Local Planning Instrument and Policy Compliance Assessment Tables

Table 1– Ryde Local Environmental Plan 2010

Clause	Compliance	Comment
1.2 Aims of the Plan		
(a) to create a broad framework of controls for the future development of all land in Ryde.	Yes	The proposed Concept Plan and Project Applications have had regard to the local planning framework, however the current application is being considered under SEPP Major Development 2005.
(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,	Yes	The proposed Concept Plan proposes a development which optimises the development opportunities within the Macquarie Park Corridor, and positively contributes to the land use composition and mix within the Macquarie Park Corridor given the limited residential redevelopment opportunities.
(c) to conserve items and places in Ryde that are of natural, indigenous, cultural, social and historical significance,	Yes	The Concept Plan includes a Vegetation Management Plan and off-sets strategy which will results in a positive environmental outcome for the Development Site. The proposal includes regeneration of the riparian corridor which will improve the surrounding environment, and link in with the riparian corridor regeneration works on the adjacent University lands downstream. The site has no items of European or Aboriginal significance.
(d) to manage development of Ryde to create a better environment.	Yes	The Concept Plan will enhance the land use within a site which is within a walkable distance from the Macquarie University Train Station, Bus Interchange, and Macquarie Centre Shopping Centre. It also directly adjoins the Macquarie University Campus and is within the Macquarie Park Corridor promoting walking to work development opportunities.
2.3 Zone Objectives & Land Use Table		
Zone Objectives		
(a) *To provide a mixture of compatible land uses.*	Yes	The Concept Plan will enhance the land use within a site which is within a walkable distance from the Macquarie University Train Station, Bus Interchange, and Macquarie Centre Shopping Centre. It also directly adjoins the Macquarie University Campus and is within the Macquarie Park Corridor promoting walking to work development opportunities.
(b) *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*	Yes	The proposal maximises the opportunity to integrate residential development within the existing diverse mix of development within the Macquarie Park Corridor.
(c) *To create vibrant, active and safe communities and economically sound employment centres.*	Yes	The buildings are orientated to overlook the new local road and a ground level retail space will further activate the site to create a safer vibrant place.
(d) *To create safe and attractive environments for pedestrians.*	Yes	The Concept Plan includes a range of public domain improvements which will enhance pedestrian permeability within the Development Site including:

Clause	Compliance	Comment
		▪ A Type 3 road with a pedestrian path on either side. ▪ A 5 metre wide pedestrian link between the Boulevard and the north-eastern adjoining University land. ▪ A pedestrian 'boardwalk' running along the side of Building D, providing a pedestrian link between the Boulevard and the riparian corridor. ▪ All buildings have living spaces that overlook the public domain to provide casual surveillance
(e) *To recognise topography, landscape setting and unique location in design and land-use*.	Yes	The Concept Plan has reflected the natural topography of the site through adopting a modulated built form which generally tapers down from the street frontage with Herring Road to the rear of the site adjacent to the riparian corridor.
Permissibility		
B4 Mixed Use Zone	Yes	The B4 Mixed Use Zone expressly permits a range of land uses with development consent, and all other land uses which are not expressly prohibited within the zone. Residential Flat Buildings are not expressly prohibited and therefore, are permissible with development consent on the Development Site. The ground level retail space in Building A is also permitted in the zone.
4.3 Height 27.5 metres fronting Herring Road 21.5 metres at rear of site	No	Refer to **Section 2.1** of the PPR Report
4.4 FSR Maximum 2:1	No	The proposed FSR is 2.65:1. Refer to **Table 4** of the PPR Report.
4.5E Off-Street Parking Maximum of 1 per 80sqm GFA	N/A	This development control relates to "commercial and industrial" development within Macquarie Park, not residential. Hence it does not apply. Refer to **Table 4** of the PPR Report and the Traffic Report prepared by CBHK attached in **Appendix D**.

Table 2 – Ryde DCP 2010 Compliance Table

Planning Control / Objective	Compliance	Comment
Part 4.5 – Section 4.3 Macquarie University Station Precinct		
▪ Provide new type 3 public street 15.5m road reserve	Yes	The proposed new access road has been designed to as a Type 3 road with a road reserve of 16.1 metres.
▪ Green street setback to Herring Road	Yes	A 20 metre setback is proposed for buildings fronting Herring Road. The setback area is densely landscaped. Refer to Landscape Plans prepared by Turf Landscape Architects contained within the Volume of Plans Part 3 accompanying this application.
4.3.1 Future Character		
1. To retain and conserve existing vegetation and mature trees, particularly along the College Creek Corridor	Yes	Regeneration of the riparian corridor is proposed as part of the Concept Plan and includes conservation of existing local trees, revegetation within the riparian corridor and offset planting elsewhere on the site. The riparian corridor will be maintained in accordance with the Vegetation Management Plan prepared by Total Earth Care attached in **Appendix F**.

Planning Control / Objective	Compliance	Comment
2. *To ensure all new development adjacent to College Creek addresses the creek corridor.*	Yes	Building D has been re-orientated and setback outside of the 20 metre riparian corridor. All other structures have been setback consistent with the 20 metre riparian corridor requirement.
3. *To provide high quality public spaces around the new train stations accommodating a high level of pedestrian movement and activity.*	Yes	The Concept Plan contributes to the high public spaces within the Macquarie University Station Precinct by providing: ▪ New access road from Herring Road into the site. ▪ Riparian corridor regeneration. ▪ Pedestrian and bicycle path along the new access road to the riparian corridor and between the Development Site and the adjacent University Lands between Buildings B and C. ▪ Activation of the frontage to Herring Road through the new retail space in Building A.
4. *To activate the ground level of buildings facing the station square, with ground level active uses spilling out into the public domain.*	N/A	Development Site does not front station square.
5. *To rationalise vehicular access within the Precinct to avoid pedestrian and vehicular conflict, particularly along Waterloo and Herring Roads.*	Yes	A single access point from Herring Road is proposed to service the Development Site and all basement parking is accessed from the new access road.
6. *To provide a range of uses supporting the surrounding commercial and education areas, and generating activity at ground level.*	Yes	▪ Provides housing stock to service a range of markets including students and employees of the university and Macquarie park commercial area. ▪ Ground level activation is achieved at the corner of Herring Road and the new access road by the proposed retail space at ground level.
7. *To ensure that the scale and form of development contributes to the public domain and legibility of streets and places.*	Yes	The scale and form of development will positively contribute to the public domain by massing within taller buildings with smaller floor plates that frame the Herring Road. Buildings B, C and D will front the new local road to reinforce this space.
8. *To ensure that development on private land contributes to the provision of public infrastructure.*	Yes	The development provides an extension to the public road and pedestrian networks through construction of a new access road with a footpath running along both sides.
9. *To provide built form that allows the train stations to be visually prominent within Macquarie Park.*	Yes	The built form and density frame the Herring Road approach to the precinct centre.
10. *To ensure that blocks and lots around the station are highly permeable.*	Yes	Pedestrian permeability has been enhanced thought the Development Site by providing: ▪ Pedestrian / cycle path along the new access road ▪ A pedestrian / cycle link between the Development Site and the adjacent University lands between Buildings B and C. ▪ These pathways will provide additional public connection through to the University grounds.
11. *To ensure that rail service buildings are incorporated into the desired built form and landscape design solutions.*	N/A	The proposal does not include any rail service buildings.

Planning Control / Objective	Compliance	Comment
12. To ensure that corner site at the intersection of Herring and Epping Roads creates a quality identity for Macquarie Park	N/A	Site is not located at Herring and Epping Road.
13. To provide a highly accessible pedestrian movement network, increasing permeability and walkability.	Yes	Pedestrian permeability has been enhanced thought the Development Site by providing: ▪ Pedestrian / cycle path along the new access road to the riparian corridor ▪ A pedestrian / cycle link between the Development Site and the adjacent University lands between Buildings B and C.
14. To encourage walking and cycling.	Yes	The Concept Plan promotes walking and cycling by: ▪ Providing a new pedestrian/cycle links through the site. ▪ Adopting a minimalist approach to car parking buy reducing rates below Council's requirements. ▪ Incorporating appropriate level of density on a site in close walking distance to shops and transport.
15. To encourage safe public spaces.	Yes	▪ Buildings fronting Herring Road have been designed and orientated towards Herring Road to maximise passive surveillance. ▪ Buildings without street frontage to Herring Road have been designed and orientated towards the new access road, to provide safety via passive surveillance for movements within the Development Site.
16. To ensure all new developments adjacent to College Creek address the creek corridor.		Building D has been re-orientated to run parallel to University Creek.
17. To facilitate the provision of community facilities.	Yes	In accordance with the Statement of Commitments the new local road is proposed to be dedicated to Council.
18. To co-ordinate the orderly development of the Precinct and have regard to the Macquarie University Master Plan (Approved under Part 3A of the Act).	Yes	▪ The Concept Plan height and density responds to the development up-lift anticipated within close proximity to the Precinct centre. ▪ The Concept Plan provides a transitional building height between the university buildings. ▪ The Concept Plan includes modulation of building heights across the site, with a general tapering down towards the rear of the site.
4.3.2 Public Domain / Open Space		
1. New parks, plazas and public open spaces are to be provided where shown in Figure 4.5.32, 4.5.35 and 4.5.36. The minimum dimensions of public open spaces are to be provided as shown	Yes	▪ The riparian corridor along University Creek indicated in these figures is proposed to be regenerated as part of the Concept Plan in accordance with this control.
2. Public open spaces are to be designed according to Section 5.2 of this Plan, and according to the Macquarie park Public	Yes	The new access road has been designed as a Type 3 road.

Planning Control / Objective	Compliance	Comment
Domain Technical Manual		
3. Existing trees are to be retained and protected, particularly within the College Creek Precinct.	Yes	Refer to Supplementary Flora and Fauna Assessment and updated Vegetation Management Plan prepared by Anne Clements and Total Earth Care attached in **Appendix E and F**.
4. Public open spaces are to be dedicated to Council. Where a public open space is shown within private land, Council should be consulted at an early stage of the design process.	Yes	The new access road will be dedicated to Council.
5. Provide integrated stormwater management and enhanced pedestrian, landscape, accessibility and water sensitive urban design treatments to the overland flow path through Macquarie Shopping Centre	Yes	▪ Development incorporates an integrated stormwater management system for the whole Development Site. ▪ Refer to the PPR Volume of Plans Part 4 by TTW.
6. Primary Active and Retail Frontages are to be provided where shown in Figure 4.5.32. Where Primary Active Frontages are shown, refer to Section 6.1 Active Frontages for Controls	N/A	-
7. Pedestrian through site links are to be provided where shown in Figure 4.5.32.	Yes	DECCW has not supported the pedestrian link indicated in Figure 4.5.32. in response to concerns about environmental impacts, the Concept Plan proposes the following revised pedestrian through-site connections: ▪ Pedestrian / cycle path along the new access road to the riparian corridor ▪ A pedestrian / cycle link between the Development Site and the adjacent University lands between Buildings B and C.
8. Refer to DCP Section 6.2 for controls relating to pedestrian through-site links. a. To expand and enhance the pedestrian network and increase pedestrian permeability through the Macquarie Park Corridor. b. To ensure that through block connections are accessible, continuous, well lit, safe and supported by active uses. c. To provide equitable access for all.	Yes	▪ New access road includes pedestrian paths that run east-west from Herring Road to the University Creek riparian corridor. ▪ Buildings fronting the new access road have been designed and orientated to address the new access road. These buildings have their pedestrian and vehicle access from the access road. ▪ Pedestrian pathways have been designed to suitable grades to accommodate equitable movements.
4.3.3 Site and Building Design		
▪ Development should comply with the maximum number of stores indicated on Figure 4.5.35. [	No	Refer to **Section 2.1** of the PPR.
▪ Ensure that the critical building alignments shown in Figure	N/A	-

Planning Control / Objective	Compliance	Comment
4.5.36 are provided.		
▪ Provide street setbacks and build-to lines as shown in Figure 4.5.36. ▪ 10m min to Herring Road.	No (Building A only)	A part 8.5 metre and part 10 metre setback is proposed along the Herring Road frontage for Building A to allow for greater separation between buildings on the Development Site. The minor encroachment to the front setback is justified for the following reasons: • It will not detract from the object of the control as there will be adequate space for landscaping. • Furthermore, only the lower levels of the northern part of Building A will sit forward of the 10 metre line, the upper levels of the building will be setback back to the 10 metres line. • The southern half of the building floorplate will entirely comply with the setback control. • Finally, Building E maintains the 10 metre front setback to Herring Road.
▪ 5m setback for new internal road.		5 metre setback proposed from new access.
▪ Underground car parking is not permitted to encroach the setback areas unless it can be demonstrated that the basement is designed to support significant mature trees and deep root planting.	Yes	Only a minor portion of the basement car parking podium of Building A encroaching into the Herring Road setback by 1.5 metres. Overall the site achieves adequate level of landscape open space and deep soil planting to satisfy the objective of this control.
4.3.4 Public Domain Interface		
▪ Driveways and vehicle crossings are not preferred along Herring Road, for the block south of Waterloo Road.	Yes	All vehicle access for the development is proposed from the new access road.
▪ Driveways and vehicle crossings are to be provided from secondary streets wherever possible.	Yes	All vehicle access for the development is proposed from the new access road.
▪ Vehicle access should not ramp along boundary alignments facing a street or public open space.	Yes	Vehicle access for each building's basement car park is perpendicular to the allotments street frontage,
▪ Refer to DCP Section 6.1 for additional vehicular access and parking controls applicable to all development.	N/A	-
▪ The outcomes of the Macquarie University Master Plan in relation to elements such as the public transport interchange, pedestrian and vehicle movements are considered as part of any development in the precinct.	Yes	The Concept Plan proposes a built form that is responsive to the University Master Plan approval. Refer to **Section 5.1** of the EA Report.
Part 4.5 – Section 6.1 General Built Form		
6.1.1 Height Control		

Planning Control / Objective	Compliance	Comment
Building heights are to comply with the Ryde LEP 2010.	No	Refer to **Section 2.1** of the PPR for the justification.
6.1.2 Floor Space Ratio (FSR) Control		
Floor Space Ratios are to comply with the Ryde LEP 2010.	No	Refer to **Section 2.1** of the PPR for the justification.
6.1.3 Site Planning and Staging		
▪ Buildings are to be sited to address existing and new frontages in order of precedence: a. Primary Frontages b. Secondary Frontages	Yes	▪ Buildings fronting Herring Road have been designed and orientated towards their Herring Road frontage. ▪ Other buildings will address the proposed new road. ▪ Access to basement car parks of all buildings will be from the proposed new access road.
▪ Front door and street address is to be located on the primary frontage.	Yes	Buildings fronting Herring Road will have pedestrian access directly from Herring Road.
6.1.4 Street Setbacks and Build-to Lines		
▪ Frontage to Herring Road is to include a 10 metre minimum green setback.	Building A –No in part Building E -Yes	See commentary in 4.3.3 above. The front setback will be densely landscaped in accordance with the landscape plans prepared by Turf landscape Architects contained within the **PPR Volume of Plans Part 3.** The planting in the front setback complies with Council's Public Domain Technical Manual for streetscape design.
▪ 80% of the front setback is to be soft landscaping.	No	Approximately 66% of the front setback of the Development Site, to Herring Road will be for soft landscaping. Because there is a real public benefit of providing an active retail space at the ground of Building A, a large area of potential landscaping space has been used for an outdoor paved seating area. This has contributed to the lower percentage of soft landscaping. The plant species selected provide tall trees with slender trunks providing dense canopies with a mature height of 18-20 metres which will improve the streetscape presentation and soften the built form fronting Herring Road and achieve the desired amenity aspect. Finally, worth noting, is that 41% of the Development Site will be deep soil landscaping (on ground and in podium) which far exceeds the 15% minimum of Council's requirement. Therefore on balance, having regard to the measures proposed and the quality of the landscaping in the front setback, the proposal is considered appropriate.
6.1.6 Building Separation		
Provide separation as recommended by the NSW Residential Flat Design Code	Yes	Refer to the revised *SEPP 65* and Residential Flat Design Code compliance statement attached in **Appendix A**.

Planning Control / Objective	Compliance	Comment
6.1.7 Building Bulk		
Provide maximum building depth as recommended in the NSW Residential Flat Design Code.	Yes	Refer to the revised *SEPP 65* and Residential Flat Design Code compliance statement attached in **Appendix A**
6.1.8 Site Coverage and Deep Soil Areas		
15% of developable area of the site must be provided as deep soil area.	Yes	Approximately 41% of the Development Site will be deep soil landscaping (on ground and in podium) which far exceeds the 15% minimum of Council's requirement.
6.1.8 Building Articulation		
Facades are to be composed with an appropriate scale, rhythm and proportion which respond to building use and desired character.	Yes	Refer to the revised Architectural Design Statement prepared by Turner + Associates attached in **Appendix A**.
6.1.10 Ceiling Heights		
Minimum ceiling heights are to be in accordance with controls in *SEPP 65*.	Yes	Refer to the revised *SEPP 65* and Residential Flat Design Code compliance statement attached in **Appendix A.**
6.1.15 Environmental Performance		
Residential development is to comply with BASIX (Building Sustainability Index) requirements.	Yes	A BASIX Summary Statement and Certification was submitted with the EA application. No changes are required to this as a result of the PPR. In fact the PPR proposes a 4 Star Green Star rating for Building A, taking the ESD performance to best practice – surpassing BASIX.
6.1.16 Wind Impact		
For buildings over 9 storeys and for any other building which may bee considered as exposed building shall be accompanied by a wind tunnel study report.	N/A	In accordance with DGEARs the DOP did not request a Wind Impact Statement to be provided. The PPR request letter again did not request this, therefore both the scale and location of the development outside the commercial area means that is not such does not a Wind Impact study is not required.
Part 4.5 – Section 6.2 Landscaping and Open Space		
6.2.1 Landscaping and Communal Courtyards		
A minimum 30% of the developable area of the site is to be provided as Landscaped Area	Yes	The total area of landscaping (hard and soft) is 60%, which is double the Council requirement. Furthermore, some 41% of the Development Site will be deep soil landscaping, comprising 27% on ground and 14% in podium planting zones.
Solar access to communal open spaces is to be maximised. Communal courtyards must receive a minimum of 3 hours direct sunlight between 9am and 3pm on the 21st of June.	Yes	Communal courtyards have been designed to maximise capturing solar access as they are location on the northern side of the buildings. Each apartment block's communal open space receives 3 hours of sunlight between 9am and 3pm in mid-winter.
6.2.2 Pedestrian Through Site Links		
Pedestrian through-site links are to	Yes	The pedestrian link between Buildings B and C is proposed to be 5 metres wide and include a path and

Planning Control / Objective	Compliance	Comment
be a minimum of 3 metres wide.		landscaping.
Part 4.5 – Section 6.3 Services and Site Management		
6.3.6 Site Facilities		
▪ Provide communal or individual laundry facilities to each dwelling and external clothes drying area.	Yes	Each dwelling will have an internal laundry and an external clothes drying area in their private open space.
▪ Provide storage to swellings as required by the NSW Residential Flat Design Code	Yes	Refer to the revised *SEPP 65* and Residential Flat Design Code compliance statement attached in **Appendix A.**
▪ Lockable mail boxes are to be provided in a location visible from the public domain.	Yes	Building A includes a mail room adjacent to the ground floor lobby. Mail rooms will be provided in the ground floor of each building.
6.3.7 Vehicle Access		
▪ Where practicable, vehicle access is to be from secondary streets	Yes	All vehicle access to basement car parks of residential flat buildings is proposed from the new access road.
▪ Pedestrian / vehicle conflict is to be minimised by: - Limiting width and number of vehicle access points. - Clear site lines - Separation of vehicle and pedestrian access points	Yes	The Concept Plan proposes each building to have a single access point to the basement car park from the new access road. Buildings with frontages to Herring Road have their pedestrian access directly from Herring Road.
▪ Basement parking should be located directly under building footprints to maximise deep soil opportunities.	Yes	Basement car parks for each of the buildings generally will be situated below the building footprints.