**Attachment 3 – Assessment Against ADG and LLUDG**

1. **Assessment Against Apartment Design Guide**

|  |
| --- |
| **Part 2 - Developing the controls** |
|  | **Proposal** | **Compliance**  |
| **Building Depth**Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line.  | The apartment depths range between 10m and 14m and are considered satisfactory.  | Considered satisfactory.  |
| ***Building Separation***Minimum separation distances for buildings are:*Up to four storeys (approx12m):** 12m between habitable rooms/balconies
* 9m between habitable and non-habitable rooms
* 6m between non-habitable rooms.

*Five to eight storeys (approx 25m):** 18m between habitable rooms/balconies
* 12m between habitable and non-habitable rooms
* 9m between non-habitable rooms

Note:* At the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3m
* No building separation is necessary where building types incorporate blank party walls. Typically this occurs along a main street or at podium levels within centres.
 | **To future adjoining development**North – Building 2 is set back 46m from the northern boundary. South – A 4.5m setback is proposed for all levels to the southern boundary. Assuming that the required Mews Road is provided for the adjoining development to the south, the required separation would be achieved. East – To the east is the M2. West – Halifax St and the linear park are located to the west and the required separation will be achieved to future development on the opposite side of Halifax Street. **Within the site**A minimum setback of 10.7m is proposed between Buildings 1 and 2. Building 2 contains a predominately blank wall where it interfaces with Building 1. This is consistent with the separation approved in LDA2022/0390.  | Yes, separation within the site is consistent with that approved in LDA2022/0390.  |
| **Front, Rear & Side Setbacks**See discussion under the relevant Development Control Plan.  | The LLUDG set the required setbacks for the locality. See LLUDG assessment.  | Refer to LLUDG assessment |
| **Part 3 Siting the development Design criteria/guidance** |
| **3A Site Analysis** Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding contextDesign guidance Each element in the site analysis checklist should be addressed | The submitted site analysis is responsive to the context of the site and is considered to be satisfactory. | Yes |
| **3B Orientation**Building types and layouts respond to the streetscape and site while optimising solar access and minimising overshadowing of neighbouring properties in winter. | The building types and layouts respond to the streetscape and site and solar access is maximised. The built form is generally consistent with the SSD approval. In the event of the current modification being approved by the Department, concern is raised that the level of solar access detailed in the application will be compromised by the envisaged 14 storey building on the northern portion of the site, however, this is an issue that will need to be addressed in any future DA for a building on the northern portion of the site.  | Yes, however has the potential to be impacted by future built form arising from the SSD modification application.  |
| **3C Public domain interface**Transition between private & public domain is achieved without compromising safety and security and amenity of the public domain is retained and enhanced. | Apartments fronting Halifax St do not have street addresses as this would reduce the useable area of the linear park. The amenity of the public domain is retained and enhanced given the casual surveillance provided by the units.  | Yes |
| **3D Communal & public open space**Provide communal open space to enhance amenity and opportunities for landscaping & communal activities.Design guidanceProvide communal open space (COS) with an area equal to 25% of site;Minimum 50% of usable area of communal open space to receive direct sunlight for a minimum of 2 hours between 9 am and 3 pm on 21 June.  | The proposal provides 67.3% of the site as communal open space (or 4,307.3m²), however, it is noted that in the event of the SSD modification application being approved, an additional 14 storey building may be proposed on the northern portion of the site.  | Yes, however, in the event of the modification application being approved, an additional 14 storey building is proposed for the northern portion of the site. |
| **3E** **Deep Soil Zone**Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.**Design criteria** 1. Deep soil zones are to be provided equal to 7% of the site area and with min dimension of 3m – 6m.
 | 39.5% of the site is provided as deep soil zone, with a width of over 6m. However, in the event of the modification application being approved, an additional 14 storey building may be proposed to be construction on the northern portion of the site.  | Yes, however, in the event of the modification application being approved, an additional 14 storey building is proposed for the northern portion of the site. |
| **3F Visual Privacy**Building separation distances to be shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.**Design Criteria**Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

|  |  |  |
| --- | --- | --- |
| Building Height | Habitable rooms & balconies | Non habitable rooms |
| Up to 12m(4 storeys | 6m | 3m |
| Up to 25m (5-8 storeys) | 9m | 4.5m |
| Over 25m (9+ storeys) | 12m | 6m |

Note:* No separation is required from blank walls;
* Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.
 | Between buildings 1 and 2 – Reduces to 10.7m between habitable rooms. However, building 2 contains a predominately blank wall where it interfaces with building 1. Building 2 is six storeys in height, therefore, the visual privacy distance is achieved. The visual privacy separation distances are capable of being achieved to future adjoining development to the north and south.  | Yes |
| **3G Pedestrian Access & entries**Pedestrian Access, entries and pathways are accessible and easy to identify. | The single pedestrian entrance off the linear park is accessible and easy to identify.  | Yes |
| **3H Vehicle Access.**Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes. | Whilst the mews road has been deleted and the driveway relocated to the centre of the site, the vehicle access point has been designed and located to achieve safety and minimise conflicts between pedestrians and vehicles and create a high quality streetscape.  | Yes |
| **3J Parking Provisions.****Car parking**:For development in the following locations:* on sites that are within 800 metres of a railway station; or
* within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre,

the minimum parking for residents and visitors to be as per TfNSW Guide to Traffic Generating Developments, or Council’s car parking requirement, whichever is less. | The site is located within 800m of North Ryde station. The proposed parking complies with Council’s DCP controls. Based on the proposed unit mix, The proposal is permitted to provide a maximum of 296.1 (rounded up to 297) parking spaces and 297 spaces are proposed. 6 car share spaces are required and 6 are proposed. | Yes |
| **Bicycle Parking**:Provide adequate motorbike, scooter and bicycle parking space (undercover). 10% of carspaces  | Based on the 300 car parking spaces, a total of 30 bicycle spaces would be required. The plans depict 30 spaces in three areas within the basement levels.  | Yes |
| **Part 4 Designing the building** |  |  |
| **4A Solar & daylight access**1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter. | 75.9% of the proposed apartments receive a minimum of 2 hours direct sunlight between 9am and 3pm in mid-winter. | Yes |
| No more than 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid- winter. | 11.4% of apartments receive no direct sunlight between 9am and 3pm in mid-winter.  | Yes |
| Design should incorporate shading and glare control, particularly for warmer months. | Horizontal spandrels and metal screens are provided to the northern frontages and vertical shading devices to the eastern and western frontages.  | Yes |
| **4B Natural Ventilation**All habitable rooms are naturally ventilated. | All habitable rooms are naturally ventilated (have access to a window). | Yes |
| Design layout of single aspect apartments to maximises natural ventilation and airflow (See Figure 4D.3) | The single aspect apartments allow natural ventilation and airflow.  | Yes |
| Design criteria for natural cross ventilation:1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.

2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line. | 62.4% of the apartments are proposed to be naturally cross ventilated.None of the cross through apartments exceed 18m from glass line to glass line. | YesYes |
| **4C Ceiling Heights**Ceiling height achieves sufficient natural ventilation and daylight access. The following is required as a minimum:

|  |
| --- |
| Min ceiling height for apartment & mixed use buildings |
| Habitable rooms | 2.7m (3.1m floor to floor) |
| Non Habitable  | 2.4m  |
| 2 storey apts | 2.7m for main living area ,2.4m for 2nd floor  |
| Attic spaces | 1.8m at edge of room  |
| Mixed used zone | 3.3m for ground & 1st floor to promote future flexibility of use. |

 | The submitted plans nominate a habitable room height of 3.1m and minimum floor to floor heights of 3.1m.  | Yes |
| **4D Apartment size and layout**Apartments are required to have the following minimum internal areas with one bathroom:* Studio = 35m2;
* 1 bedroom = 50m2;
* 2 bedroom = 70m2;
* 3 bedroom = 90m2;
* 4 bedroom = 102m2.

Note:* Additional bathrooms increase the minimum internal area by 5m2;
 |

|  |  |  |
| --- | --- | --- |
| **Apartment type** |  **Proposed** | **Proposal** |
| Studio | N/A | N/A |
| 1 bedroom | 50m² to 56m² | 55m2 |
| 2 bedroom | 75m² to 88m² | N/A |
| 3 bedroom | 95m² to 104m² | 119-124m² |

 | Yes |
| Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms. | All habitable rooms have direct access to a window opening that achieves light and ventilation. No borrowed daylight or air is proposed.  | Yes |
| Habitable room depths are limited to a maximum of 2.5 x the ceiling height.In open plan layouts – habitable room (where the living, dining and kitchen are combined) be maximum depth of 8m from a window. | All units comply with this requirement. | Yes |
| Bedroom - minimum dimension of 3m (excluding wardrobe space) | All bedrooms have a minimum dimension of 3m. | Yes |
| Living rooms or combined living/dining rooms have a minimum width of:* 3.6m for studio and 1 bedroom apartments;
* 4m for 2 & 3 bedroom apt
 | All units comply with the minimum living room widths. | Yes |
| The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts. | The cross over apartments have widths of 4m or over.  | Yes |
| **4E Private Open Space and balconies**Apartments must provide appropriately sized private open space and balconies to enhance residential amenity.**Design criteria**1.All apartments are required to have primary balconies as follows:

|  |  |  |
| --- | --- | --- |
| Dwelling type | Minimum area | Min.depth |
| Studio apartments | 4m2 | N/A |
| 1 bedroom  | 8m2 | 2m |
| 2 bedroom  | 10m2 | 2m |
| 3+ bedroom  | 12m2 | 2.4m |

 | All units comply with the required POS size and depth based on the unit type.  | Yes |
| 2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m2 and a minimum depth of 3m. | All ground floor and podium level units have a private open space area of a minimum of 15m² and a minimum depth of 3m.  | Yes |
| **4F Common circulation and spaces.****Design criteria**1. The maximum number of apartments off a circulation core on a single level is 8.

Where design criteria 1 is not achieved, no more than 12 apartments should be provided of a circulation core on a single level. | There is a maximum of 10 units proposed off a circulation core being in Building 1. This is considered to be satisfactory on the basis that there are four lifts servicing the building.  | Yes |
| **Design Guide:**Daylight and natural ventilation should be provided to all common circulation space above ground. Windows should be provided at the end wall of corridor, adjacent to the stair or lift core. | Suitable daylight and natural ventilation is provided to all common circulation space. Windows are provided within all corridors.  | Yes |
| **4G Storage**Adequate, well designed storage is to be provided for each apartment. **Design criteria**1.In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided:

|  |  |
| --- | --- |
| **Dwelling type** | **Storage** **size volume** |
| Studio | 4m3 |
| 1 bedroom apt | 6m3 |
| 2 bedroom apt | 8m3 |
| 3 + bedroom apt | 10m3 |

At least 50% of the required storage is to be located within the apartment.Additional storage is conveniently located, accessible and nominated for individual apartments (show on the plan). | All units have sufficient storage cages in the basement levels and some are provided on the ground floor.  | Yes |
| **4H Acoustic privacy**Noise transfer is minimised through the siting of buildings, building layout, and acoustic treatments.Plant rooms, services and communal open space and the like to be located at least 3m away from the bedrooms. Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission. | The building is satisfactorily designed to minimise noise transmission. Windows to the motorway to the east are minimised. All plant has been located away from most residential units.  | Yes |
| **4K Apartment mix**A range of apartment types with different number of bedrooms (1bed, 2 bed, 3 bed etc) should be provided. | The proposed apartment mix is: 63 x 1 bedroom204 x 2 bedroom32 x 3 bedroom | Yes |
| **4L Ground floor apartments**Building facades to provide visual interest, respect the character of the local area and deliver amenity and safety for residents.  | All GF apartments provide suitable visual interest and deliver amenity and safety for residents.  | Yes |
| Building functions are expressed by the façade. | Satisfactory.  | Yes |
| **4N Roof design**Roof treatments are integrated into the building design and positively respond to the street. | The roof treatments are integrated well into the building design and respond to the street.  | Yes |
| Opportunities to use roof space for residential accommodation and open space are maximised. | Building 2 is proposed to have communal rooftop open space which is proposed to be landscaped.  | Yes |
| Roof design incorporates sustainability features. | The roof contains solar panels, solar hot water and landscaping to contribute to sustainability.  | Yes |
| **4O Landscape design** Landscape design contributes to the streetscape and amenity. Landscape design is viable and sustainable | The proposed landscape design will contribute positively to the streetscape and amenity. The design is viable and sustainable.  | Yes |
| **4P Planting on structures**Appropriate soil profiles are provided. | The landscape plans provide suitable details in relation to soil profiles where planting on structures is proposed. | Yes |
| **4Q Universal design**Universal design features are included in apartment design to promote flexible housing for all community members. A variety of apartments with adaptable designs are to provided. | Complies.  | Yes |
| **4T Awnings and signage**Awnings are well located and complement and integrate with the building design. | N/A – there are no awnings or signage proposed for the development.  | N/A |
| **4U Energy efficiency**Development incorporates passive environmental design measures – solar design, natural ventilation etc. | A combination of solutions is proposed including insulation, glass performance and shading devices.  | Yes |

1. **Assessment Against Lachlan’s Line Urban Design Guidelines**

|  |  |  |
| --- | --- | --- |
| **Control** | **Proposal**  | **Compliance** |
| **3.1 Precinct Planning** 1. Ensure the Layout Plan for any development must be consistent with the underlying principles of the relevant State Significant Development Consent for the High-Density Residential Precinct and Lot 107.
2. Any modification and/or variation to the relevant State Significant Development Consent must demonstrate that the underlying principles and desirable planning outcomes are still being achieved.
 | The layout plan for the development is generally consistent with the SSD approval. There are no significant variations or departures from the SSD consent.   | Yes |
| **3.2 Circulation Networks**1. Mews roads are to be included in the applications for the final built form on each development lot.
2. Mews roads must be constructed in accordance with the Vehicular Movement Plan as shown in Figure 03, which are consistent with the relevant State Significant Development Consent.
3. Any proposed modifications to the Vehicular Movement Plan in Figure 03, Table 3.1 or the Street Sections in Figure 08 to Figure 11 must demonstrate that:

i. The proposed changes meet the Objectives for this section; ii. Adequate vehicular and pedestrian connections can be provided in Lot 109 to the adjoining site (Lot 1, DP1151499) ; iii. Emergency access and servicing access are provided.  | The proposal involves the deletion of the northern Mews road and replacement with a centrally located access driveway.The Mews road is proposed to be deleted which is inconsistent with the Vehicular Movement Plan. The proposed deletion of the Mews road does not meet the objectives of the section, however emergency access and servicing access are provided via the centrally located access driveway.  | **No, the proposal involves the deletion of the required Mews road. See report for discussion.**  |
| **3.3 Open Space**1. Open space is to be provided in Lot 108 in accordance with the Open Space Plan at Figure 04 and embellished as set out in Table 3.2.

2. The local park should be designed to maximise solar access. 3. Trees will be predominantly indigenous with some specimen exotic trees. Tree selection and planting should be undertaken in accordance with the City of Ryde Street Tree Master Plan. 4. The park is to be designed in accordance with public open space described in the Public Open Space Plan Figure 04. 5. Provide communal open space on each lot exceeding 25% of the site area. 6. Any proposed amendment to the Open Space Plan at Figure 04 must demonstrate that: i. The proposed changes meet the Objectives for this section; ii. At least 50% of existing and future public space is to receive 3 hours of sunlight on June 21 between 9am and 3pm. | N/AN/AThe proposed plantings are mainly natives with some exotic species. N/AThe extent of communal open space proposed is approx. 58.5% of the site area. The proposal is consistent with the Open Space Plan.  | N/AN/AYesN/AYesYes |
| **3.4 Landscape and Deep Soil** 1. Deep soil zones are to meet the following minimum requirements: * 15% of the site as deep soil on sites greater than 1,500m2;
* The minimum dimension of the deep soil zone is to be 6m in any direction on sites greater than 1,500m2.

2. Private mews roads to be constructed as part of future applications will include street tree planting showing the location, species, planting methodology and maintenance of street trees to satisfy the Objectives and Controls of this section, and ensure an appropriate degree of consistency is achieved between the different Sub-Precincts. 3. All street trees must be provided in accordance with the approved Street Tree Plan as per the development consents for each Sub-Precinct. 4. Street tree planting in mews roads is to be designed in accordance with the following principles: i. Street trees should be used to distinguish between public and private space; ii. Street tree planting should be durable and include a mix of indigenous and exotic species; iii. Street trees are to contribute to place making and way finding; and iv. Street trees should generally be of uniform species within the one street. 5. Street tree planting is to be coordinated with subdivision layout, traffic plan and services layouts to ensure appropriate configuration with vehicle crossovers, sight lines, drainage swales, lighting and other services. 6. Any modification and/or variation to tree planting must satisfy the Objectives above and Part 3.3 of this guide. | The proposal provides for 43.6% of the site being deep soil planting which considerably exceeds the 15% requirement. The dimensions exceed 6m. The proposal involves the deletion of the Mews road. The proposed plantings in the linear park are considered satisfactory. N/A – the mews road is proposed to be deleted as part of the subject application. The street trees contribute to place making and way finding. The street tree plantings are coordinated effectively. The tree plantings are generally compliant.  | Yes**No, see report for discussion.**YesN/AYesYes |
| **3.5 Stormwater Management**1. An Integrated Water Management Plan was approved as part of SSD 5093. Any modifications which would change the performance of the approved Plan must comply with the principles above.  | The proposed stormwater management is generally consistent with the Integrated WMP.  | Yes |
| **3.6 Housing Diversity**1. Provide a diversity of housing types in the Precinct, e.g. townhouses, double-storey apartments and penthouses.
2. Provide a variety of apartment types, including studios, one-bedroom, two-bedroom, three-bedroom and three-bedroom + units.
3. Development is to provide a diverse mix of dwelling sizes generally within the following ranges:

|  |  |
| --- | --- |
| Apartment Types  | Percentage  |
| 1 bedroom + studio  | 10 – 35%  |
| 2 bedroom  | 40 – 80%  |
| 3 bedroom  | 5 – 35%  |
| 3 bedroom+  | 1 – 5%  |

4. All apartments should meet the ‘Silver Level’ requirements of the Livable Housing Design Guidelines by Livable Housing Australia (LHA). | The proposed unit mix across the three buildings is: * 1 bedroom: 27%
* 2 bedroom: 65%
* 3 bedroom: 9%

The Social Impact Assessment submitted with the previous application advised: * Unit mix: The proposed unit mix provides suitably sized accommodation options for the demographics of the suburb and locality, which predominately consists of singles or couples without children.
* Housing mix: The proposal represents a positive social outcome, given it provides modern housing in a location close to public transport and existing infrastructure.

20% of the apartments meet the Silver Level requirements of the Livable Housing Design Guidelines in compliance with the ADG.  | Yes YesNo, however, considered satisfactory as it complies with the ADG.  |
| **4.1 Heights and FSR under RLEP 2014**SSD 5093 is a Staged Development Consent for the High-Density Residential Precinct and Mixed- Use Precincts which allocates the gross floor area (GFA) achievable under Ryde LEP 2014 to each of the development lots to be created by the subdivision in accordance with the Table 1. As a Staged Development Consent, any future development must be consistent with the Concept Proposal approved under SSD 5093 and, in this case, the allocation of GFA to each development site under Ryde LEP 2014. Only the maximum GFA outlined for Lot 117 in the table above can be exceeded, but only where the development is proposed under an environmental planning instruments (EPIs) that provides for a floor space ratio (FSR) bonus for the provision of affordable rental housing and that component is incorporated in the proposed development. Any FSR bonus is to be calculated as per the relevant EPI and added to the gross floor area for Lot 117. It is important to note that the development potential expressed for the Development Lot in Table 1.1 may result in a development that does not reach the maximum ‘height of building’ control under Ryde LEP 2014. The following sections on Overshadowing and Building Setback and Street Frontage will also guide final heights in the High Density Residential and Mixed Use Precincts. The number of storeys for buildings on each development lot is also shown in Figure 05 and Figure 06.  Where it is proposed to depart from the following height and FSR controls, a design excellence process in accordance with the NSW Government Architect’s Design Excellence Competition Guidelines must be followed prior to seeking modification to the SSD 5093 consent. | The site is identified in the SSD approval as having a maximum permitted GFA of 25,626m². The proposed GFA is 25,626m². However, it is noted that the applicant has lodged a modification application with the Department which seeks to increase the GFA for the subject site to 37,153m².The proposal complies with the mapped building heights for the site under RLEP 2014.  | Yes |
| **4.2 Construction of Mews Roads and Vehicular Access**1. Mews roads are private access ways nominated in Figure 03 to provide access to each development lot. The location of the mews road presupposes the developer will be required to construct the mews road located primarily on that development lot, even where a part those works may benefit adjoining lots. (See mew road cross-sections on Figure 07 to Figure 11 and possible vehicular access locations on Figure 12).
2. Mews roads can incorporate visitor parking for the development and car share spaces as well as access into basements on elevations other than the Halifax Street frontage.
3. The mews road location and notional width through the site is important in providing building separation. Entry lobbies and individual entries to residential units will help activate these roads on the eastern side of Halifax Street.
4. Flexibility on the location or inclusion of the entre length of the mews road could be considered where a better outcome can be achieved, which would be considered on a merit basis.
5. Driveway widths/grades, vehicular ramp width/grades and passing bays off mews roads are to be in accordance with the relevant Australian Standard. Design of driveway crossings is to be in accordance with Part 8.3 of Ryde DCP 2014 with the paving material to be Bipave 80 coloured ‘Fossil - River Gravel” shot blast finish, with aggregate inlay.
6. The location and design of access ways to underground parking is to be located away from the Halifax Street elevation; design must also consider residential amenity particularly the location of doors and windows of habitable rooms.
7. Potential pedestrian/vehicle conflict is to be minimised by:

i. Providing vehicle access from minor or secondary streets rather than primary streets or streets with major pedestrian activity, where practicable; ii. Limiting the width to no more than 6m; iii. Limiting the number of vehicle access points - generally one crossing per lot will be permitted and where practicable, adjoining buildings may share or amalgamate vehicle access points; iv. Ensuring clear sight-lines and clearly distinguishing pedestrian and vehicle crossings; v. Utilising traffic calming devices; vi. All vehicles must be able to enter and leave the site in a forward direction. 1. The appearance of car parking and service entries is to be improved by:

i. Minimising the size, quantity and visual intrusion of vehicle access points; ii. Locating or screening garbage collection, loading and servicing areas visually away from the street; iii. Setting back or recessing car park entries from the main façade line; iv. Avoiding black holes in the façade by providing security doors to car park entries; v. 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; vi. Returning the façade material into the car park entry recess for the extent visible from the street as a minimum; and vii. Avoiding ramping vehicular access along boundary alignments edging the public domain and streets.  | The application seeks the deletion of the northern Mews road and replacement with a centrally located driveway. The Mews road is proposed to be deleted as are the two car parking spaces originally approved off the Mews road. The Mews road is proposed to be deleted. There is a potential for the applicant to seek consent for an additional building to the north of the site should their modification to the SSD approval be approved.The proposal seeks to delete the mews road and replace it with a central driveway and this is not considered to be a better outcome. The proposal is seeking to delete the mews road.The access to the parking is located directly off Halifax Street. Vehicle access is proposed off Halifax Street.The driveway width is proposed to be 8.1m. Only one crossing for the lot is proposed.The sightlines are considered satisfactory. Traffic calming devices are not necessary.The design permits forward ingress and egress. The design minimises the size, quantity and visual intrusion of the vehicle access point.The garbage collection, loading and service areas are proposed to be located within the basement. The car park entry is set back from the main façade line. Security doors are proposed at the car park entry. Doors are proposed. Satisfactory.The ramping is proposed to commence within the subject site and not within the public domain.  | **No, see discussion in report****No, see discussion in report.****No, see discussion in report.****No, see discussion in report.****No, see discussion in report.****No, see discussion in report.****No, see discussion in report.****No, see discussion in report.**YesYesYesYesYesYesYesYesYesYesYes |
| **4.3 Application of SEPP No. 65**All developments for residential flat buildings must meet the requirements of *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65)*. SEPP No 65 requires that applications for residential flat buildings, including residential accommodation above shops, can be determined after Council has considered: a. The advice obtained from the design review panel, b. The design quality of the development when evaluated in accordance with the design quality principles, and c. The *Apartment Design Guide*. The following objectives and controls as they relate to residential flat buildings are intended to complement the provisions in *SEPP 65* and the *Apartment Design Guide* (ADG). | See report for discussion.See discussion in report.See separate compliance table. | Yes |
| **4.4 Limiting Overshadowing and Accessing Sunlight**1. Detailed overshadowing studies are to be lodged with development applications for buildings.
2. At least 50% of new and existing public open space is to receive 3 hours direct sunlight between 9am and 3pm on June 21.
3. No overshadowing of residential lots outside of the Precinct is to occur after 11 am on June 21.
4. No overshadowing of Blenheim Park is to occur after 9am on June 21.
5. 100% of Bundara Reserve must receive a minimum of 3 hours direct sunlight between 9am and 3pm on June 21.
6. Residential flat buildings are to comply with Daylight Access provisions in the *Apartment Design Guide*.
7. At least 50% of communal courtyards must receive a minimum of 2 hours direct sunlight between 9am and 3pm on June 21.
 | Suitable shadow diagrams submitted. The existing and new public open space areas will receive over 3 hours of direct sunlight. There are no overshadowing impacts of residential lots outside the precinct. The proposal does not impact on Blenheim Park. The proposal does not impact upon Bundara Reserve.75.9% of the apartments achieve the 2 hour minimum solar access. The communal courtyard receives over 2 hours direct sunlight between 9am and 3pm on June 21.  | YesYesYesYesYesYesYesYes |
| **4.5 Building Setbacks**1. Building setbacks are to be provided generally in accordance with Table 6. All setbacks are measured from the development lot boundaries and hence exclude the linear park or any mews roads to be constructed through the development lot.
* Western boundary (fronting Halifax St): 3m ground floor and first floor setback; 0m building setback.
* Northern boundary: 20m ground and first floor setback and 17m building setback.
* Southern boundary: 7.5m ground and first floor setback and 4.5m building setback.
* Eastern boundary: 8m setback.
1. All building cantilevers/overhangs must be at least 2 storeys up (ground and first floor setback).
2. The Primary Building Setbacks are shown on Figure 13 and is measured from the lot boundary of each development lot to that part of the building above the ground and first floors. The Primary Building Setbacks are ‘built to lot boundaries’ to define and frame the street edge / built form and to achieve the desired streetscape appearance within the Precinct.
3. The Secondary Building Setbacks are shown on Figure 14 and is measured from the property boundary of each development lot relate to the ground and first floor components of a building. The Secondary Building Setbacks create a sheltered pedestrian walkway. Where no Secondary Building Setback is specified, the setback should be consistent with the Primary Building Setback.
4. The Landscape Setbacks are shown on Figure 15 and are measured from the lot boundary of each development lot to any part of the basement podium protruding above ground level.
5. On Lots 102 and 116, the setbacks nominated are to be minimum setbacks to allow tower built form.
6. Where no building setback is specified, the setback will be considered on merits which can include a nil building setback.
7. Roof plant must be setback at least 3m from the top of the building.
8. Where a development lot adjoins the linear park (Lots 102, 110, 114 and 115):

i. The ground level setback and ‘entry points’ (such as gates or front doors) are to activate the open space, and make it feel inhabited to maximise visibility along the public domain. ii. The ground floor level is to step with the topography of the site and be no more than 1m above the street. 1. Setbacks between buildings are to comply with *SEPP 65* and the *ADG*.
2. Buildings are to provide clear delineation between the public and private domain.
3. Where a site is constrained, basement parking may protrude above natural ground level by up to 1m. This will only be considered where the encroachment is appropriately designed to incorporate functional features such as ramps, courtyards and landscaping beds to minimise this impact.
4. Where landscaping cannot provided in the verge, the ground floor apartments are to be raised by up to 1m above the footpath to increase privacy for the occupants.
5. Minor encroachments up to 450mm into the setback may be considered, where it does not involve any GFA, provides articulation to the building and does not reduce any required landscaped setbacks.
 | Western setback: The building is set back 3m on the ground and first floors with a nil setback on the levels above. Northern setback: 33.27m is proposed.Southern setback: A 4.5m setback is proposed for all levels. Eastern setback: There are a number of point encroachments and the setback reduces to 4.9m.The cantilevers are 2 storeys up. Complies except to the south and east. Complies except to the south. Complies to the north but there are point encroachments into the eastern 8m setback area. N/AAll building setbacks are specified by the guidelines. Plant is proposed more than 3m from the building parapet. The ground level setback and entry points contribute to activation of the linear park. Some units exceed 1m above the street but this is considered satisfactory given the crossfall of the site. Considered in ADG assessment. The buildings provide a clear delineation between public and private. The basement does not protrude more than one metre at any point. Landscaping is capable of being provided on all frontages. The setback encroachments exceed 450mm to the south and east.  | YesYes**No, however, consistent with LDA2022/0390** **No, the proposal increases the extent of encroachments into the 8m area.** Yes**No, the southern setback is consistent with LDA2022/0390 but the eastern setback results in a greater extent of variation.** **No, however, consistent with LDA2022/0390.****No, see discussion in report on eastern setback.**N/AYesYesYes**No, however, consistent with what was approved in LDA2022/0390.**YesYesYesYes**No, see discussion in report relating to eastern encroachment.**  |
| **4.6 Building Depth and Bulk** 1. No building above 22 metres in height is to have a building length that aligns to a street in excess of 40 metres without a recess.
2. Each recess is to be open to the sky and have a minimum dimension of 3m in width and 3m in depth.
3. For residential tower buildings over 8 storeys, each building footprint is to be a maximum of 1,090m2 (Gross Building Area).
4. A one storey ‘waist line’ is to be created to residential tower buildings to articulate the base and tower forms in accordance with Figure 18 and Figure 19; this is achieved by providing a 3 metre setback to the storey above the street wall.
5. Use atria, light wells and courtyards to improve internal building amenity and achieve cross ventilation and/or stack ventilation.
6. Atria and light wells are not to be used as the primary air and/or light source for any apartment units.
7. Building façades are not to be dominated by continuous balconies.
 | Building 2 length to Halifax St is 38.19m. N/A – no recess required.The floor plate of Building 1 is approx. 1,087m². Building 1 does not have a waist-line but has a central recess. Building 1 contains a central atria which includes sky gardens.Not the primary air or light source. There are no facades dominated by continuous balconies.  | YesN/AYesConsidered satisfactory YesYesYes |
| **4.7 Mixed Use Buildings**1. Provide flexible building layouts which allow variable tenancies or uses on the ground floor.
2. Minimum floor to ceiling heights for residential developments are to comply with the requirements of the *Apartment Design Guide*.
3. Separate commercial service requirements, such as loading docks, so as not to interfere with residential access, servicing needs and primary outlooks.
4. Locate clearly identified residential entries directly from the public street.
5. Clearly separate commercial and residential entries and vertical circulation.
6. All development must be consistent with the Safety by Design principles incorporated in Part 4 of the *Apartment Design Guide*.
7. Provide security access controls to all entrances into private areas, including car parks and internal courtyards.
8. Provide safe pedestrian routes through the site, where required.
9. All buildings must be orientated to address major streets with active uses.
10. All development must not have any unarticulated blank walls and car parking vents at ground level.
11. Blank walls, if any, must not be located facing Halifax Street.
12. Noise and vibration insulation is required between residential and other uses in order to minimise amenity impacts.
 | N/A- The development does not contain any mixed use buildings. They are both completely residential.  | N/A |
| **4.8 Awnings** 1. Awnings are to be provided at key pedestrian and active frontage locations in Lot 107.
2. Awning width is to be appropriate to the building design and streetscape and have regard to the location of street trees and open space.
3. Awnings are to have a minimum soffit height of 3m above the finished ground floor level. On sloping sites, awning soffit height may vary from 3.6m to 4.2m.
4. Where the topography slopes along the street, awnings are to step to provide a regular height over the footpath.

5. Awnings are to provide adequate weather protection. 6. Under awning lighting is to be provided to achieve appropriate luminance levels for pedestrians (refer to relevant Australian Standards). This should be recessed into the soffit of the awning. 7. Entry canopies and discontinuous awnings may be provided to building entries not located along active frontages. 8. Entry canopies may be glazed or solid, and are to be coordinated with the overall facade design.  | The guidelines do not call for awnings for the subject site given that it is purely residential.  | N/A |
| **4.9 Active Street Frontages**1. Active frontages are required to be provided in accordance with Figure 20.
2. Buildings adjacent to or opposite open space are to have ‘entry points’, such as gates or front doors, to activate the space and make it feel inhabited to maximise visibility along the public domain (Refer to No 1 in Figure 20).
3. Entries to residential lobbies and tenancies are to be accessible and at the same level as the adjacent footpath. (Refer to No 2 in Figure 20)
4. Retail development is to be provided within Lot 107.
5. Buildings within Lot 107 are to be designed to provide high activity zones. Active ground level uses are required on all street frontages.
6. Glazing of windows and doors of building frontages in Lot 107 should be maximised.
7. Commercial and residential lobbies are not to occupy more than 25% of the total length of the building’s street frontage
8. Retail uses in Lot 107 are to have a tenancy depth that encourages different uses and design flexibility.
9. Apartments are not to be subterranean. Ground floor apartments must step with the topography and relate to the grade and ground level of the site (see Figure 21), with the ground floor level no more than 1m above the public footpath.
10. Where ground floor apartments have to be raised by more than 1m above the natural ground level due to site constraints, terraced garden beds are to be provided along the frontage to enhance privacy and amenity (see Figure 22).
11. Private gardens with individual street access are to be provided to address the public domain.
12. Residential buildings adjacent to the public domain are to have a front door, living room and/ or kitchen window facing the street. Buildings which have only bedrooms facing the street are to be avoided.
 | The proposal provides an active frontage to the west. There is one pedestrian access and one vehicle access proposed through the linear park. The entry to the residential lobby is accessible and at the same level as the adjacent footpath. N/AN/AN/AThe lobbies do not occupy more than 25% of the Halifax St frontage. N/AThere are no subterranean units proposed. There are two units more than 1m above the footpath on the Halifax St frontage.This is not considered to be warranted given that the units front the linear park. Private gardens are not considered to be warranted given that the units front the linear park.All units fronting the public domain have living rooms facing the street.  | YesYesYesN/AN/AN/AYesN/A**No, consistent with LDA2022/0390.****Considered satisfactory****Considered satisfactory**Yes |
| **4.10 Building Design and Materials**1. Balconies and terraces that assist in providing passive surveillance are to be provided.
2. Balconies are to have a minimum dimension of 1m in any direction and to allow for usable private open space.
3. Air conditioning units, hot water gas heaters and other mechanical services must be screened (if visible from the public domain) and integrated with the building design.
4. Provide landscaped communal open space at podium-level setbacks. Refer to NSW Government’s *Technical Guidelines for Urban Green Cover in NSW* and Part 4P Planting on Structures of the *Apartment Design Guide*.
5. Articulate façades so that they address the street and add visual interest. Avoid extensive expanses of any single material.
6. Building design is to include articulation of the ground floor elevation to enable it to read differently from the upper floors.
7. External walls are to be constructed of high-quality and durable materials and finishes with ‘self-cleaning’ attributes, such as face brickwork, rendered brickwork, stone, concrete and glass.
8. Finishes with high maintenance costs, those susceptible to degradation or corrosion, such as painted render finishes, that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.
9. Maximise glazing for retail uses and break glazing into sections to avoid large expanses of glass.
10. Driveways and car park entries should not be located along the primary street frontage and should not constitute more than 20 per cent (maximum 8 metres) of the secondary street frontage.
11. Highly reflective finishes and curtain wall glazing are not permitted above ground floor level.
12. A materials sample board and schedule is required to be submitted with applications for development with a capital investment value of $1 million or more for that part of any development built to the street edge.
13. Minor projections up to 450mm from building walls in accordance with those permitted by the Building Code of Australia may extend into the public space, providing they do not fall within the definition of gross floor area and there is a public benefit, such as expressed cornice lines that assist in enhancing the streetscape.

14. The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building. Setbacks and screening are to be utilised where appropriate. 15. Facade design is to reflect and respond to the orientation of the site using elements such as sun shading and environmental controls where appropriate. 16. Important corners are to be expressed by giving visual prominence to parts of the façade (e.g. a change in building articulation, material or colour). 17. Ventilation louvres and car park entry doors are to be coordinated with the overall façade design. 18. Balcony balustrades on the first floor are to be opaque to maintain privacy of the occupants.  | The balconies fronting the linear park provide for passive surveillance. All balconies have a minimum dimension exceeding 1m. Proposal is capable of complying subject to a condition of consent. Suitable landscaped COS is proposed on the Building 2 roof and at ground level. The facades are adequately articulated. The podium scale of Halifax Street is emphasised in brick detailing on the first two levels.The proposal is capable of complying. The proposal is capable of complying. There are no large expanses of glass proposed. The driveway and car park entry is located off the primary street frontage. There are no highly reflective finishes proposed. Satisfactory. There are no projections into the public domain proposed. Roof plant rooms and lift overruns are suitably set back to prevent visual impacts from the public domain. The façade responds according to each orientation. Satisfactory Areas for services and loading have been excluded from the primary elevations and are integrated with the building design. Capable of being addressed with a condition of consent.  | YesYesYesYesYesYesYesYesYes**No, see report for discussion.**YesYesYesYesYesYesYesYes |
| **4.11 Active Transport and Parking**1. DAs for residential and commercial development must be accompanied by a traffic and transport impact assessment. The traffic and transport impact assessment is to:

i. Provide an assessment of the impact of the proposal on the traffic network; ii. Demonstrate how the development maximises access by sustainable modes of transport and reduces car dependency consistent with Transit-Oriented Development principles; and iii. Accommodate car share schemes. 1. A Framework Travel Plan (FTP) is to be submitted to Council for all DAs in accordance with Section 4.4C of Part 4.5 Macquarie Park Corridor of the Ryde DCP 2014.
2. Car parking is to be provided in accordance with the car parking controls for Macquarie Park, as set out in Section 9.3 of the Ryde DCP 2014.
3. Bicycle parking is to be provided in accordance with Part 9.3 of the Ryde DCP 2014.

5. Car share spaces are to be provided throughout the development, with 29 spaces to be provided in the high-density residential precinct. It is intended that the car share spaces in the high-density residential precinct be provided as perpendicular parking in mews roads. The  mews roads west of Halifax Street will incorporate 3 car share spaces each, and the mews roads on the east of Halifax Street will each incorporate 8 spaces, 7 spaces, 5 spaces and 3 spaces within each mews road from south to north, respectively.  | A suitable traffic and parking assessment has been submitted with the application. A suitable FTP has been submitted with the application. The proposal is permitted to provide 296.1 (rounded up to 297) parking spaces and 297 spaces are proposed. 6 car share spaces are required and 6 are proposed.The plans depict 30 bicycle spaces and 30 are required.  | YesYesYesYesYes |
| **4.12 Site Facilities and Services**Site facilities and services are to comply with the Macquarie Park controls set out in Section 8.5 of Part 4.5 of the Ryde DCP 2014. | The development provides adequate laundry facilities, storage areas and lockable mail boxes.  | Yes |
| **4.13 Accessible Design** 1. Development is to be designed to comply with the controls set out in Part 9.2 of the Ryde DCP 2014 – Access for People with Disabilities.
2. In designing new developments and the public domain, consideration is to be given to the recommendations of the National Disability Strategy NSW Implementation Plan 2012 (particularly the section titled Inclusive and Accessible Communities) and the NSW Disability Action Plan 2012-2017.
 | The access report submitted with the application confirms that the provisions of the DDA can be met. | Yes |
| **4.14 Environmental Performance**1. Development is to comply with *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.
2. All multi-unit residential buildings are to be assessed and certified against Green Star (Design Rating) and achieve a minimum 4 star rating.
3. All commercial buildings are to be assessed and certified against Green Star (Design Rating) and achieve: i. A minimum 5 star rating (if the associated Development Application is lodged before 1 January 2017);

ii. A minimum 6 star rating (if the associated Development Application is lodged on or after 1 January 2017). 4. Potable water demand in residential buildings is to be reduced by at least 50% from BASIX baseline for an average household. 5. Potable water demand in commercial buildings is to be reduced to achieve a 4.5 stars NABERS water rating. 6. Potable water demand in retail buildings is to be reduced to achieve a 4.5 stars NABERS water rating. 7. All buildings are to be connected to smart water metering. 8. All buildings with basement parking should make provision for electro-voltaic charging infrastructure to allow for the transition to electric car technology. 9. The following targets for the reduction in energy use are to be met. i. BASIX 25 – achieve a 25% reduction in kgCO2 – e/person/year in residential buildings 6 storeys or higher; ii. BASIX 35 – achieve a 35% reduction in kgCO2 – e/person/year in residential buildings 4-5 storeys; iii. BASIX 45 – achieve a 40% reduction in kgCO2 – e/person/year in residential buildings 1-3 storeys. 10. All residential buildings are to achieve: i. A 7 star NatHERS for heating and cooling where development applications are lodged prior to 1 January 2017; ii. An 8 star NatHERS for heating and cooling where development are lodged on or after 1 January 2017. 11. Commercial buildings are to achieve NABERS 5.5 star (equating to an 11% kgCO2 e/sqm/year reduction compared to 5 star).  | Complies – refer to BASIX Certificate. The development will achieve the equivalent of a 4 star green rating. N/A – does not contain commercial. N/ACapable of complyingN/AN/ACapable of being addressed with a condition. All visitor parking is proposed to be provided with electric charging facilities. The NatHERS certificate has a rating of 7.5 and the application was lodged after 1 Jan 2017.  | YesYesN/AN/AYesN/AN/AYesYes**No, however consistent with LDA2022/0390.** |
| **4.15 Wind Mitigation**Development is to comply with the Macquarie Park Wind Impact controls set out in Section 9.1 of Part 4.5 of the Ryde DCP 2014. | A wind assessment has been submitted, prepared by SLR Consulting. The report concludes that the proposal is satisfactory subject to a number of recommendations. | Yes |
| **4.16 Air, Noise and Vibration**1. The provisions of *State Environmental Planning Policy (Infrastructure) 2007 and Development near Rail Corridors and Busy Roads Interim Guideline* must be taken into consideration to minimise impacts of busy roads and railway corridors on residential and other sensitive development such as child care centres and health services facilities. 2. An Acoustic Impact Assessment report prepared by a suitably qualified acoustic consultant is to be submitted with all development applications for commercial, retail and residential buildings, with the exception of applications for minor building alterations or where Council considers an assessment is not required. 3. Non-residential development is not to adversely affect the amenity of adjacent and nearby residential development and public spaces as a result of noise, hours of operation and/or service deliveries. Acoustic and vibration attenuation must be implemented to ensure the amenity of adjacent residential use. 4. Noise from plant and equipment (including roof plant, air conditioning ducts and plant and servicing associated with green infrastructure) is to be attenuated to an appropriate level to ensure the amenity of adjacent and nearby uses is achieved and maintained. 5. Mechanical ventilation systems are to be designed to meet the requirements of the Building Code of Australia and relevant Australian Standards, and air intakes are to be sited as far as practicable from major sources of air pollution. 6. A vegetation buffer is to be established between the M2 Motorway and any residential buildings prior to occupation. The vegetation buffer is to be of sufficient width to assist in intercepting wind-blown dust by physical entrapment of airborne particles.  | The submitted acoustic report concludes that with appropriate materials selection, the relevant noise/amenity levels can be achieved. Report prepared by Acoustic Dynamics. N/A – development is for 100% residential units. The acoustic report advises that with appropriate siting and selection of plant equipment at the construction phase, the proposal can meet the relevant operational noise criteria. As above. A suitable landscape buffer is proposed along the eastern boundary.  | YesYesN/AYesYesYes |
| **4.17 Waste Management**Development is to comply with the Macquarie Park Waste Management controls set out in Part 7 of the Ryde DCP 2014. | The proposal complies with the Macquarie Park waste management controls.  | Yes |
| **4.18 Soil Management**Development is to comply with the Macquarie Park Soil Management controls set out in Section 9.4 of Part 4.5 of the Ryde DCP 2014. | The proposal complies with the soil management controls set out in Section 9.4.  | Yes |