complies –</p> <p>Details of façade treatments for Building C and D demonstrate suitable building articulation is</p>

Relevant Control	Building C and D – comment
<p>other passive environmental controls where appropriate.</p> <p>(ii) Provide building articulation such as well design roof forms, expressed vertical circulation etc.</p> <p>(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).</p> <p>(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.</p> <p>(v) Roof forms, building services and screening elements are to occur within the overall height controls. Refer to Ryde LEP 2014 for height controls.</p> <p>(vi) Ventilation louvres and car park entry doors are to be coordinated with the overall façade design.</p>	<p>provided for each building. The Urban Design Review Panel (UDRP) have supported the design of both the buildings.</p> <p>Building C has a vertical external blade structure that break down the curtain wall glazing into defined elements and provide solar shading to facilitate the environmental performance of the building.</p> <p>Building D's façades are reduced in glazing and utilise more solidity to provide adequate insulation.</p>
<p>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).</p> <p>(i) Atria and courtyards are to be used to promote access to natural light, pedestrian links and slender building forms.</p> <p>(ii) Arrange courtyards and atria to respond to street lot & solar orientation.</p> <p>(iii) The preferred height to width ratio of atria is 3:1.</p>	<p>Building C Partially complies – Justified – There are some areas which are more than 12m from the façade. This is appropriate given the building has natural light from all four facades and the space used for vertical circulation and plant is located at the south western end of the floor plate, maximising solar access to the remainder of the floor plate.</p> <p>Building D Partially complies – Justified – There are some areas which are more than 12m from the façade. This is appropriate given the building has natural light from all four facades and the space used for vertical circulation and plant is located at the southern end of the floor plate, maximising solar access to the remainder of the floor plate.</p>
<u>8.0 Site Planning And Staging</u>	
<u>8.1 Site Planning and Staging</u>	
<p>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</p>	<p>Building C and D Complies – The provision of new roads, pedestrian links and open spaces within the wider development site has been approved under the Concept DA approval and will be delivered in stages in accordance with the VPA.</p> <p>The subject application does not include the construction of any new roads. The pedestrian</p>

Relevant Control	Building C and D – comment
<p>with clause 8.1.b (below) and the following:</p> <ul style="list-style-type: none"> (i) Equal or greater quantum of open space or road area than shown in Figure 4.1.1 Access Network and Figure 5.1.1 Proposed Open Space Network; (ii) A highly visible and publicly accessible location for passive open space bounding Waterloo Road; (iii) The same functional outcomes for open space as specified in Section 5.2; (iv) The same connection points to existing roads as shown in the Figure 4.1.1 Access Network and the ability to enhance connectivity; and 	<p>link will be delivered in accordance with the Concept DA and VPA.</p>
8.2 Site Coverage, Deep Soil Areas and private open space	
<ul style="list-style-type: none"> 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. 	<p>Building C and D</p> <p>Does not comply – Justified – The overall deep soil area for the site was assessed under the Concept DA. The non-compliance was identified, as detailed below, and considered acceptable.</p> <p>Only 15.7% of the site area is provided as deep soil areas that meet the 2m deep and 20x10m dimensions.</p> <p>When all deep soil is considered however, this increases to 18.6%.</p> <p>The deep soil area is situated within Bochetto Park, around the corner of Khartoum Road and Talavera Road.</p> <p>The objectives of this clause are:</p> <ol style="list-style-type: none"> 1. <i>To maintain the ‘campus style’ industrial parklands character that typifies much of the Corridor.</i> 2. <i>To provide developments with a high level of amenity and landscape character.</i> 3. <i>To retain existing mature trees and allow for future tree planting.</i> 4. <i>To provide occupants with passive recreational opportunities.</i> 5. <i>To provide an area on site for soft landscaping and deep soil planting.</i> 6. <i>To improve stormwater quality and minimise water consumption through implementation of water sensitive urban design guidelines.</i>

Relevant Control	Building C and D – comment
	<p>Despite the shortfall in deep soil areas, the proposal meets the objectives of this clause.</p> <p>A campus style development is provided, with the central focus on Bochetto Park providing a high quality of amenity and landscape character. Existing mature trees will be retained along Khartoum Road and Talavera Road, and active and passive recreational opportunities are provided for within Bochetto Park. The proposed soft landscaping exceeds the DCP requirement, Council's Senior Development Engineer has raised no concerns with regard to stormwater quality and management. Overall the proposal may have a deficiency with the numerical requirements of the control, but the development is capable of meeting the objectives of the control and is supported.</p>
<p>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.</p>	<p>Building C and D</p> <p>Complies –</p> <p>A minimum of 6,006m² landscaped area is required under this clause, when applied to the whole site. Approximately 7,745m² (25.7%) has been provided within the elevated landscaped zone adjacent to Building B, Bochetto Park and Talavera Road frontage as per deep soil calculations. When considering this in addition to landscaped setbacks and pathways, and plantings at terrace and podium levels the minimum 20% requirement is reached.</p>
<p>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.</p>	<p>Building C</p> <p>Complies –</p> <p>The communal open spaces, including the outdoor terrace at the rear of the building, achieve at least 3 hours direct sunlight at the winter solstice.</p> <p>Building D</p> <p>Complies –</p> <p>Bochetto Park will receive more than 3 hours solar access to the majority of the park at the winter solstice.</p> <p>Overall the building siting provides an appropriate balance between solar access, building separation, and responsiveness to the street network.</p>
<p><u>8.3 Planting on Structures</u></p>	
<p>a) Provide optimum conditions for plant growth by providing appropriate irrigation and drainage methods.</p>	<p>Building C and D</p> <p>Complies –</p> <p>The majority of the planting is not over structures. Where planters on structures are proposed, details of drainage methods for these</p>

Relevant Control	Building C and D – comment
b) Design planters to provide the largest possible volume of soil, in accordance with the recommended standards.	planters have been provided. No issues have been raised by Council's Consultant Landscape Architect/Arborist.
<u>8.4 Topography and Building Interface</u>	
a) Level changes across sites are to be resolved within the building footprint. <ul style="list-style-type: none"> (i) Where buildings are built to the street boundary (i.e. 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 10 m into the building. (ii) Where buildings are set back from the street boundary, entries are to be provided at street level wherever possible. c) Natural ground level is to be retained for a zone of 4m 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.	<p>Building C and D Complies –</p> <p>Buildings C and D comply with the controls relating to retaining walls and excavation, with further details to be submitted with the respective future DAs.</p> <p>Level differences and impacts on the pedestrian site through link and Buildings C and D are minimised through the use of the elevated planting structure to cap the retaining wall at this elevation, while landscaping around the periphery will assist in mitigating the dominance of level changes within the streetscape.</p> <p>The built form is consistent with the approved Concept DA in relation to topography.</p>
b) An accessible path of travel is to be provided from the street through the main entry door of all buildings. <ul style="list-style-type: none"> (i) Where necessary, stairs and ramps are to be integrated with the landscape design of front setbacks. 	<p>Building C and D Complies –</p> <p>The entrances to the lobby of each building are located at street level, providing DDA access from both Khartoum and Talavera Road.</p>
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.	<p>Building C Complies –</p> <p>No open space proposed within Stage 3.</p> <p>Building D Complies –</p> <p>Bochetto Park is DDA compliant with respect to accessibility. A condition of consent has also been imposed that the pathways within the park are DDA compliant (see Condition 29 in Attachment 2).</p>
<u>8.5 Site Facilities</u>	
a) Vehicular access to loading facilities is to be provided from secondary and tertiary streets where possible.	<p>Building C Complies –</p> <p>Vehicular access is provided from the new internal private road provided off Khartoum Road. Loading facilities are appropriately integrated within the development as provided within the ground floor loading dock, kerbside loading zone and Basement Level 1 service bay which are all screened from surrounding streets.</p>
b) Rubbish and recycling areas must be provided in accordance with Section 6.3 Waste Management. These areas must: <ul style="list-style-type: none"> (i) be integrated with the development; 	

Relevant Control	Building C and D – comment
<ul style="list-style-type: none">(ii) minimise the visibility of these facilities from the street; and(iii) be located away from openable windows to habitable rooms.	Building D Complies – Vehicular access is provided from the new internal private road provided off Khartoum Road. Loading facilities are appropriately integrated within the development as provided within the ground floor loading dock, and drop off bay which are screened from surrounding streets.
8.6 Vehicular Access	
<ul style="list-style-type: none">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:<ul style="list-style-type: none">(i) limiting the width and number of vehicle access points(ii) ensuring clear sight lines at pedestrian and vehicle crossings(iii) utilising traffic calming devices(iv) separating and clearly distinguishing between pedestrian and vehicular accesswaysd) The appearance of car parking and service vehicle entries is to be improved by:<ul style="list-style-type: none">(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 2014 and the relevant Australian Standards.	Building C and D Complies – Vehicular access is provided from the new internal private road provided off Khartoum Road. This is consistent with the Concept DA.
Basement Parking	
<ul style="list-style-type: none">b) Basement parking areas should be located directly under building	Building C and D Complies –

Relevant Control	Building C and D – comment
<p>footprints to maximize opportunities for deep soil areas unless the structure can be designed to support mature plants and deep root plants.</p>	<p>The footprint of the basement car park for each building comply with setback controls under the RDCP 2014 and the footprint approved under the Concept DA. Deep soil areas across the site have been addressed above.</p>
9.0 Environmental Performance	
9.1 Wind Impact	
<p>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 or design outdoor areas to ensure places with high wind level are avoided.</p> <p>b) All applications for buildings over 5 storeys in height shall be accompanied with a wind environment statement. For buildings over 9 storeys and for any other building which may be considered an exposed building shall be accompanied by a wind tunnel study report. Refer to Council for documentation and report requirements.</p>	<p>Building C and D Complies – Each proposal is accompanied by a Pedestrian Wind Environment Study prepared by Windtech.</p> <p>The report concludes that wind conditions for all outdoor trafficable areas within and around the development can be made suitable for their intended uses, subject to incorporating some mitigation measures.</p>
9.2 Noise and Vibration	
<p>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.</p>	<p>Building C Complies – A Noise Impact Assessment was prepared by Floth for the original Concept DA.</p> <p>Floth have provided a subsequent letter dated 09/10/2020 confirming that there are no additional significant noise sources introduced in the area and no new noise sensitive receivers. The letter also confirms that ambient noise levels recently assessed are consistent with those assessed in the original Noise Impact Assessment.</p> <p>In addition, the proposal has been designed to comply with the construction noise conditions of consent under LDA2020/0229.</p> <p>Building D Complies – A Noise Impact Assessment was prepared by Floth for the original Concept DA.</p> <p>Floth have prepared a new report, based on the detailed design of the building, which addresses operational impacts. The report concludes the proposal can meet the relevant acoustic criteria, subject to:</p>

Relevant Control	Building C and D – comment
	<ul style="list-style-type: none"> • Incorporating specific glazing recommendations (to ensure noise intrusion levels to the building are appropriate). • Ensuring detailed noise predictions of mechanical plant is conducted during the detailed design phase to ensure acceptable noise levels are achieved at the surrounding commercial premises.

Part 7.2 Waste Minimisation and Management

Both applications have been accompanied by Construction Management Plan which includes waste management methodology and detail for the demolition and construction stages of each development. Operational Waste Management plans have also been submitted, confirming compliance with Council's waste storage requirements.

Overall, it is considered that appropriate waste minimisation and management practices have been proposed for each application. The proposal complies with this part of the RDCP 2014.

Part 9.1 Signage

Building C – LDA2021/0035

Two signage zones are proposed, one on the Khartoum Road elevation and one on the Talavera Road elevation. The signage zones are proposed to have the following maximum dimensions:

- Khartoum Road elevation – 8.2m x 1.6m (13.12m²)
- Talavera Road elevation – 11.4m x 1.8m (20.52m²)

The applicant intends to submit a separate development application for the installation of signage within the above zones.

Part 9.1 of the RDCP 2014 identifies that signage in Macquarie Park is to be provided at the rate of 1m² of signage per 1 metre of building frontage for the first 10m then 0.3m² of signage for each 1m of building frontage after that. As the site has 2 street frontages, the length of the building as it presents to the longest street (Talavera Road) may be used. Using this criteria, the building will permit a total area of approximately 21.3m². The extent of the signage zones as proposed by the applicant is equivalent to an area of 33.64m², that exceeds Council's requirements.

The variation to Council's DCP requirements is acceptable given that there are two road frontages for the site and the signage zones will not be seen together. The applicant intends to submit a separate development application for the installation of the signage.

Building D – LDA2021/0159

The main tenant signage zone is proposed to be 6.6m x 1.8m (and affixed to the Khartoum Road elevation. In addition to this, there are proposed to be six other smaller tenant signage zones at the lower levels of the building – measuring 2.4m x 0.9m each.

The applicant intends to submit a separate development application for the installation of signage within the above zones.

Part 9.1 of the RDCP 2014 identifies that signage in Macquarie Park is to be provided at the rate of 1m² of signage per 1 metre of building frontage for the first 10m then 0.3m² of signage for each 1m of building frontage after that. Using this criteria, the building will permit a total area of approximately 16.3m². The extent of the signage zones as proposed by the applicant is equivalent to an area of 24.76m², that exceeds Council's requirements.

The variation to Council's DCP requirements is acceptable as the signage is not visible Khartoum Road, with the exception of the main tenant signage zone on the north western elevation (6.6 x 1.8m). The proposed signage zones do not result in clutter when viewed from the public domain. The applicant intends to submit a separate development application for the installation of the signage.

Part 9.2 Access for People with Disabilities

Building C – LDA2021/0035

The applicant has submitted an Access Report by Morris Golding dated 28 January 2021, which confirms that the development can comply with the accessibility requirements under the RDCP 2014, the Building Code of Australia (BCA) and DDA Access to Premises Standards (including the DDA Access Code). The report concludes that:

MGAC has assessed the proposed scheme for Macquarie Park Building 3.

The drawings indicate that accessibility requirements, pertaining to external site linkages, building access, common area access, sanitary facilities and parking can be readily achieved.

MGAC will work closely with the project team, as the scheme progresses, to ensure appropriate outcomes of safety, equity dignity and compliance are achieved in building and external domain design and proposed construction.

Of particular note is the compliance with Condition 8 of the Concept DA, which states that *'the pedestrian link shall be accessible for people with disabilities. Adequate details and certification demonstrating compliance with Disability Discrimination Act and applicable accessibility legislation is to be submitted for approval by Council'*.

Compliance with Condition 8 is achieved for Building C.

Building D – LDA2021/0159

The applicant has submitted an Access Report by Morris Golding dated 24 March 2021, which confirms that the development can comply with the accessibility requirements under the RDCP 2014, the Building Code of Australia (BCA) and DDA Access to Premises Standards (including the DDA Access Code). The report concludes that:

MGAC has assessed the proposed building and associated park for Stockland. The proposed drawings indicate that accessibility requirements, pertaining to external site linkages, building access, common area access, sanitary facilities and parking can be readily achieved. It is advised that MGAC will work with the project team as the scheme progresses to ensure appropriate outcomes are achieved in building design and external domain design.

It is noted a supplementary statement by Morris Golding dated 5 August 2021 was submitted to address concerns with the accessibility throughout Bochetto Park. This statement concluded that:

Upon review, MGAC confirms the design meets the requirements of equitable access, and is an appropriate accessibility outcome. The proposed scheme will be capable of addressing concerns regarding access to and from Khartoum Road for people with a disability. It resolves, in an equitable manner, the differences in levels between Khartoum Road, the commercial buildings the public park itself.

Building D is also compliant with Condition 8 of the Concept DA. Additionally, further to the statement by Morris Golding dated 5 August 2021, **Condition 29** in **Attachment 2** has been imposed to ensure Bochetto Park complies with DDA Access Code.

Part 9.3 Parking Controls

Parking within the Macquarie Park Corridor is controlled by a maximum rate, which differs depending on whether the development includes alterations to existing buildings, or new commercial or industrial floor space.

The rate for new floor space varies depending on the location of the site and the subject site is affected by a maximum rate of 1 space per 60sqm which applies to both new commercial and industrial development.

The parking generation for the both applications is outlined within the table below, including assessment against Condition 32 – Parking Capacity and Allocation – of the Concept DA.

The proposal is consistent with both Condition 32 of the Concept DA and the RDCP 2014.

Table 5: Part 9.3 Parking Controls of Ryde DCP 2014

	Space Type	Concept DA compliance	DCP Control (Max)	Proposed	Compliant
Building C	Commercial	264 (max)	1 per 60m ² = 184	192 (plus 3 additional car share spaces)	Yes. Allocation of spaces is included in Condition 162 in Attachment 1.
	Retail		1 per 25m ² (min) = 8		
Building D	Commercial	261 (max)	1 per 60m ² = 174	195 (plus 3 additional car share spaces)	Yes. Allocation of spaces is included in Condition 141 in Attachment 2.
	Retail		1 per 25m ² (min) = 19		

8.12 City of Ryde Section 7.11 Development Contributions Plan 2020

The Planning Agreement prevents Council from imposing a contribution under Section 7.11 of the Environmental Planning and Assessment Act, 1979.

9. LIKELY IMPACTS OF THE DEVELOPMENT

Both proposals are consistent with the Concept Approval with respect to the height and scale. The proposed built form and character of the development will contribute to an attractive public domain, and importantly will contribute towards providing a high-quality, safe environment, highly accessible environment close to jobs, services and amenities.

The assessment demonstrates that both proposals will not have any significant adverse impacts upon any adjoining properties or the environment through compliance with the applicable planning instruments and controls. All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report, including natural impacts such as tree removal and excavation, and built environment impacts such as traffic and built form. In the context of the site and the assessments provided by Council's experts, the development is considered satisfactory in terms of environmental impacts.

The additional impacts associated with the development or those requiring further consideration are discussed below.

9.1 Natural Environment

Both proposals do not result in any undue impacts to the natural environment, given the existing/previous use of the site, and the changing character of the locality. The proposed tree removal for each application is consistent with the approved Concept DA.

10.2 Overshadowing and Solar Access

Building C – LDA2021/0035

The shadow diagrams of the approved building envelopes of Building C under the Concept DA were considered during the assessment of the Concept DA (LDA2020/0229). It was assessed that Building C resulted in the communal open space (Bochetto Park) to be overshadowed for part of the morning on the winter solstice, but will maintain excellent solar access in the afternoon.

The refinement of the building design of Building C has resulted in a slight decrease in the overshadowing anticipated by the Concept DA, and proposed Building C remains acceptable with respect to overshadowing and solar access.

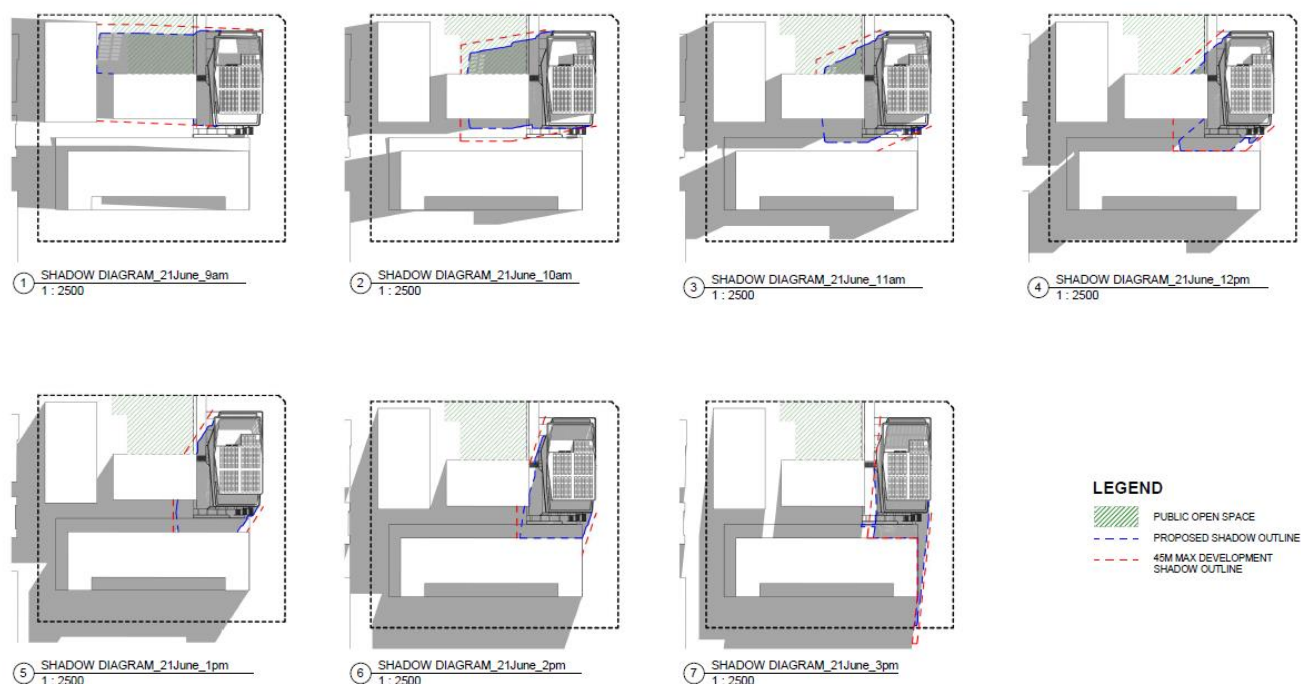


Figure 26: Shadow diagrams for Building C

Building D – LDA2021/0159

Building D does not overshadow any open space. The assessment conducted for the building envelopes approved in the Concept DA considered the overshadowing from Building D to be acceptable, as it was concentrated to the pedestrian link and parts of Building B and Building A. The detailed design of Building D under LDA2021/0159 is consistent with this assessment.

10. REFERRALS

The following section outlines the response and conditions recommended from each of the internal and external referrals in relation to the subject application.

10.1 Internal Referral Comments

Building C – LDA2021/0035

Urban Design Review Panel and Urban Strategy

Each application was referred to the Ryde Urban Design Review Panel for assessment. It is noted that the UDRP were generally supportive of each application, with minor amendments requested for each application.

The final amended plans for Building C were reviewed by Council's Urban Designer, who assessed that the previous issues raised by the UDRP were resolved by the design changes.

The following comments were provided by the UDRP in relation to Building C:

Table 6: UDRP comments for Building C

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Context and Neighbourhood Character</p> <p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p>28 February 2021 comment:</p> <p>Broad parameters such as use, the building envelope, access and address points have already been established for the building within the approved concept plan for the total M-Park development. In general, the current building C proposal is an appropriate response to the concept plan and the wider commercial context.</p> <p>More specifically, the Panel is concerned about the relationship of the building to Talavera Road and its interface. At street level, apart from a small amount of tenancy frontage at the northern corner, it presents an inactive edge comprising fire stairs, an electrical substation, parking and plant rooms. At the eastern corner, where the internal pedestrian spine commences at Talavera Road, the curved blank wall (with escape stairs behind) is nearly 6m tall. Whilst the vision for Talavera Road may be commercial buildings set well back with trees in the road corridor, the lack of direct access and transparency at grade risks creating a foreboding and potentially unsafe environment for pedestrians. See further comments below under Landscape and Safety.</p> <p>25 July 2021 comment:</p> <p>The relatively low levels of street activation offered to Talavera Road, the co-location of the basement entry and loading dock, and the lower safety and security available along the through site link to the south of the building. I have reviewed the Applicant's response to the Panel feedback and accept these points have been considered but, on balance, discounted with some justification.</p> <p>Assessing Officer comment:</p> <p>The applicant provided the following comments to address the concern raised by the UDRP, which was subsequently accepted by the UDRP and the assessing officer:</p> <p><i>Under section 4.5.7.3 of the Ryde DCP 2014, the site is not identified as being in an Activity Centre and Talavera road is not identified as having a primary active frontage (which would require continuous ground level active uses).</i></p> <p><i>Given this, and balancing the other site constraints, stairs, substations and plant rooms have been located along this frontage together with active uses such as EOT access and the commercial tenancy space to the north east.</i></p> <p><i>Consideration has been given to passive surveillance along this frontage through the location of the core to the south west of the building. This allows contiguous office floor space along the length of the Talavera road elevation and thus creates activation and passive surveillance of the pedestrian footpath. Additionally, this area of the site benefits from the close proximity to the 24/7 publicly accessible through site link which will provide further passive surveillance and activation.</i></p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
	<p><i>Precinct lighting and security surveillance will be further developed through the detailed design phase.</i></p>
<p>Built Form and Scale</p> <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>The built form and scale of the proposal has previously been determined and approved. The building's compliance with the envelope is supported.</p> <p>The Panel is disappointed that the large loading dock, immediately adjacent to the basement car park entry, occupies such an extent of prime, ground floor frontage, particularly in close proximity to the pedestrian through link.</p> <p>A below-grade location (possibly shared with the adjacent building D) would allow for a more active and transparent ground level use in this location. In the absence of this united basement, the proponent is encouraged to demonstrate how - in the future - a united basement solution might be implemented.</p> <p>25 July 2021 comment:</p> <p>The relatively low levels of street activation offered to Talavera Road, the co-location of the basement entry and loading dock, and the lower safety and security available along the through site link to the south of the building. I have reviewed the Applicant's response to the Panel feedback and accept these points have been considered but, on balance, discounted with some justification.</p> <p>Assessing Officer comment:</p> <p>The applicant provided the following comments to address the concern raised by the UDRP, which was subsequently accepted by the UDRP and the assessing officer:</p> <p><i>Part 4.5 of the Ryde DCP 2014 does not prohibit or discourage loading facilities being provided at grade, as long as they are not located in a primary active frontage area, vehicular access is provided from secondary and tertiary streets and locating or screening loading areas visually away from the street. The proposed loading facilities satisfy the above DCP requirements and are appropriately integrated into the design of the overall development.</i></p> <p><i>Building D has been designed to positively respond to the Building C loading location by activating its' frontage to provide pedestrians a safe and attractive connection to the Through Site Link (TSL).</i></p> <p><i>Through the concept design phase, a basement loading facility was investigated. Due to the head height clearance requirements for large trucks, the ramp length occupied a significant area of the ground floor and was considered to provide a sub-optimal outcome for activation of the key</i></p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
	<i>frontages. Additionally, the level of B1 would drop below the external levels to maintain the tree protection zones, and the opportunity to provide direct pedestrian access to the EOT and commercial tenancy would be lost.</i>
<p>Density</p> <p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population.</p> <p>Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>The proposal is consistent with the Building C envelope in the approved overall masterplan for the site and is supported.</p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Sustainability</p> <p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and livability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>The Panel supports the ambitious sustainability targets set out by the proponent and appreciates that code requirements will mandate a level of facade performance (due to Section J of the NCC).</p> <p>However, at the formal DA stage, the Panel is concerned to ensure the early promise of sustainability is capable of being delivered within the architectural expression and character of the proposal. The main concern at present is the lack of architectural information about the proposed approach to the environmental performance of the building facades. All facades are treated the same, regardless of orientation. The low angle sun experienced by the eastern and western elevations are of particular concern.</p> <p>The drawings show staggered vertical blades which cover about one third of the glazing. This leaves the remainder as glass, exposed to direct sunlight in the early morning and late afternoon in summer. It is not clear if a double glazed or closed cavity facade system is proposed.</p> <p>Solar and glare control should be considered early in the design process, rather than as an issue to be addressed subsequently, when the overall design concept may make it difficult or impossible to achieve a high level of environmental performance.</p> <p>The Panel encourages the provision of additional architectural facade details demonstrating the holistic performance strategies - this should include 1:50 details of each facade type indicating the facade's self-shading properties, the inclusion of any high-performance glazing systems or closed cavity facades, the VLT properties of proposed glazing, any integrated glare control and details of the solid facade panel elements.</p> <p>Although not discussed in the Panel meeting, mixed mode or natural ventilation is a further important sustainability (and user amenity) opportunity. Natural ventilation or mixed mode mechanical systems through façade openings (which may be controlled by the building manager or the occupants) is a now well-established approach to reducing energy consumption and increasing users' comfort levels.</p> <p>The Panel is pleased to see the inclusion of photovoltaic panels on the roof and in general anticipates inclusion of the most up-to-date innovations in environmental technologies.</p> <p>25 July 2021 comment:</p> <p>I have reviewed the Applicant's response, including the facade package along with the advice from sustainability/services consultants. I am satisfied the developed design has demonstrated it satisfactorily addresses sustainability and building performance issues.</p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
	<p>Assessing Officer comment:</p> <p>The applicant provided the following comments to address the concern raised by the UDRP, which was subsequently accepted by the UDRP and the assessing officer:</p> <p><i>A Building C Façade Package has been prepared by 3XN to provide additional information regarding the façade build-up. The package includes site orientation studies and shows the different treatment between the north and south-facing facades.</i></p> <p><i>The package and amended architectural plans include detail drawings of the façade types.</i></p> <p><i>The façade package demonstrates the varied façade treatments between the north-east/north-western side where sun shades project out from the façade, to the south-east/south-western side where sun shades project less, noting that the orientation of Building C is not due north-south, east-west.</i></p> <p><i>The accompanying ESD letter prepared by Cundall confirms that the proposed façade treatment allows the proposed development to achieve a high level of environmental performance.</i></p> <p><i>Building C is provided with an economy cycle which uses cool outside air to circulate within the building in lieu of using a mechanical refrigeration cycle (when external conditions allow). This system provides most of the energy efficiency benefits of mixed mode/natural ventilation, whilst also avoiding the significant downsides associated with mixed mode/natural ventilation (see Table A below for comparison). In addition, the building will be provided with outside air rates of 50% above the minimum code requirements nominated in AS 1668.2 to provide improved ventilation for occupants. Furthermore, when operating in refrigeration and/or heating cycle the building will utilise demand-controlled ventilation using carbon dioxide sensors to provide an optimum balance between energy efficiency and occupant amenity.</i></p> <p><i>Lastly, the building also incorporates a night purge operation to enable large quantities of outside air to be introduced during night hours to purge the building of indoor pollutants and waste heat.</i></p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Landscape</p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, coordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long-term management.</p>	<p>The general approach to landscape design is to retain as many of the mature existing trees along the existing road frontages as possible and supplement them with shrubs and ground covers and light-weight platforms for various uses. The Panel is generally supportive of this strategy.</p> <p>The drawings do not appear to show ramps between the various platforms. These may be required under disabled access regulations. Any such requirements should inform the concept design, rather than being inserted non-optimally at a later stage in the project's development.</p> <p>The detailed resolution of the proposed landscape design might consider improving the presentation and liveliness of the proposal to Talavera Road in order to address the Panel's concerns for safety and passive surveillance.</p> <p>25 July 2021 comment:</p> <p>The relatively low levels of street activation offered to Talavera Road, the co-location of the basement entry and loading dock, and the lower safety and security available along the through site link to the south of the building. I have reviewed the Applicant's response to the Panel feedback and accept these points have been considered but, on balance, discounted with some justification.</p> <p>Assessing Officer comment:</p> <p>The applicant provided the following comments to address the concern raised by the UDRP, which was subsequently accepted by the UDRP and the assessing officer:</p> <p><i>An Access Review was undertaken by Morris Goding of the DA Plans which determined that ingress, egress and paths of travel are capable of achieving compliance with the relevant statutory guidelines.</i></p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Amenity</p> <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well-being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>The proposal includes a retail/food and beverage tenancy on the ground floor and another tenancy and end of trip facilities for the building's occupants on the lower ground floor (Basement 1).</p>
<p>Safety</p> <p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The Panel is concerned about the lack of transparency and entry points along the Talavera Road frontage at grade.</p> <p>The Panel discussed (and encourages) further opportunities to activate the lower ground level frontage as it addresses Talavera Road. This may include expansion of wellness and end of trip facilities, and creation of a more direct, open connection between this lower ground level and the primary lobby above via a stair/lift/void.</p> <p>The Panel also encourages some measure to improve the perception of safety associated with the stair/lift accessing the through site link from Talavera Road at the south of the building.</p> <p>25 July 2021 comment:</p> <p>The relatively low levels of street activation offered to Talavera Road, the co-location of the basement entry and loading dock, and the lower safety and security available along the through site link to the south of the building. I have reviewed the Applicant's response to the Panel feedback and accept these points have been considered but, on balance, discounted with some justification.</p> <p>Of these points previously made by the Panel, I feel the most important - and the easiest to accommodate - is improving the perceived level of activation, safety and security associated with the through site link. This is a key public benefit associated with the master planned site and in its current form risks being unsafe and foreboding to use. This results from the significant change in level associated with the link all tackled in a compressed 3 flights of stairs, and from the fact that - aside from the adjacent office floors passively surveying the link - there is no activation provided along the link. The inclusion of CCTV surveillance is acknowledged, but does little to address the foreboding atmosphere.</p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
	<p>Assessing Officer comment:</p> <p>The applicant provided the following comments to address the concern raised by the UDRP, which was subsequently accepted by Council's Urban Designer and the assessing officer:</p> <ul style="list-style-type: none"> • The provision of a trafficable terrace to increase surveillance of the through site link has been provided at Level 1. • Readjustment of stairway to provide larger mid-platform landing (with new seating area), which provides a visual connection with the Ground Level office space – improving safety and activation outcomes. • The stairway is integrated with additional planting to enhance, soften and activate the space. The pathway achieves a clear width of 3m (in accordance with Council's requirements). • Addition of a nominated zone on the southern wall for a feature wall treatment to encourage and enhance pedestrian activation. <p>These design changes have satisfactorily addressed the initial concerns raised by the Panel in relation to the activation and surveillance concerns of the pedestrian link.</p> <p>Council's Urban Designer has requested that the lift shaft located at the south eastern end of the site link will have a high level of transparency in order to increase visibility of the pedestrian movement. Condition 1a in Attachment 1 has been imposed to address this.</p>
<p>Housing Diversity and Social Interaction</p> <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>Not applicable.</p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Aesthetics</p> <p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The Panel typically avoids direct and specific judgements of architectural character and expression. In general, the Panel is comfortable with the proposal's expression, subject to the provision of additional detail called for under Sustainability above.</p> <p>An important aspect, critical to the success of the proposed elevational treatment, will be its environmental performance. At the meeting, the architect explained the façade treatment concept. Deploying metal vertical fins in a vertically staggered or off-set arrangement is intended to reduce the perceived scale or visual impact of the building.</p> <p>The Panel does not believe the proposal's scale is a fundamental issue and is more concerned with environmental performance. It is likely that further refinement on this issue will have aesthetic implications for the facades, and these may be beneficial.</p> <p>Assessing Officer comment:</p> <p>See sustainability section above.</p>

Consultant Landscape Architect/Arborist

A referral has been made to Council's Consultant Landscape Architect/Arborist. The following comment have been made:

This assessment considers the proposed landscaping and impact on existing trees as part of a development application for the construction of a six (6) storey commercial building development at the subject site being 11-17 Khartoum Road, Macquarie Park. For reference, it is noted that this application represents a detailed proposal for Stage 3 (Building C) of the overall Concept Masterplan for the site as approved under Development Consent No. LDA2020/0229.

For reference, it is noted that this assessment follows a preliminary review of the proposal completed by CPS dated 24 March 2021 which detailed concern in relation to the level of impact to several large and significant trees located within the Khartoum and Talavera Road front setbacks as well as information lacking from the Arboricultural Impact Assessment (AIA) provided.

In response, the applicant has submitted a suite of amended plans and documentation for consideration. Upon review, those previous concerns regarding impacts to existing trees have generally been addressed via design changes subject to the tree protection conditions.

With regard to existing trees in general, the removal of twelve (12) trees (Trees 64, 67, 68, 69, 84, 85, 86, 87, 88, 89, 90 & 191) located on the subject site has been supported. The removal of these trees is expected to have a moderate impact on the landscape character of the site and adjoining streetscape however this impact is considered acceptable given concerted efforts made to retain several large, significant trees along the northern and

eastern boundaries of the site. It is noted only three (3) of those trees to be removed are of a species endemic to the Ryde LGA (Trees 68, 84 & 85).

Elsewhere, the proposed retention of nineteen (19) trees (Trees 62, 63, 65, 66, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 82, 83, 91, 92 & 93) located within the subject site and adjoining street verge is supported pending compliance with the tree protection conditions.

The submitted landscape documentation is considered to be satisfactory with regard to overall layout, design, plantings and areas dedicated to open space. The proposed arrangements are generally consistent with the approved Concept Masterplan and are considered capable of providing an acceptable level of amenity to future users of the space.

Assessing Officer comment:

No issues or concerns have been raised with the amended documentation by Council's Consultant Landscape Architect/Arborist, subject to conditions of consent (see **Conditions 20, 21, 87, 88, 89, 90, 105 and 106 in Attachment 1**).

City Works – Traffic

A referral was made to Council's Senior Traffic Engineer, and the following comments have been made:

External Traffic Implications

The revised traffic report prepared by Colston Budd Rogers & Kafes Pty Ltd (CBRK) dated May 2021 has undertaken a cumulative traffic impact assessment of Buildings A, C and D on the surrounding public road network. The combined peak hour traffic generated by all three (3) developments has been estimated based on the following traffic generation rates that have been previously agreed with Council as part of the original Masterplan approval (Council Reference: LDA2017/0547):

- *0.45 (AM) trips per hour/space*
- *0.36 (PM) trips per hour/space.*

Based on the above traffic generation rates, Buildings A, C and D are expected to generate a total of 308 AM and 247 PM peak hour vehicle trips to and from the site, of which Building C contributes 87 AM and 70 PM peak hour vehicle trips (based on 192 car parking spaces proposed) to this overall total.

Building B of the concept masterplan development is proposed to be a data centre occupying the eastern part of the masterplan development site. This development has been already approved by the State Government (SSD Reference: SSD – 10467) on 28 May 2021. Further, this approved development is not serviced by the future internal road network servicing Buildings A, C and D. It is also expected to be a low traffic generator based on the nature of the land use and the limited number of carparking spaces that is to be provided on site. Based on these reasons, Building B was not considered as part of the cumulative traffic impact assessment.

The cumulative traffic impact assessment has indicated that the operational performance of the intersection of Talavera Road and Khartoum Road (being the intersection that is most affected by the development traffic) is projected to operate with a poor level of service 'F' for the weekday morning peak hour period for the year 2031, under its current layout/configuration. This outcome is consistent with the traffic studies undertaken for other developments/projects in Macquarie Park as well as the internal traffic modelling undertaken by staff of Council's Transport Department.

Mitigation Measures

The following initiatives are to be delivered by the applicant to assist with improving the future traffic conditions at the intersection of Talavera Road and Khartoum Road, as well as minimising the traffic impacts associated with the proposed development at this intersection:

- The provision of a raised central median within Khartoum Road across the northernmost private road to restrict access movements to left in/left out. "ALL TRAFFIC LEFT" signage is to be installed within this central median facing drivers exiting from the northernmost private road onto Khartoum Road. This treatment is expected to assist with minimising impedance with the queuing developed within Khartoum Road on approach to Talavera Road during weekday peak periods.*
- The applicant has already/is to make the following monetary contributions to Transport for NSW (TfNSW) for future improvement works at the intersection of Talavera Road and Khartoum Road:*
 - \$600,000 for Building A in accordance with Condition 36 of LDA2017/0547 (Stage 1 – Building A); and*
 - \$853,650 for Buildings B, C and D in accordance with TfNSW's letter to Council dated 1 September 2021.*

Any upgrade to a signalised intersection requires approval by both TfNSW in accordance with the NSW Transport Administration Act 1988 and Council (being the roads authority in accordance with NSW Roads Act 1993). It is noted that at the time of writing this assessment report, TfNSW did not specify any physical works to be provided by the applicant to mitigate the traffic impacts associated with the proposed development.

Transport department therefore has no objection to the approval of this application subject to conditions of consent.

Assessing Officer comment:

No issues of concern have been raised with the amended documentation by Council's Senior Traffic Engineer, subject to conditions of consent (see **Conditions 17, 18, 35, 36, 56, 58, 91, 92, 99, 117, 157 and 158** in **Attachment 1**).

City Works – Public Domain

Council's Public Domain section raises no objection to the proposal subject to conditions of consent (see **Conditions 67-75, 93-98, 139-156** in **Attachment 1**).

Development Engineering

Council's Senior Development Engineer raises no objection to the proposal subject to conditions of consent (see **Conditions 48-55, 119, 120, 121, 122, 133-138** in **Attachment 1**).

Environmental Health Officer

Council's Environmental Health Officer raises no objection to the proposal subject to conditions of consent (see **Conditions 15, 16, 26, 27, 76-83, 123, 124, 128 and 166** in **Attachment 1**).

Consultant Structural Engineer

Council's Consultant Structural Engineer raises no objection to the proposal, subject to conditions of consent (see **Conditions 19** in **Attachment 1**).

Public Art

The submitted Public Arts Strategy was supported under the Approved Concept DA. Council's Public Art Officer has imposed **Condition 63 in Attachment 1** to require the final public art plan to be submitted for each application prior to Construction Certificate.

Building D – LDA2021/0159

Urban Design Review Panel and Urban Strategy

Each application was referred to the Ryde Urban Design Review Panel for assessment. It is noted that the UDRP were generally supportive of each application, with minor amendments requested for each application.

The final amended plans for Building D were reviewed by Council's Urban Designer, who assessed that the previous issues raised by the UDRP were resolved by the design changes.

The following comments were provided by the UDRP in relation to Building D:

Table 7: UDRP comments for Building D

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Context and Neighbourhood Character</p> <p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	<p>Broad parameters such as use, building envelope, access and address points have been established for the building within the approved concept plan for the total M-Park development. In general, the current building D and central open space proposal is an appropriate response to the concept plan and the wider commercial context.</p> <p>More specifically, given the reduced extent of the proposed central open space (when compared to earlier approved versions) the Panel is concerned to ensure that it is delivered in a format that achieves very high levels of quality and amenity. See further comments below under Landscape.</p> <p>Additionally, the Panel remains supportive of Building D and the design of the central open space, and encourages the applicant to accommodate a series of relatively minor amendments in order to address and resolve some residual design issues.</p>
<p>Built Form and Scale</p> <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>The built form and scale of the proposal has previously been determined and approved. The building's compliance with the envelope is supported.</p> <p>The Panel acknowledges the formal DA now addresses the future potential for conversion of the on-grade loading dock to form an active ground level use. Similarly, the applicant has demonstrated the potential to unite basements and reduce the repetition of loading docks and basement entries across the wider site.</p> <p>Although the final DA proposal retains both a loading dock and basement entry specific to Building D - which together occupy a considerable extent of ground floor frontage - the scheme resolves the competing issues of servicing and ground level activation in an acceptable manner.</p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Density</p> <p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>The proposal is consistent with the Building D envelope in the approved overall master plan for the site and is supported.</p>
<p>Sustainability</p> <p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and livability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	<p>The Panel supports the sustainability commitments set out by the proponent (notably 6 Star Green Star design and site carbon neutrality), and appreciates that code requirements will mandate a level of facade performance (due to Section J of the NCC).</p> <p>The proposal is now at the formal DA stage, and the Panel remains eager to ensure sustainability is capable of being delivered within the architectural expression and character of the proposal.</p> <p>The Panel is satisfied the DA submission includes satisfactory architectural information about the proposed approach to the environmental performance of the building and its facades.</p> <p>The architectural expression and the inclusion of passive self-shading measures are supported, and have been elaborated upon within the formal DA documentation.</p> <p>This includes the provision of architectural facade details demonstrating the holistic performance strategies, 1:50 details of each facade type indicating the facade's self-shading properties, the inclusion of any high-performance glazing systems, the VLT properties of proposed glazing, along with any integrated glare control measures.</p> <p>The Panel appreciates that a true mixed mode mechanical system is not optimal in this instance, although natural ventilation is available at the ground level of the proposal.</p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Landscape</p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, coordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long-term management.</p>	<p>The approach to landscape design in the central open space is supported in principle subject to addressing a minor point below.</p> <p>The Panel supports the design strategy to maximise the flexibility and diversity of uses provided in the central open space. The retention of existing mature canopy trees along the frontage to Khartoum Road is important to success of the proposal and is strongly supported.</p> <p>Level changes across the central open space need careful resolution to ensure good visual (and physical) access and inherent passive surveillance.</p> <p>The Panel notes the apparent absence of a convenient accessible path of travel from the south west corner of the park to the north east corner.</p> <p>This is partly due to the relationship of levels established by the bike tunnel link to the basement and EOTF. The applicant is encourage to resolve this important desire line and to introduce a universally accessible link in this direction.</p> <p>The Panel notes the ongoing provision of 90-degree parking along the western frontage of the park. This appears to be beyond the scope of the current DA.</p> <p>In any event, the Panel would support any reduction to the extent of on-grade parking in this vicinity (or its reconfiguration as parallel parking) specifically to increase the extent of open space available for public access.</p> <p>Assessing Officer comment:</p> <p>The applicant has provided a supplementary Access Report to demonstrate that Bochetto Park is compliant with DDA Access requirements. A condition of consent has been imposed to ensure these requirements are adhered to (see Condition 29 in Attachment 2).</p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Amenity</p> <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well-being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	<p>Building D includes a food and beverage tenancy on the ground floor and another multi-purpose tenancy immediately above at level 1, which establishes a positive interface with the park frontage, and is supported.</p> <p>The configuration of the commercial building and its floor plates creates good on-floor amenity and offers good flexibility to the needs of future tenants, and is supported.</p> <p>The Panel appreciates the efforts demonstrated by the applicant to improve the physical and visual connectivity between the ground floor lobby and its secondary address and vehicular drop-off to the south.</p> <p>Noting the difficulties associated with repositioning the core, the Panel encourages further minor reconfiguration of the lobby to relocate the accessible WC located in the south west corner.</p> <p>Locating this WC away from the secondary entry (and possibly within the retail tenancies) would maximise the 'throat' at the ground level and offer better visual and physical connectivity benefits and improved legibility.</p> <p>Assessing Officer comment:</p> <p>The amended plans received have relocated the accessible WC away from the secondary entry, and have thus addressed this concern.</p>
<p>Safety</p> <p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The Panel is supportive of the general configuration of Building D (a building in the round) and the central open space addressing the street network to the north along Khartoum Road.</p> <p>Refer to recommendations regarding improved pedestrian safety above in Landscape.</p>

SEPP 65 – Design Quality of Residential Flat Buildings	UDRP Comments
<p>Housing Diversity and Social Interaction</p> <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>Not applicable.</p>
<p>Aesthetics</p> <p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The Panel is supportive of the architectural character and expression proposed for Building D and the central open space.</p> <p>Subject to satisfactory resolution of the recommendations set out in this report, the Panel supports the proposal and notes its potential to make a high quality contribution to Macquarie Park.</p>

Consultant Landscape Architect/Arborist

A referral was made to Council's Consultant Landscape Architect/Arborist, and the following comments have been made:

This assessment considers the proposed landscaping and impact on existing trees as part of a development application for the construction of an eight (8) storey commercial building development and associated external open space areas at the subject site being 11-17 Khartoum Road, Macquarie Park. For reference, it is noted that this application represents a detailed proposal for Stage 4 (Building D) of the overall Concept Masterplan for the site as approved under Development Consent No. LDA2020/0229.

The submitted landscape documentation is considered to be satisfactory with regard to overall layout, design, plantings and areas dedicated to open space.

The proposed arrangements have been considered to represent a high-quality design which is capable of providing a high level of amenity to future users of the space. Minor concern has been raised with regard to the provision of disabled access to the entirety of the open space areas however this is considered capable of being addressed via a recommended condition of consent provided at Section 4.1 below.

With regard to existing trees, the removal of twelve (12) trees (Trees 86, 87, 88, 89, 90, 110, 111, 112, 113, 114, 115 & 116) located on the subject site has been supported. The removal of these trees is expected to have a low-moderate impact on the landscape character of the site and adjoining streetscape however this impact has been suitably offset by the proposed landscape scheme which comprises a detailed scheme for new tree plantings inclusive of large, locally endemic species. For reference, it is noted that none of those trees to be removed are of a species endemic to the Ryde LGA.

The proposed removal of two (2) additional trees (Trees 84 & 85) located to the north-east of the central open space area is not supported given these trees are located within Stage 3 (Building C) of the wider development and are unlikely to be subject to any significant impact during this stage of works pending compliance with the tree protection measures.

Assessing Officer comment:

No issues of consent have been raised with the amended documentation by Council's Consultant Landscape Architect/Arborist, subject to conditions of consent (see **Conditions 21, 22, 29, 30, 31, 68-71, 85, 86, 87 and 107** in **Attachment 2**).

City Works – Traffic

A referral was made to Council's Senior Traffic Engineer, and the following comments have been made:

External Traffic Implications

The revised traffic report for Building C (Council Reference: LDA2021/035) prepared by Colston Budd Rogers & Kafes Pty Ltd (CBRK) dated May 2021 has undertaken a cumulative traffic impact assessment of Buildings A, C and D on the surrounding public road network. The combined peak hour traffic generated by all three (3) developments has been estimated based on the following traffic generation rates that have been previously agreed with Council as part of the original Masterplan approval (Council Reference: LDA2017/0547):

- 0.45 (AM) trips per hour/space
- 0.36 (PM) trips per hour/space.

Based on the above traffic generation rates, Buildings A, C and D are expected to generate a total of 308 AM and 247 PM peak hour vehicle trips to and from the site, of which Building C contributes 87 AM and 70 PM peak hour vehicle trips (based on 192 car parking spaces proposed) to this overall total.

Building B of the concept masterplan development is proposed to be a data centre occupying the eastern part of the masterplan development site. This

development has been already approved by the State Government (SSD Reference: SSD – 10467) on 28 May 2021. Further, this approved development is not serviced by the future internal road network servicing Buildings A, C and D. It is also expected to be a low traffic generator based on the nature of the land use and the limited number of carparking spaces that is to be provided on site. Based on these reasons, Building B was not considered as part of the cumulative traffic impact assessment.

The cumulative traffic impact assessment has indicated that the operational performance of the intersection of Talavera Road and Khartoum Road (being the intersection that is most affected by the development traffic) is projected to operate with a poor level of service 'F' for the weekday morning peak hour period for the year 2031, under its current layout/configuration. This outcome is consistent with the traffic studies undertaken for other developments/projects in Macquarie Park as well as the internal traffic modelling undertaken by staff of Council's Transport Department.

Mitigation Measures

The following initiatives are to be delivered by the applicant to assist with improving the future traffic conditions at the intersection of Talavera Road and Khartoum Road, as well as minimising the traffic impacts associated with the proposed development at this intersection:

- The provision of a raised central median within Khartoum Road across the northernmost private road to restrict access movements to left in/left out. "ALL TRAFFIC LEFT" signage is to be installed within this central median facing drivers exiting from the northernmost private road onto Khartoum Road. This treatment is expected to assist with minimising impedance with the queuing developed within Khartoum Road on approach to Talavera Road during weekday peak periods. This work is to be delivered as part of Stage 3 (Building C) works, which also involve the construction of the northernmost private road.
- The applicant has already/is to make the following monetary contributions to Transport for NSW (TfNSW) for future improvement works at the intersection of Talavera Road and Khartoum Road:
 - \$600,000 for Building A in accordance with Condition 36 of LDA2017/0547 (Stage 1 – Building A); and
 - \$853,650 for Buildings B, C and D in accordance with TfNSW's letter to Council dated 1 September 2021.

Any upgrade to a signalised intersection requires approval by both TfNSW in accordance with the NSW Transport Administration Act 1988 and Council (being the roads authority in accordance with NSW Roads Act 1993). It is noted that at the time of writing this assessment report, TfNSW did not specify

any physical works to be provided by the applicant to mitigate the traffic impacts associated with the proposed development.

Transport department therefore has no objection to the approval of this application subject to the following conditions.

Assessing Officer comment:

No issues of consent have been raised with the amended documentation by Council's Senior Traffic Engineer, subject to conditions of consent (see **Conditions 19, 40, 41, 80, 98, 106, 136 and 137** in **Attachment 2**).

City Works – Public Domain

Council's Public Domain section raises no objection to the proposal subject to conditions of consent (see **Conditions 15, 16, 50-56, 74-79 and 121-134** in **Attachment 2**).

Development Engineering

Council's Senior Development Engineer raises no objection to the proposal subject to conditions of consent (see **Conditions 34-41, 99-103, 115-121 and 143** in **Attachment 2**).

Environmental Health Officer

Council's Environmental Health Officer raises no objection to the proposal subject to conditions of consent (see **Conditions 17, 18, 57-64, 105, 110, 143 and 144** in **Attachment 2**).

Consultant Structural Engineer

Council's Consultant Structural Engineer raises no objection to the proposal, subject to conditions of consent (see **Conditions 20** in **Attachment 2**).

Public Art

The submitted Public Arts Strategy was supported under the Approved Concept DA. Council's Public Art Officer has imposed **Condition 46** in **Attachment 2** to require the final public art plan to be submitted for each application prior to Construction Certificate.

10.2 External Agency Referrals

Transport for NSW

The TfNSW comments have been addressed earlier in the report. TfNSW support both applications, subject to **Condition 41** in **Attachment 1** and **Condition 27** in **Attachment 2**, which require the applicant to enter into a further Transport Infrastructure Contribution Deed with TfNSW prior to the issue of a Construction Certificate. TfNSW have stated this deed is for the delivery of road improvement works at the intersection of Khartoum Road and Talavera Road, and the contribution covers Buildings B, C and D.

The applicant has written to Council on 6 September 2021, stating the following:

“The contribution amount of \$853,650 as nominated in the attached letter from TfNSW is in line with Stockland’s conversations and together with the addition of a median strip opposite the northernmost access road into the precinct, these cover in totality the traffic mitigation measures for the proposed development (Building C and D).”

11. PUBLIC NOTIFICATION & SUBMISSIONS

In accordance with the Ryde Community Participation Plan, both applications were advertised and notified to surrounding properties. During each respective notification period, no submissions were received to either proposal.

Amended plans received throughout the assessment of both applications have not triggered re-notification of any amended plans.

12. CONCLUSION

After consideration of each development application against section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposals are considered suitable for the site and is in the public interest.

The proposals are consistent with the Concept DA and envelopes associated with building footprints and building height.

The proposals provides an opportunity to redevelop the site for commercial uses resulting in job creation and will provide a high degree of amenity in terms of access to public transport, pedestrian connectivity and architectural design.

The proposals will provide key services which will support the operations, competitiveness and needs of businesses within Macquarie Park and the broader network.

It is therefore recommended that the both development applications be approved subject to conditions.

13. RECOMMENDATION

- 1) That the Sydney North Planning Panel grant consent to development application LDA2021/0035 for the detailed proposal for Building C (comprising 7 storey high and 11,261m2 GFA commercial building) at 11-17 Khartoum Road, subject to the conditions of consent in **Attachment 1** of this report.
- 2) That the Sydney North Planning Panel grant consent to development application LDA2021/0159 for the detailed proposal for Building D (comprising 8 storeys and 12,069m2 GFA commercial building) and associated park at 11-17 Khartoum Road, subject to the conditions of consent in **Attachment 2** of this report.
- 3) That Transport for NSW be advised of the decision.

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