

Statutory Compliance Table

27-29 Tryon Road, Lindfield

Table 1: Statutory Compliance Table

Mandatory Matters for Consideration	Response	Document Reference
Consideration under the Act and Regulation		
<i>Environmental Planning and Assessment Act, 1979</i>	<p>The proposal is consistent with the objects of the EP&A Act. In particular, the proposal:</p> <ul style="list-style-type: none"> It will deliver 62 residential apartments which will make a significant contribution to the housing needs in the Ku-Ring-Gai LGA and the Greater Sydney area. It will generate 181 jobs during the construction stage and up to 5 jobs through the operation of the development. This will create a significant employment opportunity within the area. Seeks to enhance housing supply, including affordable housing, for the community. Has been evaluated and assessment against the relevant heads of section 4.15(1) of the EP&A Act throughout this statement. 	Section 6.2.1 of EIS.
<i>Environmental Planning and Assessment Regulation 2021</i>	<p>Section 61(1) prescribes that the consent authority in determining a DA must consider Australian Standard AS 2601 – 2001. Any demolition works will be undertaken in accordance with AS 2601-1991. The Demolition of Structures published by Standards Australia.</p> <p>Section 69 prescribes that any building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA) pursuant to Clause 69 of the EP&A Reg and will be conditioned as part any development consent.</p> <p>Section 193 prescribes that the principles of Ecologically Sustainable Development (ESD) are required to be considered in the assessment of the proposal. An ESD Report is available as Appendix 19 which addresses the four principles of ESD.</p>	Section 6.2.1 of EIS and Appendix 19 .
Relevant Environmental Planning Instruments		
<i>State Environmental Planning Policy (Housing) 2021</i>	<p>Chapter 2, Part 2, Division 1 of the Housing SEPP applies to the proposed development. An assessment against section 15C of Division 1 is provided in the Table 2 below.</p> <p>Chapter 5 of the Housing SEPP applies to the proposed development. An assessment against Chapter 5 is provided in Table 2 below.</p>	Table 2 of this Statement.

Mandatory Matters for Consideration	Response	Document Reference				
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Division 17, Section 2.122 requires the consent authority to provide TfNSW with written notice of the development application for 'traffic-generating development' within the meaning of the SEPP, as set out in Schedule 3 of the SEPP.	Not applicable to this SSDA.				
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	<p>Schedule 1, Clause 26A of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> states that the following development is considered to be SSD –</p> <p><i>(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—</i></p> <p><i>(a) the part of the development that is residential development has a capital investment value of—</i></p> <p><i>(i) for development on land in the Eastern Harbour City, Central River City, Western Parkland City or Central Coast City in the Six Cities Region—more than \$75 million, or</i></p> <p><i>(ii) for development on other land—more than \$30 million, and</i></p> <p><i>(b) the development does not involve development prohibited under an environmental planning instrument applying to the land.</i></p> <p>The proposal:</p> <ol style="list-style-type: none"> 1. Is located in the Eastern Harbour City 'region' of the Six Cities Region 2. Has an Estimate Development Value greater than \$75 million, and 3. Does not involve development prohibited under an EPI applying to the land. <p>Therefore, the development is considered a SSD in accordance with Section 26A of the Planning Systems SEPP.</p>	Section 4.1 of the EIS and Estimated Development Cost Report (Appendix 20)				
<i>Ku-Ring-Gai Local Environmental Plan 2015 (KLEP)</i>	<p>Zoning and Permissibility</p> <p>The site is zoned R4 High Density Residential under the KLEP. Residential Flat Buildings are permitted with consent in the R4 High Density Residential zone.</p> <p>Objectives of the Zone</p> <p>The proposal is consistent with the objectives of the Zone in the KLEP as follows.</p> <table border="1" data-bbox="438 1870 1173 2016"> <thead> <tr> <th data-bbox="438 1870 805 1915">Objective</th> <th data-bbox="805 1870 1173 1915">Response</th> </tr> </thead> <tbody> <tr> <td data-bbox="438 1915 805 2016"><i>To provide for the housing needs of the community within</i></td> <td data-bbox="805 1915 1173 2016">The proposal will facilitate the redevelopment of the site for the purposes of residential</td> </tr> </tbody> </table>	Objective	Response	<i>To provide for the housing needs of the community within</i>	The proposal will facilitate the redevelopment of the site for the purposes of residential	Please refer to Table 3 below.
Objective	Response					
<i>To provide for the housing needs of the community within</i>	The proposal will facilitate the redevelopment of the site for the purposes of residential					

Mandatory Matters for Consideration	Response	Document Reference	
	<p><i>a high density residential environment.</i></p>	<p>development comprising 62 apartments, including 14 affordable units, which will contribute to additional housing supply and diversity to support an increasing population within a high density residential area.</p>	
	<p><i>To provide a variety of housing types within a high density residential environment.</i></p>	<p>The proposal will deliver a mix of 1, 2 and 3 bedroom apartments, as well as 14 affordable housing units. This will add to the variety of housing types available within Lindfield.</p>	
	<p><i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></p>	<p>The proposed development will facilitate the delivery of a high level of quality, communal open space and amenity areas, this includes a significant increase in landscaping on the site from that currently existing.</p>	
	<p><i>To provide for high density residential housing close to public transport, services and employment opportunities.</i></p>	<p>The proposal aligns with the State Government’s strategic approach to transit oriented development by placing high quality residential uses within walking proximity to Lindfield Train Station and bus interchange.</p>	
	<p>Table 3 below considers other Ku-Ring-Gai Local Environmental Plan (2015) provisions.</p>		
<p>Consideration under other legislation</p>			
<p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p>	<p>The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) is federal legislation which provides a legal framework to protect and manage nationally important flora, fauna, ecological communities and heritage places defined as ‘matters of national environmental significance’ (MNES).</p> <p>No Matters of National Environmental Significance listed under the EPBC Act will be impacted by the development. It is considered that the proposed development will have no adverse biodiversity impacts on the site and surrounding locality.</p>		<p>BDAR Waiver Determination Letter (Appendix 12)</p>
<p><i>Biodiversity Conservation Act 2016</i></p>	<p>The <i>Biodiversity Conservation Act 2016</i> (BC Act) identifies and protects threatened species, populations and ecological communities that are under threat of extinction in NSW. Impacts to threatened species and endangered ecological communities listed under the BC Act are required to be assessed in accordance with Section 7.3 of the BC Act. In</p>		<p>BDAR Waiver Determination Letter (Appendix 12)</p>

Mandatory Matters for Consideration	Response	Document Reference
	<p>accordance with the requirements of s.7.9 of the BC Act a biodiversity assessment has been prepared.</p> <p>A BDAR waiver request has been prepared and submitted to NSW Department of Biodiversity & Conservation dated 30 January 2025. A waiver was granted by DPHI on 20 February 2025 confirming that a BDAR is not required to accompany the SSDA.</p>	

State Environmental Planning Policy (Housing) 2021

Table 2: Housing SEPP Compliance Table

Provision	Comment
CHAPTER 2 – IN-FILL AFFORDABLE HOUSING	
15C Development to which division applies	
<p><i>(1) This division applies to development that includes residential development if—</i></p> <p><i>(a) the development is permitted with consent under Chapter 3, Part 4 or another environmental planning instrument, and</i></p>	<p>The site is zoned R4 High Density Residential which permits residential flat buildings with consent under the KLEP.</p>
<p><i>(b) the affordable housing component is at least 10%, and</i></p>	<p>The proposal seeks to provide 15% affordable housing.</p>
<p><i>(c) all or part of the development is carried out—</i></p> <p><i>(i) for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area,</i></p>	<p>The site is in an ‘accessible area’ being within 400m of Lindfield Train Station.</p>
<p><i>(2) Affordable housing provided as part of development because of a requirement under another environmental planning instrument or a planning agreement within the meaning of the Act, Division 7.1 is not counted towards the affordable housing component under this division.</i></p>	<p>An additional 2% affordable housing will be provided in perpetuity as per the requirements of Chapter 5 <i>Transport Orientated Development</i> of the Housing SEPP.</p>
16 Affordable housing requirements for additional floor space ratio	
<p><i>(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</i></p>	<p>The applicable FSR under Chapter 5 of the Housing SEPP is 2.5:1, with a 30% increase this would equal 3.25:1 (9786.7sqm).</p>
<p><i>(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—</i></p> <p>affordable housing component = $\frac{\text{additional floor space ratio}}{\text{(as a percentage)}} \div 2$</p>	<p>The development proposes to provide 15% (equivalent to 1467sqm) of its total GFA for in-fill affordable housing purposes. This results in an allowance for 30% additional floor space ratio as demonstrated below:</p> <p>Affordable Housing Component (15%) = additional FSR (30%) ÷ 2</p> <p>As per Section 16(3), the maximum height of building allowance is the same percentage as the additional floor space ratio permitted.</p>

Provision	Comment
<p>(3) <i>If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</i></p> <p>Example— <i>Development that is eligible for 20% additional floor space ratio because the development includes a 10% affordable housing component, as calculated under subsection (2), is also eligible for 20% additional building height if the development involves residential flat buildings or shop top housing.</i></p>	<p>The applicable building height under Chapter 5 of the Housing SEPP is 22m. With the 30% incentive increase the applicable building height is 28.6m.</p> <p>COMPLIES</p> <p>The proposed development has a total building height of 28.6m (RL 121.75) which is compliant with this Section.</p>
<p>(4) <i>This section does not apply to development on land for which there is no maximum permissible floor space ratio.</i></p>	<p>Not applicable.</p> <p>An FSR control applies to the site.</p>
<p>19 Non-discretionary development standards – the Act, s4.15</p>	
<p>(1) <i>The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. Note— See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.</i></p>	<p>Noted.</p>
<p>(2) <i>The following are non-discretionary development standards in relation to the residential development to which this division applies—</i></p> <p>(a) <i>a minimum site area of 450m²</i></p>	<p>COMPLIES</p> <p>The area of the subject site is 3011.3sqm, well above the minimum 450sqm.</p>
<p>(b) <i>a minimum landscaped area that is the lesser of—</i></p> <p>(i) <i>35m² per dwelling, or</i></p> <p>(ii) <i>30% of the site area</i></p>	<p>COMPLIES</p> <p>A total landscaped area of 1014.34sqm is proposed. This equates to 33.7% of the site area.</p> <p>This has been calculated in accordance with the definition of landscaped area in the Housing SEPP. Please refer to the Landscape Plans in Appendix 27.</p>
<p>(c) <i>a deep soil zone on at least 15% of the site area, where—</i></p> <p>(i) <i>each deep soil zone has minimum dimensions of 3m, and</i></p>	<p>Not applicable.</p> <p>Refer to 19(3) below.</p>

Provision	Comment
<i>(ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,</i>	
<i>(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,</i>	Not applicable. Refer to 19(3) below.
<i>(e) the following number of parking spaces for dwellings used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,</i>	COMPLIES The car parking rates for the housing uplift proposed under this SSDA are compliant with these standards as detailed in the Traffic and Parking Impact Assessment (Appendix 36). The development proposes 134 car parking spaces. This is calculated in accordance with Section 19(e).
<i>(f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,</i>	COMPLIES The car parking rates for the housing uplift proposed under this SSDA are compliant with these standards as detailed in the Traffic and Parking Impact Assessment (Appendix 36). The development proposes 134 car parking spaces. This is calculated in accordance with Section 19(e).
<i>(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development</i>	COMPLIES As assessment against the ADG has been provided within the Architectural Design Report (Appendix 8b). This demonstrates compliance with Objective 4D-1 <i>Apartment size and layout</i> of the ADG.
<i>(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.</i>	Chapter 4 applies to this development. Accordingly, subsection (2)(c) and (d) do not apply. Compliance with ADG Chapter 4 is set out in the Architectural Design Report (Appendix 8b).
20 Design requirements	
<i>(1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.</i>	Not applicable. Refer to 20(2) which identifies that subsection (1) does not apply to development to which Chapter 4 applies.
<i>(2) Subsection (1) does not apply to development to which Chapter 4 applies.</i>	Chapter 4 applies to the development. Accordingly, subsection (20)(1) does not apply.

Provision	Comment
<p><i>(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with—</i></p> <p><i>(a) the desirable elements of the character of the local area, or</i></p> <p><i>(b) for precincts undergoing transition—the desired future character of the precinct.</i></p>	<p>The building has evolved through a consideration of existing site constraints including setbacks, solar access, landscaping and local context, The development results in a high-quality built form that responds to the desired future character of the area by delivering greater density in proximity to Lindfield station.</p> <p>The curved, cream brick-lined podium has been designed to anchor the building, with darker bricks, to integrate the building with the surrounding buildings along Tryon Road at the pedestrian scale, with lighter material above the podium to minimise the visible bulk of the building. The building includes an articulated façade to further minimise the visual mass of the building, as well as adding interest to the building. The materials have been selected to be “<i>site-responsive and contextually appropriate</i>” as outlined in the Architectural Design Report (Appendix 8b).</p>
<p>21 Must be used for affordable housing for at least 15 years</p>	
<p><i>(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development—</i></p> <p><i>(a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and</i></p>	<p>The in-fill affordable housing component of the development will be managed as such for at least 15 years.</p>
<p><i>(b) the affordable housing component will be managed by a registered community housing provider.</i></p>	<p>The Proponent has commenced discussions with a Registered Community Housing Provider (Bridge Housing). A copy of the letter of support from Bridge Housing can be found at Appendix 6.</p>
<p><i>(2) This section does not apply to development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation.</i></p>	<p>Not applicable.</p>
<p>22 Subdivision permitted with consent</p>	
<p><i>Land on which development has been carried out under this division may be subdivided with development consent.</i></p>	<p>N/A</p>
<p>CHAPTER 5 – TRANSPORT ORIENTATED DEVELOPMENT</p>	
<p>154 Development permitted with development consent in Transport Oriented Development Areas</p>	
<p><i>(1) Development for the purposes of residential flat buildings is permitted with development consent on land in the following</i></p>	<p>The proposed development is located within a relevant residential zone being with the R4 High Density Residential zone, as defined in Section 151.</p>

Provision	Comment
<p><i>zones in a Transport Oriented Development Area—</i></p> <p><i>(a) a relevant residential zone,</i></p> <p><i>(b) Zone E1 Local Centre or an equivalent land use zone,</i></p> <p><i>(c) for land in the Canterbury-Bankstown local government area—Zone B2 Local Centre.</i></p> <p><i>(2) Development for the purposes of shop top housing is permitted with development consent on land in a relevant employment zone in a Transport Oriented Development Area.</i></p>	
155 Maximum building height and maximum floor space ratio	
<p><i>(1) This section identifies development standards for development under this chapter that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i></p> <p>Note— <i>See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.</i></p> <p><i>(2) The maximum building height for a residential flat building in a Transport Oriented Development Area is 22m.</i></p> <p><i>(3) The maximum building height for a building containing an independent living unit or shop top housing in a Transport Oriented Development Area is 24m.</i></p> <p><i>(4) The maximum floor space ratio for the following in a relevant residential zone or relevant employment zone in a Transport Oriented Development Area is 2:5:1—</i></p> <p><i>(a) a residential flat building,</i></p> <p><i>(b) a building containing an independent living unit or shop top housing.</i></p> <p><i>(5) This section does not apply to the extent a provision of another chapter of this policy or another environmental planning instrument permits a greater maximum building height or floor space ratio for a residential flat building or building containing shop top housing on the land.</i></p>	<p>This Section allows for a maximum building height for a residential flat building on the site of 22m with an FSR of 2.5:1.</p>

Provision	Comment
156 Affordable housing	
<p><i>(1) This section applies to development for the purposes of residential flat buildings, independent living units or shop top housing in a Transport Oriented Development Area if the building has a gross floor area of at least 2000m².</i></p> <p><i>(2) Development consent must not be granted unless the consent authority is satisfied that—</i></p> <p><i>(a) at least 2% of the gross floor area of the building will be used for affordable housing, and</i></p> <p><i>(b) the affordable housing will be managed by a registered community housing provider in perpetuity.</i></p> <p><i>(3) A requirement under a provision of another chapter of this policy, another environmental planning instrument or a planning agreement that requires the development to provide more affordable housing prevails over this section.</i></p> <p><i>(4) Affordable housing provided as part of the development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing required under this section.</i></p>	<p>The development proposes to provide 2% of the total GFA as affordable housing in perpetuity (equivalent to 195.9sqm). The affordable housing component of the proposal will be managed by a registered community housing provider (being Bridge Housing) in perpetuity commencing on the day an occupation certificate is issued. This affordable housing provision is in addition to the 15% in-fill affordable housing provision.</p>
157 Affordable housing parking spaces	
<p><i>(1) This section identifies a development standard for development under this chapter that, if complied with, prevents the consent authority from requiring more onerous standards for the matters.</i></p> <p>Note— See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.</p> <p><i>(2) Development to which section 156 applies must provide the following number of parking spaces for each affordable housing dwelling required under that section—</i></p> <p><i>(a) for each dwelling containing 1 bedroom—0.4 parking space,</i></p> <p><i>(b) for each dwelling containing 2 bedrooms—0.5 parking space,</i></p>	<p>COMPLIES</p> <p>The proposed development provides 134 parking spaces and meets the minimum parking standards of this clause.</p>

Provision	Comment
<p>(c) for each dwelling containing 3 or more bedrooms—1 parking space.</p> <p>(3) This section prevails over a provision in another chapter of this policy or another environmental planning instrument to the extent that other provision permits a lower number of parking spaces for dwellings used for affordable housing on the land.</p>	
<p>158 Exception to minimum lot size</p>	
<p>(1) This section applies if another environmental planning instrument applying to the land specifies a minimum lot size for development for the purposes of residential flat buildings or shop top housing (a minimum lot size restriction).</p> <p>(2) Development consent may be granted to development for the purposes of residential flat buildings or shop top housing on land in a Transport Oriented Development Area, despite a minimum lot size restriction.</p>	<p>The site has a lot size of 3011m² which adheres to the minimum lot size in the KLEP.</p>
<p>159 Minimum lot width</p>	
<p>Development consent must not be granted to development for the purposes of residential flat buildings, independent living units or shop top housing on a lot in a Transport Oriented Development Area, unless the lot is at least 21m wide at the front building line.</p>	<p>COMPLIES</p> <p>The site has a lot width of 54.9m measured at the front building line.</p>
<p>161 Consideration of Apartment Design Guide</p>	
<p>Development consent must not be granted for development for the purposes of residential flat buildings, independent living units or shop top housing on land in a Transport Oriented Development Area unless the consent authority has considered the Apartment Design Guide.</p>	<p>An assessment against the ADG is provided at Appendix 8b.</p>

Table 3: Consistency with the Ku-Ring-Gai Local Environmental Plan 2015

Provision	Comment	Complies
Clause 2.3. Zone objectives and Land Use Table R4 High Density Residential	Residential Flat Buildings are permissible with consent within the R4 High Density Residential zone.	Yes
Clause 4.3 Height of Building 17.5m	The applicable building height under the Ku-Ring-Gai LEP is 17.5m. The proposed building height is 28.6m. Exceedance is a result of additional height provisions enabled by the amended Housing SEPP 2021 (being In-fill Affordable Housing and TOD bonuses). The proposed height complies with Clause 4.3 plus the bonus height provisions.	No
Clause 4.4 Floor Space Ratio 1.3:1	The applicable FSR under the Ku-Ring-Gai LEP is 1.3:1. The total site area of 3011.3 sqm allows for a permissible GFA of 3914.69sqm. The proposed FSR is 3.25:1 (9786.7sqm). Exceedance is a result of additional floor space provisions enabled by the amended Housing SEPP 2021 (being In-fill Affordable Housing and TOD bonuses). The proposed FSR complies with Clause 4.4 plus the bonus FSR provisions.	No
Clause 5.10 Heritage Conservation	The site is not a listed heritage item nor is it within a heritage conservation area.	Yes
Clause 6.1 Acid sulfate soils Class 5	The site is classified as Class 5 on the Acid Sulfate Soils Map. An Acid Sulfate Soils Likelihood Assessment has been prepared by Stantec (Appendix 4) and concluded that the site is of low likelihood for potential and/or actual Acid Sulfate soils. The assessment also concluded that the site is of very low likelihood for soil salinity, with very low likelihood of developing salinity in soil and/or groundwater under the proposed development.	Yes
Clause 6.2 Earthworks	A Detailed Site Investigation has been prepared (Appendix 16). Based on the findings, the DSI concluded that the site is suitable for the proposed development, subject to implementing the recommended mitigation measures.	Yes
Clause 6.5 Stormwater and water sensitive urban design	As detailed in the revised Integrated Water Management Plan (Appendix 8), water sensitive urban design principles have been incorporated into the design of the development. Drawing No. C300 of the Integrated Water Management Plan shows the Water Sensitive Urban Design details for the site. The concept stormwater drainage system design aims to convey all stormwater generated from the	Yes

Provision	Comment	Complies
	<p>site to the existing kerb inlet pit in Nelson Road. An OSD Tank has been provided in the Lower Ground level to restrict flows from low to high storm events. A rainwater tank, pit filters and storm filter cartridges all work together to treat stormwater prior to discharging into the Council network as per Ku ring-gai Council's treatment targets.</p>	
<p>Clause 6.6 Requirements for multi dwelling housing and residential flat buildings Minimum dimensions: if the area of the land is 1,800 square metres or more—30 metres.</p>	<p>The site has a total area of 3,011.3sqm and a width and depth of over 30m.</p>	<p>Yes</p>

Table 4: Ku-Ring-Gai Development Control Plan 2024 Compliance Table

Provision	Comply Y/N	Comment
Section A		
Part 2: Site Analysis		
<p>1. Development applications are to contain a site analysis that includes:</p> <ul style="list-style-type: none"> i) a sketch/diagrammatic plan with a legend; and ii) a written component. <p>2. The site plan and statement of environmental effects for the development application is to show how the proposed development responds to the site analysis.</p>	Y	A Site Analysis has been prepared by PTW (Appendix 8a).
Part 7: Residential Flat Buildings		
7A Site Design		
<p>7A.1 Local Character and Streetscape</p> <p>4. The appearance of the development is to maintain the local visual character by considering the following elements:</p> <ul style="list-style-type: none"> i. visibility of on-site development when viewed from the street, public reserves and adjacent properties; and ii. relationship to the scale, layout and character of the tree dominated streetscape of Ku-ring-gai. <p>6. Development is to integrate with surrounding sites by:</p> <ul style="list-style-type: none"> i. being of an appropriate scale retaining consistency with the surrounds when viewed from the street, public domain or adjoining development; ii. minimising overshadowing; and iii. integrating built form and soft landscaping (gardens and trees) within the tree canopy that links the public and private domain throughout Ku-ring-gai. 	Y	<p>The local character comprises traditional retail terraces and mixed use development around Lindfield station, with emerging medium density residential housing surrounding the edges town centre and around the site.</p> <p>The proposed development would be consistent with this character by maintaining a residential land use for the site, creating a medium density to suit the emerging and desired future character of the area. The development is designed with a podium with darker colours to interact with the surrounding streetscape at the pedestrian scale, with lighter colours above to minimise the visual bulk of the building. Significant landscaping and deep soil are provided to the front of the site in keeping with the leafy character of Tryon Road.</p> <p>The proposed development aligns with</p>

		<p>the front and rear setbacks of the neighbouring buildings and proposes significant planting to the front of the site, maintaining the existing streetscape character. The development includes significant landscaping and canopy coverage throughout the site.</p> <p>The scale of the development is consistent with that envisaged under the TOD provisions, facilitating higher density in well-located areas.</p> <p>The proposed building height will result in overshadowing impacts to neighbouring properties, particularly those to the south. However, the proposal has carried out significant solar analysis and has been designed to minimise overshadowing to neighbouring properties, particularly to local heritage items.</p> <p>Due to orientation, the development will have the greatest impact on the following properties to the south, however as demonstrated, the impact has been improved as a result of the revised design and none of the properties have solar access reduced by more than 20% from the existing site development:</p> <ul style="list-style-type: none"> • 26 Russell Avenue [Vacant Site] – 54% of the site receives over 3 hours solar access to the open space (96% existing). • 24 Russell Avenue – 23% of
--	--	--

		<p>the site receives over 3 hours solar access to the open space. Solar access will not be reduced by more than 30% from that existing on the site (53%). – 22 Russell Avenue [Heritage Item] – 28% of the site receives over 3 hours solar access to the open space (34% existing)</p>
<p>7A.2 Site Layout</p> <p>1. The site layout is to demonstrate a clear and appropriate design strategy and arrangement of building mass in response to the Site Analysis in Part 2 Site Analysis of this DCP. Demonstration of design strategies to address opportunities and constraints based on Site Analysis are to include:</p> <ul style="list-style-type: none"> i) building location and orientation on the site optimising northern aspect; relationship with neighbouring developments; building setbacks; geographical aspect; views; access etc; ii) response of building development in maintaining site characteristics within the subject site, such as topography, vegetation, significant trees, any special features, etc. iii) building separation and internal layouts of buildings that respond to (i) above and be consistent with the requirements of the DCP. iv) limited apartments with no direct sunlight. <p>4. Any building with a frontage to the street is to address that street.</p> <p>10. Three hours of direct sunlight between 9am and 3pm on 21st June is to be maintained to the living rooms, primary private open spaces and any communal open spaces within:</p> <ul style="list-style-type: none"> i) existing residential flat buildings and multi-dwelling housing on adjoining lots; ii) residential development in adjoining lower density zones. <p>Note: <i>Where an adjoining property does not currently receive the required hours of solar access, the proposed building is to ensure that solar access to neighbours is not reduced by more than 20%.</i></p>	<p>Y</p>	<p>The Architectural Plans (Appendix 8a) respond to the Site Analysis.</p> <p>The façade and front design responds to the streetscape character through significant planting and deep soil, and a podium -style design for the lower levels to integrate well with the surrounding developments.</p> <p>Building separation distances are compliant with the ADG as detailed in the Architectural Design Report at Appendix 8b.</p> <p>As per the ADG, 71% of the units receive over 2 hours sunlight between 9am-3pm on 21 June. Only 4 (6.5%) apartments receive 0 hours of sunlight mid-winter.</p> <p>Detailed overshadowing analysis has been done to minimise overshadowing on neighbouring properties. Refer to the shadow diagrams at Appendix 8a for further detail.</p>

<p>11. Overshadowing should not compromise the development potential of the adjoining yet to be redeveloped sites.</p> <p>12. Developments are to allow the retention of a minimum of 4 hours direct sunlight between 9am to 3pm on 21st June to all existing solar collectors and solar hot water services on neighbouring buildings.</p>		
<p>7A.3 Building Setback</p> <p>1. Residential flat buildings are to meet the following street setback requirements:</p> <ul style="list-style-type: none"> i) 10.0m from the street boundary; <p>3. Residential flat buildings are to provide a 2.0m articulation zone behind the street setback, and no more than 40% of this zone (in plan) is to be occupied by the building.</p> <p>Side and rear setbacks</p> <p>5. Residential flat buildings are to meet the following side and rear setback requirements to ensure deep soil, landscaping and tall trees are accommodated to all sides of the building:</p> <ul style="list-style-type: none"> i) a minimum of 6m from the side boundary for all levels up to the fourth storey; ii) a minimum of 9m to the fifth storey and above <p>Encroachments</p> <p>11. Basements are not to encroach into the street, side and rear setbacks.</p> <p>12. Ground floor private terraces/courtyards may encroach into the setback areas provided there is a minimum setback to the terrace edge/courtyard wall of:</p> <ul style="list-style-type: none"> i) 8m from the street boundary; ii) 4m from the side and rear boundaries; iii) 7m from the side and rear boundaries where adjoining land is zoned differently for lower density residential development. <p>14. No encroachments are permitted where minimum setbacks have not been achieved.</p>	<p>On Merit</p>	<p>The proposed development has a 6m setback from Tryon Road which is consistent with the neighbouring buildings, maintaining a consistent building setback along Tryon Road.</p> <p>Beyond the 6m setback, there are areas of landscaping or private open space creating an articulation zone.</p> <p>The development has a side setback between 3-6m on the western boundary and 3m and a courtyard area to the eastern boundary. Sufficient deep soil and landscaping has been provided along the front boundary, side boundaries and within the central courtyard to comply with the relevant SEPP provisions.</p> <p>The basement is setback 6m from the front boundary, aligning with the building footprint. The basement will encroach on the side and rear setbacks in order to provide sufficient parking for the site and more than the required deep soil will be provided on site.</p> <p>Ground floor terraces encroach on the setbacks which contribute to the landscaped area for the site.</p>

		Please refer to the ADG compliance table for consideration of setbacks (Appendix 8b).
<p>7A.4 Building Separation</p> <p>1 Residential buildings on the same development site are to include areas of deep soil in between the buildings that are capable of housing substantial vegetation and tall trees.</p> <p>2 The minimum separation between residential buildings on the development site is to comply with the following controls:</p> <p>Up to 4th Storey</p> <ul style="list-style-type: none"> i) 12.0m between habitable rooms/balconies; ii) 9.0m between habitable rooms/balconies and non-habitable rooms; iii) 6.0m between non-habitable rooms. <p>5th Storey and above</p> <ul style="list-style-type: none"> i) 18.0m between habitable rooms/balconies; ii) 13.5m between habitable rooms/balconies and non-habitable rooms; iii) 9.0m between non-habitable rooms. <p>3 Buildings are to be located so that apartments benefit from views into and through onsite landscaped gardens.</p>	On Merit	<p>Please refer to the ADG compliance table for consideration of setbacks (Appendix 8b).</p> <p>Apartments are orientated towards the central courtyard or other landscaped areas where possible.</p>
<p>7A. 5 Site Coverage</p> <p>1. The site coverage may be up to a maximum of 30% of the site area, provided that the deep soil landscaping requirements in Section A Part 7A.6 Deep Soil Landscaping can be met.</p>	On Merit	The proposed development has a lower site coverage than that of the existing development. Therefore, more landscaping has been provided on site (from 21.2% existing landscape coverage to 33.7% proposed).
<p>7A. 6 Deep Soil Landscaping</p> <p>Residential flat development is to have a minimum deep soil landscaping area as follows:</p> <ul style="list-style-type: none"> - Site Area 1800m² or more: 50% of the site <p>Tree replenishment and planting</p> <p>7. Lots with the following sizes are to support a minimum number of tall trees capable of attaining a mature height of at least 18m on shale, transitional soils and 15m on sandstone derived soils</p> <ul style="list-style-type: none"> - 1801m² - 1 per 300m² of site area or part thereof <p>8. In addition to the tall trees, a range of medium trees, small trees and shrubs are to be selected to ensure that vegetation softens the building form and creates a garden setting. At least 50% of all tree plantings are to be locally occurring trees and spread around the site.</p>	On Merit	<p>The deep soil is compliant with the ADG which is applicable to this development. This is demonstrated in the Architectural Plans (Appendix 8a).</p> <p>Significant tree and vegetation planting is proposed on site, as well as significant shrubbery. Detail of the tree species is included in the Landscape Plans (Appendix 27).</p>

<p>9. Trees are to be planted within all setback areas. At least 30% of the required number of tall trees are to be planted within the front setback.</p>		<p>Trees and shrubs are proposed along all setback areas.</p>															
7B Access and Parking																	
<p>7B.1 Car Parking Provision</p> <p>1. All residential flat developments are to provide on-site car parking within basements.</p> <p>2. Basement car park areas are to be consolidated under building footprints.</p> <p>9. The following parking ranges apply to residential flat developments on sites within 800m walking distance of a railway station entry</p> <table border="1" data-bbox="199 745 858 987"> <thead> <tr> <th>Apartment Size</th> <th>Minimum number of parking spaces per dwelling</th> <th>Maximum number of parking spaces per dwelling</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>0 spaces</td> <td>0.5 spaces</td> </tr> <tr> <td>One bedroom</td> <td>0.6 spaces</td> <td>1 space</td> </tr> <tr> <td>Two bedrooms</td> <td>1.0 space</td> <td>1.25 spaces</td> </tr> <tr> <td>Three or more bedrooms</td> <td>1.4 spaces</td> <td>2 spaces</td> </tr> </tbody> </table> <p>11. At least one visitor car space is to be accessible and be provided within the site for every 6 apartments or part thereof, and is to comply with the dimensional and locational requirements of AS2890.6.</p> <p>12. One visitor parking bay is to be provided with a tap, to make provision for on-site car washing.</p> <p>13. A clearly signposted parking bay for temporary parking of service and removalist vehicles is to be provided. The space is to have the following standards:</p> <p>i) a minimum dimension of 3.5m x 6m;</p> <p>ii) a minimum manoeuvring area 7m wide.</p> <p>15. All parking bays are to be EV ready with design and construction (provision for conduits, switchboards, electrical capacity etc) to enable installation of electric vehicle charging points that are linked to each individual dwelling electricity meter</p>	Apartment Size	Minimum number of parking spaces per dwelling	Maximum number of parking spaces per dwelling	Studio	0 spaces	0.5 spaces	One bedroom	0.6 spaces	1 space	Two bedrooms	1.0 space	1.25 spaces	Three or more bedrooms	1.4 spaces	2 spaces	<p>Y</p>	<p>A 4 level basement is proposed, providing 123 residential parking spaces and 13 visitor spaces in accordance with this provision. Maximising the parking provision is reasonable due to the development incorporating largely 3 bedroom dwellings which demand greater car parking than 1 and 2 bed units. Such size of dwellings responds to the demographic of the area, with 79.7% of households in the area being family households, with 3 bedroom dwellings the most common.</p> <p>The proposal provides for accessible car parking spaces within the basement of the building. These accessible spaces have been designed in accordance with AS2890.6 including the provision of adjacent shared areas with clearance heights of 2.5m.</p> <p>2 Car Wash spaces are provided in Basement Level 1.</p> <p>Provision for EV Parking (including cable trays, dedicated EV-DB and sub mains from switchboard from EV-DBs) is provided in all spaces.</p>
Apartment Size	Minimum number of parking spaces per dwelling	Maximum number of parking spaces per dwelling															
Studio	0 spaces	0.5 spaces															
One bedroom	0.6 spaces	1 space															
Two bedrooms	1.0 space	1.25 spaces															
Three or more bedrooms	1.4 spaces	2 spaces															
<p>7B.2 Bicycle Parking Provision</p> <p>1. Onsite secure bicycle parking spaces and storage within basements is to be provided at the following rates:</p>	<p>Y</p>	<p>The proposal complies with this provision by providing for 69 bicycle parking spaces in the basement of the building. This includes the</p>															

Residents	Visitors		
1 bicycle parking space per dwelling within the residential car park area - in the form of an individual locker or secure room as per AS2890.3.	1 bicycle parking space per 10 units or part thereof within the visitor car park area - in the form of a bicycle parking device or rack as per AS2890.3.		provision of storage cages which have adequate space to store a bicycle.
7C Building Design and Sustainability			
7C.1 SEPP (Housing) 2021 & ADG Requirements		Y	An ADG compliance table is provided at Appendix 8b demonstrating compliance with the relevant provisions of the ADG.
<p>1. All residential flat buildings are to comply with the objectives, Design Criteria and Design Guidance of the following Apartment Design Guide sections:</p> <ul style="list-style-type: none"> - 3F Visual Privacy - 4A Solar and Daylight Access - 4B Natural Ventilation - 4C Ceiling Heights - 4D Apartment Size and Layout - 4E Private Open Space and Balconies - 4F Common Circulation and Spaces - 4G Storage 			
7C.2 Communal Open Space		Y	<p>There are two communal open spaces on the Ground Floor within the central courtyard and on Level 7 rooftop. The total communal open space is 761sqm, which is approximately 25.27% of the site area. Both spaces have a minimum dimension of 5m.</p> <p>Refer to the Landscape Plans at Appendix 27. The principal communal open space receives direct sunlight for at least two hours between 9am and 3pm on 21st June.</p> <p>Shared facilities are provided on the roof terrace and central courtyard as detailed on the Landscape Plans (Appendix 27).</p>
<p>1. At least 10% of the site area is to be provided as communal open space. Each parcel of communal open space is to have a minimum dimension of 5m.</p> <p>2. At least one single parcel of Primary communal open space is to be provided with the following requirements:</p> <ul style="list-style-type: none"> i) a minimum area of 80m²; and ii) a minimum dimension of 8m. <p>3. The Primary communal open space is to be directly accessible from the internal common circulation areas.</p> <p>4. The Primary communal open space is to be located at or above finished ground level behind the building line. Roof top Primary communal open space may be provided where the ground level cannot meet performance requirements or is undesirable.</p> <p>5. Secondary communal open spaces are to have a minimum dimension of 5.0m and may be provided on roof tops.</p> <p>8. At least 50% of the area of the Primary communal open space and any Secondary communal open space are to receive direct sunlight for at least two hours between 9am and 3pm on 21st June.</p> <p>12. Shared facilities such as barbecue facilities, shade structures, play equipment and seating, are to be provided within the Primary communal open space.</p>			
7C.3 Ground Floor Apartments		Y	All ground floor apartments are separated from communal open space through areas of private open space with adequate fencing and screening.
<p>1. Ground floor apartments are to be separated from noise sources such as common areas, communal open space and the public domain.</p> <p>2. Ground and podium level apartments are to have private outdoor areas differentiated from communal areas by at least one of the following:</p>			

<ul style="list-style-type: none"> i) a change in level; ii) walls to deflect noise; iii) planting, such as hedges and low shrubs; iv) a fence/wall to a maximum height of 1.8m. Any solid wall component is to be a maximum height of 1.2m with at least 30% transparent component above. 		
<p>7C.4 Apartment Mix and Accessibility</p> <p>1. A range of apartment sizes (one, two, three bedroom) and a mix of types are to be included within the development.</p> <p>2. A mix of one, two and three-bedroom apartments are to be located on the ground level.</p> <p>Accessible Housing</p> <p>3. All units in the residential flat building development are to be of Silver Level, and 15% of those are to be of Platinum Level as indicated in the Livable Housing Design Guideline.</p> <p>5. All development is to provide an accessible path of travel: i) from the street entry to the front door of each dwelling; and ii) from the basement carparking to the dwelling entry; and iii) from the dwelling to the primary communal open space and each type of room or space for use in common by the residents.</p>	<p>Y</p>	<p>A mix of 1, 2 and 3 bedroom apartments are proposed, including 60 3-bedrooms, 1 X 1-bedroom and 1 X 2-bedroom units, with the 1 and 2 beds located on Level 1.</p> <p>All units are accessible, with 16.1% designed to a Platinum Level and 83.9% Silver Level.</p>
<p>7C.5 Building Entries</p> <p>1. The residential flat building entry is to be clearly expressed using appropriate architectural elements.</p>	<p>Y</p>	<p>The articulation of the building provides a clearly identified entrance from Tryon Road. Refer to the Architectural Plans for further detail (Appendix 8a).</p>
<p>7C.6 Building Form and Facades</p> <p>1. All building facades at ground level are to be designed to avoid the creation of entrapment areas.</p> <p>2. No single wall plane is to exceed 81m² in area.</p> <p>3. The following are to be avoided on all building elevations:</p> <ul style="list-style-type: none"> i) large flat walls; ii) undifferentiated window openings; iii) applied treatments; iv) one single predominant finish or material. <p>4. All facades are to place entries, habitable room windows, and balconies so that they maximise outlook and passive surveillance of the street and to common areas surrounding the building.</p> <p>7. Screening between adjacent apartments is to be integrated into the overall building design.</p> <p>Façade Articulation</p>	<p>Y</p>	<p>The building design creates no entrapment areas.</p> <p>Building articulation and a variety of materials are integrated throughout the design to avoid large flat walls or predominant finishes.</p> <p>The building design enables passive surveillance as detailed in the CPTED Report (Appendix 15), as well as sufficient landscape screening between adjacent apartments.</p>

<p>11. All building facades are to be articulated with wall planes varying in depth by not less than 0.6m, and supplemented with architectural elements.</p> <p>Building Length</p> <p>15. The continuous length of a single building on any elevation is not to exceed 36m.</p> <p>Balconies</p> <p>17. Balcony or terrace design may incorporate building elements such as pergolas, sun screens, shutters, operable walls and the like to respond to the street context, building orientation and residential amenity. The use of such building elements are not to enable the balcony or terrace to be used as a habitable room.</p> <p>18. Balconies that run the full length of the building facade are not permitted.</p> <p>19. Continuous transparent or translucent balustrades are not permitted to balconies or terraces.</p> <p>20. Balconies are not to project more than 1.5m from the outermost wall of the building facade.</p>														
<p>7C.7 Building Storeys</p> <p>1. Sites with the following maximum building heights under the KLEP are to have a maximum number of storeys above the basement as in the table below:</p> <table border="1" data-bbox="199 1003 845 1200"> <thead> <tr> <th>Maximum building height (m)</th> <th>Maximum number of storeys</th> </tr> </thead> <tbody> <tr> <td>11.5</td> <td>3</td> </tr> <tr> <td>14.5</td> <td>4</td> </tr> <tr> <td>17.5</td> <td>5</td> </tr> <tr> <td>20.5</td> <td>6</td> </tr> <tr> <td>23.5</td> <td>7</td> </tr> </tbody> </table> <p>Note: The 1st storey is measured from a maximum 1m above the existing ground level.</p>	Maximum building height (m)	Maximum number of storeys	11.5	3	14.5	4	17.5	5	20.5	6	23.5	7	<p>On Merit</p>	<p>The maximum building height for the site is set by the Housing SEPP utilising both the TOD and In-fill Affording Housing. The development is compliant with the maximum building height enabled through the SEPP.</p>
Maximum building height (m)	Maximum number of storeys													
11.5	3													
14.5	4													
17.5	5													
20.5	6													
23.5	7													
<p>7C.8 Top Storey Design and Roof Forms</p> <p>1. The top storey of a building is to be designed so that:</p> <ul style="list-style-type: none"> i) the GFA of the top storey of a residential flat building does not exceed 60% of the GFA of the storey immediately below it; and ii) for the purposes of this section, the top storey applies to the building as a whole and does not apply to the top level of each part of a stepped building <p>4. Service elements are to be integrated into the overall design of the roof and not be visible from the public domain or any surrounding development. These elements include lift overruns, plant equipment, air conditioning units, chimneys, vent stacks, water storage, communication devices and signage.</p> <p>5. Roof design is to respond to solar access and prevailing weather with the use of eaves, skillion roofs, awnings and the like with a minimum overhang of 0.6m.</p>	<p>On Merit</p>	<p>The top storey Level 8 provides 684.09sqm GFA, which is lower than the GFA on Level 7 (822.26sqm). This stepped design is in response to minimising overshadowing to the neighbouring properties to the rear of the site.</p> <p>No services proposed on the roof are visible from the surrounding streetscape and are integrated into the overall design of the development.</p>												
<p>7C.9 Landry and Air Clothes Drying Facilities</p> <p>1. Each apartment is required to have access to an external air clothes drying area, such as a screened</p>	<p>Y</p>	<p>All units have a balcony or terrace which is adequately screened</p>												

<p>balcony, a terrace or clothes lines within the common area.</p> <p>2. All external air clothes drying areas are to be screened and not be visible from any public domain area.</p> <p>3. Storage volume calculation within laundries is to exclude the space required to accommodate a washing tub, washing machine and dryer.</p> <p>4. Where clothes drying is provided within private open space within a communal open space, its area is to be additional to that required for the private open space or communal open space.</p>		<p>and suitable for air clothes drying.</p>
<p>7C.10 Fencing</p> <p>1. Front boundary fences and walls (to a public street) and side boundary fences within the street setback are not to be higher than:</p> <ul style="list-style-type: none"> i) 0.9m if of closed construction (such as masonry, lapped and capped timber or brushwood fences); or ii) 1.2m if of open construction (such as open paling and picket fences). <p>3. Fences and walls are to step down and follow the natural contours of the site.</p> <p>4. Hedges and shrub planting are preferred to the street frontage, but no higher than 1.2m along the entire front boundary, or 1.8m on a site fronting a busy road.</p> <p>5. All fencing is to be designed to highlight entrances, and be compatible with buildings and letterbox areas.</p> <p>6. External finishes for fencing are to be robust and graffiti resistant.</p> <p>7. Groundfloor private open space, courtyard and terrace wall and fence heights are not to exceed</p> <ul style="list-style-type: none"> i) 1.2m to any street frontage ii) 1.8m to any side or rear boundary with a maximum 1.2m high solid component and a minimum 30% transparent component above. 		<p>A fence is proposed around the ground floor private courtyards fronting Tryon Road.</p> <p>The proposed fence is 1.8m in height to protect the privacy of the residents private open space and ensure safety.</p> <p>Whilst the fences are proposed on the front boundary, it is setback from the site boundary by approximately 3m, reducing the dominance of the fence on the surrounding streetscape.</p>
<p>7C.11 Acoustic Privacy</p> <p>1. For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP</p>		<p>A Noise and Vibration Impact Assessment is provided at Appendix 28.</p>
<p>7C.12 Services</p> <p>1. All developments are to make provision for waste and recycling storage and collection within the building basement.</p> <p>2. Building services, including within basements and on rooftops, are not to be visible from the public.</p>		<p>An Operational Waste Management Plan is provided at Appendix 39.</p>
<p>Section C</p>		

Part 21: General Site Design		
<p>21.1 Earthworks and Slope</p> <p>1. Development is to be accommodated within the natural slope of the land.</p> <p>3. Landscape cut or fill should not be more than 600mm above or below natural ground line.</p> <p>5. Existing ground level is to be maintained for a distance of 2m from any boundary.</p> <p>9. Excavated and filled areas are to be constructed so as not to redirect or concentrate stormwater or surface water runoff onto adjoining properties.</p>	On Merit	<p>A Detailed Site Investigation has been prepared (Appendix 16) and concluded that the site is suitable for the proposed development, subject to implementing the recommended mitigation measures.</p> <p>A Stormwater Plan has been prepared (Appendix 25a) detailing the proposed design with regard to stormwater.</p>
<p>21.2 Landscape Design</p> <p>1. The site planning and design of developments is to:</p> <ul style="list-style-type: none"> i) retain and enhance indigenous vegetation, biodiversity corridors and existing natural features on the site including trees, shrubs and groundcovers, soils, rock outcrops and water features. These provide habitat, breeding sites, food and shelter for a wide variety of life forms and ecological processes that support life and define the character of the locality. ii) retain significant and visually prominent trees and vegetation that contributes to neighbourhood character; iii) Retain habitat within the site <p>2. Landscape design is to demonstrate consideration of:</p> <ul style="list-style-type: none"> i) the proximity of trees to buildings, walls and other structures on site and on adjoining sites; ii) the proximity of trees to stormwater, electricity, gas, sewer and other services; and iii) the potential hazard of planting types and densities on sites prone to bushfire risk (refer to Planning for Bushfire Protection 2019). <p>3. The retention of existing appropriate screen planting is encouraged.</p> <p>4. Disturbance of natural soil profiles is to be minimised.</p> <p>5. Structures (including services) are to be located outside the Tree Protection Zone of trees to be retained. This applies to street trees, trees on site and on adjoining sites.</p> <p>6. Existing ground level are to be maintained beneath the Tree Protection Zone of trees to be retained.</p>	Y	<p>Indigenous trees and vegetation have been retained where possible, out of 24 existing trees, 10 trees will be retained, and 3 high category trees are proposed to be relocated within the site boundary. The proposal includes significant replanting and landscaped areas.</p> <p>Refer to the detailed Landscape Plans (Appendix 27) for further detail.</p>
Part 22: General Access and Parking		

<p>22.1 Equitable Access</p> <p>2. Designing for access for all people is encouraged for all development types.</p> <p>4. Applications for development, other than single dwellings, are to demonstrate how access to and within developments meets the requirements of the Disability Discrimination Act 1992 (DDA) and the Disability (Access to Premises – Buildings) Standards 2010.</p> <p>5. Entry access ramps for people with a disability are to be located within the site and is not to dominate the front façade.</p> <p>8. Building entries are to be clearly visible from the street. Where site configuration is conducive to having a side entry, the path to the entry is to be obvious from the street.</p> <p>9. Ensure pedestrian areas have clear sightlines, are appropriately lit and overlooked by buildings that provide street level activity.</p> <p>10. Access ways for pedestrians and for vehicles are to be separated.</p> <p>14. All Multi Dwelling Housing, Residential Flat Buildings and Shop Top Housing within Mixed Use developments are to provide access to, and between, dwellings and parking in accordance with the Livable Housing Guidelines</p>	<p>Y</p>	<p>The proposed development provides access for all people with clear entries to the buildings, via level footpaths from the front and rear of the site.</p> <p>Vehicle access is to the rear of the site, separate from the pedestrian entrance.</p> <p>The proposal has been designed has been in accordance with the Livable Housing Guidelines.</p>								
<p>22.2 General Vehicle Access</p> <p>1. Except as provided in Part 14 of this DCP, car park entry and egress, for developments other than low density residential, are to be provided from secondary streets or lanes where these are available.</p> <p>4. Vehicle and pedestrian access to buildings are to be separated and clearly distinguished. Vehicle access is to be located a minimum of 3m from pedestrian entrances. Refer to Figure 22.2-1.</p> <p>5. Provide clear sight lines at pedestrian and vehicle crossings.</p> <p>7. For all other development types, driveway width is to comply with the table below.</p> <table border="1" data-bbox="199 1563 805 1803"> <thead> <tr> <th>Proposed Number of Car Parking Spaces in Development</th> <th>Driveway Clear Width</th> </tr> </thead> <tbody> <tr> <td>Less than 25 spaces</td> <td>6m max</td> </tr> <tr> <td>25-100 spaces</td> <td>6m max (on local roads) 6m min - 9m max (on main roads)*</td> </tr> <tr> <td>100-300 spaces</td> <td>6m min – 9m max (on local roads) 6m for entry, 4-6m for exit, 1.3m separation (on main roads)*</td> </tr> </tbody> </table> <p>* Subject to TfNSW approval</p> <p>11. Vehicles are to be able to enter and leave the site in a forward direction.</p> <p>13. Vehicle entries, walls and ceilings are to be finished with high quality materials, finishes and detailing, similar to the external facades of the building.</p>	Proposed Number of Car Parking Spaces in Development	Driveway Clear Width	Less than 25 spaces	6m max	25-100 spaces	6m max (on local roads) 6m min - 9m max (on main roads)*	100-300 spaces	6m min – 9m max (on local roads) 6m for entry, 4-6m for exit, 1.3m separation (on main roads)*	<p>Y</p>	<p>Access is proposed from Tryon Lane to the rear of the site. This vehicle entry is separate (over 3m) from the pedestrian entrance.</p> <p>The vehicle access would be via a single driveway, facilitating independent two-way traffic movements and allowing access into the basement car park.</p> <p>The vehicle access point has been designed in accordance with the design requirements set out in the relevant Australian Standard, namely AS2890.1:2004.</p>
Proposed Number of Car Parking Spaces in Development	Driveway Clear Width									
Less than 25 spaces	6m max									
25-100 spaces	6m max (on local roads) 6m min - 9m max (on main roads)*									
100-300 spaces	6m min – 9m max (on local roads) 6m for entry, 4-6m for exit, 1.3m separation (on main roads)*									

<p>22.3 Basement Car Parking</p> <p>1. A logical and efficient structural grid is to be provided to the basement car park areas.</p> <p>2. The minimum height between floor level and an overhead obstruction is to be 2.2m, except for the following:</p> <ul style="list-style-type: none"> i) 2.5m for parking area for people with a disability; ii) 2.6m for residential waste collection and manoeuvring area; and iii) 4.5m for commercial waste collection and manoeuvring area. <p>4. Basements are to be fully tanked to prevent unnecessary subsurface or groundwater extraction.</p> <p>5. Unimpeded access to visitor parking and waste and recycling rooms located within a secure basement parking is to be maintained.</p> <p>7. Vehicle access ways to basement car parking is not to be located in direct proximity to doors or windows of habitable rooms.</p> <p>9. All off-street parking provision is to comply with the design requirements of the current AS 2890 applying to off -street car parking.</p>	<p>Y</p>	<p>A logical structural grid is provided within the basement, with minimum height between floor levels of 3m.</p> <p>Vehicle access is located away from doors and windows from any units.</p> <p>Parking has been designed to comply with the relevant Australian Standard, namely AS2890.1:2004.</p>
<p>22.4 Visitor Parking</p> <p>1. Where visitor parking is required by this DCP, the spaces are to be provided on site and clearly marked.</p> <p>2. Visitor parking located behind a security grille require an intercom system to gain entry.</p> <p>3. At least one visitor parking space it to be accessible, designed in accordance with AS2890.6.</p>	<p>Y</p>	<p>An accessible visitor spaces in provided in Basement Level 1 designed in accordance with AS2890.6.</p>
<p>22.5 Parking for People with a Disability</p> <p>1. Accessible car parking spaces are to be level and have a continuous path of travel to the building's principal entrance or lift.</p> <p>2. Accessible car parking spaces are to be identified by a sign incorporating the international symbol specified in AS1428 and be designed in accordance with the provisions of AS2890.6.</p>	<p>Y</p>	<p>The proposal provides for accessible car parking spaces within the basement of the building. These accessible spaces have been designed in accordance with AS2890.6 including the provision of adjacent shared areas with clearance heights of 2.5m.</p>
<p>22.6 Pedestrian Movement within Car Parks</p> <p>1. Marked pedestrian pathways, with clear sight lines and appropriate energy efficient lighting are to be provided in all car parks. See Austroads Guide to Traffic Management Part 11 - Parking.</p>	<p>Y</p>	<p>Marked pedestrian pathways will be provided with clear sight lines, with all access points clearly visible and accessible.</p>

<p>2. Pedestrian pathways, entrances, stairway and lift areas are to be clearly visible, conveniently located, well lit and have minimal conflict with vehicular traffic.</p> <p>3. All pathways and ramps within car parks are to conform to the minimum dimensional requirements set out in AS1428.1.</p> <p>4. All pedestrian path surfaces within car parks are to be stable, even and constructed of slip resistant material.</p>		
<p>22.7 Bicycle Parking and Facilities</p> <p>1. Bicycle parking and storage facilities are to be designed in accordance with AS2890.3 to ensure:</p> <ul style="list-style-type: none"> i) both wheels and frames can be locked to the device without damaging the bike; ii) easy access from a bicycle lane or roadway with appropriate signage; iii) access paths have a minimum width of 1.5m to accommodate a person pushing a bicycle, and adequate sight lines for safety. 	Y	All bicycle parking spaces would be provided in compliance with the requirements of the Australian Standard AS2890.3.
Part 23: General Building Design and Sustainability		
<p>23.1 Social Impact</p> <p>1. Proposals are to consider the impacts of the development on nearby residents and users of the site.</p>	Y	A Social Impact Assessment (Appendix 32) has been prepared which considers impacts on surrounding residents and future users of the site. The SIA concludes that subject to the implementation of the recommended mitigation and management measures, most impacts are considered adequately mitigated through the implementation of phase mitigation and management measures.
<p>23.3 Sustainability of Building Materials</p> <p>1. Development proposals are to consider the following in the selection of building materials:</p> <ul style="list-style-type: none"> i) retain, re-use, recycle materials with: • low embodied energy such as sandstone and timber; and • high embodied energy such as brick and concrete. ii) materials that come from renewable sources; iii) materials that generate a lower environmental cost over time; iv) materials with a low life cycle cost and/or high durability; 		The building's facade incorporates materials that have been carefully selected to minimise heat gain and the creation of hot micro-climates.

<p>v) production methods with a low environmental impact; vi) avoid large expanses of dark coloured materials that contribute to urban heat.</p>		
<p>23.4 Materials, Colours and Finishes 16. External building walls are to be constructed of high quality and durable materials and finishes with low reflectivity.</p>	<p>Y</p>	<p>All materials, colours and finishes have been chosen for their high quality and durability. Please refer to the Materials and Finishes Schedule at Appendix 8b.</p>
<p>23.5 Roof Terraces and Podiums 1. All roof terraces and podiums are to provide appropriate building systems to make them trafficable, and to support landscaping. 2. Roof and terrace common open areas are to incorporate sun shading devices, wind screens and facilities such as BBQ and kitchenette area with drinking water to encourage usage. 3. Where artificial lighting is required, energy efficient lights are to be used in conjunction with timers or daylight controls. All light spill is prohibited. 4. Roof terraces and podiums are to provide soft landscaping areas that complement the appearance of the building, soften the edges of the building, and reduce the scale of raised terraces and other built elements such as services. 5. Robust and drought tolerant plant material are to be used to minimise maintenance and ensure long term survival. 6. Roof terraces and podiums are to be designed for optimum conditions for plant growth by appropriate solar access, soil mix, and the provision of water connections and drainage.</p>	<p>Y</p>	<p>Please refer to the Landscape Plans for details on landscaping and access to the proposed roof top terrace (Appendix 27). This includes details on plant species, solar access, soil depth etc.</p>
<p>23.6 Building Services 1. All applicants are to consult with service providers such as energy, electricity, gas, water, telephone and fire.</p>	<p>Y</p>	<p>An Infrastructure Delivery Plan (Appendix 26) has been prepared detailing consultation with relevant service providers.</p>
<p>23.7 General Acoustic Privacy 1. Development is to be designed to minimise the impact of external noise sources (eg busy roads, railways, swimming pools, heavy vehicle entries) on the internal and external spaces used by occupants. 2. Balconies and other external building elements are to be designed and located to minimise infiltration and reflection of noise onto the facade. 3. Buildings are to be designed to minimise noise transmission by, but not limited to:</p>	<p>Y</p>	<p>A Noise and Vibration Impact Assessment is provided at Appendix 28 which details the acoustic privacy measures implemented for the proposed development.</p>

<ul style="list-style-type: none"> careful siting and orientation of the building; locating bedrooms away from both internal and external noise generators of a development, eg by using storage or circulation areas as a buffer or grouping room uses according to the noise level generated fitting out building services with appropriate acoustic insulation; incorporating appropriate noise shielding or attenuation techniques into the design and construction of the development. <p>4. Measures such as mounding or high solid fencing will only be permitted where they are compatible with the streetscape.</p> <p>5. When designing and siting active open space areas (eg BBQ areas, swimming pools, communal areas etc) regard is to be paid to potential noise impacts on adjacent rooms and buildings, such as bedrooms.</p> <p>6. Noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and plant either as an individual piece of equipment or in combination is not to be audible within any habitable room in any residential premises before 7am and after 10pm. Outside of these restricted hours noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and plant either as an individual piece of equipment or in combination is not to emit a noise level greater than 5dB(A) above the background noise (LA90, 15 min) when measured at the boundary of the nearest potentially affected neighbouring properties. The background (LA90, 15 min) level is to be determined without the source noise present.</p>		
<p>23.8 General Visual Privacy</p> <p>1. Private open spaces and principal living spaces of the proposed dwelling/s and adjacent dwellings are to be protected from direct or unreasonable overlooking from all new residential and non-residential developments.</p>	<p>Y</p>	<p>All private open spaces and principle living spaces are appropriately screened through landscaping and/ or fencing to ensure visual privacy.</p>
<p>Part 24: Water Management</p>		
<p>This Part facilitates development in achieving the requirements of KLEP Clause 5.21 - Floodwater Planning and Clause 6.5 - Stormwater and Water Sensitive Urban Design.</p>	<p>Y</p>	<p>A Wastewater Management Plan (Appendix 25b) and Stormwater Management Plan (Appendix 25a) have been prepared detailing the proposed water management strategies.</p>

Part 25: Waste Management		
<p>25A General Waste and Recycling</p> <p>This Part seeks to outline how developments are to manage waste in Ku-ring-gai. This includes, but is not limited to;</p> <ul style="list-style-type: none"> waste storage; waste collection; layout of waste and recycling rooms; waste management for particular developments; and management of bulky goods waste. 	Y	<p>A detailed Operational Waste Management Plan is provided at Appendix 39 detailing the general waste and recycling details of the proposed development.</p>