

An report titled 'Urban Design Analysis in Consideration of the 10 Design Quality Principles Pursuant to SEPP 65' dated June 2009 has been prepared by Caldis Cook Group (Appendix 16).

The SEPP 65 Report includes a design verification statement and assesses the proposed development against the 10 design quality principles.

The SEPP 65 Report provides:

Design Verification Statement

The project of the Proposed High Density Residential Development at 63-77 West Parade, West Ryde, as described in the Part 3A Concept Application to the NSW Minister of Planning, has been proposed so as to be capable of being further design developed to comply with regard to the Design Quality Principles of SEPP 65 as addressed below;

The 10 Design Quality Principles comprise:

- *Context*
- *Scale*
- *Built Form*
- *Density*
- *Resource, Energy and Water Efficiency*
- *Landscape*
- *Amenity*
- *Safety and Security*
- *Social Dimensions*
- *Aesthetics*

The SEPP 65 Report concludes:

In conclusion, the proposed High Density Residential Development at 63-77 West Parade, West Ryde facilitates and provides the framework whereby the development may provide an enhanced level of amenity to future and existing residents and to the general environment. It assists in responding and contributing to the desired future transition of the area.

Thus, the proposed High Density Residential Development is considered to be readily capable of achieving the ten design quality principles sought by SEPP 65.

It is considered appropriate to carry out a further SEPP 65 report that addresses the Residential Flat Design Code at the Project Specific Application.

6.2.6 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

BASIX applies to development that comprises multi-unit housing. It establishes a scheme to encourage the development of sustainable residential development by providing an on-line tool which calculates energy and water efficiency and issues a certificate.

This is a Concept Application which does not include any detailed design concepts. Consequently, a BASIX assessment cannot be carried out. A BASIX certificate will be submitted with Project Specific Applications.

6.2.7 State Environmental Planning Policy No 53 – Metropolitan Residential Development

Key Issue 1 of the DGR's require SEPP (Metropolitan Residential Development) to be addressed.

Clause 4 of SEPP (Metropolitan Residential Development) provides:

4 Where this Policy applies

(1) This Policy applies to the part of the State consisting of the local government areas described in Schedule 1, except as otherwise provided by this Policy.

Schedule 1 of SEPP (Metropolitan Residential Development) provides:

Schedule 1 Local government areas

Note. Schedule 1 lists the local government areas to which this Policy applies.

Ku-ring-gai

The Ryde Local Government Area is not included in Schedule 1.

Accordingly, it is not relevant to address SEPP (Metropolitan Residential Development) for the purposes of this Concept Application.

This was confirmed with Andrew Beattie, of the Department of Planning on 11 June 2009 (Appendix 21).

6.2.8 State Environmental Planning Policy No 55 – Remediation of Land

SEPP 55 provides the planning framework for the remediation of contaminated land.

Clause 7 of SEPP 55 provides (*emphasis added*):

7 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

(4) The land concerned is:

(a) land that is within an investigation area,

(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,

(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:

(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and

(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

The Concept Application does not propose a change of use, but a continuation of the existing residential use of the Site.

Housing NSW has engaged S&N Environmental Engineers & Contractors to undertake a Preliminary Environmental Site Assessment and a Hazardous Materials Assessment. Those assessments are presently being carried out and will be included in the Project Specific Applications, along with a Stage 2 Detailed Site Investigation and a Remediation Action Plan if necessary. A copy of the brief is located at Appendix 13.

There is no visible evidence of fill on the site, or pre-existing noxious or hazardous uses. Surveys on adjoining land are illustrative of low risk of contamination and technologies being able to remediate any such contamination. Accordingly, it is considered for the purposes of this Concept Application that the Minister may be satisfied that if necessary, the Site can be remediated to permit the development to proceed.

6.2.9 Other relevant State Environmental Planning Policies applicable to the Site

- SEPP No. 1 – Development Standards
- SEPP No. 6 – Number of Storeys in a Building

6.3 Draft State Environmental Planning Policies

6.3.1 Draft State Environmental Planning Policy No 66 Integration of Land Use and Transport

The Draft SEPP 66 aims to support sustainable transport (walking cycling and public transport). It is designed to reduce car use, increase densities near public transport and create a compact liveable city.

Draft SEPP 66 was placed on exhibition from 14.9.01 – 14.12.01.

Draft SEPP 66 has not been gazetted and has subsequently been discarded by the Department of Planning (PS08-013).

The Department of Planning has advised that it is not relevant to address Draft SEPP 66 for the purposes of this Concept Application (Appendix 21).

6.4 Local Environmental Plan

6.4.1 Ryde Planning Scheme Ordinance 2006

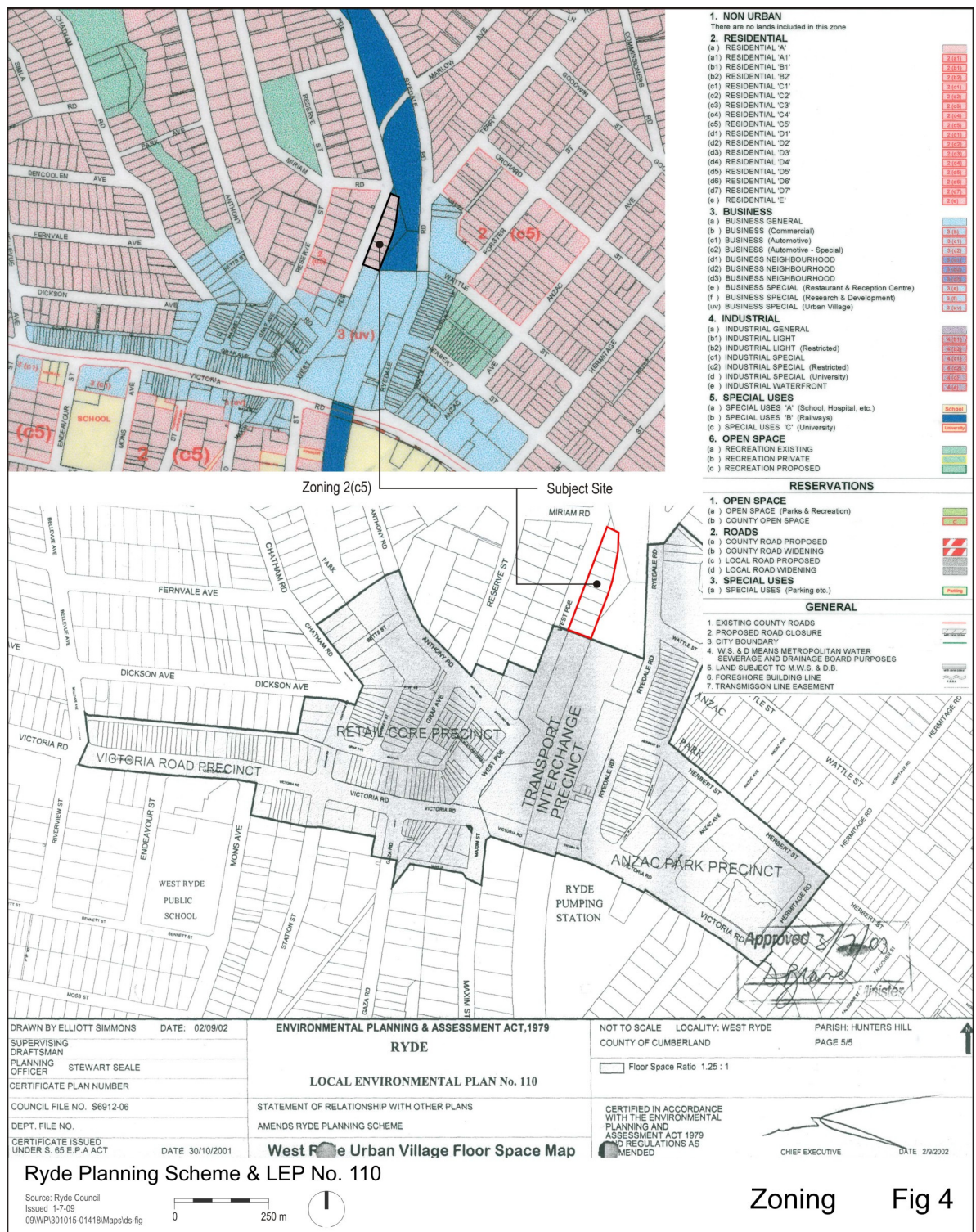
The Ryde Planning Scheme Ordinance 2006 (**RPSO**) applies to the Site.

The DGR's require the Ryde Planning Scheme Ordinance 2006 and relevant Development Control Plans to be addressed in the EA. Notwithstanding this, **Section 75R** of the EPA Act provides that environmental planning instruments do not apply to or in respect of an approved project. Accordingly the Minister has the authority to set aside provisions of local environmental planning instruments including, but not limited to density (FSR) and height.

This EA demonstrates on planning grounds that it is reasonable in the circumstances for the Minister to vary the density (FSR) and height provisions set out in the local environmental planning instruments in order to achieve the objectives of state, regional and local planning policy.

The Site is zoned Residential 2(c5), and shares a common boundary with zone 3(uv) Business Urban Village to the south, zone 5(B) Special Uses Railway to the north and east, and a public road (West St) from Zone 2(c5) Residential to the east.

Development for the purposes of 'residential flat buildings' is permissible within the Residential 2(c5) zone.



A detailed assessment of the Concept Application in relation to the relevant applicable controls for the Site is set out in the table in Appendix 17.

A summary of this assessment is set out below:

Summary assessment of the Concept Application in relation to the relevant controls of the Ryde Planning Scheme Ordinance 2006		
Issue	Relevant clause	Compliance with control
Permissible uses with development consent in the 2(c5) zone	Table ...residential flat buildings...	Yes. Development for the 'commercial' and 'retail' uses will be ancillary to the primary permissible use for the propose of 'residential flat buildings.
Minimum size of allotments	Clause 46.	Yes.
Floor space ratio	Clause 51.	No. See justification set out below.
Residential flat buildings – density control	Clause 55.	No See justification set out below.
Residential flat buildings – parking	Clause 56.	No See justification set out below.

FLOOR SPACE RATIO

Clause 51 of the RPSO provides an FSR control of 0.75:1

The Concept Application has a total FSR of 3.1:1.

The RPSO control would preclude the development of a social housing project that would achieve the fundamental planning objectives of State and Local planning policy. Although this is greater than that permitted under the control, the increase in social and private housing numbers provides further social and equity justification for the increase in density.

The excess FSR is required to achieve the Proponent's targeted outcome and is consistent with the Metro Strategy principles and precedents established in the CRI development.

It is noted that the adjoining West Ryde Village Precinct, which shares a common boundary with the Site, has an FSR of 1.25:1. With the application of the SEPP (Housing for Seniors or People with a Disability) bonus for a vertical village, an FSR of 1.75:1 would be achievable.

Importantly, the Draft Ryde Local Environmental Plan, which has been placed on public exhibition and is assessed at Part 6.4.2 of this EA, provides that the Site will be zoned R4 High Density Residential. Clause 4.4A(2) of the Draft Ryde Local Environmental Plan provides that the FSR **does not apply** to development for the purposes of Residential Flat Buildings upon land zoned R4 High Density Residential.

It can be concluded that it is the intention of the local planning controls to allow a development of this density on this Site.

RESIDENTIAL FLAT BUILDINGS – DENSITY CONTROL

The Concept Application does not include dwelling numbers or composition. Accordingly, the following approximations have been used:

RPSO Definition	Approximate composition of Concept Application
Small dwelling: One bedroom unit	46 one bedroom units
Medium dwelling: Two bedroom unit	96 two bedroom units

In accordance with Clause 55 of the RPSO, and having regard to the approximate unit numbers above, Caldis Cook Group has calculated:

Site area required (in square metres) for each dwelling

(a) small dwelling: 70m² @ 46 dwellings = 3220 m²

(b) medium dwelling: 100m² @ 96 dwellings = 9600 m²

Total site area required = 12820 m²

Total site area provided = 3746m²

Difference of 9074 m² or 71 % shortfall

Landscaped area (in square metres) for each dwelling

(a) small dwelling: 30 m² @ 46 dwellings = 1380 m²

(b) medium dwelling: 40 m² @ 93 dwellings = 3720 m²

Total landscaped area required = 5100 m²

Total landscaped area provided = 387 m²

Difference of 4713 m² or 92% shortfall

If podium area is included as landscaped area:

Total landscaped area required = 5100 m²

Total landscaped area provided = 1360 m²

Difference of 3740 m² or 73% shortfall

There is a substantial shortfall in the site area and landscaped area.

It is a social and public policy imperative enunciated in the EPA Act objectives, the Metropolitan Sydney Strategy (2005) and the Draft Sub-regional Strategy, that housing targets, social and affordable housing be delivered where there is significant investment in public transport and in close proximity to railway stations. This achieve accessibility to those groups typically with low car ownership and is a policy to assist in encouraging mode shift to rail and reduction of green house gas emissions. Accordingly, a proposed density of this level is considered to be consistent with those objectives.

Housing NSW and Council have engaged in extensive consultation in relation to the Site and the proposed development. The Concept Application, and subsequent Project Specific Applications is considered to achieve the environmental planning objectives, and reduce uncertainty and risk to ensure that Housing NSW achieves the best outcome for the taxpayers of NSW in meeting the needs for those for whom the market fails.

The desired yield defined by the Housing NSW feasibility study is in the order of 3:1 to 3.5:1 subject to detailed design development and feasibility appraisal. This is significantly higher than the FSR permitted on the subject land pursuant to the RPSO. It is higher than the 1.25:1 FSR for the West Ryde Village Precinct or the 1.75:1 that would apply to a 'vertical village' bonus in the Seniors Living SEPP. A density of 3:1 is considered appropriate given the subject site along its longest boundary shares a common boundary with railway land and having regard to height of the existing 9 storey flat buildings and the scale and density of the approved CRI project - West Ryde Station – Determination, **MP 05_0130**.

In addition, as we have said previously, the Draft Ryde Local Environmental Plan, which has been placed on public exhibition and is assessed at Part 6.4.2 of this EA, provides that the Site will be zoned R4 High Density Residential. Clause 4.4A(2) of the Draft Ryde Local Environmental Plan provides that the FSR **does not apply** to development for the purposes of Residential Flat Buildings upon land zoned R4 High Density Residential. It can be concluded that it is the intention of the local planning controls to allow a development of this density on this Site.

Accordingly, in the circumstances it is considered appropriate to approve the Concept Application despite the non compliance with the RPSO.

6.4.2 Draft Local Environmental Plan 2008

The Draft Ryde Local Environmental Plan 2008 (**DLEP**) was placed on public exhibition from 12 November 2008 – 16 January 2009. The provisions of the DLEP should be given considerable weight as it is imminent and certain that the provisions will come into force in the near future.

The DLEP applies to the Site. The relevant applicable controls for the Site are summarised in the table below:

Draft Ryde Local Environmental Plan 2008		
Issue	Relevant control	Compliance with control
Aims	<p>Clause 1.2 Aims of Plan</p> <p>...</p> <p>(1) The particular aims of this Plan are as follows:</p> <p>(a) to create a broad framework of controls for the future development of all land in Ryde.</p> <p>(b) To encourage the management and development of land to provide a range of land uses, employment activities and housing types that respond to the welfare of the citizens of Ryde,</p> <p>(c) To conserve items and places in Ryde that are of natural, indigenous, cultural, social and historical significance,</p> <p>(d) To manage development of Ryde to create a better environment</p>	<p>Yes.</p> <p>The Concept Application provides a range of land uses, employment activities and housing types on the Site. Specifically, the Concept Application provides:</p> <ul style="list-style-type: none"> ○ Commercial use, retail use and residential use on the Site ○ Providing employment opportunities in the commercial and retail areas, as well as associated employment with the development such as gardeners and site managers. ○ Providing public/social housing, affordable housing and private housing

Zone	Zone R4 – High Density Residential	
Zone objectives	<p>Clause 2.3(2)</p> <p>The Consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</p> <hr/> <p>Land Use Table</p> <p>Zone R4 – High Density Residential</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> ○ To provide for the housing needs of the community within a <u>high density residential environment</u> ○ To provide <u>a variety of housing types within a high density residential environment</u> ○ To enable other land uses that provide facilities or services to meet the day to day needs of residents ○ To allow <u>higher density development around transport nodes</u> and commercial and retail centres ○ To allow for revitalisation, rehabilitation and redevelopment of residential areas while ensuring that building design does not adversely affect the amenity of the locality 	Yes
Permissibility	<p>Land Use Table</p> <p>Zone R4 – High Density Residential</p> <p>3. Permitted with consent</p> <p>...Community Facilities...Neighbourhood shops ... Residential Flat Buildings</p> <hr/> <p>Dictionary</p> <p><i>Community facility</i> means a building or place:</p> <p>(a) owned or controlled by a public authority ..., and</p> <p>(b) used for the physical, social, cultural or intellectual development or welfare of the community,</p> <p>but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation</p> <p><i>Neighbourhood shop</i> means retail premises used for the purpose of selling small daily convenience goods such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of the people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.</p>	<p>Yes</p> <p>The Concept Application proposed the following uses which are all permissible with development consent:</p> <ul style="list-style-type: none"> ○ Residential flat building ○ Neighbourhood shop – in the form of the proposed retail use ○ Community facility – in the form of the proposed commercial use which is intended to be used as Housing NSW service centre primarily for interaction with Housing NSW clientele. It is anticipated to contain workspace for up to 40 staff, reception area, a meeting/training room and kitchen and toilet facilities. These offices generally operate from 8.30 am to 4.30

	<p>Residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or a multi unit dwelling</p>	<p>pm Monday - Friday.</p> <p>The proposed 'commercial premises' office for Housing NSW will be ancillary to those permissible uses.</p>
Floor Space Ratio	<p>Clause 4.4 Floor Space Ratio</p> <p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (a) to provide effective control over the bulk of future development (b) to allow appropriate levels of development for specific areas (c) to enable the consent authority to assess and respond appropriately to future infrastructure needs <p>...</p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>Clause 4.4A Residential zones – floor space ratio <i>(emphasis added)</i></p> <p>(1) ...</p> <p>(2) <u>... the maximum floor space ratio shown for a building on land in Zone R4 High Density Residential on the Floor Space Ratio Map does not apply to development for the purposes of ... residential flat buildings...</u></p> <p>Floor Space Ratio Map</p> <p>'I' – 0.75:1</p> <p>Note:</p> <p>63 – 77 West Parade are identified as 'I'</p> <p>The adjoining sites from 61 West Parade are identified as 'P' which provides a Floor Space Ratio of 1.25:1</p>	<p>Yes.</p> <p><u>Clause 4.4A(2) provides that the FSR does not apply to the proposed development as it is for the purposes of Residential Flat Buildings.</u></p>
Height	<p>Clause 4.3 Height of Buildings</p> <p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (a) to maintain desired character and proportions of a street within areas, (b) to minimise overshadowing and ensure a desired level of solar access to all properties (c) to enable the built form in denser areas to create spatial systems that relate to human scale and topography 	<p>No</p> <p>Tower A: Building height 38.1 metres</p> <p>Tower B: Building height 17.8 metres</p> <p>Tower C: 26.5 metres</p> <p>Tower D: 17.07 metres</p> <p>Although the towers exceed the</p>

	<p>(d) to enable focal points to be created that relate to infrastructure such as train stations or large vehicular intersections</p> <p>(e) to reinforce important road frontages in specific centres.</p> <p>...</p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map</p>	<p>Height of Buildings control for the Site, they are consistent with the controls for the adjoining sites from 61 West Parade which allows a building height of 33.5 metres. Accordingly, building height on the eastern side of West Parade will remain consistent.</p>
	<p>Height of Buildings Map</p> <p>'L' – 11.5 metres (maximum building height)</p> <p>Note:</p> <p>63 – 77 West Parade are identified as 'L'</p> <p>The adjoining sites from 61 West Parade are identified as 'U4' which provides a maximum building height of 33.5m</p>	
	<p>Dictionary</p> <p><i>Building height (or height of building)</i> means the vertical distance between ground level (existing) at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like</p>	
Residential Density Area	<p>Clause 4.5B Density controls for multi dwelling housing and residential flat buildings in Zone R4 High Density Residential</p> <p>The consent authority must not consent to the erection of multi dwelling housing or residential flat buildings on land in an area specified in Column 1 of the Table to this clause and shown on the Residential Density Area Map unless the area of the land on which that development is to be carried out is not less than the area specified for that development in Column 2 of that Table in respect of the dwellings contained in the proposed development</p>	<p>No.</p> <p>Clause 4.6 of the DLEP provides for exceptions to development standards.</p> <p>It is considered that compliance with this development standard would be unreasonable and unnecessary in the circumstances.</p>
	<p>Residential Area Density Map</p> <p>Area 4</p>	<p>This EA demonstrates that there are sufficient environmental planning grounds to justify contravening the development standard.</p>
	<p>Table – Density in areas shown on Residential Density Area Map</p> <p>Area 4</p> <p><i>1 bedroom dwelling: 70 m² site size (in m²)</i></p> <p><i>2 bedroom dwelling: 100 m² site size (in m²)</i></p> <p><i>3 bedroom dwelling: 130 m² site size (in m²)</i></p>	<p>The proposed development will be in the public interest because it is consistent with the State and Local objectives in relation to the provision of social and affordable housing.</p>

<p>Exceptions to development standards</p>	<p>4.6 Exceptions to development standards</p> <p>(1) The objectives of this clause are:</p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and</p> <p>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p> <p>(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p> <p>(3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>(4) Consent must not be granted for development that contravenes a development standard unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p> <p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>(b) the concurrence of the Director-General has been obtained.</p> <p>(5) In deciding whether to grant concurrence, the Director-General must consider:</p> <p>(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and</p> <p>(b) the public benefit of maintaining the development standard, and</p> <p>(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.</p> <p>...</p>	
<p>Identified</p>	<p>Clause 6.5 ... West Ryde Urban Village</p>	<p>Yes.</p>

<p>Centre adjoining the Site: West Ryde Urban Village</p>	<p>...</p> <p>(2) The objectives for the land to which this clause applies are as follows:</p> <p>(a) to create a safe and attractive environment for pedestrians</p> <p>(b) to create a mixed use precinct with emphasis on uses that promote pedestrian activity and safety at ground level (existing)</p> <p>(c) to create a precinct that contains opportunities and facilities for living, working, commerce, leisure, culture, community services, education and public worship</p> <p>(d) to increase the number of people living within walking distance of high frequency public transport services,</p> <p>To increase the use of public transport</p> <p>(3) The consent authority must not grant consent for development on land to which this clause applies unless it has considered whether the proposed development is consistent with the objectives stated in subclause (2).</p>	<p>The Concept Application meets the objectives of the adjoining West Ryde Urban Village</p>
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6.5 Ryde Development Control Plan

6.5.1 Ryde Development Control Plan 2006

The City of Ryde Development Control Plan 2006 (**RDCP 2006**) sets down provisions to control the form that development can take within Ryde. The provisions of the RDCP 2006 are addressed in the context of the proposed development.

Relevant provisions of the RDCP 2006		
Issue	Relevant Control	Compliance with Control
Part 3.4 Residential Flat Buildings		
Objectives of this part	<p>Clause 2 Objectives of this Part (<i>emphasis added</i>)</p> <p>To encourage a high architectural and landscape standard for residential flat development through the City.</p> <ul style="list-style-type: none"> ○ To preserve and enhance the existing residential amenity of the City ○ To regulate the physical characteristics of residential flat development in order to preserve the character of the area within which the development is to be carried out. ○ To ensure maximum privacy, sunlight and air, both within and without the site. ○ To ensure adequate provision is made for the parking of residents' and visitors' vehicles within the limits of the site. 	Yes.

Relevant provisions of the RDCP 2006		
Issue	Relevant Control	Compliance with Control
Part 3.4 Residential Flat Buildings		
	<p>The provisions of this Part should be interpreted within the context of the above objectives. Compliance with the minimum requirements as set down in this Part does not necessarily mean that an application will succeed as each application will be considered on its merits.</p> <p><u>Council may vary requirements in this Part where, due to unique site consideration, the variance of such requirements would yield a better planning solution for the development of the site.</u></p>	
Minimum Site Requirements	<p>Clause 3 Minimum Site Requirements</p> <p>A residential flat building shall not be erected on any allotment unless the allotment complies with the following requirements:</p> <p>Clause 3.2.2 Residential Flat Buildings (other than residential flat buildings Class A or urban housing)</p> <p>Residential Flat Buildings (other than residential flat buildings class A or urban housing)</p> <p>Frontage to any other road</p> <p>"Minimum Area 840m²</p> <p>Minimum width at the front alignment of the building: 24m"</p>	Yes (Upon amalgamation of the eight allotments)
Density	<p>Clause 5</p> <p>The maximum number of dwellings which can be erected on a particular site shall be calculated in accordance with the density requirements contained in Table 1.</p> <p>This number is calculated by ensuring that the sum of the site area for each small, medium or large dwelling proposed, stipulated in the Table, does not exceed the site area of the allotment on which the building is proposed do be erected.</p> <p>The number of small dwellings in any development shall not exceed 50% of the total number of dwellings on site.</p> <p>It should be noted that a calculation based on the figures in Table 1 gives the maximum permissible density. However, other requirements of the Code such as setbacks from boundaries, height of buildings, parking, landscaped area requirements and site constraints may result in a lower density being, in fact, achieved.</p> <p>Table 1: Density</p> <p>Zone No:</p> <p>2(c5)</p>	<p>No</p> <p>See Part 6.4.1 of this EA.</p>

Relevant provisions of the RDCP 2006		
Issue	Relevant Control	Compliance with Control
Part 3.4 Residential Flat Buildings		
	Dwelling Type and Site Area (m²) per dwelling Small dwelling: 70m ² Medium dwelling: 100m ² Large dwelling: 130m ²	
Height of Buildings	Clause 6 Height of Buildings A residential flat building shall not exceed the number of storeys and height contained in Table 2. Table 2: Building Height Zone No. 2(c5) Maximum number of storeys 3 storeys Maximum height in metres 11 metres	No.
Setbacks	Clause 7 Setbacks 7.1 Front, Side and Rear Setbacks ... The minimum setback for a residential flat building (8 storeys) from a front rear and side boundary shall be in accordance with: Front setback: 18.5 metres Side & Rear: 13.5 metres Where the side and/or rear boundary of a property adjoins a public reserve, public pathway or the like, that side and/or rear setback may at Council's discretion, be reduced to 3 m.	No. The concept application setbacks are as follows: Front setback: 2 metres Side & Rear: 4 & 3 metres It is considered appropriate in the circumstances to reduce the setback standard so that the aims of state and local planning policy may be achieved in terms of provision of social and affordable housing, and increasing densities in close proximity to public transport centres.
Balconies	Clause 8 A balcony should be provided to each dwelling with a residential flat building. Balconies are not to be enclosed to a height greater than 1.2m	Yes

Relevant provisions of the RDCP 2006		
Issue	Relevant Control	Compliance with Control
Part 3.4 Residential Flat Buildings		
Parking Quantity	<p>Clause 9.1 Quantity</p> <p>Residential flat developments (other than units for aged persons, villa homes and developments on land to which Ryde Local Environmental Plan No. 15 applies) shall provide on-site car parking at the following rates:</p> <p>For properties within 400m of Victoria Road, Epping Road or a Railway Station:</p> <p>1.0 car spaces per one bedroom dwelling;</p> <p>1.2 car spaces per two bedroom dwelling;</p> <p>1.6 car spaces per three bedroom dwelling; and</p> <p>1.0 car spaces per four dwellings for visitor parking."</p>	<p>No.</p> <p>See Part 10 of this EA.</p>
Design of Parking Areas	<p>Clause 9.2 Design of Parking Areas</p> <p>All parking spaces should be sited behind the front building line. Parking spaces shall not be provided in the front elevation of the building.</p> <p>...</p> <p>All parking spaces and manoeuvring areas shall be designed so vehicles may freely enter and leave the property in a forward direction.</p> <p>All parking areas shall be drained, by gravity, to Council's stormwater drainage system.</p> <p>All parking must comply with Australian Standards 2890.1.</p>	<p>Yes</p>
Parking Under Buildings	<p>Clause 9.5 Parking under Buildings</p> <p>All parking areas located beneath a residential flat building shall be located such that:</p> <p>a) a clear ceiling height of 2.2m is maintained;</p> <p>b) the ceiling height does not exceed an average of 1.5m above neutral ground level along the appropriate elevation;</p> <p>c) the ceiling height of the parking area does not exceed 2.1m above natural ground level at any point; and</p> <p>d) where the parking area encroaches within the specified setback in Table 3, the height of the roof on the parking area does not exceed 0.75m above natural ground level at the boundary with adjoining property.</p> <p>Consideration may be given to an averaging of the requirements of (b) and (d) within the specified setback area, where it can be demonstrated that such a variation would not have any adverse impact on the amenity</p>	<p>Yes</p>

Relevant provisions of the RDCP 2006		
Issue	Relevant Control	Compliance with Control
Part 3.4 Residential Flat Buildings		
	<p>of adjoining properties by loss of privacy, overshadowing or the visual impact of the area between buildings on the adjoining properties.</p> <p>All parking areas under buildings shall be ventilated, either naturally or by mechanical means, in accordance with Council's standards.</p>	
Driveways	<p>Clause 9.6 Driveways</p> <p>All driveways within the property, where not used as manoeuvring area, shall have a minimum clear width of 4 metres and a minimum pavement width of 3 metres. Greater widths may be required, at Council's discretion, depending on the number of dwellings served.</p> <p>The maximum grade of any driveway shall be 1 in 6. Suitable transitional grades to Council's satisfaction shall be required at changes of grade.</p> <p>...</p> <p>Driveways should be designed so as to reduce the visual impact of large paved areas viewed from the street with driveways meandering to provide pockets of landscaping to eliminate the "gun barrel" effect of driveways.</p>	Yes.
Landscaping	<p>Clause 10.1 Landscaping Quantity</p> <p>The minimum landscaped area within each development shall be calculated in accordance with the landscaping requirements contained in Table 4.</p> <p>Areas with a clearance of less than 1.3m, such as areas under balconies, shall be excluded from landscaped area.</p> <p>Table 4: Landscaped Area</p> <p>Zone No.</p> <p>2(c5)</p> <p>Dwelling type and Minimum landscaped area (m²) per dwelling</p> <p>Small Dwelling Type: 30m²</p> <p>Medium Dwelling Type: 40m²</p> <p>Large Dwelling Type: 50m²</p>	<p>No.</p> <p>See part 6.4.1 of this EA.</p>
Consolidation of Allotments	<p>Clause 12.6 Consolidation of Allotments</p> <p>Where more than one allotment is involved in the development, consolidation of such allotments into one allotment shall be completed prior to the occupation of the building or issue of a Certificate of Classification.</p>	Yes