

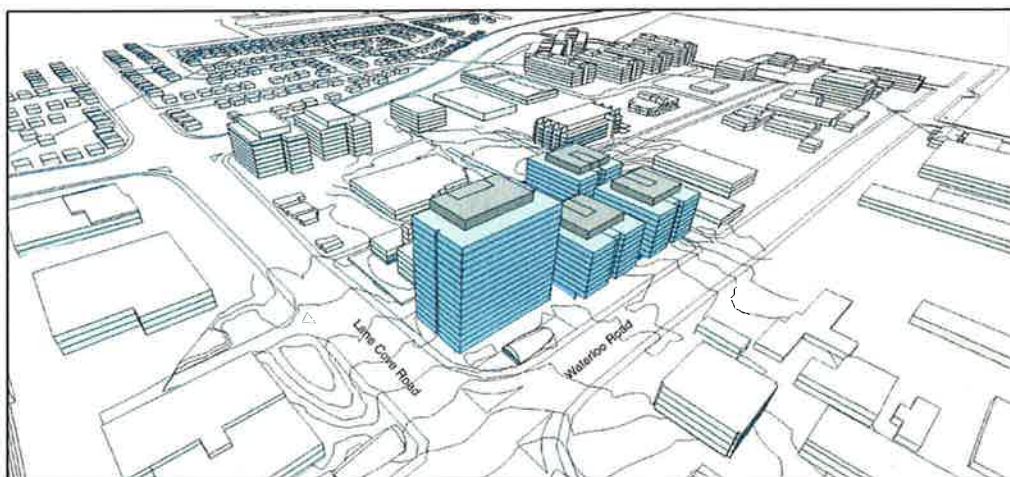


MAJOR PROJECT ASSESSMENT:

**Concept Plan for Commercial and Retail
development**

**396 Lane Cove Road (32-46 Waterloo Road) and
1 Giffnock Avenue, Macquarie Park
Winten Property Group & Australand Holdings Ltd**

MP09_0209



**Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979**

May 2012

ABBREVIATIONS

| | |
|------------------|--|
| CIV | Capital Investment Value |
| Department | Department of Planning and Infrastructure |
| DGRs | Director-General's Requirements |
| Director-General | Director-General of the Department of Planning and Infrastructure |
| EA | Environmental Assessment |
| EP&A Act | <i>Environmental Planning and Assessment Act 1979</i> |
| EP&A Regulation | Environmental Planning and Assessment Regulation 2000 |
| EPI | Environmental Planning Instrument |
| MD SEPP | State Environmental Planning Policy (Major Development) 2005 |
| Minister | Minister for Planning and Infrastructure |
| PAC | Planning Assessment Commission |
| Part 3A | Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> |
| PEA | Preliminary Environmental Assessment |
| PFM | Planning Focus Meeting |
| PPR | Preferred Project Report |
| Proponent | Winten Property Group and Australand Holdings Limited |
| RtS | Response to Submissions |

Cover Image: Proposed building envelopes viewed from the north east (Source: EA)

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EXECUTIVE SUMMARY

This is a report on a Concept Plan application seeking approval for a commercial and retail development at 396 Lane Cove Road (32-46 Waterloo Road) and 1 Giffnock Avenue, Macquarie Park. The site is located within the Macquarie Park Corridor, in the Ryde Local Government Area. The site has an area of 15,619m² and is bounded by Lane Cove Road, Waterloo Road, Coolinga Street and Giffnock Avenue. The western entrance to the Macquarie Park railway station adjoins the site. The Proponent is Winten Property Group and Australand Holdings Limited.

The proposal, as exhibited, seeks Concept Plan approval for:

- 4 commercial and retail building envelopes ranging in height from 8 to 17 storeys;
- a 6 level common basement containing 1,042 parking spaces;
- a maximum total Gross Floor Area (GFA) of 83,368m²;
- commercial and ancillary retail uses;
- pedestrian and vehicle access networks; and
- landscaping and public domain treatment.

This proposal has a CIV of **\$263,100,000**. The proposal will create 2,138 full time operational jobs.

The proposal was exhibited for a 31 day period from Wednesday 1 December 2010 until Friday 31 December 2010. Six submissions from authorities, including Ryde Council, and two submissions from the general public were received in relation to this proposal. The key issues raised in submissions relate to traffic generation and impact on the road network, car parking provision, built form, public domain and landscaping.

In response to these submissions, the Proponent submitted a Preferred Project Report (PPR) which amended the scheme by:

- providing a second driveway access at Coolinga Street;
- providing an indicative concept design for the future public domain;
- revising the indicative internal configuration of the basement; and
- amending the landscape concept plan to include a 1.5 metre deep soil zone at the western boundary.

The Department has considered the merits of the proposal in accordance with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and ecologically sustainable development, also taking into consideration the issues raised in all submissions. The Department considers that despite the current level of traffic congestion on the road network, the additional traffic generated by the development will be limited to a reasonable level (subject to modifications). In addition the proposal is acceptable in terms of bulk, height and scale, and siting and design in the context of the transition of Macquarie Park into a Specialised Commercial Centre.

Overall, the Department is satisfied that the impacts of the proposal have been addressed in the EA, PPR, Statement of Commitments, and future assessment requirements. It is considered that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance. The Department considers the proposed development is in the public interest as it will provide a range of public benefits including provision of significant employment opportunities adjoining key public transport infrastructure in an identified centre, and will assist in the development of the Macquarie Park Corridor into a commercial centre.

In this regard, the Department recommends that the Concept Plan be **approved**, subject to modifications and future assessment requirements.

The Concept Plan application is to be determined by the Deputy Director General under delegated authority from the Minister, as Ryde Council has not objected to the proposal, no political donations have been declared in respect of the proposal, and less than 25 public submissions objecting to the proposal have been received.

TABLE OF CONTENTS

| | |
|---|-----------|
| EXECUTIVE SUMMARY | 1 |
| 1. BACKGROUND | 3 |
| 1.1 Site Location and Context..... | 3 |
| 1.2 Existing Site Features | 4 |
| 1.3 Surrounding Development..... | 5 |
| 2. PROPOSED PROJECT | 6 |
| 2.1 Project Description (as exhibited) | 6 |
| 2.2 Preferred Project Report (PPR) | 6 |
| 2.3 Need and Justification..... | 9 |
| 2.4 Concept Plan | 14 |
| 3. STATUTORY CONTEXT | 14 |
| 3.1 Major Project..... | 14 |
| 3.2 Permissibility | 14 |
| 3.3 Environmental Planning Instruments | 14 |
| 3.4 Objects of the EP&A Act | 14 |
| 3.5 Ecologically Sustainable Development..... | 15 |
| 3.6 Statement of Compliance..... | 16 |
| 4. CONSULTATION AND SUBMISSIONS | 16 |
| 4.1 Exhibition..... | 16 |
| 4.2 Public Authority Submissions | 16 |
| 4.3 Public Submissions..... | 18 |
| 4.4 Proponent's Response to Submissions..... | 18 |
| 5. ASSESSMENT | 19 |
| 5.1 Traffic and Car Parking..... | 19 |
| 5.2 Built Form..... | 28 |
| 5.3 Public Domain | 34 |
| 5.4 Other Issues | 38 |
| 6. RECOMMENDATION..... | 41 |
| APPENDIX A. ENVIRONMENTAL ASSESSMENT | 42 |
| APPENDIX B. SUBMISSIONS | 43 |
| APPENDIX C. PROPONENT'S RESPONSE TO SUBMISSIONS..... | 44 |
| APPENDIX D. CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS..... | 45 |
| APPENDIX E. RECOMMENDED INSTRUMENTS OF APPROVAL | 51 |

1. BACKGROUND

1.1 Site Location and Context

The subject site, known as 396 Lane Cove Road (32-46 Waterloo Road) and 1 Giffnock Avenue Macquarie Park, is located at the north western corner of the Lane Cove Road and Waterloo Road intersection (refer to **Figure 1**) in Macquarie Park (within the Ryde Local Government Area). The site comprises two lots being Lot 5 DP 1130105 and Lot 21 DP 602327 and is irregular in shape with an area of 15,619m². The land falls 6 metres from the south east to the north west (Lane Cove Road to Coolinga Road) and holds frontages to:

- Giffnock Avenue (85.5 metres in length);
- Coolinga Street (110 metres in length);
- Waterloo Road (203 metres in length); and
- Lane Cove Road (49.6 metres in length).



Figure 1: Subject site and surrounding context (Source: Google Maps)

The site is located at the central core of the Macquarie Park Corridor (refer to **Figure 2**), directly adjoining the western entrance to the Macquarie Park train station (also known as TIDC site as discussed in **Section 5.2**).

The Macquarie Park Corridor is a recognised “Specialised Centre” within the Metropolitan Plan for Sydney 2036, with an area of 340 hectares and is bounded by arterial roads including the M2, Epping Road and Delhi Road with Lane Cove Road running through the middle. The Macquarie Park Corridor is approximately 5 kilometres and 11 kilometres from the Chatswood and Sydney CBDs, respectively.

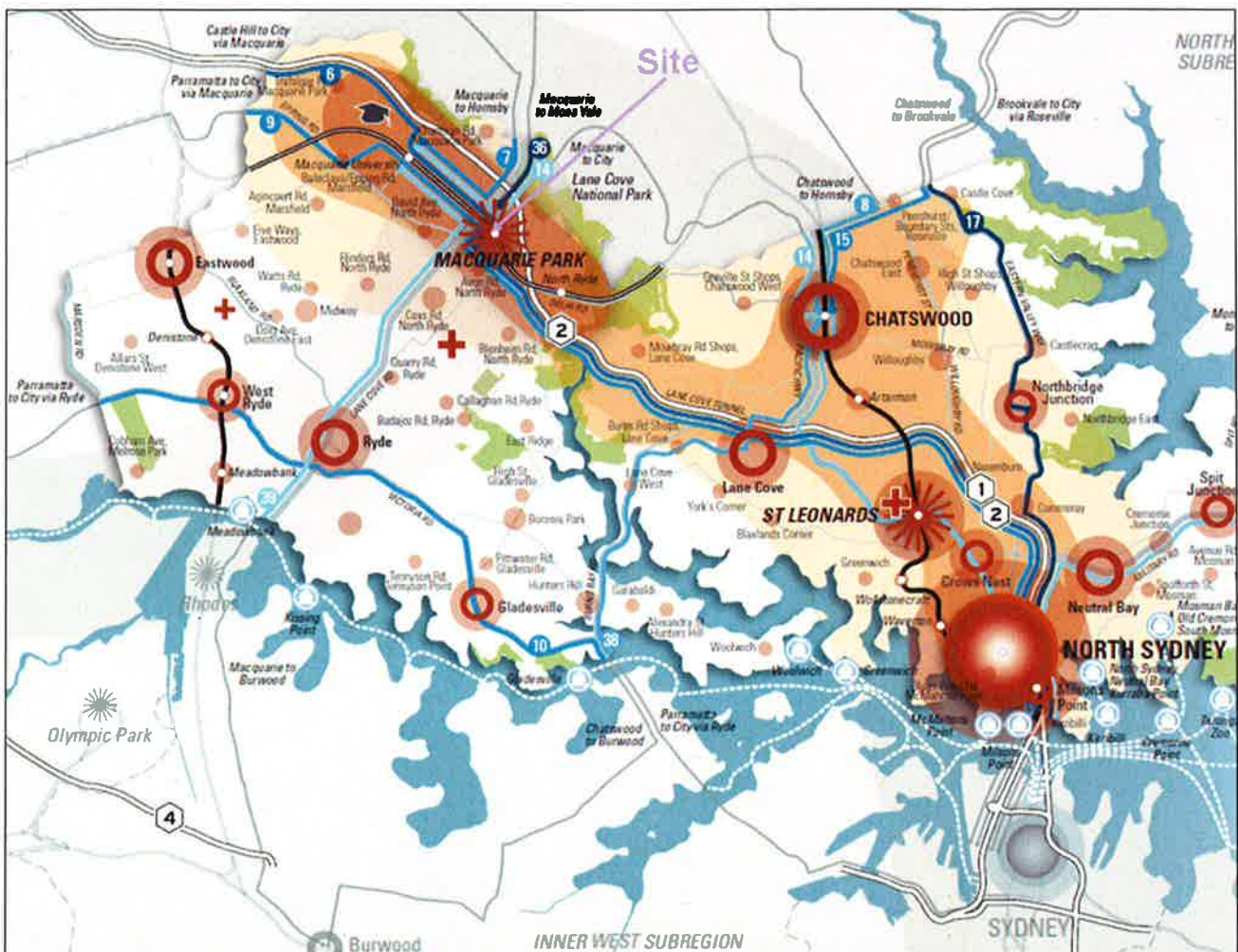


Figure 2: Site location in context of Sydney (Source Draft Inner North Subregional Strategy)

Key developments in the Macquarie Park Corridor include Macquarie University, Macquarie University Private Hospital, Macquarie University Research Park, CSIRO Research Park and Macquarie Shopping Centre. The Macquarie Park Corridor also has access to new railway stations, Macquarie Park and Macquarie University on the Epping to Chatswood rail link. This rail corridor is a significant new rail infrastructure investment by the State government developed specifically to connect the Macquarie Park Corridor with the rest of Sydney.

Macquarie Park is currently undergoing a transition from a predominantly light industrial business park to a high technology urban/commercial centre with an infill of hi-tech and bio-medical sectors that involve research, development and manufacturing including the Riverside Corporate Park (formerly CSIRO Research and Development Park), Sonic Healthcare, Sony, Microsoft, Canon, Seiko and Fujitsu.

1.2 Existing Site Features

The site currently comprises:

- a 6,069m² rectangular-shaped 1-2 storey light industrial building which fronts Lane Cove Road and Waterloo Road (**Figure 3**);
- a 1,949m² square-shaped 2 storey light industrial building which fronts Giffnock Avenue and Coolinga Street (**Figure 4**);
- two at-grade car parks containing a total of 153 car spaces;
- a large grassed area at the northern corner which also functions as a helicopter landing pad; and
- vehicular access which is currently available from Waterloo Road, Coolinga Street and Giffnock Avenue.

The site is well serviced by public transport, with the western entrance to the Macquarie Park railway station adjoining the site at its south eastern corner and numerous bus services running along Waterloo and Lane Cove Roads.



Figure 3: View looking north west from Lane Cove Road and Waterloo Road intersection showing adjoining Hyundai Building (left), the site (middle), and the western portal to the Macquarie Park railway station (right) (Source: Google Maps)



Figure 4: View of site looking east from Coolinga Street and Giffnock Avenue intersection (Source: Google Maps)

1.3 Surrounding Development

The surrounding locality is characterised by large allotments containing predominantly large freestanding commercial buildings and warehouses well setback from the streets with large at grade car parks. The building forms typically lack the provision of active street edges. More specifically:

- Immediately to the north east of the site is Waterloo Road and the western entrance to the Macquarie Park train station. On the northern side of Waterloo Road are a number of light industrial and (under construction) commercial properties ranging in height between one and eight storeys with at grade on site parking. Further to the north west is the Macquarie Shopping Centre.
- To the north west of the site is Coolinga Street characterised by low level 2 storey light industrial and commercial buildings set within well landscaped sites with at grade on site parking.

- To the south east of the site is Lane Cove Road which is characterised by low to medium level light industrial and commercial buildings ranging in height between one to four storeys, with the exception of an eight storey hotel further to the east. Directly across Lane Cove Road from the site is the eastern entrance to the Macquarie Park train station.
- To the south west of the site is Hyundai Drive and the Hyundai Motor Company of Australia (HMCA) site. The HMCA site contains a recently completed 8 storey commercial building, which is accessed via Hyundai Drive/Giffnock Avenue (**Figure 3**).
- Further south and west of the site along Giffnock Avenue and Lane Cove Road are a number of specialised high tech commercial buildings including a Council approved MIRVAC development ranging in height between five and eight storeys.

2. PROPOSED PROJECT

2.1 Project Description (as exhibited)

The proposal, as exhibited in the Environmental Assessment (EA) sought Concept Plan approval for the following:

- 4 commercial and retail building envelopes ranging in height from 8 to 17 storeys;
- maximum Gross Floor Area (GFA) of 83,368m²;
- maximum Floor Space Ratio (FSR) of 5.12:1;
- 6 level common basement car parking for 1,042 car spaces;
- vehicular entry via Giffnock Avenue;
- landscaping and public domain concepts for 2,443m² of deep soil planting; and
- relocation of the existing helipad.

2.2 Preferred Project Report (PPR)

Following the public exhibition of the EA, the Department advised the proponent of a number of issues which required further consideration, and requested the submission of a PPR. The main issues raised were in relation to traffic, car parking provision, public domain and urban design.

The following chronology illustrates the key aspects in the evolution of the final PPR:

- on 11 November 2011, the Proponent submitted a response to submissions and a Preferred Project (PPR);
- on 8 March 2012, the Proponent submitted additional information to support the revised Traffic Impact Assessment report submitted with the PPR;
- on 28 March 2012, the Proponent submitted a further revised Traffic Impact Assessment report to address the concerns raised by the Roads and Maritime Services (RMS) with regards to the traffic modelling undertaken;
- on 30 March 2012, the Proponent submitted further revised traffic modelling to address the concerns raised by the RMS; and
- on 9 May 2012, the Proponent submitted an indicative plan showing the land proposed to be dedicated to Council.

The proposal as refined within the PPR is detailed in **Table 1**.

Table 1: Key Components of the Concept Plan

| Aspect | Description |
|-------------------------------------|--|
| Project Summary | Concept Plan for a commercial development |
| Land Uses | Commercial uses, ground floor retail and a helipad |
| Building Envelopes / Heights | 4 Commercial and retail building envelopes as follows: <ul style="list-style-type: none"> • Building A – maximum RL of 129.3 metres AHD (17 storeys + plant level) • Buildings B – maximum RL of 96 metres AHD (8 storeys + plant level) |

| Aspect | Description |
|--|--|
| | <ul style="list-style-type: none"> Building C and D – maximum RL of 96 metres AHD (Part 8/9 storeys + plant level) |
| Gross Floor Areas (GFA) | Maximum GFA of 83,368m ² comprising: <ul style="list-style-type: none"> 79,736m² GFA for commercial use; and 1,852m² GFA for ancillary retail use. |
| Floor Space Ratio (FSR) | 5.12:1 |
| Site Area including TIDC site = 16,289m² | |
| Parking | 6 level common basement car parking for: <ul style="list-style-type: none"> 1,042 car parking spaces; 538 bicycle spaces; 9 truck bays; and 24 courier parking spaces. |
| Vehicular Access | Driveways at Giffnock Avenue and Coolinga Street. |
| Helipad | Helipad at the roof of one of the building envelopes (Details to be provided as part of future Development Applications) |
| Landscaping and Public Domain | <ul style="list-style-type: none"> 4 new publicly accessible courtyards between building envelopes including a new central courtyard at the north west corner of the site (Figure 17); Establishment and future dedication of 1,900m² of new civic streetscape at the Waterloo Road frontage, and new civic square on the adjoining TIDC site surrounding the western entrance to the Macquarie Park railway station; Streetscape upgrades to all street frontages; Publicly accessible pedestrian through site/courtyard 'links' between proposed building envelopes including covered pedestrian connections; and 4,165m² of deep soil landscaping, and an additional 2,772m² of landscaped area. |
| Staging | Stage 1: Buildings C and D Stage 2: Building B Stage 3: Building A |

Key changes in the PPR include:

- provision of a second driveway access at Coolinga Street;
- indicative concept design for the future public domain;
- revised indicative internal configuration of the basement;
- increased basement envelope setback to the western boundary; and
- amended landscape concept plan including a 1.5 metre deep soil zone at the western boundary.

Images of the PPR are shown in Figures 5 and 6.

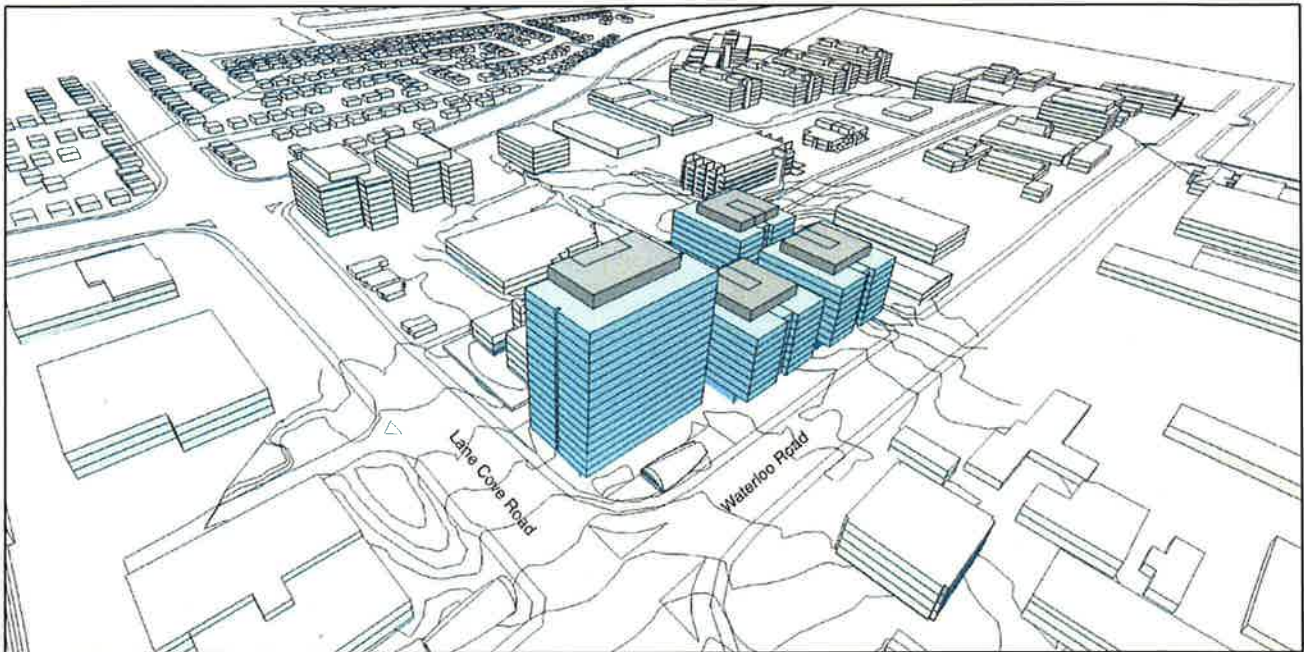


Figure 5: Proposed building envelopes viewed from the north east (Source: PPR)



Figure 6: Proposed Concept Plan Layout (Source: PPR)

2.3 Need and Justification

NSW 2021

NSW 2021 is the NSW Government's strategic business plan for setting priorities for action and guiding resource attention. NSW 2021 is a ten year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability and strengthen the local environment and communities.

The proposed development represents a significant investment which will contribute to both immediate and ongoing employment growth and the economy. The proposal seeks to provide an additional 2,138 operational jobs and 1,050 construction jobs. The jobs created will have excellent access to the Macquarie Park train station, which is part of the Epping to Chatswood railway line. The proposal will also provide an investment of \$268 million into the Macquarie Park Corridor.

Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 is a strategic document that guides the development of the Sydney Metropolitan area towards 2036. The Plan aims to support the continued economic growth and competitiveness of Sydney whilst enhancing its standing as a global city.

The Plan identifies Macquarie Park as a 'Strategic Centre' and as the northern anchor of the 'Global Economic Corridor' (also known as the Global Arc) of concentrated jobs and economic activities in centres, stretching between Macquarie Park and Port Botany (**Figure 7**). The Plan further seeks to extend the global arc to include Parramatta, Sydney Olympic Park and Rhodes.

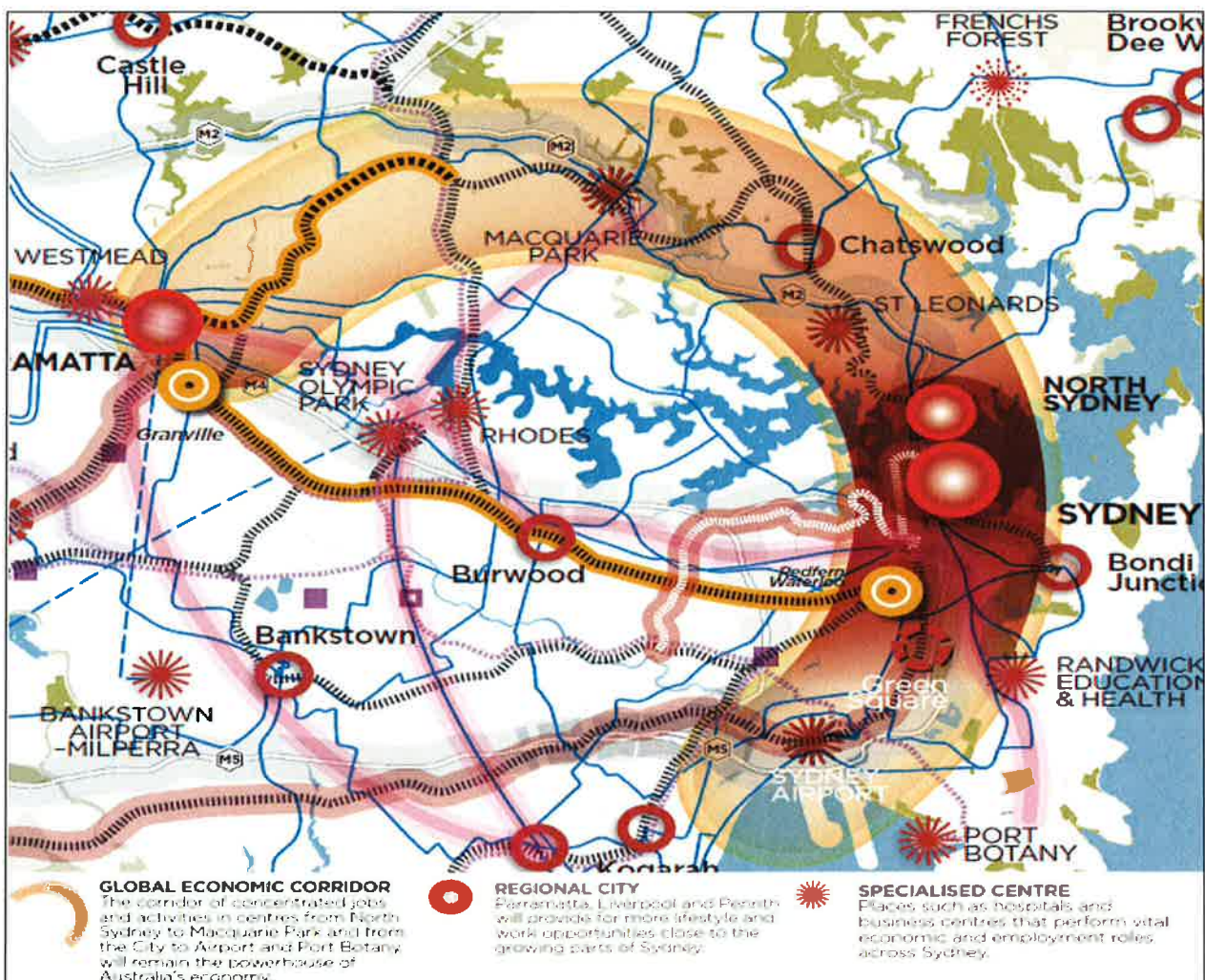


Figure 7: Global Economic Arc with Macquarie Park acting as the northern Anchor (Source: Metropolitan Plan for Sydney 2036)

The Plan identifies the renewal of the Global Economic Corridor as playing a critical role in the metropolitan and national economy, and in achieving diverse and liveable communities.

Macquarie Park's role as a 'Strategic Centre' is more specifically classified as a 'Specialised Centre' under the Plan, which is targeted to provide stronger employment and economic functions than other centres due to its potential to experience high growth agglomeration in the specialised sectors of "professional, scientific and technical services", and "information and communication technology". The Epping to Chatswood railway line and the fast track completion of a number of bus priority works on key strategic bus corridors, which provide regional connections to other centres, were developed specifically to further unlock the economic potential of the area by improving accessibility to surrounding Strategic Centres and nearby residential areas such as Chatswood and Hornsby.

The Plan sets out an employment target of 2.85 million jobs in Sydney by 2036, which requires the creation of an additional 760,000 jobs. In order to provide the required jobs, it is estimated that Sydney will require up to 10,000,000m² of commercial floor space. The Plan sets a target of an additional 19,000 jobs (total 58,000 jobs) by 2036 for Macquarie Park in contributing toward the overall job target.

Key objectives of the Metropolitan Plan relevant to the proposal are:

- target development around existing and planned transport capacity;
- locating jobs close to homes;
- concentrating commercial activity and job destinations in centres;
- integrating transport and land use planning, and decision-making to support increase public transport mode-share;
- creating more liveable communities; and
- sustaining Sydney's position as the nation's global city.

The proposal will make a significant contribution to the achievement of a number of the Metropolitan Plan's targets. Specifically, the proposal will provide 83,368m² of high-quality commercial floor space within a currently underutilised site at the core of a strategically identified Specialised Centre in the Global Economic Corridor, thus contributing to sustaining Sydney's position as the nation's global city.

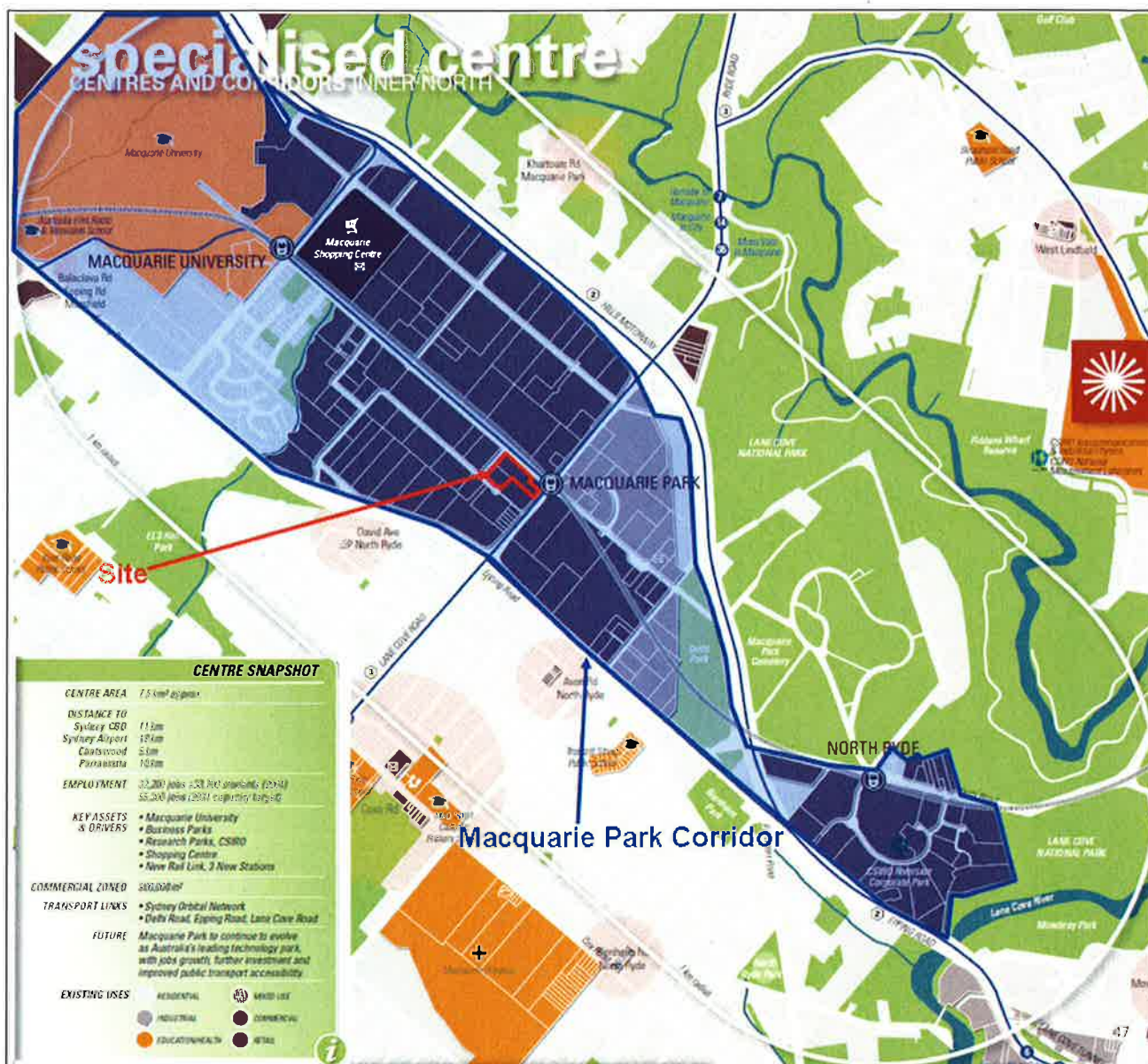
The proposal will contribute an additional 2,138 operational jobs within Macquarie Park making a significant contribution of 11.2% toward the overall jobs target of 19,000 by 2036. In addition, the proposal will contribute to the achievement of the Plan's environmental targets, specifically by providing employment opportunities within a Specialised Centre with excellent access to public transport and provision of a minimum 5 Star Green Star energy efficiency rating as discussed in **Section 5.2**.

The proposal is a prime example of integrating transport and land use planning in the decision making process by supporting greater public transport use for the future employees accessing the site, through a minimalist approach in provision of car parking on site, as discussed in **Section 5.1**.

Draft Inner North Subregional Strategy

The Metropolitan Plan places the site within the Inner North subregion. The Draft Inner North Subregional Strategy highlights Macquarie Park for its role as a Specialised Centre and as the northern anchor of the Global Economic Corridor providing a unique economic space, with clustering of high technology businesses and a campus type working environment and amenities (**Figure 8**).

The Strategy targets an additional 60,100 new jobs for the subregion by 2031 with the Ryde LGA containing a target of 21,000 new jobs. The Strategy specifically identifies Macquarie Park Specialised Centre as the potential to provide an additional 900,000m² of commercial/office floor space with 23,100 new jobs (total 55,300 jobs) between 2001 and 2031.



These targets are superseded by the Metropolitan Plan targets of 19,000 new jobs (total 58,000 jobs) between 2006 and 2036. As discussed previously the proposal makes a substantial contribution to these targets.

The Strategy also identifies the need to influence a shift from the current travel behaviour of employees in Macquarie Park who predominantly access the area by car. The proposed development will encourage the use of public transport due to its excellent access to train and bus services and reduced car parking provision for future employees. Furthermore, the development proposes to establish key public domain spaces including upgrades of the public realm treatment around the western entrance to the Macquarie Park railway station thus creating more pedestrian friendly and functional civic spaces.

The proposal is therefore consistent with the key directions and targets of the Draft Inner North Subregional Strategy.

City of Ryde Local Planning Study 2010

The City of Ryde Local Planning Study 2010 was formally adopted by Ryde City Council on 7 December 2010 and developed for the purposes of:

- guiding future growth in Ryde over the next 10 years through a range of land use planning initiatives;
- informing the preparation of the comprehensive Ryde Local Environmental Plan (Draft RLEP 2011); and
- reviewing and responding to the directions and actions of the NSW Government's Metropolitan Strategy: City of Cities and Inner North Subregion: Draft Subregional Strategy.

The Study identifies the Macquarie Park Corridor as a key economic corridor in the Ryde Local Government Area with the potential to become a premium location for globally competitive businesses. A key direction of the study is to develop Macquarie Park into a premium business location through the implementation of current and proposed planning framework for the Macquarie Park Corridor which includes the proposed Amendment No 1 (discussed below).

The study identifies Macquarie Park station and its surrounds as one of three core station precincts in the corridor and envisages the Macquarie Park station precinct as being a vibrant focal point for transition to more intense commercial developments. The precinct is also envisaged to be highly accessible to pedestrians with high quality public domain spaces (**Figure 9**).



Figure 9: Macquarie Park Station Precinct (Source: City of Ryde Local Planning Study)

The proposal is consistent with the Study's vision for the Macquarie Park Station precinct by providing an appropriate focal point and transition of building heights from Macquarie Park Station in accordance with the proposed Amendment No 1 as discussed in **Section 5.2**. The proposal will also facilitate high quality functional public domain spaces that provide a high level of pedestrian amenity within the precinct.

The proposal is considered to be consistent with the City of Ryde Local Planning Study 2010.

Local Planning Controls

Ryde Local Environmental Plan 2010 (RLEP 2010)

The Ryde Local Environmental Plan 2010 (RLEP 2010) was gazetted on 30 June 2010 and is a transfer of the Ryde Planning Scheme Ordinance provisions into the standard LEP template format. The RLEP 2010 provides a maximum Floor Space Ratios (FSR) of 3.0:1 and 2.0:1 respectively, and maximum heights of 37 metres and 44.5 metres respectively for the site.

Draft Ryde Local Environmental Plan 2011 (Draft RLEP 2011)

The Draft Ryde Local Environmental Plan 2011 (Draft RLEP 2011) is the draft comprehensive LEP for the Ryde Local Government Area and is based on the outcomes of the City of Ryde Local Planning Study 2010. The purpose of the Draft RLEP 2011 is to guide development for the next 10 years in the Ryde Local Government Area.

The Draft RLEP 2011 does not propose any changes to the planning controls for the Macquarie Park Corridor from the Ryde Local Environmental Plan 2010 (RLEP 2010). These are a maximum Floor Space Ratios (FSR) of 3.0:1 and 2.0:1 respectively and maximum heights of 37 metres and 44.5 metres respectively for the site.

The Department has granted a Section 65 certificates pursuant to the EP&A Act, to exhibit the Draft RLEP 2011. The Department has been notified that the proposed Draft RLEP 2011 will be placed on exhibition from 30 May 2012 to 13 July 2012.

Draft Ryde Local Environmental Plan 2009 (Amendment No 1)

Ryde Council has been granted a Gateway Determination by the Department pursuant to Section 56 of the EP&A Act for the exhibition of draft Ryde Local Environmental Plan 2009 (Amendment No 1). The purpose of Amendment No 1 is to provide an uplift in commercial floor space across the Macquarie Park Corridor in recognition of the objectives identified in the Metropolitan Plan for Sydney 2036, Draft Inner North Subregional Strategy and City of Ryde Local Planning Study 2010.

Amendment No 1 allows increased maximum FSR and height controls for sites within the Macquarie Park Corridor, including the subject site (as detailed in **Section 5.2**). Amendment No 1 also proposes bonus height and FSR incentives for developments that achieve environmental excellence through achievement of a 5 Star Green Star certified rating. Where a proposal meets this energy efficiency rating, an additional 10% of floor space and height of 4 metres (1 storey) is permitted.

Amendment No 1 has not yet been exhibited and it is noted that Ryde Council has sought an extension until July 2012 to undertake a further review of the proposed controls prescribed in Amendment No 1.

Council has indicated that should Amendment No 1 be gazetted then the relevant standards for Macquarie Park would be transferred into the relevant Local Environmental Plan at the time being either the RLEP 2010 or gazetted comprehensive Draft RLEP 2011.

Consideration of Local Planning Controls

In consideration of the planning controls applicable to the site, the Department considers that the planning controls proposed in Amendment No 1 should be given weight over the RLEP 2010 and Draft RLEP 2011 controls in consideration of the proposal as the amendment encourages development that is in keeping with the future role of the Macquarie Park Corridor as a Specialised Centre and in recognition of the wider strategic objectives. Council has also requested that the proposal be considered in accordance with the planning controls proposed under Amendment No 1.

The proposal generally complies with the intent of Amendment No 1 by providing a substantial amount of high quality commercial floor area at a key site within the Macquarie Park Corridor (discussed further in **Section 5.2**). In addition the proposed building envelopes are consistent with the prescribed height controls for the site of 41 metres and 75 metres (includes bonus 4 metre height bonus) as discussed in **Section 5.2.2**.

2.4 Concept Plan

The Proponent has applied for approval of a Concept Plan under Section 75H of the EP&A Act. The Concept Plan application seeks approval for the building envelopes and land uses described in **Section 2.2**. Any future applications under the Concept Plan will be assessed by Ryde Council.

3. STATUTORY CONTEXT

3.1 Major Project

The proposal is a major project under Part 3A of the EP&A Act because it is development for the purpose of a residential, commercial or retail project under the former provisions of Clause 13 Schedule 1 of *State Environmental Planning Policy (Major Development) 2005*. The proposal has a capital investment value of more than \$100 million.

Part 3A of the EP&A Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A to the Act, continues to apply to transitional Part 3A projects. Director-General's environmental assessment requirements (DGRs) were issued in respect of this project prior to 8 April 2011, and the project is therefore a transitional Part 3A project.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under section 75O of the EP&A Act. In this regard, the Deputy Director General may determine the application on the Minister's behalf under delegation as Ryde Council has not objected to the proposal, no political donations have been declared in respect of the proposal, and less than 25 public submissions objecting to the proposal have been made.

3.2 Permissibility

The site is zoned B3 Commercial Core under the Ryde Local Environmental Plan 2010 (RLEP 2010). The proposed commercial and retail uses are permissible within the zone.

The proposed helipad is considered to be an ancillary use to the permissible commercial development. It is noted that the existing development on site is currently provided with a helipad.

In addition, both Draft RLEP 2011 and Amendment No 1 retain the existing B3 Commercial Core zone.

3.3 Environmental Planning Instruments

The Department's consideration of relevant SEPPs and EPIs is provided in **Appendix D**.

3.4 Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the EP&A Act, as set out in Section 5. The relevant objects are:

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats,*
 - (vii) *ecologically sustainable development,*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Department considers that the proposal is consistent with the objects of the Act as it will:

- facilitate an orderly development of the site within an existing built up area;
- make a significant contribution to the achievement of a number of targets in both the Metropolitan Plan for Sydney 2036 and Subregional Strategy, including provision of large-scale commercial development within a strategic centre which will provide increased employment and high grade commercial floor space;
- contribute 83,368m² of high-quality commercial floor space creating 2,138 operational jobs, and will make a substantial contribution of 11.2% toward the overall jobs target of 19,000 for Macquarie Park by 2036;
- increase local employment opportunities through the construction and operation phases of the development;
- encourage the use of existing public transport due to its excellent access to train and bus services and reduced car parking provision for future employees;
- provide high quality public domain spaces including upgrades of the public realm including treatment around the western entrance of the Macquarie Park railway station thus creating more pedestrian friendly and functional civic spaces; and
- achieve a 5 Star Green Star energy efficiency rating (discussed in **Section 5.2**).

3.5 Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The Department considers that the proposal represents a sustainable use of the site as it proposes to provide a significant amount of high quality commercial floor space within an established Specialised Centre with excellent access to public transport ensuring that the proposal will benefit future generations.

The proponent commits to ESD principles and has reinforced this through the environmental assessment which explores key ESD opportunities. The proposal will also provide a minimum 5 Star Green Star rating for future buildings as discussed later in **Section 5.2**.

Noting the above, the Department considers the proposal is consistent with the key principles of ESD. A further detailed assessment against ESD Principles is at **Appendix D**.

3.6 Statement of Compliance

In accordance with section 75I of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under section 75H(3) of the EP&A Act, the Director-General is required to make the environmental assessment (EA) of an application publicly available for at least 30 days. The Department publicly exhibited the EA from 1 December 2010 to 31 December 2010 (total of 31 days) on the Department's website and at the Department's Information Centre, City of Ryde Council offices and Ryde Library. The Department also advertised the public exhibition in the Sydney Morning Herald, the Daily Telegraph, the Gladesville Weekly Times and the Northern District Times newspapers and notified nearby landholders and relevant State agencies and City of Ryde in writing.

The Application, Director-General's Environmental Assessment Requirements, Environmental Assessment, and Response to issues raised in submissions (in Preferred Project Report) were placed on the Department's Website. This satisfies the requirements in Section 75H(3) of the EP&A Act.

The Department received a total of six agency submissions from public authorities including Ryde City Council. Three public submissions were received from private landowners of properties to the west and north west of the site.

4.2 Public Authority Submissions

Six submissions were received from public authorities in response to the EA, and a further two submissions were received in response to the PPR. The submissions from public authorities are summarised in **Table 2**.

Table 2: Summary of public authority submissions

| City of Ryde Council | |
|-----------------------------|--|
| EA | <p>Council raised the following concerns in their submission:</p> <ul style="list-style-type: none">• inadequate community consultation and inappropriate timing of public exhibition over the Christmas-New Year break;• issues associated with probity in the Part 3A process;• urban design issues including:<ul style="list-style-type: none">• lack of variety in building design, footprint, and separation within the proposal;• need for further articulation of the façade treatment; and• need for further activation of the interface between the buildings and the street;• traffic modelling undertaken is incorrect and outdated; and |

| | |
|------------|--|
| | <ul style="list-style-type: none"> no infrastructure improvements are proposed at adjoining intersections to mitigate traffic generated by the proposal. |
| <i>PPR</i> | <p>Council made a further submission to the PPR. Council raises concerns primarily with regard to the proposed density and the following:</p> <ul style="list-style-type: none"> the proposed non compliance with FSR controls under Amendment No 1; the form, design and structure of the development should be for commercial and retail uses only. Any residential uses on the site would not be supported; consideration of the objectives of the existing DCP 2010 planning controls for the Macquarie Park Corridor including provision of an active main street at Coolinga Street; car parking provision on site should be reduced to the amount applicable under a compliant FSR development for the site; any future applications will need to demonstrate compliance with Council's relevant controls, in particular with regard to urban design; resolution with the RMS regarding necessary road network upgrades as part of the development; traffic concerns due to exceedance of FSR controls under Amendment No. 1; and any future Voluntary Planning Agreement for the development will be the subject of future consideration by Council. |

Roads and Maritime Services (formerly Roads and Traffic Authority)

| | |
|------------|---|
| <i>EA</i> | <p>The RMS, under the Sydney Regional Development Advisory Committee, initially did not support the proposal and provided the following comments:</p> <ul style="list-style-type: none"> the proposed buildings and structures should be located clear of the proposed bus lane at Lane Cove Road/Waterloo Road intersection; the traffic report refers to the Ryde Council 2007 Base Paramics Model instead of the current 2010 Base Paramics Model and is therefore inaccurate; individual analysis (aaSIDRA) modelling of the intersections impacted by the development should be undertaken; the traffic report under-estimates the impact of the development on the intersections along Lane Cove Road and could cause gridlock; a G-turn treatment is required to be investigated to reduce delay and improve traffic efficiency in the local road network particularly at the Lane Cove Road/Waterloo Road intersection; and a reduced parking provision would be supported. |
| <i>PPR</i> | <p>The RMS made a number of further submissions to the PPR. The RMS initial concerns with the proposal have been resolved and the final RMS submission provided comment on the following:</p> <ul style="list-style-type: none"> the Traffic Impact Assessment Report relies heavily on traffic being distributed to other intersections in the local road network under the care of Ryde City Council; the G Turn treatment and other upgrades to intersections will not be required as part of the development; the proposed localised upgrades will allow for efficient access to the site; the proposal relies heavily on future employees using public transport to access the site and may increase on street parking demand; and future applications must provide detailed work place travel plans to promote use of public transport to access the site and should include consideration of incentive schemes for employees. |

Transport for NSW (TfNSW)

| | |
|-----------|--|
| <i>EA</i> | <p>Transport NSW provided the following comments:</p> <ul style="list-style-type: none"> further details should be provided on the number and location of visitor bicycle parking, together with the location of showers and change facilities; |
|-----------|--|

- the Traffic and Accessibility Study should be expanded to include the number of car sharing spaces and a Travel Access Guide for visitors to the site; and
- an additional pedestrian shelter should be provided along the Lane Cove Road frontage.

| RailCorp | |
|---|---|
| EA | RailCorp requested the imposition of future assessment requirements which seek to protect the railway line and other adjoining RailCorp facilities during construction and occupation. |
| Department of Primary Industries - NSW Office of Water (NOW) | |
| EA | The NSW Office of Water raised concerns over the proposal encountering significant inflows of groundwater and recommended that mitigation measures be undertaken to seal off the water bearing zones and minimise the extraction of groundwater from the basement areas during construction. |
| Sydney Water | |
| EA | Sydney Water advised that the existing water and wastewater system has capacity to service the development. Sydney Water also advised that a recycled water scheme for the Macquarie Park Corridor is being investigated however the Proponent should not rely on recycled water to achieve any Green Star ratings. |

4.3 Public Submissions

Three public submissions were received in response to the proposal (**Figure 1**). A submission was received in response to the EA from Turnbull Planning on behalf of the Hyundai Motor Company of Australia, which occupies the site directly to the west at 394 Lane Cove Road. The key issues raised include:

- a significant overdevelopment of the site;
- non compliance with Ryde Planning controls with regards to FSR, height and objectives;
- excessive bulk and scale;
- traffic impacts and capacity of the road network;
- carparking provision for the site is excessive;
- overshadowing impacts on the Hyundai building;
- development is generally inconsistent with surrounding streetscape;
- proposal will obscure views of the existing Hyundai sky sign; and
- the proposed helipad is too close to the Hyundai building.

A further submission by Turnbull Planning on behalf of the Hyundai Motor Company of Australia was submitted in response to the PPR raising the same issues with the proposal.

A submission from the owners at 388-392 Lane Cove Road, further to the west of the site adjoining Hyundai Drive, was received raising concern that the requested G-Turn scenario by the RMS may impact on the development potential of their site. The Department notes that the G Turn is no longer being pursued by the RMS.

On 23 May 2012, a submission was received from MP Town Planning on behalf of Sonic Healthcare Limited, which occupies a site to the north west at 14 Giffnock Avenue. The submission included a traffic and transport review of the traffic assessment submitted in the EA and PPR. The key issues raised include:

- traffic impacts and capacity of the road network, particularly on the operation of Sonic Healthcare Limited;
- accuracy of the traffic assessment submitted in the EA and PPR;
- non compliance with Ryde Planning controls with regards to FSR, and height; and
- Amendment No 1 and City of Ryde's Development Control Plan 2010 (RDCP) should not be given weight in consideration of the proposal.

The Department has considered the issues raised in the submissions in its assessment of the project. These are considered further in **Section 5**.

4.4 Proponent's Response to Submissions

The proponent provided a response to the key issues raised by all submissions in response to the exhibition of the EA (**Appendix C**). The Department considers that the PPR adequately addresses concerns raised in submissions, subject to a number of recommended modifications to the proposal, as discussed in **Section 5** of the report.

5. ASSESSMENT

The Department considers the key environmental issues for the proposal to be:

- traffic and car parking;
- built form; and
- public domain and landscaping.

5.1 Traffic and Car Parking

5.1.1 Traffic Generation and Local Road Network

The road network in Macquarie Park is subject to high volumes of traffic during the morning and afternoon peak hours largely as a result of:

- the high car dependency within the Macquarie Park Corridor with the current modal split for Macquarie Park at 85% car and 15% public transport; and
- the heavy volumes of through traffic along a number of arterial roads running through the corridor including Lane Cove Road, Epping Road, and the M2 Motorway which provide regional connections for working commuters to other centres around Sydney.

The local road network around the site consists primarily of Lane Cove Road (south), Waterloo Road (north east), Coolinga Street (north west), Giffnock Avenue (west), and Hyundai Place (west) (**Figure 10** page over). Epping Road is located nearby to the west and forms part of the wider road network. In particular:

- Lane Cove Road is a state controlled arterial road providing 3 lane traffic each way and carries some 5,275 to 5,500 vehicles (two-way) during the peak hours. It provides a regional connection to the Pacific Highway to the north (at Gordon) and with Princes Highway to the South (at Blakehurst). Major intersections are either traffic signalled or grade separated including Victoria Road, Epping Road, and M2 Motorway;
- Epping Road is also a state controlled arterial road providing 3 lane traffic each way and carries a significant amount of traffic during the peak hours. It provides a regional connection for the greater northern hills district and a number of centres towards the Sydney CBD. Epping Road is an overpass that runs over the top of Lane Cove Road;
- Waterloo Road is a regional access road within Macquarie Park providing 2 lane traffic each direction and carries some 1,000 to 1,950 vehicles per hour (two-way) during the peak hours. It provides access to Macquarie University and Macquarie Shopping Centre towards the north; and
- Coolinga Street and Giffnock Avenue are local access streets providing one lane traffic each direction and carry some 330 to 540 and 300 to 900 vehicles per hour (two-way) during the peak hours, respectively. Hyundai Place is a one way local access street connecting Lane Cove Road with Giffnock Avenue. It forms part of Council's local road network for the Macquarie Park Station precinct.

The intersections of Waterloo Road/Coolinga Street and Giffnock Avenue/Coolinga Street are non signalised T-intersections. Turning movements to and from Waterloo Road are limited to left turns by the median in Waterloo Road.

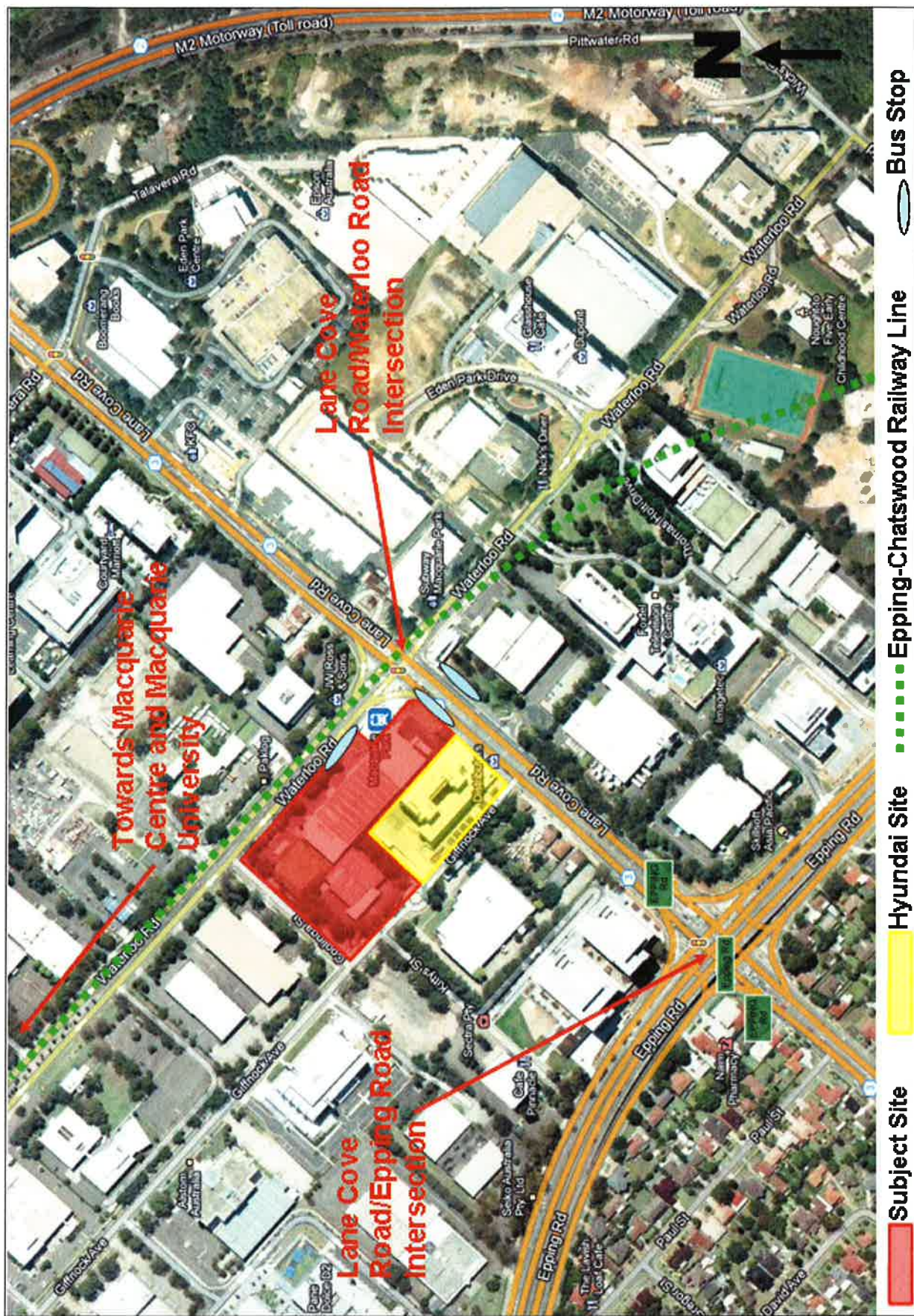


Figure 10: Local road network and key intersections in context of site

The Lane Cove Road/Waterloo Road and Lane Cove Road/Epping Road signalised intersections currently operate near or at capacity during the morning and afternoon peak hours and experience significant traffic delays during these peak times.

Given the current levels of high traffic movement during peak hours in the road network, the Department considers that traffic generation and impact on the local and wider road network is a key consideration for the Department's assessment.

Agency and Public Comments

The RMS and Council's submissions to the EA raised concern over the proposal's potential impact on the congested and close to capacity road network given the provision of 1042 car parking spaces for the development. Specific concerns were raised with the Proponent's Traffic Impact Assessment Report (TIAR) prepared by ARUP. The TIAR utilised the outdated and no longer relevant Ryde Council's 2007 Base Paramics model for Macquarie Park as the basis for its assessment. The RMS and Council requested that an amended TIAR be provided utilising the most updated Paramics model being the Ryde Council's 2010 Base Paramics model for Macquarie Park. In addition, the TIAR is to include the industry standard aaSIDRA modelling on surrounding impacted intersections.

The RMS raised particular concern with the proposal's impact on the Lane Cove Road/Epping Road signalised intersection. In addition, the RMS in their EA submission requested consideration of a G Turn treatment around the intersection at Lane Cove Road/Waterloo Road as it was considered that it may have the potential to reduce delay and improve traffic efficiency at the intersection and around the local road network.

The PPR concluded that there is limited benefit in the provision of a G-Turn treatment on the overall traffic network. The RMS final submission agrees with these findings and comments that upgrades to intersections will not be required as part of the development.

Council and the RMS final submission consider that the issues originally raised with the TIAR have been resolved in the PPR's revised TIAR. Council however remained concerned at the proposals potential to impact on the wider road network at Macquarie Park.

Public submissions also raised concern on the proposal's traffic generation and impact on the road network. In particular, the submission from Sonic Healthcare Limited included a traffic and transport review of the traffic assessment submitted in the EA and PPR. The submission raised concern over the accuracy of the traffic assessment submitted in the EA and PPR, and the traffic impacts of the proposal on the road network and its impact on the operation of Sonic Healthcare Limited.

Proponent's Justification

The Proponent submitted a revised TIAR (incorporating revised Paramics Modelling using Ryde Council's 2010 Base Paramics Model) with the PPR for the proposal prepared by Colston Budd Hunt & Kafes Pty Ltd and Parsons Brinckerhoff.

The TIAR estimates that the traffic generated by the proposal should be calculated at the rate of 0.42 and 0.55 trips per car parking space provided for the development in the weekday morning and afternoon peak hours, respectively. These rates are based on site surveys of existing uses on site which are considered to be similar to the proposed development. The TIAR estimates that the likely net increase in traffic generated by the proposal would be some 380 vehicles per hour (two way) in the weekday morning peak hour and some 485 vehicles per hour (two way) in the weekday afternoon peak.

The TIAR assesses that the additional traffic generated by the development will result in some additional delays at local intersections, however these intersections will continue to operate at similar levels and remain satisfactory, with the exception of Lane Cove Road/Waterloo Road and Lane Cove Road/Epping Road intersections. A summary of the impact at these intersections is provided in **Table 3**.

A key finding of the TIAR is that during the morning and afternoon peak hours, up to 55 and 25 vehicles respectively, will be unable to reach the development during these times due to congestion in the wider network, resulting in peak spreading. This means that the number of trips will arrive over a longer period of time either side of the peak hours, in addition to further intensifying the number of vehicle trips during peak hours.

Table 3: Summary of proposals traffic impact on the Lane Cove Road/Waterloo Road and Lane Cove Road/Epping Road Intersection

| Scenario | Average Delay per vehicle (Seconds) | | Level of Service | |
|--|--|-----|------------------|----|
| | AM | PM | AM | PM |
| Lane Cove Road/Waterloo Road Intersection | | | | |
| Existing Traffic | 61 | 46 | E | D |
| Proposal | 73 | 48 | F | D |
| Lane Cove Road/Epping Road Intersection | | | | |
| Existing Traffic | 88 | 97 | F | F |
| Proposal | 100 | 109 | F | F |

The TIAR notes the global network statistics indicate that the proposed development will have a minor impact on the wider road network as a whole, despite the peak spreading.

The TIAR recommends the following road upgrades to facilitate the increased traffic in local streets and provide efficient access to the site via the two new driveways proposed of Coolinga Street and Giffnock Avenue:

- installing a median strip at Coolinga Street fronting the driveway to the site to limit traffic movements into the site to a left-in and left-out arrangement due to its proximity to the intersection at Waterloo Road and ease traffic flow along Coolinga Street; and
- a roundabout at the intersection of Giffnock Avenue/Coolinga Street to improve safety at the intersection and better control turning movements.

The TIAR also proposes establishing Travel Demand Management through the development of work place travel plans to meet specific needs of employees and travel access guides for visitors. The principles for future travel plans assist in delivering sustainable transport objectives by strengthening the demand for existing public transport services and will include:

- encouraging use of public transport;
- work with public transport providers to improve services;
- encouraging public transport use by employees and visitors through provision of information, maps and timetables;
- provision of appropriate pedestrian facilities;
- raise awareness of health benefits of walking;
- introduction of car pooling schemes;
- investigation of travel pass scheme to provide reduced cost annual public transport tickets;
- encourage cycling by providing safe and secure bicycle parking including provision of lockers and change facilities; and
- provide appropriate onsite parking provision.

Overall the TIAR concludes that the surrounding road network will be able to cater for traffic generated by the proposed development.

Department's Assessment

The Department has considered agency comments and the findings of the TIAR. The Department notes that Council and the RMS final submission generally agree with the TIAR's assessment of the traffic impacts of the proposal. In this regard, the Department notes that a majority of the local road intersections surrounding the site will continue to operate at similar levels of service. The proposed traffic improvements of installing a median strip at Coolinga Street to provide left-in and left-out arrangement at the basement car park driveway and a roundabout at the intersection of Giffnock Avenue/Coolinga Street will allow the local traffic network to manage the additional vehicle trips, whilst ensuring efficient access to the site.

However, the Department notes the intersections of Lane Cove Road/Waterloo Road and Lane Cove Road/Epping Road currently operate at or near capacity during the morning and afternoon peak hours (see **Table 3**). The Department notes that the proposal will further exacerbate traffic congestion in the road network. In particular, the TIAR results indicate that:

- there will be increased delays of up to 12 seconds (total 73 seconds) on average per vehicle during the morning peak at the Lane Cove Road/Waterloo Road intersection resulting in queuing at Lane Cove Road of up to 615 metres (additional 52 metres); and
- there will be increased delays of up to 12 seconds on average per vehicle during both the morning (total 100 seconds) and afternoon (total 120 seconds) peak hours at the Lane Cove Road/Epping Road intersection.

The Department considers that whilst the proposal will exacerbate the traffic congestion at the two intersections, the site is a key strategic site in Macquarie Park and is a development that is in keeping with the desired urban form and future role of the Macquarie Park Corridor as a Specialised Centre as identified in the Metropolitan Plan for Sydney 2036 and Draft Inner North Subregional Strategy. The Proponent's proposed measures to encourage other forms of sustainable transport to access the site including public transport and bicycle use will assist in minimising the traffic impact of the development. However, it is considered that there is further opportunity to reduce the traffic impact of the development by reducing the onsite car parking provided for the development. The Department considers that there is a direct correlation with car parking provision and traffic generation from the development. This is supported by the TIAR's rate of calculating traffic which is based on car parking provision and the rate of traffic movement as a result.

Macquarie Park is still an expanding commercial centre. The Department considers that the targeted continuation of employment growth along with high levels of commercial car parking provision are not sustainable as it will very rapidly increase the peak hour traffic congestion on the road network in and around the centre. This could continue to the point where the limited road accessibility caused by congestion will effectively discourage further employment growth in the area and has the potential to detrimentally impact on the expansion potential of Macquarie Park as a commercial centre.

The Department notes the site benefits from excellent access to public transport, being located directly adjacent the Macquarie Park railway station and along a number of key strategic bus lines. The Department considers a 20% reduction in car parking provision is appropriate for the development resulting in provision of a maximum of 834 car parking spaces rather than the 1042 car parking spaces proposed (discussed in **Section 5.1.2**). The recommended reduction in car parking will result in the loss of some 6-8% of traffic generated per hour by the development during the morning and afternoon peak hours. This will assist in alleviating some of the traffic impact of the development.

Overall, the Department considers that despite the current level of traffic congestion on the road network, the reduction in carparking along with the proposed Travel Demand Management approach will reduce the traffic related impact to acceptable levels and furthermore set a benchmark for future development in the corridor. In this respect, the wider benefits of the proposed development in providing high quality commercial floor space and new public domain within a key site of the identified Specialised Centre outweigh the additional traffic impacts.

5.1.2 Car Parking

Macquarie Park traditionally is a high car dependent centre as it was originally developed and expanded prior to the implementation of rail infrastructure to service the area. The current car parking availability at Macquarie Park is approximately 31,500 off street car parking spaces on commercial land for approximately 32,000 employees. This equates to a rate of almost one car space per employee. However, Macquarie Park is currently in a state of transition from a high car dependent, homogeneous light industrial business park to a pedestrian and public transport oriented mixed used commercial centre.

Ryde Local Environmental Plan 2010 (RLEP 2010) prescribes a car parking rate of 1 car space per 80m² of gross floor area (GFA) for sites within 400 metres of a railway station (same as Amendment No 1), applicable to the development. This car parking rate is significantly higher than all nearby comparable commercial centres including Parramatta, Chatswood, St Leonards and North Sydney with the exception of Homebush Bay/Rhodes, Sydney Airport and Norwest Business Park. A summary these car parking rates is provided in **Table 4**.

Table 4 : Summary of car parking rates for nearby comparable centres

| Centre | Rate of carparking provision for sites in proximity of public transport (where available) |
|----------------------|--|
| Macquarie Park | 1 car space per 80m ² |
| Parramatta | 1 car space per 100m ² |
| Chatswood | 1 car space per 110m ² |
| St Leonards | 1 car space per 400m ² (North Sydney Council side) 1 car space per 110m ² (Lane Cove Council and Willoughby Council side) |
| North Sydney | 1 car space per 400m ² |
| South Sydney | 1 car space per 125m ² |
| Homebush Bay/ Rhodes | 1 car space per 40m ² |

The proposal adopts this car parking rate (1 car space per 80m² of GFA) thus providing 1042 car parking spaces for the 83,368m² of Gross Floor Area across a common six level basement car parking. 538 bicycle spaces are also provided of which 115 spaces are located at ground level and 423 spaces in basement level 1. A further 9 truck bays and 24 courier bays will be provided in basement level 1.

Ryde Council commented that the car parking rate of 1 space per 80m² of GFA should be applied to the site consistent with Amendment No 1, but considers that a reduction in car parking is necessary in line with the (lesser) allowable GFA on the site under Amendment No 1.

Notwithstanding the prescribed car parking rate, the Department and the RMS have previously requested the Proponent provide a reduced rate of car parking given the site's excellent access to public transport services and impact on the near capacity local road network (as discussed in **Section 5.1.1**).

Proponent's Justification

The Proponent maintains that the proposed rate of car parking provision is acceptable given that:

- the car parking provided adopts Council's car parking rate for commercial development near railway stations;
- the traffic reports submitted with the proposal demonstrate that the existing traffic network is capable of accommodating the proposed increase in traffic as a result of the proposed parking provision;
- the car parking rate adopted achieves a modal split of 31% by car and 69% by public transport for an estimated future working population of 3,300 employees (1 full-time employee per 25m² of GFA) comparable to the current modal split the Sydney CBD. This exceeds the modal split target for Macquarie Park of 60% by car and 40% by public transport for future employees, and other similar centres;

- car parking provision for the development is a key consideration in the marketability and viability of the commercial floor space and in maintaining Macquarie Park's future competitiveness to achieve strategic planning objectives in providing premium office floor space with large floor plates, and achieving a suitable mode share split through a car parking rate that fosters growth balanced with sustainable transit needs; and
- the rate of car parking proposed is necessary for the demographic of businesses attracted to Macquarie Park which are largely car dependent in their business operations such as the engineering disciplines, IT support, and sales companies which are currently prevalent in the Macquarie Park precinct.

Macquarie Park Corridor Parking Study (MPCPS)

The Macquarie Park Corridor Parking Study (Parking Study), commissioned by Ryde Council, and prepared by Jones Lang LaSalle and Arup was finalised on 18 November 2009. The Parking Study was prepared in accordance with the actions of the draft Subregional Strategy requiring a review of car parking provision at Macquarie Park following the opening of the Epping to Chatswood railway line, and formally adopted by Ryde Council as part of the detailed planning for development of the Macquarie Park Corridor.

The Parking Study identifies strategies for the Macquarie Park Corridor including short to long term goals to support its transition from a car dependent homogenous commercial centre to a pedestrian and public transport oriented mixed used business centre. Key findings and recommendations of the Parking Study relevant to the proposal include:

- Macquarie Park is a relatively immature, but rapidly growing commercial centre. Bus and rail services and patterns of public transport usage are not yet fully developed and established to the extent that its car parking supply and management can be considered on a similar basis to other established commercial centres of similar size such as Parramatta, North Sydney, and Chatswood. The primary comparable competing commercial centres are Sydney CBD fringe centres including South Sydney which has a car parking rate of 1 car space per 125m² of GFA;
- the current car parking rates at Macquarie Park are more generous compared to most competing business centres such as St Leonards, North Sydney, Chatswood, and Parramatta;
- no change/ reduction of the parking standard should happen before patterns of public transport usage are more established and the area's public transport systems (both bus and rail) are better integrated otherwise the future competitiveness of the centre may be compromised;
- State Government strategies should consider introduction of a new parking rate for Macquarie Park;
- the current LEP car parking rate of 1 car space per 80m² of GFA for sites within 400 metres of public transport, should be retained in the short term (1-2 years);
- in the short to medium term (2-5 years) strategies should be developed to improve streets and integrate bus and rail services to reduce car dependency; and
- in the medium to long term (5-10 years) a detailed car parking review, to reduce parking for new commercial office developments, should occur to bring Macquarie Park into line with other centres serviced by frequent train services.

The proposal currently falls within the short to medium term (2-5 years) timeline of the Parking Study.

Department's Assessment

The Department has considered the Proponent's justification and the key findings of the Parking Study. Whilst the proposal complies with Council's car parking rate, the Department does not support such a high provision of car parking for the site and considers that car parking provision should be reduced for the following reasons:

- the car parking rate for the site of 1 car space per 80m² is for developments within 400m of the train station. The rate does not properly reflect the site's excellent access to public transport, being located directly adjacent to the Macquarie Park railway station and along a number of bus lines (**Figure 11**) and adjacent to bus stops;

- a reduction in car parking provision will assist in alleviating the traffic impact of the development on the already congested traffic at key intersections in the road network;
- whilst the proposal is currently in the short to medium term (2-5 years) of the recommendations of the Parking Study, the proposal is for a Concept Plan and the development will take some time before it is realised. A reduced car parking rate for the development will fit with the medium to longer terms objectives of Macquarie Park Station precinct and is reflective of the likely time taken for realisation of the development;
- the proposal should adopt a reduced car parking provision due to the site's excellent access to public transport. This is in line with the Director General's Requirements issued for the development, wider state objectives of the Metropolitan Plan for Sydney 2036 and draft Subregional Strategy relating to environmental targets by reducing car dependency, particularly in Macquarie Park where there is a significant over supply of car parking, and supporting greater use of public transport.

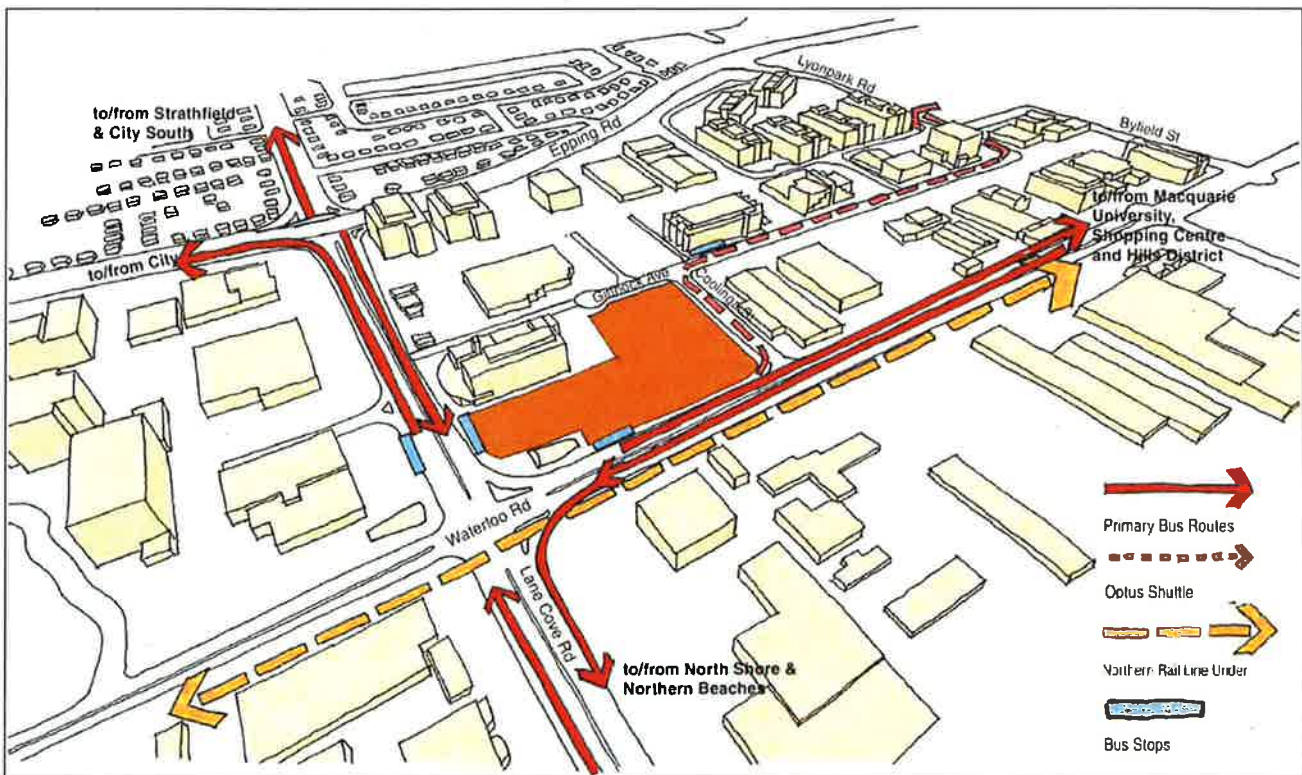


Figure 11: Analysis of public transport available to the site (Source: EA)

In consideration of a suitable reduced car parking rate for the site, the Department notes that the Parking Study considers South Sydney to be a comparable competing commercial centre. The South Sydney car parking rate is 1 car parking space per 125m² of commercial floor area. If applied to the development, this would result in provision of 667 car spaces for the development, a reduction of 375 car spaces.

The Department considers that the South Sydney car parking rate is too restrictive for the proposal given that:

- it would represent a 36% (375 car spaces) reduction in parking provision, compared to the current controls in Macquarie Park;
- an appropriate transition from current car parking is required for the development to remain competitive in the market for commercial floor space. This car parking rate may adversely impact on future potential to attract tenants to the space; and
- the car parking rate is from a DCP prepared in 1996, substantially outdated and not reflective of a suitable car parking rate for the current and future demographic of businesses in Macquarie Park.

In addition, the Department notes that a compliant FSR allowable under Amendment No. 1 would provide a maximum GFA of 69,623m² resulting in a maximum of 870 car spaces at the car parking rate of 1 car space per 80m². If this maximum amount of car parking was applied for the proposed development, it would result in a car parking rate of 1 car space per 96m² of GFA.

The Department has calculated the average of the current car parking rate, South Sydney car parking rate and the compliant FSR car parking rate, which results in a car parking rate of 1 car space per 100m² of GFA. Applying this car parking rate to the development would provide a maximum of 834 car spaces and a reduction of 208 car spaces (20%) from the proposed car parking.

The Department considers that a rate of 1 space per 100m² of GFA is appropriate for the proposal given that:

- it would represent a 20% (208 car spaces) reduction in parking provision compared to current controls, providing an appropriate transition for Macquarie Park to a less car dependent commercial centre in line with wider state objectives;
- the reduction in car parking will assist in alleviating the traffic impact of the development on the already near capacity local road network with a loss of some 6-8% of traffic generated per hour by the development during the morning and afternoon peak hours;
- the rates more accurately reflect the site's excellent access to public transport, being located directly adjacent to the Macquarie Park railway station and along a number of bus lines and adjacent to bus stops; and
- the car parking rate is still more generous than nearby competing commercial centres of North Sydney (1/400m²) and Chatswood (1/110m²) St Leonards (North Sydney Council side 1/400m² and 1/110m² Lane Cove Council and Willoughby Council side) ensuring Macquarie Park's future competitiveness as a commercial centre is not compromised.

In this regard, a modification is recommended for car parking to be provided at a rate of 1 car space per 100m² of GFA with a maximum of 834 car spaces to be provided for the site (**Condition B1**). The modification also requires that car parking provision in the basement car park be staged to reflect the amount of commercial floor space being developed at each stage of the development to ensure that there is no oversupply of car parking provision during the initial stages of the development.

In addition to the above, it is noted that RMS has raised concern regarding the high reliance of future employees using public transport to access the site as this may increase on street parking demand. The RMS has suggested that incentive schemes should be considered for future employees to encourage public transport use.

The Department notes that current on street car parking in the vicinity of the site is ticket parking (12 hour time limited). No on street car parking is available at Waterloo Road and Lane Cove Road. Council also has the potential to limit on street car parking further by reducing the time limit of street parking to discourage commuter car parking.

Notwithstanding, the Department also notes the Proponent has committed to the development of detailed work place travel plans to meet specific needs of employees and travel access guides for visitors. The principles for future travel plans assist in delivering sustainable transport objectives by strengthening the demand for existing public transport services as outlined in **Section 5.1.1**.

The implementation of work place travel plans will also be a key criteria in the green star rating system for buildings and will assist in future buildings achieving the 5 Star Green Star certified rating as discussed in **Section 5.2.4**.

The Department recommends that work place travel plans be imposed as a future assessment requirement including consideration of incentives schemes to encourage greater public transport usage for future employees (**Condition 3**). NSW Transport has also recommended a similar future assessment requirement.

Conclusion

Overall, the Department is satisfied that subject to a reduction in car parking as recommended, the proposal will achieve an acceptable balance between reduced car parking provision that minimises its traffic impact on the road network whilst not sterilising development of the site with much more restrictive parking rates than the existing Macquarie Park area. The reduced car parking rate will significantly reduce car dependency and encourage use of key public transport infrastructure. This will contribute significantly to Macquarie Park's transition from a high car dependent, homogeneous light industrial business park to a pedestrian and public transport oriented mixed used commercial centre in line with wider strategic objectives for Macquarie Park.

5.2 Built Form

The proposed built form is a key issue in consideration of the proposal. The Department considers that the built form is most appropriately tested through an assessment of:

- density;
- height and scale;
- siting and design; and
- environmental performance.

As part of the assessment of these issues, the Department considers it appropriate to consider the relevant planning controls for the site as provided by Amendment No. 1 rather than the RLEP 2010 planning controls for the following reasons:

- Macquarie Park is currently in a state of transition from a predominantly light industrial business park to a high technology urban/commercial centre and Amendment No 1 seeks to realise this transition by providing an uplift in commercial floor space;
- Amendment No 1 allows for development that is in keeping with the desired urban form and future role of the Macquarie Park Corridor as a Specialised Centre as identified in the Metropolitan Plan for Sydney 2036 and Draft Inner North Subregional Strategy; and
- Council has also requested that weight be given to Amendment No 1 controls in consideration of the proposal as the controls reflect the future direction of Macquarie Park as a commercial centre.

5.2.1 Density

The Concept Plan proposes a total GFA of 83,368m² across 4 building envelopes comprising 79,736m² of commercial floor area, and 1,852m² of retail floor area at the ground levels. The site has an area of 15,619m².

For the purposes of calculating Floor Space Ratio (FSR), the Proponent seeks to include the area of the adjacent site that accommodates the western entrance to the Macquarie Park railway station. The NSW Transport Infrastructure Development Corporation (TIDC), the owner of the adjoining western entrance to Macquarie Park railway station has granted all Floor Space Ratio (FSR) and Gross Floor Area (GFA) rights applicable to their land (an additional 670m²) to the subject site. The commercial agreement was established during original dedication of this land to TIDC for development of the western entrance to Macquarie Park railway station. For the purposes of calculating the Floor Space Ratio (FSR), the Department considers that whilst any commercial agreement can not influence the interpretation of planning controls, it is appropriate to include the site area of the TIDC site for the following reasons:

- the TIDC site will not be developed any further in the future; and
- the TIDC site was originally dedicated by the Proponent for the purpose of developing key infrastructure by way of the western entrance to the Macquarie Park railway station, therefore the subject area should not be lost from what would otherwise be available developable land.

On this basis, the proposal has an FSR of 5.12:1, based on a total site area of 16,289m².

Amendment No 1 prescribes a maximum FSR of 3.3:1 for the southern portion of the site and 4.95:1 for the remaining northern portion of the site (this includes 10% FSR bonus as discussed in **Section 5.2.4**) (**Figure 12**). This equates to an overall FSR of 4.27:1 and a maximum allowable GFA of 69,623m² across the site.

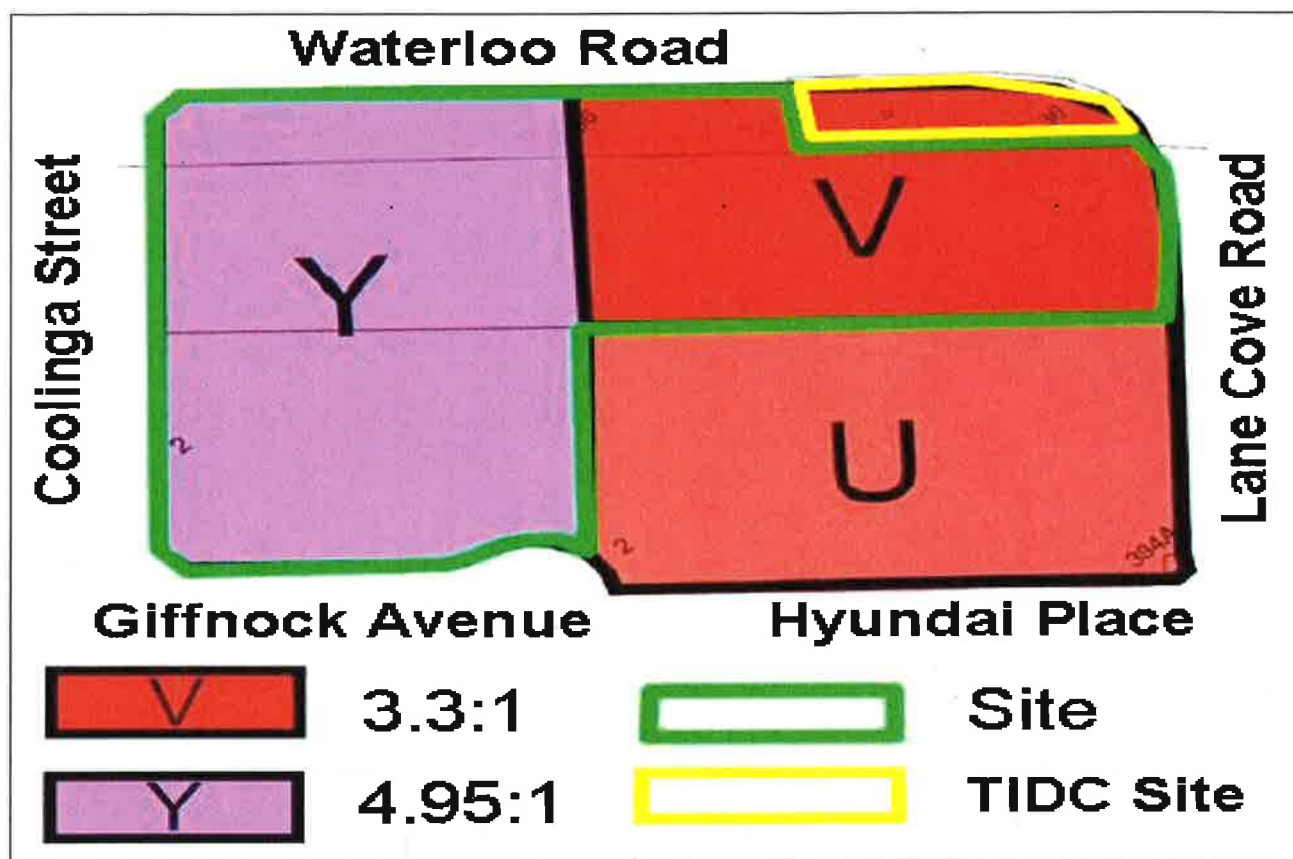


Figure 12: FSR Controls under Amendment No 1 including 10% FSR Bonus (Source: Amendment No 1 FSR Map)

A summary of the allowable GFA for the site based on the FSR controls in comparison with the proposal is provided in **Table 5**.

Table 5: Summary of proposal against Amendment No 1 FSR controls

| | | 396 Lane Cove Road | | TIDC site | Total Site |
|--|------|----------------------|----------------------|---------------------|----------------------|
| | | Southern portion | Northern portion | | |
| Site Area | | 6,001m ² | 9,618m ² | 670m ² | 16,289m ² |
| Amendment No 1 (with 10% bonus FSR) | FSR | 3.3:1 | 4.95:1 | 3.3:1 | 4.27:1 |
| | GFA* | 19,803m ² | 47,609m ² | 2,211m ² | 69,623m ² |
| Proposal | FSR | | | | 5.12:1 |
| | GFA* | | | | 83,368m ² |

**Note: GFA is not an LEP control. It is included in the table to allow a comparison between the GFA permitted by the FSR control and the GFA proposed.*

Council and public submissions raised concern at the proposals extent of non compliance with FSR controls and the impact on adjoining developments, in particular the Hyundai Motor Company of Australia site. Council has also requested that the Department consider the impact of approving the non complying FSR as it could potentially provide a benchmark for other developments in the Macquarie Park area and impact on infrastructure and traffic.

The Department considers that although the proposal exceeds the maximum FSR permissible under Amendment No 1, the maximum FSR permissible of 3.3 on the southern portion of the site (including 10% bonus FSR) does not facilitate the development of a feasible building form capable

of achieving the maximum height of 75 metres (includes 4 metre bonus height) as envisaged by Amendment No 1.

In addition, the development of the site provides an excellent opportunity to provide increased commercial floor space and employment opportunities on a site that is uniquely located immediately adjacent to heavy rail public transport and located at the core of the Macquarie Park Corridor and gateway to the greater Macquarie Park precinct. The development of the site may also provide a catalyst for high quality commercial developments within the Macquarie Park Specialised Centre.

The Department considers that the proposed density is acceptable given that:

- the density of the proposal will not result in any significant impacts on the amenity of adjoining buildings as discussed later in **Section 5.4**;
- the building envelopes comply with the height controls under Amendment No 1 as discussed in **Section 5.2.2**;
- the proposed density recognises and reinforces the identity of the Macquarie Park Corridor as a Specialised Centre within the Global Economic Corridor, and more specifically the site's gateway location at the entrance to the Macquarie Park precinct;
- the proposed density is in keeping with the scale of high density commercial development as envisaged for the Macquarie Park Specialised Centre in the Metropolitan Plan for Sydney 2036 and Draft Inner North subregional strategy; and
- the proposal contributes to a number of the wider State strategic planning objectives by:
 - providing 83,368m² of high-quality commercial floor space on a currently underutilised site at the core of a strategically identified Specialised Centre under the Global Economic Corridor, thus contributing to sustaining Sydney's position as the nation's global city;
 - providing an additional 2,138 operational jobs within Macquarie Park making a significant contribution of 11.2% to achieving the overall jobs target of 19,000; and
 - providing jobs close to public transport and existing centres.

Overall, the proposed quantum of floor space is supported as it maximises the opportunity for the substantial development of the gateway site within the growing Macquarie Park Specialised Centre, with immediate access to Macquarie Park railway station. The proposed quantum of floor space is also acceptable in terms of height and scale, and siting and design in the context of the transition of Macquarie Park into a Specialised Centre, as discussed further in **Section 5.2.2** and **5.2.3**.

5.2.2 Height and scale

The site has a natural cross fall from Lane Cove Road to Coolinga Street. The proposal responds to the fall of the land by providing appropriate cut and fill across the site to provide a consistent ground Finished Floor Level (FFL) of RL 60 AHD for the majority of the site with the exception of the northern end where the proposal falls towards Coolinga Street (**Figure 13** page over).

Amendment No 1 prescribes two maximum height controls across the site being 75 metres on the Lane Cove Road/Waterloo Road corner of the site down to 41 metres (includes 4 metre height bonus as discussed in **Section 5.2.4**). A summary of the relevant height controls against the proposed building heights is provided in **Table 6**.

Table 6: Summary of proposal against Amendment No 1 height controls including bonus height

| Building | Amendment No. 1 (including Bonus Height) | Proposal |
|------------|---|---|
| Building A | 75 metres | 69.3 metres (17 storeys + plant level) |
| Building B | 41 metres | 36 metres (8 storeys + plant level) |
| Building C | 41 metres | 39.6 metres (Part 8/9 storeys + plant level) |
| Building D | 41 metres | 39.5 metres (Part 8/9 storeys + plant level) |

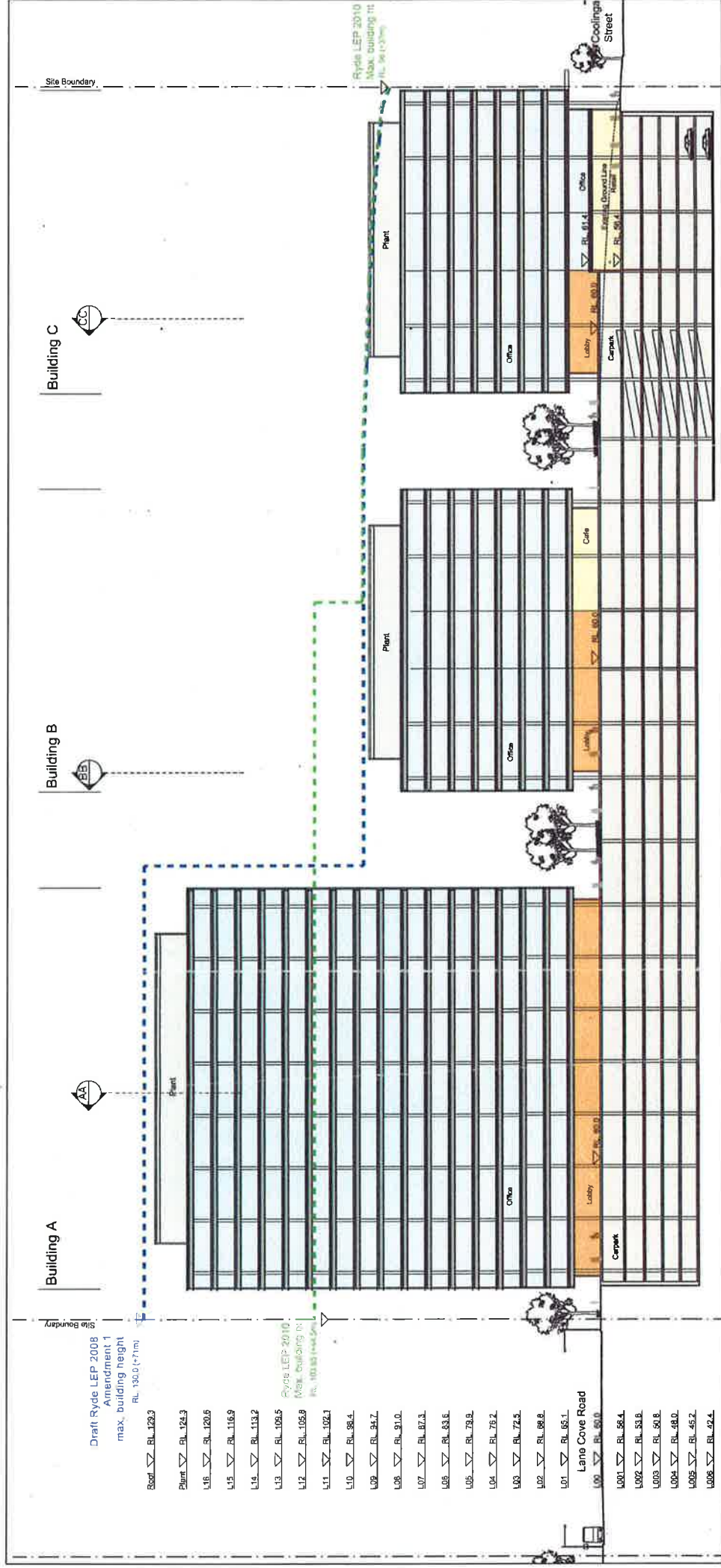


Figure 13: North-South Section plan showing heights of proposed building envelopes and compliance with LEP controls excluding height bonus (Source: Proponents PPR)

Table 6 indicates that the proposed building heights comply with the maximum building heights allowable under Amendment No 1.

Council considers the proposed building form with regards to building height and massing to be consistent with Amendment No 1, and appropriate to its immediate context and wider Macquarie Park area. The submission from the Hyundai Motor Company of Australia raised concern that the height of the proposed buildings grossly exceed those permissible under RLEP 2010.

Contextually, Macquarie Park is currently undergoing a transition from a predominantly light industrial business park to high tech urban/commercial centre with an infill of hi-tech and bio-medical sectors that involve research development and manufacturing. As a result, developments surrounding the site comprise a mix of predominantly light industrial and high tech commercial use buildings varying in height from 1 to 8 storeys (**Figure 14**).

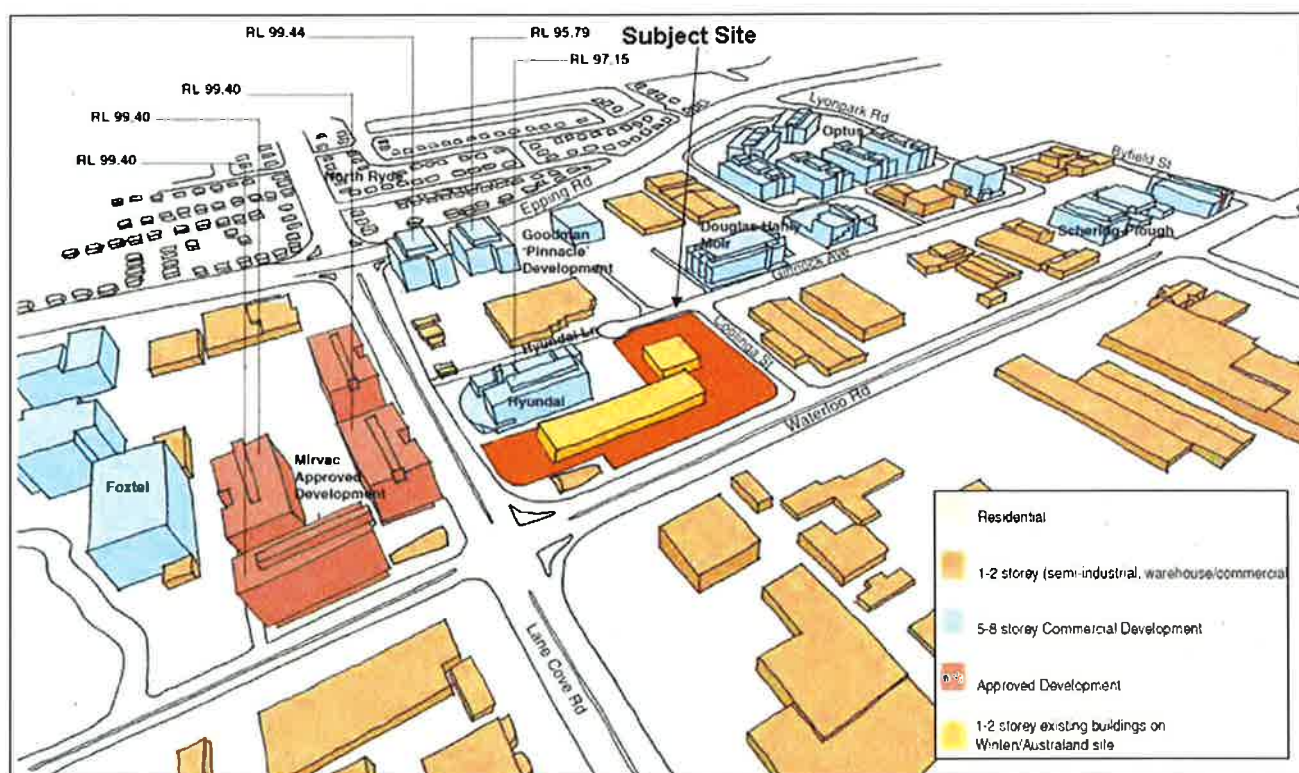


Figure 14: Building Heights in surrounding context of site

The Department considers that the building height, scale, and bulk of Buildings B, C and D are consistent with new developments in Macquarie Park. The proposed height of Building A is substantially higher than Buildings B, C and D, and other nearby buildings of 5-8 storeys. The Department considers that the proposed height of 17 storeys for Building A is appropriate as it elevates the significance of the site and provides an appropriate landmark building which will provide a bookend on the corner site at the core of the Macquarie Park Specialised Centre Corridor, which is directly adjacent to the western entrance to the Macquarie Park railway station and at the gateway to the Macquarie Park Precinct.

The Department considers that the height and scale of the proposed buildings are appropriate in the context of the existing and desired urban character of Macquarie Park as outlined in the Metropolitan Plan for Sydney 2036, Draft Inner North Subregional Strategy, and Amendment No 1.

In summary the Department considers that the proposed height of buildings is acceptable for the following reasons:

- the proposed building heights are generally consistent with the desired future urban character for Macquarie Park Specialised Centre providing for a landmark building (Building A) at the core of the Macquarie Park Corridor and the gateway into the Macquarie Precinct;

- the proposed building heights comply with those permitted under Amendment No 1; and
- the extent of overshadowing is acceptable in the context of the desired future urban character of Macquarie Park being a commercial centre as discussed in **Section 5.4.2**.

5.2.3 Siting and Design

The Concept Plan proposes 4 building envelopes across the site with a minimum internal separation of 15 metres between buildings (**Figure 6**). Buildings B, C and D have similar building footprints whilst Building A has a slender building footprint. The buildings have the following setbacks from streets as follows:

- Building A is setback 5 metres at Lane Cove Road and 22 metres at Waterloo Road;
- Buildings B and C are setback 10 metres at Waterloo Road;
- Buildings C and D are built to the boundary at Coolinga Street; and
- Building D is setback 5 metres at Giffnock Avenue.

The Department considers that the City of Ryde's Development Control Plan 2010 – Part 4.5 "Macquarie Corridor" (RDCP) is an appropriate guideline when assessing the general siting and design of the proposal. The RDCP establishes detailed urban design controls for development of the Macquarie Park Station precinct, which includes the subject site. The controls for the site seek to establish high quality landmark buildings and quality public open spaces that provide a functional and highly permeable pedestrian environment around the Macquarie Park railway station. This is consistent with the envisaged urban character for Macquarie Park under the Metropolitan Plan 2036.

Ryde Council's submission to the EA acknowledged that the proposal is largely compliant with the base controls of the RDCP relating to building setback and general building design (detailed assessment of the RDCP is provided in **Appendix D**). However, Council has raised the following specific issues:

- the proposed building footprints and separation, whilst compliant with the RDCP, should be more thoroughly considered to provide for a more dynamic group of buildings, a more diverse streetscape at Waterloo Road, and more diverse characters to the landscape areas between the buildings; and
- the proposed building facades should be further articulated and developed through better definition of the top and middle of the buildings and stronger definition of the corner of Waterloo and Lane Cove Road.

The PPR demonstrates the various building footprint and siting options considered in development of the proposal. The Proponent considers that the proposed building footprints provide the best urban design outcomes through appropriately sized and oriented landscape and courtyard areas, and flexible open commercial floor plate sizes for prospective tenants.

The PPR also considers the design options available to further articulate the façade treatment of buildings. The options demonstrate that individual buildings can be further developed and articulated through use of varied façade articulation such as expressive shading and canopy elements and different colour and materials schemes. These assist in further defining the scale and proportion of the buildings in relation to their context. The PPR indicates these will be further developed at Development Application stage.

It is noted that Council's PPR submission did not raise any further issues with the siting and design of buildings but has requested that the future detailed design of the buildings be the subject of further assessment under future Development Applications.

The Department has considered the proposed siting and design of buildings and finds it acceptable for the following reasons:

- the siting and composition of building footprints is consistent with the envisaged urban character for the key site in the Macquarie Park station precinct as prescribed in the RDCP (detailed assessment in **Appendix D**);

- the siting and design of building footprints facilitates appropriate separation distances and setbacks between buildings and street frontages to provide appropriate sized and orientated public domain areas (discussed later in **Section 5.3**);
- the design and separation distance between building envelopes provides a visual break and distinction between buildings and open areas along street frontages, particularly along Waterloo Road; and
- the future detailed design of buildings will provide the opportunity to further articulate the façade, and refine building footprints to provide a more varied and enhanced dynamic set of well articulated buildings.

Overall, the siting and design of the proposal is considered appropriate as it maximises building separation and provides for appropriate sized public domain areas in accordance with the RDCP. Notwithstanding the Department considers that future applications should demonstrate design excellence to ensure a distinct and dynamic set of buildings and open spaces are appropriately developed. In this regard, a future assessment requirement is recommended requiring any Development Applications must demonstrate a high standard of architectural design incorporating a high level of modulation and articulation to buildings including the incorporation of a range of high quality materials and finishes (**Condition 1**).

5.2.4 Environmental Performance

The proposal seeks to provide a minimum 4 Star Green Star certified rating for future buildings. Amendment No 1 allows bonus height and FSR incentives for developments that achieve environmental excellence through achievement of a 5 Star Green Star certified rating. Where a proposal meets this energy efficiency rating, an additional 10% of floor space and height of 4 metres (1 storey) is permitted.

The Department considers that the proposal should provide a minimum 5 Star Green Star certified rating for future buildings for the following reasons:

- the proposal exceeds the maximum FSR permitted under Amendment No 1 (including the bonus FSR provisions) by approximately 32% for the base FSR and 20% for the bonus FSR, which would normally require the provision of a 5 Star Green Star certified rating for all buildings;
- buildings C and D exceed the maximum base height limit permitted under Amendment No 1 (however comply with the height limit with the additional 4 metre bonus applied) which would normally require the provision of a 5 Star Green Star certified rating for all buildings; and
- the buildings should provide environmental excellence in their building form given the site's important location at the core of the Macquarie Park Corridor and the gateway into the Macquarie Park Precinct.

In this regard, the Department recommends a modification requiring that all future buildings achieve a minimum 5 Star Green Star certified rating (**Condition B2**).

In addition, it is noted that Sydney Water is currently investigating options for the provision of a Recycled Water Scheme for the Macquarie Park area and has requested that the Proponent not rely on the provision of any Sydney Water recycled water scheme to achieve any Green Star rating.

In this regard, a future assessment requirement has been imposed requiring consultation with Sydney Water should any future Green Star rating seek to use the Sydney Water recycled water scheme to achieve the 5 Star Green Star certified rating (**Condition 4**).

5.3 Public Domain

The Concept Plan proposes the following public domain works:

- 4 new publicly accessible courtyards between building envelopes including a new central courtyard at the north west corner of the site (**Figure 15** page over);
- publicly accessible pedestrian through site/courtyard 'links' between proposed building envelopes including covered pedestrian connections;

Concept Master Plan

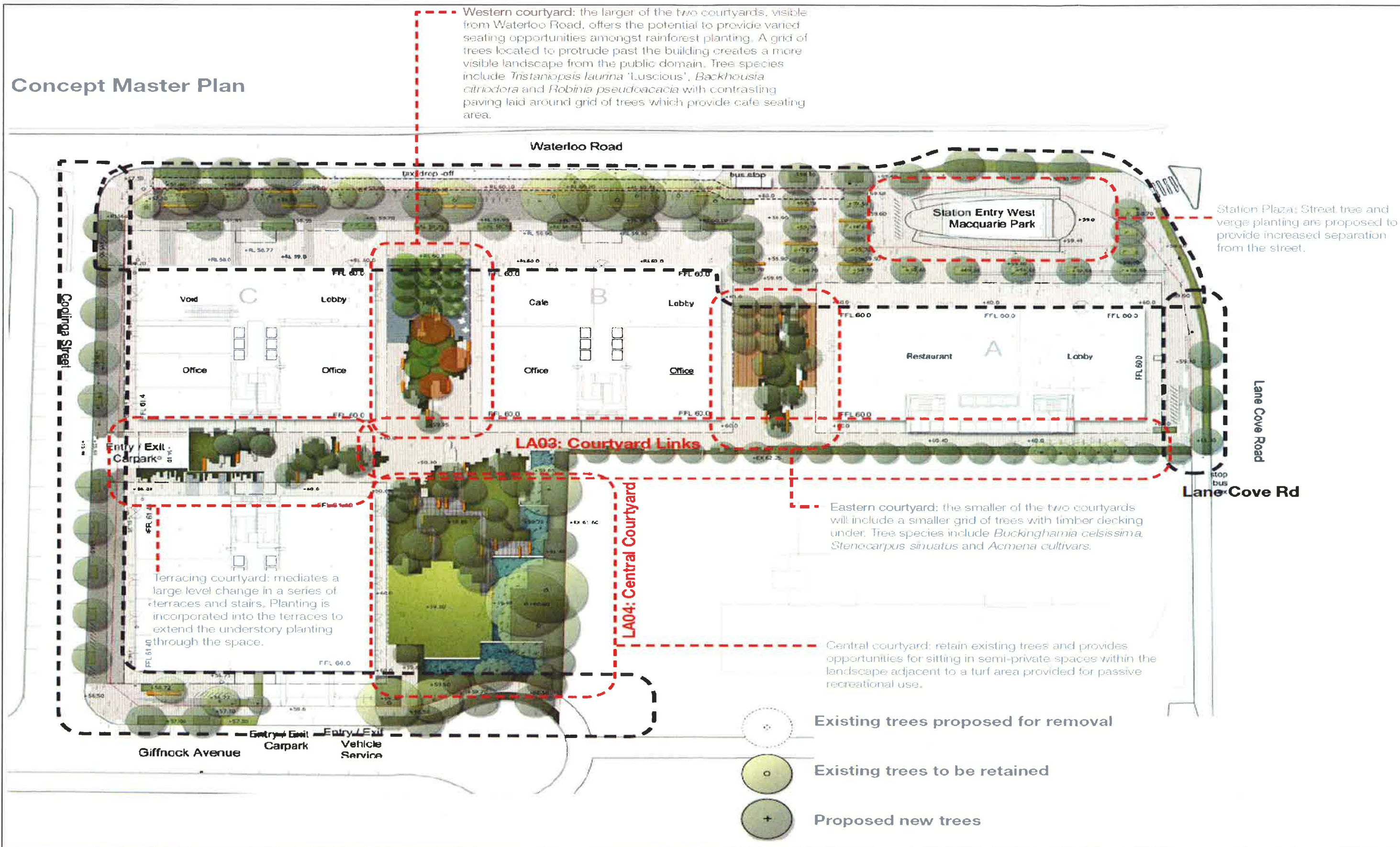


Figure 15: Landscape Concept Masterplan for the site showing proposed treatment to public domain and new courtyards (Source: Proponents PPR)

- establishment and future dedication of 1,900m² of new civic streetscape at the Waterloo Road frontage, and new civic square on the adjoining TIDC site surrounding the western entrance to the Macquarie Park railway station;
- streetscape upgrades to all street frontages; and
- 4,165m² of deep soil landscaping, and an additional 2,772m² of landscaped area.

The proposed public domain works are generally consistent with the RDCP which identifies a civic plaza in the area surrounding the western entrance to the Macquarie Park station, a civic streetscape along the Waterloo Road frontage, and pedestrian through-site links between buildings (detailed assessment of the RDCP is provided in **Appendix D**).

Ryde Council's submission to the EA requested further consideration of the public domain design and pedestrian interface. Council requested the following key amendments:

- greater definition of the streetscape at the civic station plaza to separate it from other landscaped areas;
- extension of the colonnade or an awning between buildings to provide protected pedestrian access;
- providing each landscaped area with its own individual character which should be reflected in their physical size; and
- activation of building corners and internal streets between buildings.

As a result, the Proponent submitted a revised Landscape Concept Masterplan for the site and additional information in the form of architectural artist impressions of the envisaged public domain treatment in justification of the proposed Concept Plan design are reflected in **Figures 16, 17, 18**.



Figure 16: Artist impression of conceptual new civic streetscape at Waterloo Road between Buildings A & B showing (left to right) covered connection between buildings, new pedestrian colonnade, new taxi drop off and kiss and tell kerb layback.



Figure 17: Artist impression of conceptual new civic streetscape at corner of Waterloo Road and Coolinga Street.



Figure 18: Artist impression of conceptual activated streetscape at frontages of Building C and D at Coolinga Street.

Council did not raise any further issues with the proposed public domain works in response to the PPR and requested that the future detailed design of the public domain be the subject of future assessment under future Development Applications.

The Department considers that the proposed public domain works are appropriate for the following reasons:

- the proposed design and treatment of the new civic square at the western entrance to the Macquarie Park railway station will provide a new high quality functional public open space clearly distinct from other landscaped areas to be enjoyed by future employees and public transport commuters;
- the proposed colonnade, and the design, treatment and upgrades at all streets will provide a high quality civic streetscape surrounding the site;
- the landscaped courtyard spaces are appropriately sized and orientated to provide a clear distinctive character for each space;
- the pedestrian colonnade and awnings between buildings at Waterloo Road, and retail uses at ground floor frontages of buildings and will activate internal courtyards and internal and external street frontages;
- publicly accessible and functional pedestrian through site/courtyard 'links' are provided across the site;

- a significant amount of 4,165m² of deep soil landscaping, and an additional 2,772m² of landscaped area will be provided on site; and
- the public domain design provides high quality pedestrian permeability through the site which is considered to establish a high quality pedestrian environment and is consistent with the envisaged urban character for Macquarie Park under the RDCP and Metropolitan Plan 2036.

Overall, the Department is satisfied that the proposed public domain works will allow for high quality functional public open spaces in keeping with the desired character for the Macquarie Park Station precinct, subject to the future detailed design. A future assessment requirement is recommended requiring the proposal demonstrate general compliance with the landscaped Concept Plan submitted with the PPR (**Condition 5**).

5.4 Other Issues

5.4.1 Voluntary Planning Agreement

The Proponent has indicated that a Voluntary Planning Agreement (VPA) will be entered into as part of future Development Applications to provide certainty of the outcomes and costs associated with Section 94 Contributions. The VPA will include the process and timing for payment of contributions. The framework of components for the VPA will include:

- monetary contributions in accordance with Council's Section 94 Contributions Plan estimated at a value of \$8,784,822.12 at the September 2010 quarter (including credit for the existing GFA). A part of this contribution may be in the form of works in kind or dedication of land including:
 - land dedication of 1,950m² of new civic streetscape at the Waterloo Road frontage, and a new civic square at the western entrance to the Macquarie Park railway station to Ryde Council consistent with the "Key Public Domain" identified in the RDCP;
 - provision of through-site links and public footpaths of approximately 3,560m² in accordance with the Council's Public Domain Plan;
 - offset public domain contributions through works-in-kind for public domain works including the improvement of the area around the Macquarie Park Station portal entrance and at street frontages to Lane Cove Road, Waterloo Road, Coolinga Street and Giffnock Avenue; and
 - traffic upgrades including the provision of a new roundabout at Coolinga Street/Giffnock Avenue intersection.

The final contribution framework will be subject to refinement and review as part of the Development Application stage.

Council commented that they will not commit to any VPA for the development in advance of the project approval and any future VPA and works in kind will be required to be in accordance with Council's policy and procedures for VPAs. In addition, any works considered necessary and consequential for the functioning of the proposed development will not be supported within any future VPA.

The Department has considered the proposed components of the VPA and Council's comments. The Department agrees with Council that any works necessary for the development to function should not offset any Section 94 Contributions applicable to the development. The Department considers that these matters can be further refined and discussed with Council upon development of the VPA.

In this regard, the Department considers it appropriate that a future assessment requirement be imposed requiring that a VPA be entered into with Council with terms outlined in the EA and PPR, including any offsets for works in kind or dedication of land as agreed with Council (**Condition A4**).

5.4.2 Impacts on Hyundai Motor Company of Australia site

The submission from Hyundai Motor Company of Australia (HMCA) has raised concern over the proposal's potential overshadowing impact on its site, located directly to the west at 394 Lane Cove Road. HMCA has also raised concern that the proposed development will completely obscure all views of the "Hyundai" sky sign.

Overshadowing

The overshadowing diagrams submitted with the proposal indicate that for the most part, the properties adjoining the subject site will achieve 3 hours of solar access or more during the winter solstice. However, the HMCA site is likely to have solar access reduced to approximately 1 hour on this date.

Minimum solar access requirements are not typically applied to commercial properties as they are less sensitive to shadow impact than residential properties. The Department therefore considers that the overshadowing impact to the HMCA building, noting that it is a commercial property, is acceptable.

In addition, it is important to note that the proposed building heights are consistent with the relevant height controls within Amendment No 1, and envisaged urban character for Macquarie Park as discussed in **Section 5.2**. Therefore a level of shadow impact on the adjoining properties to the south is inevitable.

"Hyundai" Sky Sign

The "Hyundai" sky sign is located on the 8th storey façade of the north eastern elevation of the HMCA building. The sky sign can presently be seen from Lane Cove Road (looking west).

The Department notes that any development at the proposed site greater than 8 storeys would obscure current views of the sky sign. The proposed height of Building A is 17 storeys plus plant level and will obscure the sky sign. As discussed in **Section 5.2** the building mass, height and form are consistent with the relevant controls within Amendment No 1, and envisaged urban character for Macquarie Park. It is therefore considered that obscuring of the views of the sky sign is inevitable in the context of Macquarie Park's transition into a commercial centre.

5.4.3 Helipad

The proposal involves relocating an existing helipad from the open space at the northern part of the site to the rooftop of one of the proposed buildings. The EA plans indicated that the helipad would be relocated to the rooftop of the 17 storey Building A. However, the Proponent has indicated in the PPR that this location is indicative only and the final location of the helipad will be determined once the requirements of the future tenants are known. No supporting assessment documentation has been submitted for the helipad.

The submission from the Hyundai Motor Company of Australia raised concern regarding the potential impact of a helipad on their property.

The Department considers that the proposed helipad component should be deleted from the Concept Plan for the following reasons:

- details of the exact location of the helipad have not been provided; and
- the Department is unable to assess the potential impacts of the helipad as no supporting documentation has been provided including wind, acoustic and air quality assessment.

In this regard, a modification to the Concept Plan is recommended for the deletion of the proposed helipad from the Concept Plan application (**Condition B3**).

5.4.4 Railway Protection

The site adjoins and sits partly above the Macquarie Park railway station. The proposal will be affected by noise and vibrations from the trains beneath the site.

RailCorp has recommended future assessment requirements to protect rail infrastructure during both construction and occupation of the development and to ensure a reasonable level of amenity for future occupiers of the commercial development.

The Department considers it appropriate to include RailCorp's recommended future assessment requirements to ensure that Macquarie Park railway station continues to operate efficiently and also to protect rail infrastructure during construction and occupation of the proposal.

6. RECOMMENDATION

The Department has assessed the merits of the proposal taking into consideration the issues raised in public and agency submissions. The key issues raised in submissions relate to traffic generation and impact on the road network, car parking provision, built form, and public domain. The Department notes the following key findings:

- despite the current level of traffic congestion on the road network, the recommended reduction in carparking along with the proposed Travel Demand Management approach will limit the additional traffic generated by the development to a reasonable level whilst not sterilising development of the site with much more restrictive parking rates than the existing Macquarie Park area; and
- the proposal is acceptable in terms of height and scale, and siting and design in the context of the transition of Macquarie Park into a Specialised Commercial Centre.

The Department is satisfied that the impacts have been addressed in the EA, PPR, Statement of Commitments, and recommended modifications and future assessment requirements. It is considered that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance.

The Department considers the proposed development is in the public interest as it will provide public benefits that are of merit and will assist in the transition of the Macquarie Park Corridor into a commercial centre as envisaged in the Metro Plan 2036. In summary, these benefits include:

- urban renewal/consolidation of a key gateway site within the Macquarie Park Corridor through development of high quality landmark buildings;
- contributing 83,368m² of high-quality commercial floor space and creating 2,138 operational jobs adjoining public transport infrastructure;
- reducing car dependency and encouraging use of public transport infrastructure assisting in Macquarie Park's transition from a high car dependent, homogeneous light industrial business park to a pedestrian and public transport oriented mixed used commercial centre;
- providing high quality functional public open spaces including upgrades of the public realm treatment around the western entrance of the Macquarie Park railway station and along street frontages thus creating more pedestrian friendly and functional civic spaces;
- providing high quality and environmentally efficient buildings that will achieve a 5 Star Green Star energy efficiency rating;
- providing employment opportunities through the construction and operational phase of the development; and
- contributing to transforming Macquarie Park into a Specialised Commercial Centre whilst strengthening the role of the Global Economic Corridor and greater Sydney as a global city.

It is recommended that the Deputy Director General, as delegate for the Minister for Planning and Infrastructure:

- consider** the recommendations of this report;
- approve** the Concept Plan, subject to conditions, under Section 75O of the *Environmental Planning and Assessment Act 1979*; and
- sign** the attached Instrument of Approval (**Appendix E**).

Endorsed by



Alan Bright
Acting Director
Metropolitan and Regional Projects South

Approved by:



Richard Pearson
Deputy Director General
Development Assessment and Systems Performance

29/5/12

Prepared by: Simon Truong
Planning Officer, Metropolitan & Regional Projects South

S.T.

APPENDIX A. ENVIRONMENTAL ASSESSMENT

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3747

APPENDIX B. SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3747

APPENDIX C. PROPONENT'S RESPONSE TO SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3747

APPENDIX D. CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

Ecologically Sustainable Development (ESD) principles

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the precautionary principle);*
- (b) *the principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);*
- (c) *the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and*
- (d) *improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).*

The Department has considered the development in relation to the ESD principles and has made the following conclusions:

Precautionary Principle – the application is supported by technical and environmental reports and studies which conclude that the proposal's impacts can be successfully mitigated. No irreversible or serious environmental impacts have been identified. No significant climate change risks are identified as a result of this proposal. Mitigation measures are outlined in the Proponent's Statement of Commitments and the future assessment requirements.

Inter-Generational Principle – the site's redevelopment for commercial use, incorporating ecologically sustainable design principles and implementation of environmental management practices to be employed during construction of the new development will ensure that the environment is protected for future generations. The location of a significant amount of new high quality commercial floor space within an identified Specialised Centre benefitting from excellent access to public transport will ensure that the proposal will benefit future generations.

Biodiversity Principle – there is no threat of serious or irreversible environmental damage as a result of the proposal. The site has a low level of environmental sensitivity. The vegetation assessment submitted with the EA indicates the site does not contain any known threatened or vulnerable species, populations, communities or significant habitats and will not harm the existing biological diversity or ecological integrity.

Valuation Principle – the valuation principle is more appropriately applied to broader strategic planning decisions and not at the scale of this proposal. The principle is not considered to be relevant to this particular Concept Plan application.

A future assessment requirement has been recommended requiring the development achieve a minimum 5 Star Green Star certified rating for all future buildings achieving the ESD principles. On this basis, the Department is satisfied that the proposal is consistent with the principles of ESD.

Section 75I(2) of the Act / Clause 8B of Regulations

Section 75I(2) of the Environmental Planning and Assessment Act 1979 and clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director General's Report is to address a number of requirements. These matters and the department's response are set out below:

| Section 75I(2) criteria | Response |
|---|--|
| Copy of the proponent's environmental assessment and any preferred project report; | The Proponent's EA is at Appendix A and Preferred Project Report Appendix C . |
| Any advice provided by public authorities on the project | A summary of the advice provided by public authorities on the project is set out in Section 4 of the report. |
| Copy of any report of a panel constituted under Section 75G in respect of the project; | No statutory panel was required or convened in respect of this project. |
| Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project; | Each relevant SEPP that substantially governs the carrying out of the proposal is identified below, including an assessment of the proposal against the relevant provisions of the SEPP. |
| Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division, | An assessment of the proposal against relevant Environmental Planning Instruments is provided below. |
| Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate; | The environmental assessment of the Concept Plan is this report in its entirety. |
| A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project. | In accordance with Section 75I of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with. |
| Clause 8B criteria | Response |
| An assessment of the environmental impact of the project | An assessment of the environmental impact of the proposal is discussed in Section 5 of this report. |
| Any aspect of the public interest that the Director-General considers relevant to the project | The public interest/public benefits are discussed in Section 5 and 6 of this report. |
| The suitability of the site for the project | The development of the site will provide high quality commercial floor space and jobs in an identified Specialised Centre adjacent key public transport infrastructure. The site is suitable for the proposed development. |
| Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions. | A summary of the issues raised in the submissions is provided in Section 4 of this report. |

Under Sections 75I(2)(d) and 75I(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy (SEPP) that substantially governs the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that would (except for the application of Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project. The Department's consideration of relevant SEPPs and EPIs is provided below.

State Environmental Planning Policy (Major Development) 2005

The Project remains a Part 3A project under the former provisions of Schedule 1, Clause 13, Group 5 of the Major Projects SEPP, “*residential, commercial or retail projects*” as DGRs were issued prior to 8 April 2011. The project has a capital investment value (CIV) of more than \$100 million and has been determined as an important project in achieving State and regional planning objectives.

State Environmental Planning Policy 55 – Remediation of Land

State Environmental Planning Policy 55 requires a consent authority to consider whether the land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose. The Proponent has undertaken a Stage 1 and 2 Environmental Site Assessment in respect of the development. The assessment finds that the site is suitable for continued commercial/industrial land use. The assessment recommends that the existing UST on site be decommissioned and the surrounding soil be tested for contamination. Based on the recommended mitigation measures, the site can be made suitable for the proposed development, subject to future assessment requirements.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 requires that relevant public authorities be consulted with about certain development during the assessment process or prior to development commencing. As such, the RMS has been notified and given the opportunity to make representations in respect of the proposed development. **Section 4.2** and **Section 5.1** of this report details the RMS’s comments. The Department will also notify the RMS of its determination of the subject proposal.

Ryde Local Environmental Plan 2010 (LEP)

LEPs are not required to be strictly applied in the assessment and determination of major projects under Section 75R Part 3A of the Act. Notwithstanding, these standards and provisions are relevant considerations for this application as Section 75I(2)(e) of the Act 1979 require the Proponent to address such standards and provisions and the Department to duly consider them. The Departments consideration of the relevant development standards are provided below:

| | Provisions | Proposal | Compliance |
|--|--|---|---|
| Zone Commercial Core B3 | Commercial premises which include Business, Office and Retail premises | Commercial and retail uses | Yes |
| Height | Must not exceed: Building A = 44.5m Building B = 37m Building C = 37m Building D = 30m | Building A = 69m Building B = 36m Building C = 40m Building D = 39m | No Yes No No *See Section 5.2.2 for further discussion |
| Floor space ratio | Range between 2.0:1 and 3.01 | 5.1:1 | No *See Section 5.2.1 for further discussion |
| Off-street parking | 1 space per 80m ² GFA = 1,042 spaces | 1,042 spaces | Yes *See Section 5.1 for further discussion |
| Retail activities | Retail premises to have located on ground floor and not exceed 2,000m ² | All buildings have retail on ground floor with the total area being 1,852m ² | Yes |

City of Ryde Development Control Plan 2010 – Part 4.5 “Macquarie Park Corridor”

DCPs are not required to be strictly applied in the assessment and determination of major projects under Section 75R Part 3A of the Act. Notwithstanding, as discussed in Section 5.2 and 5.3 the siting and design controls of the DCP are relevant considerations for this application as Section 75I(2)(e) of the Act 1979 require the Proponent to address such provisions and the Department to duly consider them. The Departments consideration of the relevant development standards are provided below:

| Controls | Provisions | Proposal | Compliance |
|-----------------------------------|---|--|---|
| Large site development | *Sites larger than 15,000m ² should lodge a Master Plan | Site area is 15,619m ² . Proposal seeks Concept Plan approval | Yes *Concept Plan allows for wholistic development of site achieving intent of Masterplan |
| Public domain | *Establishment of a Station plaza around the western entrance to Macquarie Park railway station | Building A will be setback and parts of the frontage dedicated to establish a plaza area around the station portal | Yes |
| | *Active frontage, preferably retail uses, along the street boundaries, particularly at Coolinga Street | Retail uses are proposed along the ground floor levels of all buildings | Yes |
| | *Establishment of a civic streetscape along Waterloo Road | A new civic streetscape along Waterloo Road frontage is proposed | Yes |
| | *Pedestrian through-site links between the buildings | Sufficient separation between the buildings and pathways are proposed to allow for pedestrian through-site links | Yes |
| Site and building design | *Development fronting Lane Cove Road – First 40m of building from boundary can have a maximum height of 17 storeys, with the remaining 30m of building being a maximum of 13 storeys. | Building A has a consistent height of 17 storeys plus plant level | No *Discussed further in Section 5.2.2 |
| | *Remainder of site can have buildings with a maximum height of 8 storeys. | Building B is 8 storeys plus plant level and Buildings C and D are part 8/9 storey plus plant level | No *Discussed further in Section 5.2.2 |
| Setbacks and building zone | *Lane Cove Road – 5m *Western entrance to Macquarie Park railway station – 22m *Waterloo Road – 10m *Coolinga Street – 0m *Giffnock Avenue – 5m | Lane Cove Road – 5m Western entrance to Macquarie Park railway station – 22m Waterloo Road – 10m Coolinga Street – 0m Giffnock Avenue – 5m | Yes Yes Yes Yes Yes |

| | | | |
|------------------------------------|--|---|---|
| Public Domain Interface | *Colonnade and active retail frontage adjoining station portal and along Waterloo Road | Colonnades are proposed adjoining the station portal and along Waterloo Road | Yes |
| | *Awning and active retail frontage at Coolinga Street | Awning proposed at 1 st floor of Buildings C & D. Retail proposed at ground floor fronting Coolinga Street | Yes |
| | *Vehicular access to be provided along secondary streets | Vehicular access provided from Giffnock Avenue and Coolinga Street | Yes |
| Building separation | <p>*20m separation when buildings face each other</p> <p>*10m separation when buildings are perpendicular to each other</p> | <p>Buildings A-B = 15m</p> <p>Buildings B-C = 15m</p> <p>Buildings C-D = 10m</p> | <p>Yes</p> <p>No</p> <p>No</p> <p>*Building separation distances are considered acceptable as they allow for appropriate sized landscaped courtyard spaces and pedestrian through site links as discussed in Section 5.3</p> |
| Building bulk | <p>*Floor plates above 8 storeys should not exceed 2,000m² unless slender building forms achieved through articulation and architectural devices</p> <p>*Preferred distance from core of building to external window is 12m to achieve daylight</p> | <p>Building A floor plate is 2,010m² and Buildings B, C, D floor plates are 2,075m²</p> <p>Varies between 15m – 23m</p> | <p>No</p> <p>* Building mass and form consistent with envisaged built form for Macquarie Park as discussed in Section 5.2</p> <p>No</p> <p>*Building mass and form consistent with envisage built form for Macquarie Park as discussed in Section 5.2</p> |
| Site coverage and deep soil | <p>*Minimum of 20% site to be deep soil</p> <p>*Minimum dimension 20m x 10m</p> | <p>4,165m² of deep soil planting area equating to 27%</p> <p>Varies across the site</p> | <p>Yes</p> <p>No</p> <p>*Acceptable as size of all landscaped courtyard areas will provide satisfactory amounts of landscaped area</p> |
| Private and Communal Areas | <p>*Minimum of 30% of developable area of the site is to be provided as landscaped area</p> <p>*Communal courtyard areas to received greater than 3 hours of sunlight between 9am and 3pm on 21st June</p> | <p>>30% of site will be landscaped area</p> <p>Communal courtyards will receive less than 3 hours of sunlight on 21st June</p> | <p>Yes</p> <p>No</p> <p>*Level of shadow impact expected for communal courtyard areas given heights of buildings.</p> |

| | | | |
|-------------------------|---|--|--|
| | <p>*Pedestrian through site links to be 3m in width</p> <p>*Through site links to be dedicated to Council where possible or publicly accessible from 6am to 10pm weekdays</p> | <p>Through site links 10-15m in width.</p> <p>No dedication is proposed and hours of accessibility have not been provided.</p> | <p>Yes</p> <p>*Future assessment requirement recommended requiring consideration of dedication or making through site links publicly accessible at minimum from 6am to 10pm weekdays (Condition 6)</p> |
| Ceiling heights | <p>Ground floor ceiling height 3.6m</p> <p>Other floors ceiling height = 2.7m</p> | <p>Ground floor = 3.6m-5.1m</p> <p>Other floors = 3.7m</p> | <p>Yes</p> <p>Yes</p> |
| Parking controls | <p>Temporary spaces at 1 space per 240m² over and above permanent parking provisions (LEP) are permitted</p> | <p>No temporary parking proposed</p> | <p>N/A</p> |

APPENDIX E. RECOMMENDED INSTRUMENTS OF APPROVAL
