

Appendix 1: Secretary's environmental assessment requirements table

This EIS has been prepared in line with the Secretary's environmental assessment requirements (SEARs) issued by the Department of Planning, Housing and Infrastructure on 8 January 2025 and in line with Part 8, Division 2, Section 173 of the *Environmental Planning and Assessment Regulation*.

The SEARs and where they are addressed in this EIS are set out in the table below.

Environmental assessment requirement	EIS reference
General requirements	
The EIS must be prepared in line with and meet the minimum requirements of section 192 of the Environmental Planning and Assessment Regulation 2021.	EIS
Key issues	
Statutory context, including: - Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies, guidelines and planning circulars. - Identify compliance with applicable development standards and provide a detailed justification for any non-compliances. - Provide an explanation of how the development as described in the EIS is consistent with the development as was described in the request for SEARs (including any components that were not SSD) and provide a justification for any differences. - Address the requirements of any approvals applying to the site, including any concept approval, any endorsed or draft master plan, precinct plan or any recommendation from Gateway determination. - Provide an accurate summary of the detailed assessment of the impacts of the project and integrate the findings and recommendations of technical reports into the justification and evaluation of the project as a whole. - If affordable housing is being proposed, provide the name and ABN of the registered community housing provider that will be responsible for managing the affordable housing component, along with documentation confirming the provider's agreement to this responsibility.	Section 4 Appendix 9 Appendix 10 Appendix 12 Appendix 17
Estimated Development Cost and Employment, including: - Provide the estimated development cost (EDC) of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report. - As applicable, the EDC Report must separately specify the EDC of: - the residential component of the development. - the tenant component of the built-to-rent development.	Appendix 1

Environmental assessment requirement	EIS reference
the seniors housing component of the development.	
Contributions and Public Benefit, including: - Address the requirements any relevant contribution plan(s), planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind agreement. and include details of any proposal for further material public benefit. - Where a voluntary planning agreement is proposed, prepare a draft planning agreement in accordance with the Planning agreements – Practice note- February 2021.	Section 4.3 Appendix 7
Engagement, including: Demonstrate that engagement and consultation activities have been undertaken in accordance with the Undertaking Engagement Guidelines for State Significant Projects and identify how issues raised, and feedback received have been considered in the design of the project. If the development would have required an approval or authorisation under another Act but for the application of s 4.41 of the EP&A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&A Act, the agency relevant to that approval or authorisation must be consulted.	Section 5 Appendix 13
Design Quality, including: - Demonstrate how the development will achieve: - design excellence in accordance with any applicable EPI provisions - good design in accordance with the seven objectives for good design in Better Placed. - Demonstrate that the development: - where required by an EPI or concept approval, or where proposed, has been subject to a competitive design process, carried out in accordance with an endorsed brief and Design Excellence Strategy; or - in all other instances, has been reviewed by the State Design Review Panel (SDRP) where required under the NSW SDRP: Guidelines for Project Teams. - Recommendations of the jury and Design Integrity Panel (where a competitive design process has been held) or the SDRP are to be addressed prior to lodgement.	Section 6 Appendix 5
Built Form and Urban Design, including: Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality. Where relevant explain and illustrate the application of any bonuses under an EPI.	Section 6.1 Appendix 4 Appendix 5

Environmental assessment requirement	EIS reference
- If relevant, provide an assessment of the development against: - the design principles for seniors housing set out in Schedule 8 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP) and the Seniors Housing Design Guide. - the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP and the Apartment Design Guide (ADG). This should include a table which demonstrates how each dwelling (including affordable dwellings) performs against the ADG design criteria. - If affordable housing is proposed, provide a floorplan outlining the gross floor area and dwellings that are provided as affordable housing.	
Environmental Amenity, including: - Assess amenity impacts on the surrounding locality, including solar access, visual privacy, view loss and view sharing, as well as wind, lighting and reflectivity impacts. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated. - Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces (during winter solstice) at hourly intervals between 9am and 3pm, comparing the proposed development, existing situation and where applicable, a development with no bonuses applied.	Section 6 Appendix 4 Appendix 5
Visual Impact, including: - Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development. - If the proposal would result in significant visual impact not anticipated by the planning controls, provide a visual impact assessment that addresses the visual impacts of the development on the existing catchment.	Section 6.4
Transport, including: - Provide a Transport Impact Assessment (TIA) in accordance with the processes and methodology recommended in the Guide to Transport Impact Assessment (GITA) published by TfNSW. - If the construction of the development would cause interruptions to regular pedestrian and transport routes (including public transport, active transport or general traffic), a preliminary Construction Traffic (or Transport) Management Plan (CTMP) should be prepared as part of the TIA to mitigate any such impacts	Section 6.9 Appendix 19 Appendix 33
Noise and vibration, including:	Section 6.10 Appendix 20

Environmental assessment requirement	EIS reference
Provide a noise and vibration impact assessment prepared in accordance with the relevant NSW Environment Protection Authority (EPA) guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented.	
Water Management, including: - Detail the proposed drainage design and servicing infrastructure to be incorporated as part of the development (stormwater and wastewater). - Demonstrate how the development complies with council's drainage requirements and identify proposed stormwater treatment and water quality management measures to minimise adverse environmental impacts.	Section 6.6 Appendix 28
Ground and Groundwater Conditions, including: - Assess potential impacts on soil resources and related infrastructure and riparian lands on and near the site and including soil erosion. - Where required provide a Groundwater Impact Assessment in accordance with relevant Groundwater Guidelines. If the proposed development is on land identified as having high salinity or acid sulfate soil potential in an EPI provide a Salinity Management Plan or Acid Sulfate Soil Management Plan that includes appropriate management measures and strategies.	Section 6.6 Appendix 27
Contamination and Remediation, including: In accordance with Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.	Section 6.7 Appendix 18 Appendix 30
Trees and Landscaping, including: - Provide a landscape plan, that: - details the proposed site planting, including location, number and species of plantings, heights of trees at maturity and proposed canopy coverage (as a percentage of the site area). - provides evidence that opportunities to retain significant trees have been explored and/or inform the plan. - If the proposal involves impacts to trees, provide an Arboricultural Impact assessment that assesses the number, location, condition and significance of trees to be removed and retained including: - Any existing canopy coverage to be retained on-site. - tree root mapping. if the proposal involves significant impacts to tree protection zones of retained trees identified as being significant	Section 6.2 Appendix 8 Appendix 15

Environmental assessment requirement	EIS reference
Ecologically Sustainable Development (ESD), including: - Identify how ESD principles (as defined in section 193 of the EP&A Regulation) are incorporated in the design and ongoing operation of the development. - Where relevant, provide an assessment of the development against the standards for non-residential development set out in Chapter 3 of State Environmental Planning Policy (Sustainable Buildings) 2022.	Section 6.15 Appendix 21 Appendix 46
Biodiversity, including: - Unless a waiver has been granted, provide a Biodiversity Development Assessment Report (BDAR) that assesses any biodiversity impacts associated with the development in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method 2020. OR - If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.	Section 6.13 Appendix 14
Waste Management, including: - Provide the measures to be implemented to manage, reuse, recycle and safely dispose of waste, including in accordance with any council waste management requirements. - Identify appropriately sited waste storage areas, collection access paths/roads, and appropriate servicing arrangements for the site.	Section 6.11 Appendix 43 Appendix 44
Social Impact, including: The EIS must consider social impacts and, should any significant social impacts be identified, a Social Impact Assessment must be prepared in accordance with the Social Impact Assessment Guideline for State Significant Projects.	Section 7.5.1 Appendix 32
Flood Risk, including: - Identify the flood planning area and level as set out in the relevant EPI and other supporting documents to determine; - The flood extent and velocity up to the Probable Maximum Flood and risk on-site having regard to adopted flood studies and, floodplain risk management studies and plans - The site access and egress routes - the potential effects of climate change, - any relevant provisions of the NSW Flood Risk Management Manual, and any other relevant guidelines	Section 6.8 Appendix 31

Environmental assessment requirement	EIS reference
- Where the development is occurring on flood prone land a flood impact and risk assessment (FIRA) must be prepared having regard to the Flood Impact and Risk Assessment – Flood Risk Management Guide LU01. When determining the scope and category of the FIRA the requirements outlined in the FIRA guide must be considered. - Detail any flood risk management measures that are to be incorporated as part of the development having regard to relevant guidelines (including any design solutions, flood modification measures, property modification measures, operational procedures or Flood Emergency Response Plan).	
Bush Fire Risk, including: If the development is on mapped bush fire prone land, or a bush/grass fire threat is identified on or adjoining the site, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection.	Section 6.14
Aboriginal Cultural Heritage, including: - Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: - Identifying that an appropriate prior planning process has already considered these impacts, e.g. a rezoning or development application, or - Providing an initial assessment of the potential impacts. - If potential impacts are significant, provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: - Identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site. - Is prepared in accordance with relevant guidelines.	Section 6.12.1 Appendix 34
Environmental Heritage, including: Where there is potential for direct or indirect impacts on environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (where required), in accordance with the relevant guidelines.	Section 6.12.2
Public Space, including: - If public space is proposed as part of the development, demonstrate how the development: - maximises the amount, access to and quality of public spaces (including open space, public facilities and streets/plazas within and surrounding the site), reflecting relevant design guidelines and advice from the local council and the Department. - provides accessible public space.	Section 6.1.9

Environmental assessment requirement	EIS reference
○ maximises permeability and connectivity. ○ maximises the amenity of public spaces in line with their intended use, such as through adequate facilities, solar access, shade and wind protection. ○ maximises street activation. ○ minimises potential vehicle, bicycle and pedestrian conflicts.	
Hazards and Risks, including: • If the development is affected by above ground dangerous goods storages from the surrounding developments and/or underground high-pressure dangerous goods pipelines in the vicinity of proposal location: • Report on any consultation outcomes with operators. • Consider whether the development would cause these storages noncompliance with Australian Standards. • Where applicable, provide a Hazard Analysis in line with relevant guidelines and planning circular.	Section 6.22

Appendix 3: Strategic planning assessment

National Housing Accord

In October 2022, the National Housing Accord was introduced by the Federal Government and pledged to construct 1 million, well located houses over 5 years from mid-2024.

The Commonwealth states and territories agreed to update this target in August 2023 to 1.2 million over 5 years from mid-2024.

This increase demonstrates demand for the population to live in the vicinity of their work and in areas with high amenity.

The proposed development is consistent with the Accord in that it increases housing supply and provides for essential social infrastructure and areas for recreational amenity in a highly accessible TOD precinct.

Greater Sydney Region Plan

The *Greater Sydney Region Plan* (Region Plan) outlines how Greater Sydney will manage growth and change in the context of social, economic and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of 3 unique but connected cities:

- the established Eastern Harbour City
- the developing Central River City
- the emerging Western Parkland City

Historically, Greater Sydney's jobs and transport have been focused to the east, requiring many people to make long journeys to and from work and other services. The 3 cities vision allows opportunities and resources to be shared more equitably while enhancing the local character we value in our communities. By integrating land use, transport links and infrastructure across the three cities, more people will have access within 30 minutes to jobs, schools, hospitals and services.

The Region Plan provides broad priorities and actions, which focus on the following 4 key themes:

- Infrastructure and collaboration
- Liveability
- Productivity
- Sustainability

There are a number of directions and objectives that are of particular relevance to the Proposal which are addressed below:

Directions	Response
<i>O1 - Infrastructure supports the three cities</i>	- The proposed development is consistent with this objective as the site is adequately supported by existing infrastructure and is optimised due to the site's strategic location, which includes proximity to the Macquarie Park Metro line, Macquarie Park shopping and commercial centres, and the M2. - The proposed development will further enhance the social infrastructure in Macquarie Park through the facilitation of a new childcare centre and retail uses for broader community use.
<i>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</i>	- The site is located approximately 150-metres south of the Macquarie Park Metro Station. - The Metro provides a high frequency transport service which connects major employment hubs from Macquarie Park to Chatswood, North Sydney, Norwest and the Sydney CBD. - The proposed development will capitalise on the State Government's investment in the Metro by delivering density in close proximity to transport which encourages future residents and workers to rely on public transport.
Livability	
<i>O6 Services and Infrastructure to meet the Communities changing needs</i>	The proposed development will contribute to additional services and social infrastructure through the proposed childcare facility, new public open space, retail uses and affordable homes that will meet the future community's changing needs.
<i>O10: Greater housing supply</i>	The proposed development will assist to address the current shortfall and enhance the current housing supply with the delivery of 741 new homes.
<i>O11: Housing is more diverse and affordable</i>	The proposed development directly supports this objective by delivering 5% affordable homes.

Directions	Response
	Additionally, the proposed development is consistent with this direction as it is capable of providing diverse unit configurations ranging from 1-3 bedrooms in addition to adaptable dwellings (10.1%).
<i>O14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities.</i>	- The proposed development is consistent with this objective as the site is well-supported by existing public transport, social infrastructure and employment opportunities, supporting the 30-minute city concept. - The proposal is consistent with this objective as it: - Co-locates residential and employment generating land uses with transport through enabling the provision of a high quality, dense development on a site adjacent to a bus stop (frequently serviced by buses 197, 292, 410, 506, 545, 550, 611, N91, N92 and 1B) and approximately 150m from the Macquarie Park Metro - optimises a liveable and walkable city
Efficient City	
<i>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</i>	- The site's proximity to public transport (metro, and existing bus services along Waterloo and Epping Road) promotes walkable and cyclable neighbourhoods by increasing accessibility to and greater use of public transport. - This reduces reliance on private cars and contributes to the objective of creating a low carbon city.
<i>O34: Energy and water flows are captured, used and re-used</i>	The proponent is committed to managing resource consumption by minimising waste, increasing energy efficiencies and lessening environmental impact wherever possible.
Sustainability	
<i>O31. Public open space is accessible, protected and enhanced</i>	The proposed development directly supports this objective by creating a new area of landscaped public open space that can be used by future residents and members of the wider community.

North District Plan

The *North District Plan* (District Plan) was prepared by the former Greater Sydney Commission in March 2018. It seeks to manage growth in the context of economic, social and environmental matters in the North District. It provides the district level framework to implement the goals and directions outlined in the Region Plan.

The District Plan identifies the need for new housing in appropriate locations to meet diverse housing demands regarding type, tenure, price, location, and design. The plan also emphasizes coordinating new housing with local infrastructure, including access to public transport.

The proposed mixed-use development seeks to contribute to housing supply and diversity in a well-connected, sustainable location by delivering 741 new homes, ancillary retail space and a childcare facility.

In particular, the proposed development will address the following planning priorities:

Planning priority	Explanation
Infrastructure and Collaboration	
<i>N1: Planning for a city supported by Infrastructure</i>	The proposal leverages off the existing Sydney Metro line approximately 150 metres away from the site to provide residential and employment generating land uses near established infrastructure. The indicative travel time from Macquarie Park to Martin Place is 20 minutes and from Macquarie Park to Norwest it is 19 minutes.
<i>N2: Working Through Collaboration</i>	The access to high-quality public transport makes the site suitable for accommodating residential dwellings as well as non-residential tenancies and a childcare centre.
<i>N3: Providing Services and Social Infrastructure to meet people's changing needs</i>	The proposed development will provide on-site retail, public open space and childcare services for the community and residents.
<i>N5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</i>	The proposed development addresses the current housing shortage by providing 741 new homes, 5% of which will be affordable homes that will be located in close proximity to the Macquarie Park commercial centre and Macquarie Park shopping centre. In addition, it is located very close to existing public transport, facilitating easy access to employment centres and other services in other parts of the city.
Productivity	

Planning priority	Explanation
<i>N8: Eastern Economic Corridor is better connected and more competitive</i>	The proposed development will increase density on a site strategically located close to the Macquarie Park Metro Station. Therefore, more people will have easy access to employment in Sydney CBD, North Sydney CBD, and other employment areas which will boost productivity.
<i>N12: Delivering integrated land use and transport planning and a 30-minute city</i>	- This objective seeks to integrate land use and transport planning to deliver a 30-minute city. - As noted above, the proposed development is consistent with this objective by collocating housing, employment, and social infrastructure land uses in close proximity to existing public transport. - The proposed development is located in a strategic location close to an existing commercial and retail centre and high quality public transport routes, reducing the need for the future residents and employees (within the commercial component of the development) having to travel long distances to work or services. Once occupied, the future residents will be able to access services such as retail, childcare, and new public open space facilities on the site, which supports the 30-minute city concept.
Sustainability	
<i>N20: Delivering High-Quality Urban Space</i>	The proposal will deliver a net zero development in a high quality urban environment.
<i>N21: Reducing carbon emissions and managing energy, water and waste efficiently</i>	Energy efficiency and sustainability measures will be incorporated to ensure compliance with BASIX and reduce the carbon footprint of the development.

NSW Future Transport Strategy 2056

The *NSW Future Transport Strategy 2056* was published in March 2018 and acknowledges the vital role transport plays with regards to land use, tourism and economic development. The Strategy is supported by a suite of plans to achieve a 40-year vision for transport in NSW to cater for the estimated increase in population to 12-million by 2056.

The Transport strategy focuses on the role of transport in delivering movement and place outcomes that support the character of the places and communities for the future. It emphasises technology-enabled mobility and its role in transforming the mass transit network.

The proposed development supports the delivery of numerous outcomes identified in the Future Transport Strategy by:

- Helping to reduce greenhouse gas emissions from a reduced dependency on private cars. This is aided by good access to public transport, and proposed social infrastructure and non-residential amenities such as the site's close proximity to Sydney Metro, and future retail, childcare, and open space provision in the development.
- Providing 85 bicycle spaces promoting healthier lifestyles and alternative ways of traveling.
- Providing new job opportunities from the retail and childcare services to be provided on-site, in addition to the construction phase of the development.

Housing 2041 - NSW Housing Strategy

Housing needs within Australia and particularly NSW have changed over the past 50 years, with an increasing need to provide new and alternative types of housing to meet the needs of future communities.

The *Housing 2041 - NSW Housing Strategy* (the Strategy) was prepared by the NSW Government in 2021 and aims to assist in the provision of housing that addresses the changing needs of NSW communities over the next 20-years - through facilitating housing in the right locations, housing that suits diverse needs and housing that feels like home.

The Strategy underpins this vision through four main pillars, which focus on the following:

- Supply
- Diversity
- Affordability
- Resilience

The proposed development responds to these four pillars through the following:

- The proposed development will provide a significant supply of housing through 741 residential units within proximity to high quality public transport routes, open space, employment centres and day-to-day amenities.
- The proposal provides a diversity of housing through a mix of 1-, 2- and 3-bedroom units and 75 (10.1%) adaptable units, which accommodates a variety of demographics and promotes ageing in place.
- The proposal will address affordability through the provision of 38 (5%) affordable units.
- The proposal has been designed in accordance with ESD principles (as outlined within the Ecologically Sustainability Report Appendix 21)

The proposal is consistent with the aims of the Strategy as it provides a significant, diverse and sustainable housing supply that caters to the needs of future communities.

Better Placed – An integrated design policy for the built environment of NSW

NSW is rapidly growing and changing, and our built environments must remain liveable, productive, healthy and sustainable.

Better Placed was prepared by the NSW Government Architect in May 2017 and aims to assist in the creation of better places by advocating the importance of design for better places, spaces and outcomes, supporting industry and government to deliver good design for people and enabling effective design processes to be established and supported in the planning system.

The policy outlines what the NSW Government means by good design in the built environment and outlines a framework for examining places and reviewing proposals from a good design perspective. This includes formal processes such as Design Excellence and Design Review.

The proposal has been developed in close consultation with the State Design Review Panel. The proposal is considered to exhibit design excellence as:

- The proposal incorporates ecologically sustainable design measures through innovative design solutions such as demolition waste, recycled materials, and low emissions materials
- The proposed development reduces car parking numbers to better suit a strategically located urban location close to a metro station
- The proposal provides appropriate wind modelling
- The design demonstrates how it will contribute to NSW's Net Zero emissions

The proposal is consistent with the aims of *Better Placed* as it exhibits good design.

Ryde Local Strategic Planning Statement

The *Ryde Local Strategic Planning Statement* (LSPS) was finalised and published on the NSW Planning Portal in March 2020. It sets out a 20-year plan for the Council's land use vision and planning priorities for the local government area.

The vision of the LSPS for housing supply, affordability, diversity and amenity is that the housing needs and expectations of the City of Ryde community will be met through the provision of a range of housing types, including affordable housing.

The LSPS notes that a lack of affordable or available housing may affect people's health and well-being. The LSPS also notes that housing affordability can have transport implications as workers on lower incomes may be required to live further away and commute longer distances to work.

This adds to the burden on infrastructure. The relevant LSPS targets for housing supply, affordability, diversity and amenity are:

- 5% of new homes delivered by 2031 to be affordable housing
- Increase the proportion of the population within 400 metres of public transport connections and active transport/regional routes
- Increase the proportion of the population within 400 metres of public open space greater than 1500sqm.

The proposed development is entirely consistent with the vision and relevant targets of the LSPS. Specifically:

- 5% of the development's GFA will be dedicated for affordable housing in perpetuity
- The site is located 150 metres from the Metro Station
- Publicly accessible open space greater than 1,500 square metres is proposed on site

The proposal is also consistent with other various planning priorities and actions including:

- *IN1 - Align growth with infrastructure: provide sufficient infrastructure to support current and future population growth.*
- *IN2 - Reinvigorate the Macquarie Park Strategic Investigation Area*
- *T1 - Ensure public transport can efficiently move commuters to key destinations within and outside City of Ryde using logical, accessible and connected services and maximising the use of infrastructure that gives a travel time advantage over cars. Ensure social equity in service coverage throughout the LGA*
- *T4 - Manage parking with controls and policies that reflect available infrastructure.*
- *H2 - Maintain the City of Ryde's current strategic planning direction to focus the majority of residential growth within town centres*
- *H5 Provide high levels of residential amenity*
- *C2 Continue to develop sustainable, compact, mixed-use centres that embody accessibility and are: – connected to local neighbourhoods– serviced by safe, affordable, flexible public transport– able to minimise traffic and parking impacts*
- *C5 Ensure the vitality of Ryde's Centres and support resilience*
- *C6 Prioritise liveability through an attractive, sustainable and well-designed environment*
- *D2 Ensure all new buildings throughout the City of Ryde are examples of excellent design*
- *D4 Ensure public spaces are well used and enhance local identity*
- *M1 Develop Macquarie Park as a health and education strategic centre focused around the following activity hubs:– North Ryde Station– Macquarie Park Station– Macquarie University Station– Cox's Road*
- *M3 Ensure liveability in Macquarie Park through an attractive, vibrant, sustainable and well-designed environment*
- *M5 Create a public domain within Macquarie Park that brings people together*

City of Ryde Local Housing Strategy

The *City of Ryde Local Housing Strategy 2020* (the Strategy) was adopted by Council on 8 December 2020 and approved by DPHI on 9 September 2021.

The Strategy establishes a plan for the delivery of new dwellings within the Ryde LGA over the next 10 to 20 years. DPHI endorsed the Strategy subject to Council adopting a 6-10 year housing target of 8,400 to 8,900 dwellings. However, an updated housing

target for Ryde Council has recently been released. The new target is 11,600 completed homes by 2029.

The Strategy supports focussing housing growth in centres, consistent with the North District Plan. The Strategy also seeks to ensure the provision of affordable housing. As detailed above, the proposed development contributes to the supply of housing, within a centre supported by an existing metro and bus network. The development will also contribute to the supply of affordable housing. The City of Ryde Local Housing Strategy (the Strategy) sets out a framework to guide housing growth to 2036, responding to State housing targets and aligning with broader metropolitan plans such as the Greater Sydney Region Plan and North District Plan.

It identifies Macquarie Park as a key strategic centre suitable for higher-density, mixed-use development due to its access to existing public transport, services, and employment. The Strategy promotes housing diversity and includes targets for affordable housing provision.

The proposed development supports the Strategy by delivering 741 new homes, including 5% affordable housing, within a mixed-use zone that also provides childcare, ground floor retail, and new publicly accessible open space. It also contributes to the City's vision for a connected, inclusive, and liveable community.

Ryde 2028 Community Strategic Plan

The *Ryde 2028 Community Strategic Plan* (Community Plan) has a broader focus than the Local Strategic Planning Statement as it addresses long term social, environmental and economic goals for the community.

The proposal is consistent with the Community Plan as it will:

- Support an active healthy city through the facilitation of new dedicated open space and landscaping
- Support a connected and accessible city through incorporating new housing, childcare facility and retail space in a highly accessible area close to high-quality existing public transport and existing commercial and retail centres
- Support a diverse and inclusive city by providing 5% affordable housing. The proposed development will contribute to social inclusion, ensuring a broader mix of household types and economic diversity in a highly accessible urban area

City of Ryde Local Infrastructure Strategy 2024

The *City of Ryde Local Infrastructure Strategy 2024* (Infrastructure Strategy) has a strategic focus to address the gaps in both the current and future demand for infrastructure across the Ryde LGA. The Infrastructure Strategy operates as a comprehensive framework for addressing infrastructure gaps, enhancing service delivery, and promoting resilience in the face of future challenges. The Strategy underpins this through the following strategic outcomes:

- Collaboration
- Alignment of factors
- Maintenance of current asset base
- Resilience and sustainability

- Innovation and technology

The proposal is consistent with the Infrastructure Strategy as it will:

- The existing water, gas, sewer, NBN and electricity connections will be upgraded by the relevant authorities to service the future development.
- The proposed development demonstrates ESD principles through compliance with BASIX Energy, Water and Thermal Comfort Targets, targeting a 5 Star Green Star Certified – Green Star Buildings and maximising on-site renewable energy.

City of Ryde Social Plan 2019-2024

The *City of Ryde Social Plan 2019-2024* (Social Plan) aims to ensure that communities and places within Ryde are inclusive, connected, economically prosperous and socially just. The Social Plan details several strategic directions and objectives to deliver these outcomes, with the following of relevance to the proposed development:

Objective	Response
Strategic Direction 02: An Inclusive and Diverse Community	
O2.3 Everyone has an equal opportunity to access services, programs and activities to increase their quality of life and wellbeing.	• The proposal ensures future residents are ideally located within proximity to high quality public transport routes, open space, employment centres and day-to-day services.
Strategic Direction 03: A Liveable Place	
O3.1 Everyone has access to a diversity of housing options within the City of Ryde.	• The proposal will provide a diversity of 1-, 2- and 3-bedroom units along with 75 (10.1%) adaptable units.
O3.2 Public spaces contribute to a positive urban experience, reflect the local identities and are places for people to get together.	• The proposal includes significant publicly accessible communal open space on the ground floor which includes Gari Nawi Park Industrial Woven Way (South) and Yura Place for a total of 5,250 sqm.
O3.3 The City of Ryde's neighbourhoods and residents are well connected.	• In addition to the proposed development being proximate to high quality public transport options, it will also provide public domain improvements including a through-link and dedication of 1,000 sqm of land to facilitate a future pedestrian and cycle bridge over Lane Cove Road. These works will improve connections through Macquarie Park.
O3.5 Social infrastructure and spaces support our growing and changing community.	• The proposal will provide a centre based childcare centre (located on both ground and level 1 of northeastern Tower B) accommodating 112 children and 20 staff to support the growing needs of the Macquarie Park community.

City of Ryde Integrated Open Space Plan 2012

The *City of Ryde Integrated Open Space Plan 2012* (Open Space Plan) is a guide for how public open space in the City of Ryde is planned, managed and developed. The Open Space Plan seeks to ensure open spaces meet current and future recreational, social, environmental, cultural and accessibility needs. The Plan underpins this vision through the following themes:

- *Optimisation: making more of what we have*
- *Consolidation and acquisition: achieving more equitable access to our open spaces*
- *Integration and adaptation: ensuring the whole is greater than the sum of the parts*
- *Connection: linking our parks with our natural environment and history*
- *Organisation: planning from top down and bottom up.*

The proposal is consistent with the Open Space Plan strategy as it will:

- The proposed redevelopment of the site is highly accessible to pedestrians and cyclists and can be accessed using any of the four site boundaries and a 18.5m wide through-site-link traversing through the middle of the site.
- The proposal will provide approximately 5,250 sqm of publicly accessible communal open space on the ground floor.
- The proposed Gari Nawi Park, Yura Place and Budyari Garden will embody the area's natural environment and history through endemic landscape planting and representation of the traditional custodians of the Macquarie Park area, the Wallumedegal clan of the Dharug Nation. Refer to the Landscape Design for further information.
- The proposal has dedicated a maximum of 1,000 sqm along the south-east corner of the site for a future access to a pedestrian and cyclist bridge over Lane Cove Road (to be delivered by others). This will enhance connectivity between key locations in the area such as Macquarie University, shopping centre, train/metro station with sites east of Lane Cove Road.

Appendix 4: Statutory compliance tables

Environmental Planning and Assessment Act.....	20
Environmental Planning and Assessment Regulation 2021	23
Biodiversity Conservation Act 2016.....	24
Environmental Protection and Biodiversity Conservation Act 1999	25
Contaminated Land Management Act 1997	25
National Parks and Wildlife Act 1974	26
Roads Act 1993	26
State Environmental Planning Policy (Housing) 2021.....	27
State Environmental Planning Policy (Planning Systems) 2021	41
State Environmental Planning Policy (Resilience and Hazards) 2021.....	41
State Environmental Planning Policy (Industry and Employment) 2021	42
State Environmental Planning Policy (Sustainable Building) 2022	43
State Environmental Planning Policy (Transport and Infrastructure) 2021	43
Ryde Local Environmental Plan 2014	72
Macquarie Park Design Guide	79

Environmental Planning and Assessment Act

Development under the Act must have regard to its objects as set out under Section 1.3. The proposed development is considered consistent with the objects of the Act, as outlined in the table below.

Consideration	Relevance	EIS ref
Section 1.3: Objects of the Act		
a. to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	- The proposal will promote the social and economic welfare of the community given it aligns with directions and objectives of relevant strategic policies. - The proposed mixed-use buildings provide employment generating floor space to strengthen the role of this site within the Macquarie Park Accelerated TOD Precinct. - The proposal will significantly contribute to housing supply in a well-located site close to transport, retail and other services.	Section 7.5
b. to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	This EIS provides information on the relevant economic, environmental and social impacts of the proposed development to enable the consent authority to undertake a thorough environmental assessment and assist in its decision-making on the application.	Section 7.5
c. to promote the orderly and economic use and development of land	The development promotes the orderly and economic use of the land by providing mixed-use buildings comprising of employment generating uses in the Macquarie Park Accelerated TOD Precinct and shop top housing units, including affordable housing, in an accessible area.	N/A
d. to promote the delivery and maintenance of affordable housing	The proposed development comprises of 741 residential units, including 5% affordable housing which will contribute to housing diversity and affordability.	Section 3

Consideration	Relevance	EIS ref
e. to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The subject site is currently developed and located in an urbanised locality. It does not contain or adjoin significant ecological features. A BDAR waiver has been issued by DPHI (Appendix 14).	N/A
f. to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	The site does not contain any heritage items nor is it located in the immediate vicinity of any. Therefore, no adverse heritage impacts are anticipated.	Section 6
g. to promote good design and amenity of the built environment	- The proposed development demonstrates good design and amenity as it is consistent with the emerging character of the Macquarie Park precinct and proposes a highly articulated built form that incorporates high quality materials and finishes. - The proposal will activate the ground plane through an 18.5m wide through-site-link lined by retail premises to draw people into the site.	Section 6
h. to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	The development will be constructed in line with any conditions of approval issued by the consent authority and the relevant requirements that relate to health and safety, construction and maintenance.	N/A
i. to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The proposed development is SSD and will be assessed and determined by DPHI.	N/A

Consideration	Relevance	EIS ref
j. to provide increased opportunity for community participation in environmental planning and assessment.	As part of DPHI's assessment of the application, this EIS will be publicly available to the community, Council and any NSW Government agencies invited to provide a submission on the proposal. Any submissions received will be addressed as part of a 'Response to submissions report'.	N/A
Section 4.12(8)		
A development application for State significant development or designated development is to be accompanied by an environmental impact statement prepared by or on behalf of the applicant in the form prescribed by the regulations.	This EIS has been prepared to accompany an SSD application and is in the form prescribed by the regulations.	EIS
Section 4.15		
a) the provisions of:		
i) any environmental planning instrument	The environmental planning instruments relevant to the site are addressed at Section 4	Section 4
ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)	N/A - there are no draft instruments applying to the site	N/A
iii) any development control plan	<i>Ryde Development Control Plan 2014</i> is the DCP relevant to development within the Ryde LGA. - However, DCPs do not apply to SSD under Section 2.10 of the Planning Systems SEPP and therefore, the controls have not been considered.	N/A

Consideration	Relevance	EIS ref
iv) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4	A Letter of Offer is submitted with this SSDA.	Section Error! Reference source not found.
v) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The <i>Environmental Planning and Assessment Regulation 2021</i> is addressed at Section 4.	Section 4
vi) Repealed	N/A	N/A
b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality	The likely impacts of the development, including environmental impacts on the natural and built environments, social and economic impacts are addressed at Section 6.	Section 6
c) the suitability of the site for the development	The suitability of the site for the development is considered at Section 7.	Section 7
d) any submissions made in accordance with this Act or the regulations	Any submissions received on the application will be considered and addressed as part of a 'Response to submissions report'.	
e) the public interest.	The development is in the public interest as it will deliver 741 dwellings (of which 38 are affordable), retail premises, centre-based childcare, and a recreation area on a highly accessible area. Further details are described in Sections 2 and 7 of this report.	Section 2 Section 7

Environmental Planning and Assessment Regulation 2021

This EIS has been prepared in line with form and content requirements of Section 192 of the Environmental Planning and Assessment Regulation. An overview of how the requirements of the Regulation have been satisfied is included in the table below.

Consideration	Relevance	EIS ref
Section 190		

Consideration	Relevance	EIS ref
Form of environmental impact statement	The EIS has been prepared in accordance with this section including consideration of DPHI's <i>State Significant Development Guidelines – Preparing an EIS</i>.	All
Section 192		
Content of an environmental impact statement	The EIS includes all content required under this section.	All

Biodiversity Conservation Act 2016

Consideration	Relevance	EIS ref
Section 7.9		
- This section applies to— - an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development, and - an application for approval under Division 5.2 of the Environmental Planning and Assessment Act 1979 to carry out State significant infrastructure. - Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. - The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the Environmental Planning and Assessment Act 1979.	- A BDAR waiver has been issued by DPHI (Appendix 14) which states the proposed development: <i>'is not likely to have any significant impact on biodiversity values and that a BDAR is therefore not required to accompany any application for development consent or infrastructure approval for the proposed development.'</i>	Appendix 14

Environmental Protection and Biodiversity Conservation Act 1999

Consideration	Relevance	EIS ref
This Act establishes the framework for the protection and management of nationally significant environmental matters, known as Matters of National Environmental Significance (MNES).	It is unlikely that the development will impact any NMES given: - MNES concerns typically include threatened species/ecological communities, migratory species, wetlands listed under Ramsar, national heritage places, etc - The site is in a built-up / urban context (Macquarie Park), largely disturbed and the site/proposal has received a BDAR waiver	Appendix 18

Contaminated Land Management Act 1997

Consideration	Relevance	EIS ref
This Act establishes a process for investigating and (where appropriate) remediating land where contamination poses a significant risk of harm to human health or the environment.	- A Detailed Site Investigation has been prepared and provided as part of this EIS at Appendix 18 to address Section 4.6 of the SEPP. The DSI concludes widespread contamination was not found within the site area. However, remediation of localised areas impacted by asbestos materials is necessary for the land to be suitable for the proposed mixed use development. - Accordingly, a RAP has been prepared (Appendix 30). - Both the DSI and RAP conclude the site can be made suitable for the proposed uses subject to the implementation of the recommendations in each report.	Appendix 18

National Parks and Wildlife Act 1974

Consideration	Relevance	EIS ref
The National Parks & Wildlife Act 1974 (the NPW Act) provides statutory protection for all 'Aboriginal objects' and 'Aboriginal Places' in NSW.	An Aboriginal Heritage Due Diligence Report prepared by Artefact found the study area does not contain and is not likely to contain any Aboriginal objects. It is recommended that no further Aboriginal heritage assessment or investigation is required. Therefore, the preparation of an ACHAR is not required.	Appendix 16

Roads Act 1993

Consideration	Relevance	EIS ref
Section 138 Works and structures.	- Approval is required under Section 138 of the Roads Act 1993 in relation to the proposed access from Hyundai Drive. - Under section 4.42 of the EP&A Act, any approval under the Roads Act must be applied consistently with the SSD consent for this development, if granted. - Separate approval will also be sought for the future cycle bridge in the south eastern corner of the site when Council seeks to construct this infrastructure.	Section 6

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 seeks to value, protect, conserve and manage the innate value and external benefits of NSW's natural environment and heritage.

Chapter/ Section	Consideration	Discussion	EIS ref
2. Vegetation in non-rural areas			

Chapter/ Section	Consideration	Discussion	EIS ref
Chapter 2	Chapter 2 states that a person must not clear vegetation in a non-rural area of the State to which Part 2.3 applies without the authority conferred by a permit granted by the council under that Part.	- Chapter 2 applies to the Ryde LGA. Chapter 2 aims to protect the biodiversity values of trees and other vegetation in non-rural areas and preserve the amenity of these areas through preservation of trees and other vegetation. - The DA proposes to remove three trees as part of this proposal. No adverse impacts on biodiversity are anticipated.	Section 6

State Environmental Planning Policy (Housing) 2021

The *State Environmental Planning Policy (Housing) 2021* seeks to guide the delivery of the right number of homes in the right place and of the right type, to suit the changing needs of people living in NSW now and into the future.

The proposal will contribute to housing diversity and affordability within the Ryde LGA through the provision of 741 homes, including 38 affordable homes. An assessment of the relevant provisions is detailed below.

Chapter/ Section	Consideration	Discussion	EIS ref
2. Affordable housing			
13A	Development to which this chapter, Part 2, Division 1, 5 or 6 applies may also be residential apartment development under Chapter 4.	Noted.	N/A
15C	(1) This division applies to development that includes residential development if— (a) the development is permitted with consent under Chapter 3, Part 4, Chapter 5, Chapter 6 or another environmental planning instrument, and (b) the affordable housing component is at least 10%, and	This Division does not apply as the site is located within an accelerated TOD precinct.	N/A

Chapter/ Section	Consideration	Discussion	EIS ref
	(c) all or part of the development is carried out— (i) for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or (ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.		
4. Design of Residential Apartment Development			
142	Aims of chapter regarding the Design of residential apartment development	The proposal has been designed with regard to this section of the SEPP. Specifically, that the development: • is socially sustainable by diversifying housing options in an accessible location • is environmentally sustainable as outlined in Appendix 21 • is in alignment with local and state policies - specifically the Macquarie Park TOD • is appropriate in scale • is designed to enhance safety and amenity • diversifies housing options in the LGA to meet various community needs • makes a monetary affordable housing contribution equivalent to 5% of the GFA	Appendix 4

Chapter/ Section	Consideration	Discussion	EIS ref
		A comprehensive assessment of the proposed development against nine design quality principles of Chapter 4 of the Housing SEPP and consideration of the Apartment Design Guidelines is provided in the Architectural Design Statement prepared by Studio SC.	
144 Application of chapter			
(1)	In this policy, development to which this chapter applies is referred to as residential apartment development.	Noted.	N/A
(2)	This chapter applies to the following—		
(a)	development for the purposes of residential flat buildings,	N/A - not proposed.	
(b)	development for the purposes of shop top housing	This chapter applies as development proposes shop top housing.	Section Error! Reference source not found.
(c)	mixed use development with a residential accommodation component that does not include boarding houses or co-living housing, unless a local environmental plan provides that mixed use development including boarding houses or co-living housing is residential apartment development for this chapter.	The proposal meets this criteria and therefore this chapter applies.	Section Error! Reference source not found.
(3)	This chapter applies to development only if—	Noted.	
(a)	the development consists of—		
(i)	the erection of a new building, or	This chapter applies as the proposal involves the erection of a new building.	Section 3

Chapter/ Section	Consideration	Discussion	EIS ref
(ii)	the substantial redevelopment or substantial refurbishment of an existing building, or	N/A - not proposed.	N/A
(iii)	the conversion of an existing building, and	N/A - not proposed.	N/A
(b)	the building is at least 3 storeys, not including underground car parking storeys, and	The proposed development is 44 storeys above ground.	Appendix 4
(c)	the building contains at least 4 dwellings.	The proposal contains 741 dwellings.	Appendix 4
(4)	If particular development comprises development for the purposes specified in subsection (2) and development for other purposes, this chapter applies only to the part of the development for the purposes specified in subsection (2).	Noted, the SEPP applies to the shop top housing component of the development only.	N/A
(5)	This chapter does not apply to development that involves only a class 1a or 1b building within the meaning of the Building Code of Australia.	N/A - the proposal is a class 2 building.	Appendix 4.
(6)	To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 or Chapter 5 applies may also be residential apartment development under this chapter.	N/A - the proposal does not use Chapter 2 and Chapter 5 does not apply.	N/A
(7)	In this section— underground car parking storey means a storey used for car parking that is—	Noted.	N/A
(a)	below ground level (existing), or		
(b)	less than 1.2m above ground level (existing).		
147 Determination of development applications and modification applications for residential apartment development			

Chapter/ Section	Consideration	Discussion	EIS ref
(1)	Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—	A detailed response to the Design Principles of Schedule 9 is provided within the Design Report. A summary is provided below: Context & Neighbourhood character: The proposal responds appropriately to its context by delivering a high-density, transit-oriented development (TOD) that supports the strategic vision for Macquarie Park. The design enhances the area's evolving urban character while maintaining sensitivity to the established surrounding neighbourhood. Built form and scale: The massing strategy introduces two towers with refined articulation and setbacks to reduce bulk and enhance the skyline transition. Tower B is oriented to solar north for optimal daylight. Density: The development delivers 741 dwellings, including affordable housing, supporting housing supply and diversity in a TOD precinct identified for high density. The density is balanced with generous open spaces, amenity provisions and variety throughout the development.	Appendix 5
(a)	the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,		
(b)	the Apartment Design Guide,		
(c)	any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.		
(2)	The 14-day period referred to in subsection (1)(c) does not increase or otherwise affect the period in which a development application or modification application must be determined by the consent authority.		
(3)	To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide.		
(4)	Subsection (1)(c) does not apply to State significant development.		

Chapter/ Section	Consideration	Discussion	EIS ref
		Sustainability: The design targets 5 star Green Star and 7 Star NatHERS ratings, with full electrification and no fossil fuels used on site allowing for operational Net Zero. Additionally, the development adopts a passive solar design, green landscaping, deep soil zones (15%) and expansive tree canopy coverage (29%) to reduce heat island effect and provide outdoor amenities to residents. Landscape: Landscaping occupies 47% of the site, including 31% deep soil area, establishing a verdant and highly permeable ground plane that strengthens ecological and visual connections across the precinct. Amenity: The design achieves high levels of residential amenity and contributes positively to occupant wellbeing. The development exceeds the Apartment Design Guide (ADG) benchmarks for cross-ventilation (70%) and solar access (71%), and provides a range of indoor and outdoor communal spaces distributed throughout the site to encourage engagement and recreation. Safety: The proposal incorporates Crime Prevention Through Environmental Design (CPTED) principles, optimising safety and passive surveillance through active ground floor uses and clear sightlines across public and communal areas.	

Chapter/ Section	Consideration	Discussion	EIS ref
		Housing diversity and social interaction: A balanced mix of 1-3 bedroom dwellings caters to a variety of household types and life stages. Publicly accessible areas and well-connected communal spaces are integrated throughout to promote social interaction and community cohesion. Aesthetics: The architectural expression is grounded in Country, drawing inspiration from natural materials, earthy tones, and a dialogue of soft and defined forms. The design establishes a cohesive and refined visual identity that contributes positively to the emerging character of Macquarie Park. The through-site link, Yura Place, anchors pedestrian movement and terraces down to Gari Nawi Park, creating a strong landscape connection and sense of place. Further to the above, the design has evolved in response to feedback received across two State Design Review Panel (SDRP) sessions. The second session confirmed the scheme's capacity to achieve design excellence. A third SDRP review will occur post-lodgement, as outlined in Section 2.6 of this EIS, to consider the additional five storeys introduced since the previous review. Notwithstanding this change, the additional height does not compromise design excellence, being largely imperceptible from the public domain and resulting in no adverse amenity impacts.	

Chapter/ Section	Consideration	Discussion	EIS ref														
148 Non-discretionary development standards for residential apartment development—the Act, s 4.15																	
(1)	The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.	Noted.	N/A														
(2)	The following are non-discretionary development standards—	Noted.	N/A														
	(a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,	Part 3J of the ADG states minimum car parking rate is those set out in the Guide to Traffic Generating Development (GTTGD) or the Council DCP - whichever is the lowest. The rates are outlined in the table below. As shown, the GTTGD are the lower rates and therefore, would be the applicable rates. The development proposes 728 car parks. <table><tr><th>GTTGD rates</th><th>Ryde DCP rates</th></tr><tr><td>Studio: N/A</td><td>1 bed: Max 0.6 spaces pd</td></tr><tr><td>1 bed: 0.4 spaces per dwelling (pd)</td><td>2 bed: Max 0.9 spaces pd</td></tr><tr><td>2 bed: 0.7 spaces pd</td><td>3 bed: Max 1.4 spaces pd</td></tr><tr><td>3 bed: 1.2 spaces pd</td><td>Visitor: Max 1 space per 10 dwellings</td></tr><tr><td>Visitor: +1 space per 7 dwellings</td><td>Car share: 1 car share per 50 car spaces</td></tr><tr><td></td><td>Retail: 1 space</td></tr></table>	GTTGD rates	Ryde DCP rates	Studio: N/A	1 bed: Max 0.6 spaces pd	1 bed: 0.4 spaces per dwelling (pd)	2 bed: Max 0.9 spaces pd	2 bed: 0.7 spaces pd	3 bed: Max 1.4 spaces pd	3 bed: 1.2 spaces pd	Visitor: Max 1 space per 10 dwellings	Visitor: +1 space per 7 dwellings	Car share: 1 car share per 50 car spaces		Retail: 1 space	N/A
GTTGD rates	Ryde DCP rates																
Studio: N/A	1 bed: Max 0.6 spaces pd																
1 bed: 0.4 spaces per dwelling (pd)	2 bed: Max 0.9 spaces pd																
2 bed: 0.7 spaces pd	3 bed: Max 1.4 spaces pd																
3 bed: 1.2 spaces pd	Visitor: Max 1 space per 10 dwellings																
Visitor: +1 space per 7 dwellings	Car share: 1 car share per 50 car spaces																
	Retail: 1 space																

Chapter/ Section	Consideration	Discussion	EIS ref
		per 25 sqm of GFA Childcare: 1 space per 8 children and 1 space per 2 employees	
	(b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,	The ADG recommends the following internal areas for apartments: Studio: 35m² 1 bed: 50m² 2 bed: 70m² 3 bed: 90m² 4 bed: 102m² The proposed internal areas exceed these requirements. In accordance with this section, the consent authority cannot refuse the application on the basis of the proposed internal areas of each apartment.	Appendix 4
	(c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.	Part 4C of the ADG recommends the following minimum ceiling heights: • Ground and first floor of • mixed use developments: 3.3m • Habitable rooms: 2.7m • Non-habitable rooms: 2.4m The development proposes: • Ground and first floor of • mixed use developments: 3.3m • Habitable rooms: 2.7m • Non-habitable rooms: 2.4m	Appendix 4

Chapter/ Section	Consideration	Discussion	EIS ref
		In accordance with this section, the consent authority cannot refuse the application on the basis of the proposed ceiling heights	
149 Apartment Design Guide prevails over development control plans			
(1)	A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter— (a) visual privacy, (b) solar and daylight access, (c) common circulation and spaces, (d) apartment size and layout, (e) ceiling heights, (f) private open space and balconies, (g) natural ventilation, (h) storage.	Noted, refer to assessment below.	Appendix 4
(2)	This section applies regardless of when the development control plan was made.	Noted.	N/A

Apartment Design Guide

The Design Report (Appendix 5) provides a detailed assessment against the ADG controls and demonstrates how the proposal achieves an optimal urban design outcome. Key controls within the assessment are reproduced below.

ADG	Design Criteria	Assessment
3D: Communal and public open space	<i>25% of site area (minimum). Minimum of 50% direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter).</i>	- Communal open space is provided across the Level 02 outdoor terrace in Tower B, a Level 10 rooftop terrace and Yura Place - the landscaped through-site link, collectively offering 44% of Developable Site Area as high-quality Communal Open Space that engages resident amenity and prioritises community connection. 2 hours of solar access is achieved to the principal usable areas of communal open space. The Level 02 and Level 10 roof terraces are orientated north and east, giving the outdoor amenity areas a variety of conditions that are not 'left-over' spaces.
3E: Deep soil zones	<i>Deep soil zones are to meet the following minimum requirements:</i> <i>Site Area = <650sqm no minimum dimension DSZ is 15% of the Site Area</i> <i>Site Area = 650sqm -1,500sqm 3m minimum dimension DSZ is 15% of the Site Area</i> <i>Site Area = >1,500sqm 6m minimum dimension DSZ is 15% of the Site Area</i>	- The overall deep soil zones across the whole site vary and give the site a unique experience. 15% Deep Soil area (1,153m²) is achieved on the Developable Site. - Other green spaces include Yura Place increasing this deep soil area to 43% (3,387m²).
3F: Visual Privacy	<i>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</i>	Adequate separation has been achieved with a minimum 5.5m setback from the adjacent boundary between Veriu and Tower B.

ADG	Design Criteria			Assessment
	Building height	Habitable rooms and balconies	Non-habitable rooms	
	Up to 12m (4 storeys)	6m	3m	
	Up to 25m (5-8 storeys)	9m	4.5m	
	Over 25 (9+ storeys)	12m	6m	
	<i>Separation distances between buildings on the same site should combine required building separations depending on the type of room. Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.</i>			Building separation is achieved through the careful planning and arrangement of built form elements to ensure visual privacy is achieved for all habitable rooms and balconies. Separation between buildings on the site is min. 18.5m - 52m in areas that are angled (between Tower B and A1) and min. 20m between Tower B and A2. Balcony orientation and blade walls provide visual privacy through an assessment of sight lines. The tower forms are deliberately angled to avoid direct overlooking whilst creating more pleasant views and engagement of Yura Place below and towards Gari Nawi Park
4A: Solar and daylight access	<i>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter.</i>			71% (528 of 741) apartments receive 2 hours of sun between 9am and 3pm.

ADG	Design Criteria	Assessment
	<i>In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid winter</i> <i>A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter</i>	16% (121 of 741) apartments receive no direct sunlight between 9 am and 3 pm at mid winter. Whilst this is 1% over the minimum requirement, the orientation of the apartments allow greater visual amenity towards Gari Nawi Park than previous tower massings in earlier studies which looked directly onto each other.
4B: Natural Ventilation	60% of total apartments (minimum) (Up to Level 9).	70% (139 of 198) apartments achieve cross ventilation. The remaining apartments have utilised design solutions of single aspect apartments to maximise natural ventilation.
4C: Ceiling heights	<i>Provide appropriate ceiling heights for natural ventilation and daylight access</i> <i>Minimum ceiling heights:</i> <i>2.7m for habitable rooms.</i> <i>2.4m for non-habitable rooms.</i> <i>2.7m for main living area floor, 2.4m for second floor, where its area does not exceed 50% of the apartment area for 2 storey apartments</i> <i>3.3m for ground and first floor to promote future flexibility of use in mixed used areas</i>	Proposed minimum 3.1m floor to floor heights facilitate the required 2.7m ceiling height for habitable rooms and 2.4m for non-habitable rooms.
4D: Apartment size and layout	<i>Apartments are required to have the following minimum internal areas:</i> <i>Studio: 35m²</i> <i>1 bed: 50m²</i> <i>2 bed: 70m²</i> <i>3 bed: 90m²</i> <i>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.</i>	The proposed internal areas exceed these requirements.

ADG	Design Criteria	Assessment															
4E: Private Open Space and Balconies	<i>All apartments are required to have primary balconies as follows:</i> <table> <tr> <th>Dwelling type</th><th>Min. area</th><th>Min. depth</th></tr> <tr> <td>Studio</td><td>4m²</td><td>-</td></tr> <tr> <td>1 bed</td><td>8m²</td><td>2m</td></tr> <tr> <td>2 bed</td><td>10m²</td><td>2m</td></tr> <tr> <td>3+ bed</td><td>12m²</td><td>2.4m</td></tr> </table> <i>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m</i>	Dwelling type	Min. area	Min. depth	Studio	4m ²	-	1 bed	8m ²	2m	2 bed	10m ²	2m	3+ bed	12m ²	2.4m	- All balconies meet or exceed the areas outlined in the ADG. - All exceed 15m² and have a minimum depth of 3m. While there are no apartments at Ground Level, podium-level apartments feature generously sized terraces exceeding 15m² and have a minimum a depth of 3m. These terraces extend into the podium's landscaped open space, incorporating integrated seating and planting to maximise private amenity. The design supports a range of outdoor uses and provides a soft buffer between private and adjacent communal open spaces.
Dwelling type	Min. area	Min. depth															
Studio	4m ²	-															
1 bed	8m ²	2m															
2 bed	10m ²	2m															
3+ bed	12m ²	2.4m															
4F: Common circulation spaces	<i>The maximum number of apartments off a circulation core on a single level is eight</i> <i>For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40</i>	- The maximum number of apartments accessed off Tower A2 circulation core is 10. This is appropriate given that Tower A2 only spans levels 1 to 9, resulting in smaller floorplates. This ensures efficient circulation and maintains a high level of resident amenity despite the slightly higher apartment count per floor. - The maximum number of residential levels is 44 which in both towers are serviced by 4 lifts to minimise wait times for residents.															

ADG	Design Criteria	Assessment
4G: Storage	<i>Provide adequate storage for residents.</i> <i>Minimum storage sizes:</i> <i>1-bedroom: 6m³</i> <i>2-bedroom: 8m³</i> <i>3-bedroom: 10m³</i> <i>At least 50% of storage to be located within the apartment</i>	- The proposal is compliant with minimum storage sizes. - A minimum of 50% of required storage is proposed inside the apartments and the other 50% is located in residential basement parking levels, exceeding minimum volume requirements. Storage has been maximised within apartments where possible with 741 storage cages in the basement.

State Environmental Planning Policy (Planning Systems) 2021

The *State Environmental Planning Policy (Planning) 2021* seeks to identify development that is State Significant Development.

An assessment of the relevant provisions is detailed below.

Chapter/Section	Consideration	Discussion	EIS ref
Section 2.6	Declaration of State significant development: section 4.36	The proposal is declared SSD under Schedule 2, Section 19 of this SEPP as the site is within the Macquarie Park Accelerated TOD precinct and the estimated capital investment value of the residential component exceeds \$60 million.	Appendix 1

State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* seeks to reduce risk and build resilience in the face of natural hazards as well as development-related hazards. An assessment of the relevant provisions is detailed below.

Chapter/Section	Consideration	Discussion	EIS ref
4. Remediation of land			

Chapter/ Section	Consideration	Discussion	EIS ref
Section 4.6	Contamination and remediation to be considered in determining development application.	Site contamination has been considered through the preparation of a Detailed Site Investigation (DSI). The DSI recommended the preparation of a Remediation Action Plan (RAP). The RAP concludes that the site is suitable for the proposed use subject to the implementation of mitigation measures.	Appendix 29 and 30

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of the State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP) aims to ensure that signage is well located, compatible with the amenity of an area and are of a high quality.

Chapter/ Section	Consideration	Discussion	EIS ref
Section 3.6	(a) to ensure that signage (including advertising)—		Appendix 4
	(i) is compatible with the desired amenity and visual character of an area, and	The proposed business identification signage is an appropriate scale to its surrounds.	
	(ii) provides effective communication in suitable locations, and	The proposed signage will clearly identify the centre-based child care facility whilst also directing visitors to the facility's entry.	
	(iii) is of high quality design and finish, and	The signage will exhibit a high quality design consistent with contemporary nature of the proposal	

Section 3.6 also requires the consent authority to assess the proposal against the criteria specified in Schedule 5 prior to granting consent to carrying out of any development on that land. The proposal is consistent with the Schedule 5 criteria as the signage:

- relates to business identification signage and its main purpose it to identify the centre-based child care facility to vehicles and pedestrians
- incorporates a sympathetic design that is consistent with the building architecture and landscaping
- the signage will not be illuminated

State Environmental Planning Policy (Sustainable Building) 2022

The *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP) encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials.

Sustainability commitments and objectives have been incorporated into the design of the proposed development to achieve a high level of energy efficiency and sustainability.

Specific design elements have been integrated in the development to ensure the building embodies best practice sustainable design.

Chapter/ Section	Consideration	Discussion	EIS ref
Section 2.1	Standards for BASIX development and BASIX optional development.	As outlined within the Ecologically Sustainable Development Report, the development achieves compliance with BASIX Energy requirements and exceeds Water requirements (63% and 41% respectively).	Appendix 21
Section 3.2	Development consent for non-residential development	As outlined within the Ecologically Sustainable Development Report, the development minimises waste, reduces demand for electricity and water. A NABERS Embodied Emissions Materials Form has also been completed and is included at Appendix 21.	Appendix 21

State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* seeks to guide the provision of well-designed and located infrastructure including transport. An assessment of the relevant provisions is detailed below.

Chapter/ Section	Consideration	Discussion	EIS ref
2. Infrastructure			
2.119 Development with frontage to classified road			

Chapter/ Section	Consideration	Discussion	EIS ref
Section 2.119	Section 2.119 stipulates that the consent authority must not grant consent for residential development adjacent to a road corridor with an annual average daily traffic volume of more than 20,000 vehicles unless: Where practical and safe, access is provided from a road other than the classified road The ongoing operation of the classified road is not adversely impacted by the proposal as appropriate noise mitigation measures will be taken to provide for an acceptable acoustic environment.	- The proposal has been accompanied by a: - Traffic Impact Assessment and confirms the site is accessed from Hyundai Drive (not a classified road) - A Noise and Vibration Impact Assessment has been prepared which recommends appropriate noise mitigation treatments to ensure that future residential apartments achieve an acceptable noise environment and residential amenity.	Appendix 19 and 20
2.120 Impact of road noise or vibration on non-road development			
Section 2.120	Section 2.120 stipulates that the consent authority must not grant consent for residential development adjacent to a road corridor with an annual average daily traffic volume of more than 20,000 vehicles unless appropriate noise mitigation measures will be taken that provide for an acceptable acoustic environment.	The EIS is accompanied by an Noise and Vibration Impact assessment which recommends appropriate mitigation measures which ensure that the future residential apartments and non-residential uses achieve an acceptable noise environment and residential amenity.	Appendix 20
2.122A Traffic-generating development—exemption for Accelerated TOD Precincts			

Chapter/ Section	Consideration	Discussion	EIS ref
Section 2.122A	Section 2.122 does not apply to development for the purposes of residential accommodation on land identified as an “Accelerated TOD Precinct”	The site is located within an Accelerated TOD precinct. Therefore, the traffic-generating provisions under Section 2.122 do not apply.	N/A
Chapter 3 - Educational establishments and child care facilities			
Section 3.2	This Chapter applies to the State.	Noted.	N/A
Section 3.22	(1) This section applies to development for the purpose of a centre-based child care facility if— (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations i.e. minimum 3.25m² for each child, or (b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations i.e. minimum 7m² for each child (2) The consent authority must not grant development consent to development to which this section applies except with the concurrence of the Regulatory Authority. (3) The consent authority must, within 7 days of receiving a development application for development to which this section applies— (a) forward a copy of the development application to the Regulatory Authority, and (b) notify the Regulatory Authority in writing of the basis on which the Authority’s concurrence is required and of the date it received the development application.	- The development proposes 3.67m² of indoor space per child and 7.0m² of outdoor space per child. - Therefore, the proposal complies with the minimum indoor and outdoor unencumbered space requirements.	Appendix 4

Chapter/ Section	Consideration	Discussion	EIS ref
	(4) In determining whether to grant or refuse concurrence, the Regulatory Authority is to consider any requirements applicable to the proposed development under the Children (Education and Care Services) National Law (NSW). (5) The Regulatory Authority is to give written notice to the consent authority of the Authority's determination within 28 days after receiving a copy of the development application under subsection (3). Note. The effect of section 4.13(11) of the Act is that if the Regulatory Authority fails to inform the consent authority of the decision concerning concurrence within the 28 day period, the consent authority may determine the development application without the concurrence of the Regulatory Authority and a development consent so granted is not voidable on that ground. (6) The consent authority must forward a copy of its determination of the development application to the Regulatory Authority within 7 days after making the determination. (7) In this section— Regulatory Authority means the Regulatory Authority for New South Wales under the Children (Education and Care Services) National Law (NSW) (as declared by section 9 of the Children (Education and Care Services National Law Application) Act 2010). Note. Concurrence to development may be granted subject to conditions. A development consent subject to concurrence may be voidable if it is granted not subject to any conditions of the concurrence. (See section 4.13 of the Act.)		

Chapter/ Section	Consideration	Discussion	EIS ref
Section 3.23 - Matters for consideration by consent authorities	Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.	An assessment against the Child Care Planning Guidelines is provided in the table below.	Appendix 4
Section 3.26 - Non-discretionary development standards	(1) The object of this section is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters. (2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility— (a) location—the development may be located at any distance from an existing or proposed early education and care facility, (b) indoor or outdoor space (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or	The standards in this section are noted.	N/A

Chapter/ Section	Consideration	Discussion	EIS ref
	(ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause, (c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth, (d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area. (3) To remove doubt, this section does not prevent a consent authority from— (a) refusing a development application in relation to a matter not specified in subsection (2), or (b) granting development consent even though any standard specified in subsection (2) is not complied with.		

Child Care Planning Guideline

Control	Response	Compliance
3. Matters for considerations		
3.1. Site selection and location		

Control	Response	Compliance
C1. For proposed developments in or adjacent to a residential zone, particularly if that zone is for low density residential uses consider: - the acoustic and privacy impacts of the proposed development on the residential properties - the setbacks and siting of buildings within the residential - context - visual amenity impacts (e.g. additional building bulk and - overshadowing, local character) - traffic and parking impacts of the proposal on residential - amenity and road safety	The nearest residential zones (R3 Medium Density and R2 Low Density Residential) are located approximately 150 metres southwest of the site. The proposed high-density development is consistent with the strategic vision for the Transit Oriented Development (TOD) Precinct and aligns with the intended character for this location. Importantly, the proposal: - complies with the setback requirements established under the <i>Macquarie Park Design Guide</i> - is significantly separated from the nearest residential zones, including a 55-metre-wide road corridor that provides an effective physical and visual buffer - results in visual impacts that are consistent with the TOD vision for high-density development on the site - has been supported by a Traffic Impact Assessment, which confirms that traffic generation and parking impacts are acceptable	Yes
C2 When selecting a site, ensure that: - the location and surrounding uses are - compatible with the proposed development or - use - the site is environmentally safe including risks - such as flooding, land slip, bushfires, coastal - hazards - there are no potential environmental - contaminants on the land, in the building or - the general proximity, and whether hazardous	The proposed centre-based childcare facility is appropriately located and represents a high-quality and desirable use within the precinct as: - it is strategically positioned within close proximity to established and emerging residential and employment areas as well as high-frequency public transport services ensuring convenient access for both workers and local residents; - adequate parking and access arrangements are provided, including basement parking and a dedicated drop-off and pick-up zone on Hyundai Drive ensuring safe and efficient operation of the facility;	Yes

Control	Response	Compliance
- materials remediation is needed - the characteristics of the site are suitable for - the scale and type of development proposed - having regard to: - length of street frontage, lot configuration, - dimensions and overall size - number of shared boundaries with residential properties - the development will not have adverse - environmental impacts on the surrounding - area, particularly in sensitive environmental or cultural areas - where the proposal is to occupy or retrofit - an existing premises, the interior and exterior spaces are suitable for the proposed use. - Where the proposal relates to any heritage item, the development should retain its historic character and conserve significant fabric, setting or layout of the item. - there are suitable and safe drop off and pick up areas, and off and on street parking - the characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use	- it delivers valuable community infrastructure in the form of an early education facility that supports working families, strengthens community cohesion and encourages inter-generational interaction - the design quality has been independently reviewed by the SDRP and confirmed as capable of achieving design excellence. It is also supported by a high-quality landscape scheme and an articulated façade treatment that enhances the streetscape - it contributes to the evolving character of the TOD precinct by facilitating the transition of the area into a more active, high-amenity and diverse mixed-use environment consistent with strategic planning objectives of the TOD - it supports local economic growth by introducing an employment-generating land use that complements nearby commercial and residential activities - there are no identified environmental, physical or cultural constraints that would preclude the development or prevent its successful integration into the locality	

Control	Response	Compliance
the site avoids direct access to roads with high traffic volumes, high operating speeds, or with high heavy vehicle volumes, especially where there are limited pedestrian crossing facilities it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises.		
C3 A child care facility should be located: - near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship - near or within employment areas, town centres, business centres, shops - with access to public transport including rail, buses, ferries - in areas with pedestrian connectivity to the local community, businesses, shops, services and the like.	The proposed childcare is appropriately located as: - the site is well-located near a range of compatible social and community uses, including Macquarie University, Macquarie University Hospital and several existing nearby public open spaces such as Wilga Park and Shrimptons Creek Reserve as well as the future parks envisaged by the TOD on the site and to the immediate west. These facilities collectively create a supportive environment for families and children and provide opportunities for community interaction and outdoor recreation. - The site is centrally located within the Macquarie Park Innovation Precinct (which is one of Sydney's largest employment hubs) and lies within walking distance of major commercial and retail destinations including the Macquarie Centre. It's location within a mixed-use and employment-rich precinct aligns with the objective to co-locate childcare facilities near workplaces enabling convenient access for working parents. - The site benefits from excellent public transport connectivity such	Yes

Control	Response	Compliance
	as Macquarie Park Metro Station and the multiple bus routes along Waterloo Road and Lane Cove Road. This ensures convenient and sustainable access for staff, parents and visitors. The site is well connected to the surrounding street network via established pedestrian footpaths and crossings providing safe and direct access. The proposal will further enhance pedestrian amenity through active street frontages and high-quality landscaping. Overall, the site demonstrates a strong strategic and physical alignment with the locational principles for childcare facilities being well positioned to serve both the local residential population and the surrounding employment catchment within the TOD precinct.	
C4 A child care facility should be located to avoid environmental conditions arising from: - proximity to: - heavy or hazardous industry, waste transfer - depots or landfill sites - Liquefied Petroleum Gas (LPG) tanks or service stations - water cooling and water warming systems - odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses	The proposed centre-based childcare facility is not located in proximity to any identified hazardous or incompatible land uses. While the site is partially affected by flooding, as identified in the supporting Flood Risk Management Plan (Appendix 31), the assessment confirms that the flood risk is low. Accordingly, the minor flood affectation does not preclude the site's suitability for a childcare facility.	No, acceptable on merit

Control	Response	Compliance
○ extractive industries, intensive agriculture, agricultural spraying activities • any other identified environmental hazard or risk relevant to the site and/ or existing ○ buildings within the site.		
3.2 Local Character, streetscape and public domain interface		
C5 The proposed development should: • contribute to the local area by being designed in such a way to respond to the character of the locality and existing streetscape • build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place reflect the predominant form of surrounding land uses, particularly in low density residential areas • recognise and respond to predominant streetscape qualities, such as building form, scale, materials and colours	• The proposed first-floor childcare centre has been designed to respond appropriately to the emerging character and urban context of the Macquarie Park TOD precinct. The development contributes to the local area by supporting a mix of uses that enhance convenience and community amenity within walking distance of public transport. • The proposal incorporates a high-quality material palette and fine-grain built form that complement the evolving streetscape and align with the TOD's vision for a vibrant, pedestrian-oriented environment. Although located on the first floor, the childcare centre maintains strong visual and functional connections to the street through transparent façade treatments and clear wayfinding to Level 1. • The elevated use enables efficient activation of the ground floor for complementary purposes while ensuring safe, secure, and accessible operations for families. Overall, the proposal reflects the predominant form and scale of surrounding land uses and delivers a high-quality community facility that supports the precinct's transformation into a cohesive, mixed-use centre promoting sustainable urban living.	Yes

Control	Response	Compliance
C6 Create a threshold with a clear transition between public and private realms, including: - fencing to ensure safety for children entering and leaving the facility - windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and a connection between the facility and the community - integrating existing and proposed landscaping with fencing.	- The proposal establishes a clear and secure threshold between the public and private realms appropriate to its first-floor location. Controlled access points and fencing around the outdoor play area ensure the safety of children entering and leaving the facility. - The design incorporates generous glazing and windows orientated towards the Hyundai Drive, the through site link and Gari Nawi Park providing passive surveillance and maintaining a visual connection between the childcare centre and the public domain. Landscaping is integrated with fencing and building edges to soften the interface, enhance visual amenity and reinforce a cohesive relationship between the development and the streetscape	Yes
C7 On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.	- The proposal does have multiple building entries. - The childcare facility will be accessed via a dedicated lobby from Giffnock Avenue, clearly defined by signage and distinct from the residential and commercial entries on site. This separation ensures safe, legible and convenient access for families and visitors.	Yes
C8 Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions: clearly defined street access, pedestrian paths and building entries	- The development adjoins Gari Nawi Park which will be dedicated to Council as part of this proposal. - Accordingly, the proposal provides a well-defined and appealing frontage consistent with the intent of this control. - The ground-floor lobby accessed from Giffnock Avenue provides clear pedestrian access to the childcare centre on the first floor and is supported by legible pathways and signage.	Yes

Control	Response	Compliance
- low fences and planting which delineate communal/private open space from adjoining public open space - minimal use of blank walls and high fences.	These design measures promote safety, visibility, and a welcoming streetscape character that complements the adjoining public realm.	
C9 Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.	Walls and fences are not proposed given the childcare is not on the ground floor.	N/A
C10 High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.	Acoustic fencing and treatments will be applied to outdoor play areas. Landscaping will also soften visual impacts.	Yes
3.3 Building orientation, envelope, design and accessibility		
C11 Orient a development on a site and design the building layout to: - ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by - facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties - placing play equipment away from common boundaries with residential properties	- The proposed first-floor childcare centre has been carefully oriented to minimise impacts on adjoining residential properties. Windows and doors are positioned to avoid direct overlooking of private open spaces and living areas, while outdoor play areas and equipment are located away from sensitive boundaries to reduce noise and maintain privacy. - The outdoor play areas are also provided with shade structures, ensuring safe and usable spaces throughout the year.	Yes

Control	Response	Compliance
- o locating outdoor play areas away from residential dwellings and other sensitive uses • optimise solar access to internal and external play areas • avoid overshadowing of adjoining residential properties • minimise cut and fill • ensure buildings along the street frontage define the street by facing it • ensure where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions.		
C12 The following matters may be considered to minimise the impacts of the proposal on local character: • building height should be consistent with other buildings in the locality • building height should respond to the scale and character of the street • setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility • setbacks should provide adequate access for building maintenance • setbacks to the street should be consistent with the existing character. • Where a Local Environmental Plan or Development Control Plan do not specify a floor space ratio for the R2 Low Density Residential zone, a floor space ratio of 0.5:1 is to apply to a child care facility in the R2 zone.	• The proposal is consistent with the setbacks identified in the <i>Macquarie Park Design Guide</i>. • The proposed building height aligns with the TOD's intent to increase density in well-located sites, supporting the precinct's vision for a vibrant, mixed-use urban environment.	Yes

Control	Response	Compliance
C13 Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use	N/A - the prevailing setbacks are established within the <i>Macquarie Park Design Guide</i>. As noted above, the proposal is consistent with these requirements.	N/A
C14 On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house	N/A - the site is not located in a residential zone.	N/A
C15 Entry to the facility should be limited to one secure point which is: - located to allow ease of access, particularly for pedestrians - directly accessible from the street where possible - directly visible from the street frontage - easily monitored through natural or camera surveillance - not accessed through an outdoor play area. - in a mixed-use development, clearly defined and separate from entrances to other uses in the building.	- The childcare facility will be accessed via a single, secure point located on the ground floor, providing safe and convenient pedestrian access from Giffnock Avenue. The entry is clearly defined and separate from residential and commercial entrances, ensuring legibility and ease of use. - The lobby leading to the first-floor childcare centre is visible from the street and designed to be easily monitored, supporting safety and passive surveillance. Access to the facility does not occur through any outdoor play areas, maintaining security and separation between circulation and play spaces.	Yes
3.4 Landscaping		

Control	Response	Compliance
C17 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by: - reflecting and reinforcing the local context - incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping	- It is noted that the childcare facility is located on the first floor, and therefore the landscaping for the facility is provided internally within the building rather than along the site boundaries. Notwithstanding, landscaping is proposed at ground level to enhance the streetscape and contribute to a high-quality, visually appealing environment. - The landscaping builds on existing vegetation and incorporates mature trees and other natural features, strengthening the connection between the site, the facility, and the surrounding public domain.	Yes
C18 Incorporate car parking into the landscape design of the site by: - planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings - taking into account streetscape, local character, pedestrian safety and context when siting car parking areas within the front setback using low level landscaping to soften and screen parking areas.	N/A - car parking provided in the basement levels.	N/A
Visual and Acoustic Privacy		
C19 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play space.	The childcare facility is located on the first floor and any adjacent open balconies within the mixed-use development have been designed with angled views to avoid direct overlooking of the childcare areas. Balconies do not overhang or encroach on the outdoor play space, ensuring privacy and safety for children while maintaining the functionality of both residential and childcare areas.	Yes

Control	Response	Compliance
C20 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design.	• The building layout positions windows and doors to avoid sightlines from pathways and the street, while internal screening and landscaping within the facility further protect privacy. These measures ensure the safety, comfort, and security of children while maintaining visual engagement with the surrounding environment where appropriate	Yes
C21 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through: • appropriate site and building layout • suitable location of pathways, windows and doors • landscape design and screening	• While some units in Tower A are oriented north and interface with parts of the childcare centre, the facility is predominantly oriented west, which minimises any potential direct overlooking of internal areas or outdoor play spaces. • Outside of Tower A, there are no other residential developments which interface with the facility.	Yes
C22 A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should: • provide an acoustic fence along any boundary where the adjoining property contains a residential use. An acoustic fence is one that is a solid, gap free fence • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.	• N/A - the proposal is not located adjacent to residential accommodation.	N/A
C23 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:	• A Noise and Vibration Impact Assessment has been prepared to support this EIS.	Yes

Control	Response	Compliance
• identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise • level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met.		
Noise and Air Pollution		
C24 Adopt design solutions to minimise the impacts of noise, such as: • creating physical separation between buildings and the noise source • orienting the facility perpendicular to the noise source and where possible buffered by other uses • using landscaping to reduce the perception of noise • limiting the number and size of openings facing noise sources • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits • locating cot rooms, sleeping areas and play areas away from external noise sources.	• The proposed first-floor childcare centre has been designed to minimise noise impacts on the facility and surrounding areas. The building is oriented to reduce exposure to external noise sources i.e. away from Lane Cove Road which is a classified road. • The Noise and Vibration Impact Assessment has carefully considered noise impacts and provides recommended management controls to further minimise noise.	Yes
C25	• A Noise and Vibration Impact Assessment has been prepared to support this EIS given the site is along a classified road (Lane Cove Road).	Yes

Control	Response	Compliance
An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations: • on industrial zoned land • where the ANEF contour is between 20 and 25 • along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 • on a major or busy road • other land that is impacted by substantial external noise.		
C26 Locate childcare facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.	• The proposed first-floor childcare facility is not located adjacent to industrial development. • Further, the facility is orientated away from Lane Cove Road (a major road) to reduce the impact of traffic-related emissions, ensuring a safe and healthy environment for children.	Yes
C27 A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as: • creating an appropriate separation distance between the facility and the pollution source.	• N/A - an Air Quality Assessment Report was not required under SEARs and therefore has not been submitted to support this EIS. Notwithstanding, the design incorporates measures to mitigate potential air quality impacts, including landscaping to act as a natural filter and ventilation to maintain healthy indoor air quality. • These combined measures ensure that the facility provides a safe and healthy environment for children.	N/A

Control	Response	Compliance
- The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway - incorporating ventilation design into the design of the facility.		
Hours of operation		
C28 Hours of operation where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non residential land uses.	Noted and compliant.	Yes
C29 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	The predominant use of the site is residential and therefore C28 above applies.	Yes
Traffic, parking and pedestrian circulation		
C30 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land. Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates:	20 childcare parking spaces are provided within the basement level of the development.	No, acceptable on merit.

Control	Response	Compliance
Within 400 metres of a railway or Metro station within Greater Sydney: • 1 space per 10 children • 1 space per 2 staff. Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space. In other areas: • 1 space per 4 children. A reduction in car parking rates may be considered where: • the proposal is an adaptive reuse of a heritage item • the site is in a B8 Metropolitan Zone or other high-density business or residential zone • the site is in proximity to high frequency and well connected public transport • the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, public or commercially operated car parks) • there is sufficient on street parking available at appropriate times within proximity of the site.		
C31 In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.	• N/A - on street parking is not proposed.	N/A

Control	Response	Compliance
C32 A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses, to optimise the safety and convenience of the parking area(s) and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that: - the amenity of the surrounding area will not be affected - there will be no impacts on the safe operation of the surrounding road network.	A Traffic Impact Assessment has been prepared to support the EIS and confirms the development (including the proposed centre-based childcare facility) will not have any adverse traffic impacts.	Yes
C33 Alternate vehicular access should be provided where childcare facilities are on sites fronting: - a classified road - roads which carry freight traffic or transport dangerous goods or hazardous materials. The alternate access must have regard to: - the prevailing traffic conditions - pedestrian and vehicle safety including bicycle movements - the likely impact of the development on traffic	N/A - not proposed.	N/A
C34 Child care facilities proposed within cul-de-sacs or via narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency	N/A - not applicable to the development.	N/A

Control	Response	Compliance
C35 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment: • separate pedestrian access from the car park to the facility • defined pedestrian crossings and defined/separate paths included within large car parking areas • separate pedestrian and vehicle entries from the street for parents, children and visitors • pedestrian paths that enable two prams to pass each other • delivery, loading and vehicle turnaround areas located away from the main pedestrian access to the building and in clearly designated, separate facilities • minimise the number of locations where pedestrians and vehicles cross each other • in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas • vehicles can enter and leave the site in a forward direction • clear sightlines are maintained for drivers to child pedestrians, particularly at crossing locations.	• The proposed development has been designed to provide a safe pedestrian environment for children, parents, and visitors. Pedestrian access to the childcare facility is separate from the basement car park and is clearly defined, ensuring safe movement from street to entry.	Yes

Control	Response	Compliance
C36 Mixed use developments should include: • driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks • drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility	• Drop-off and pick-up zones are exclusively available for childcare use during the facility's operating hours and is located along Giffnock Avenue, providing direct access to the dedicated ground-floor lobby. These spaces are clearly marked and conveniently positioned to allow safe, efficient movement of children and parents without crossing other vehicle areas. • Car parking for the childcare facility is grouped together in the basement level, separate from residential parking, and located to provide convenient access to the childcare entrance. These measures collectively ensure a safe, functional, and accessible environment for users of the facility.	Yes
C37 Car parking design should: • include a child safe fence to separate car parking areas from the building entrance and play areas • provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards • include wheelchair and pram accessible parking.	• Parking is located in the basement and is consistent with this control as it provides accessible parking near the lift.	
Part 4 Applying the National Regulations to development proposals		
4.1 Indoor space requirements	• The development proposes 3.67m² of indoor space per child, and is provided in a secure manner.	Yes

Control	Response	Compliance
Every child being educated and cared for within a facility must have a minimum of 3.25m² of unencumbered indoor space.		
4.2 Laundry and hygiene facilities - there must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that is not accessible by, and does not pose a risk to, children. - child care facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code. - A facility that does not contain on site laundry facilities must make external laundering arrangements. Any external laundry facility providing services to the facility needs to comply with any relevant Australian Standards.	- The development includes compliant laundry facilities and hygienic storage for soiled items. - All laundry facilities are securely located and inaccessible to children. - The proposal meets the relevant National Construction Code requirements.	Yes
4.3 Toilet and hygiene facilities a service must ensure that adequate, developmentally and age-appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.	- Adequate, age-appropriate toilet, washing and drying facilities will be provided, with safe and convenient access for children. - The proposal complies with all relevant National Construction Code requirements for sanitary facilities.	Yes

Control	Response	Compliance
child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.		
4.4 Ventilation and natural light - services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children. - child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code.	- The facility is well ventilated, receives adequate natural light, and is maintained at a temperature that ensures the safety and wellbeing of children. - The development complies with the National Construction Code requirements for light, ventilation, and minimum ceiling heights.	Yes
4.5 Administrative space a service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.	The development provides adequate space for administrative functions, parent consultations and private conversations.	Yes
4.6 Nappy change facilities child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing.	The development includes appropriate hygienic nappy-changing and bathing facilities for children who wear nappies.	Yes
4.7 Premises designed to facilitate supervision a centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate adequate supervision of children at all times, having regard to the need to maintain their rights and dignity.	- The rooms and facilities within the premises are designed to facilitate adequate supervision at all times while maintaining children's rights and dignity. - The development complies with all relevant National Construction Code requirements relating to supervision.	Yes

Control	Response	Compliance
child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code		
4.8 Emergency and evacuation procedures - Regulation 168 sets out the list of procedures that an education and care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover including: - instructions for what must be done in the event of an emergency - an emergency and evacuation floor plan - a copy of which is displayed in a prominent position near each exit - a risk assessment to identify potential emergencies that are relevant to the service. - Risks associated with multi-storey buildings, including the appropriate child-to-staff ratios and emergency and evacuation plans, need to be assessed in the context of the service approval.	The applicant accepts a condition of consent requiring the preparation of an emergency and evacuation management plan.	Yes
4.9 Outdoor space requirements an education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m² of unencumbered outdoor space. If this requirement is not met, the concurrence of the regulatory authority is required under the Education SEPP.	- The development provides 784m² of outdoor space which results in 7.0m² of outdoor space per child (based on 112 children) - Therefore, the proposal meets the minimum unencumbered outdoor space requirement.	No

Control	Response	Compliance
- a verandah that is included within indoor space cannot be included when calculating outdoor space and vice versa. - Simulated outdoor space must be provided in addition to indoor space and cannot be counted twice when calculating areas.		
4.10 Natural environment the approved provider of a centre-based service must ensure that the outdoor spaces allow children to safely explore and experience the natural environment.	The outdoor spaces are designed to allow children to safely explore and experience the natural environment.	Yes
4.11 Shade - the approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun. - outdoor play areas should: - have a minimum of 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% (or 2.1m²) of the 7.0m² of outdoor space per child required. - adequate shade for outdoor play areas is to be provided in the form of natural shade such as trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area	Outdoor spaces will include adequate shaded areas to protect children from overexposure to ultraviolet radiation.	Yes

Control	Response	Compliance
○ have evenly distributed shade structures over different activity spaces.		
4.12 Fencing • any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it. • child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.	• All outdoor spaces used by children are to be securely enclosed by fences or barriers of appropriate height and design to prevent preschool-aged children from going through, over, or under them. • The development complies with all National Construction Code requirements for fencing and protection of outdoor play spaces.	Yes
4.13 Soil assessment • subclause (d) of Regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval. • With every service application one of the following is required: ○ a soil assessment for the site of the proposed education and care service premises ○ if a soil assessment for the site of the proposed child care facility has previously specifying when the soil assessment was undertaken	• N/A. The child care centre is located on level 1 and therefore, is not subject to any existing soils.	N/A

Control	Response	Compliance
o a statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children.		

Ryde Local Environmental Plan 2014

The *Ryde Local Environmental Plan 2014* (RLEP 2014) regulates development throughout the Ryde local government area.

RLEP 2014 is the principal Environmental Planning Instrument applicable to the land. It aims to establish planning principles and development controls that will promote the orderly and economic use of land.

Clause	Consideration	Discussion	EIS ref
2.2 Zoning	MU1 Mixed Use	The proposed land uses include: • shop top housing • retail premises • centre-based child care facilities • roads All proposed land uses are permissible with and achieve the objectives of the zone.	Appendix 4
	E2 Commercial Centre	The proposed land use includes roads and road infrastructure facilities which are permissible with consent	Appendix 4
4.1 Minimum subdivision lot size	Minimum lot size	N/A – the site is not located on the Minimum Lot Size Map and therefore, no minimum lot size applies to the land.	N/A

Clause	Consideration	Discussion	EIS ref
4.6 Exceptions to development standards	Variations to development standards	Variations to the height, FSR and affordable housing development standards are proposed. Corresponding Clause 4.6 Requests have been prepared and accompany the EIS (Appendix 9, 10 and 12) providing detailed justifications for the proposed variations. Specifically: - without the proposed uplift, the development would be unfeasible and unlikely to proceed. This would consequently prevent the delivery of critical public benefits including new open space, improved pedestrian connectivity (via a future pedestrian and cyclist bridge over Lane Cove Road) and high-quality public domain upgrades on a key site within the Macquarie Park Accelerated TOD precinct - the proposed building form has been sensitively designed to preserve appropriate levels of solar access, privacy, and view corridors, while maintaining pedestrian comfort within the public domain. The development will not generate any unreasonable environmental or amenity impacts on adjoining properties or the surrounding public realm	Appendix 9, 10 and 12

Clause	Consideration	Discussion	EIS ref
		the exclusion of the E2 zoned land in the south-eastern corner from the FSR calculations is a technical measure, as shop-top housing is prohibited in the E2 zone. Inclusion of this land would reduce the proposed FSR from 6.38:1 to 5.86:1. Importantly, this exclusion is considered an anomaly, as the entire site—including the E2 zoned area—was considered in the Macquarie Park TOD Precinct uplift investigations. Therefore, the intent of the TOD controls clearly envisaged the inclusion of the E2 zone in the FSR calculation. Accordingly, strict compliance with the height, FSR and affordable housing development standards is considered unnecessary and unreasonable in the circumstances as the proposal continues to achieve the objectives of the standards, will achieve design excellence, delivers critical public domain improvements (i.e. dedication of 32% of the site) and represents an appropriate planning response consistent with the strategic intent for the site and TOD precinct.	
5.10 Heritage conservation	Heritage impacts	The site does not contain, nor is it located nearby any local or state-built heritage items or conservation areas. Accordingly, no assessment of European heritage has been undertaken.	Section 6.16

Clause	Consideration	Discussion	EIS ref
5.21 Flood Planning	The consent authority must consider clause 5.21(3) when deciding whether to grant consent.	The site is partially flood affected during a Probable Maximum Flood event and is identified as being partially located within a low-risk flood precinct (refer to Appendix 31). As outlined in Appendix 31 (the Flood Risk Management Plan), the proposal is not expected to result in any adverse flood impacts. Accordingly, the site's flood affectation does not preclude the development from proceeding.	Section 6.8
6.2 Earthworks	Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the matters outlined in Clause 6.2(3).	A Geotechnical Assessment is provided at Appendix 27 and assesses site surface and subsurface conditions within the site in order to provide geotechnical advice and recommendations relevant to the project's design and construction. The investigation states that excavation depths from 16.4m to 23.4m below existing ground level have been estimated to accommodate the proposed basement levels. Locally deeper excavations may be required for footings, lift overrun pits, crane pads, and service trenches. The report concludes from a geotechnical perspective, the site is suitable and stable for the proposed development subject to the comments and recommendations provided in the report which have also been reproduced in the Mitigation Measures appendix (Appendix 24).	Appendix 27 and 24
6.4 Stormwater management	Before granting development consent, the consent authority must consider the matters outlined in Clause 6.4(3). Specifically, that the development:	The development incorporates significant landscaped areas and permeable areas to maximise on-site infiltration. These measures ensure effective management of stormwater at source.	Appendix 21

Clause	Consideration	Discussion	EIS ref
	• <i>is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</i> • <i>includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and</i> • <i>avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.</i>		
6.13 Design excellence	Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.	The applicant has received a Design Competition exemption, and the proposal has been reviewed by the SDRP, which confirmed it is capable of achieving design excellence. Since the last review, the scheme has been updated to include an additional five storeys, and the SDRP will review the updated scheme on 15 October 2025 to confirm design excellence. The proposal demonstrates a commitment to the objectives of Clause 6.21 and the Macquarie Park Accelerated TOD Precinct, delivering a high-quality, well-articulated built form, activating the public domain, and achieving superior architectural and urban design outcomes.	Appendix 4

Clause	Consideration	Discussion	EIS ref
7.2 Land to which this part applies	Part 7 Macquarie Park Transport Orientated Development Precinct	The site is identified on the Macquarie Park Corridor Map and therefore this section applies.	N/A
7.3 Design Guide	Development consent must not be granted to development on land to which this part applies unless the consent authority is satisfied the development is consistent with the Macquarie Park Design Guide.	An assessment against the key controls within the <i>Macquarie Park Design Guide</i> has been undertaken and is provided in a table below.	N/A
7.5 Affordable Housing Contributions	10% of the residential GFA is to be dedicated for the purposes of affordable housing	A detailed <i>Commercial Feasibility and Affordable Housing Analysis</i> has been undertaken by Hill PDA (Appendix 11) to assess the economic viability of the proposal and the impact of dedicating 10% of the site's residential GFA in perpetuity. The analysis demonstrates that a 10% affordable housing contribution in perpetuity is not financially feasible and that enforcing the full contribution rate would render the proposed redevelopment economically unviable and sterilise the site as it would prevent any redevelopment from proceeding. Importantly, this outcome would be contrary to the intent of Clause 7.5 as it would result in the site making no contribution towards affordable housing. Hill PDA proposed a feasible alternative of 2-3% which is based on significant testing (see Appendix 11). Notwithstanding this, the Applicant seeks to maximise public benefit while maintaining project viability by increasing the contribution to 5%. This is a substantial uplift from the recommended rate.	Appendix 11

Clause	Consideration	Discussion	EIS ref
7.6 Minimum non-residential FSR for certain land	Applicable standard of 0.2:1 applies	The proposal is compliant and proposes a non-residential FSR of 0.2:1 (2,826m ²)	Appendix 4
7.7 Additional requirements for increased building height and floor space ratios on land other than Key Sites	Incentive height and FSR controls are available for sites identified on the Macquarie Park Incentive Height of Buildings Map and Macquarie Park Incentive Floor Space Ratio Map.	The proposal seeks to utilise these incentives, see below.	Appendix 4
7.13 Development on land in "Area 6"	Applicable building height control is 130m	The proposed development has a maximum height of 147.5m for Tower A and 152.9m for Tower B. As noted above a Clause 4.6 application has been prepared to justify the variation.	Appendix 9
	The applicable FSR control is 4.75:1	The proposed development is seeking a FSR of 6.38:1 which excludes the E2 zoned land. As noted above a Clause 4.6 application has been prepared to justify the variation.	Appendix 4
	The above height and FSR incentives do not apply unless the consent authority: <i>(a) is satisfied that at least 3,025m² of the site area will be used for the purposes of a single recreation area, and</i> <i>(b) is satisfied that at least 1,000m² of the site area will be used for the purposes of road infrastructure facilities, and</i> <i>(c) has obtained the concurrence of Transport for NSW.</i>	As indicated on the Architectural Plans, the proposal seeks to dedicate 3,025m ² of the site along the western boundary for a single recreation area and 1,000m ² of the site in the southeastern corner for road infrastructure facilities. The dedication of this land is proposed to be formalised through a Voluntary Planning Agreement, with a draft letter of offer to be submitted following lodgement. We also understand that DPHI will obtain concurrence from TfNSW as part of the development assessment process to satisfy this clause.	Appendix 4

Macquarie Park Design Guide

Consideration	Discussion	EIS ref/Compliance
2.3 Design Principles		
Design with Country	The proposal aligns with the key design principles for the precinct as outlined in the Design Report prepared by Studio SC. It designs with Country by retaining landscape features, incorporating native planting, and responding to the ecological and cultural context. It contributes to a Green Macquarie Park through extensive landscaping, tree canopy retention, and stormwater management that enhance biodiversity and the local environment. The development fosters a connected neighbourhood with pedestrian and cyclist links, safe access, and integration with surrounding streets and transport infrastructure. By providing a mix of uses at an appropriate scale, it helps create critical masses that support local services, public spaces, and community interaction. Finally, the project is designed to grow sustainably, incorporating energy-efficient buildings, water-sensitive design, and careful resource management to minimise environmental impacts and support long-term sustainable growth.	Appendix 5
Green Macquarie Park		
Connected Neighbourhood		
Create Critical Masses		
Grow Sustainably		
2.4 Structure Plan	Gari Nawi Park is proposed along the western site boundary in accordance with the Structure Plan.	Appendix 4
Open spaces are to be provided in accordance with the Structure Plan		
3.1 Designing with Country	The project has been co-designed alongside local Aboriginal organisations to ensure that the proposal is designed with country. The Design Report prepared by Studio SC (Appendix 5) and the Landscape Design Report prepared by Arcadia (Appendix 15) details the proposal's connection with country specifically within the Ephemeral Woven Way Connection located within Gari Nawi Park.	Appendix 5 and 15
Development is to demonstrate how it is consistent with and builds upon the Connecting with Country strategies		
3.2 Woven Ways	As above.	Appendix 5 and 15

Consideration	Discussion	EIS ref/Compliance
A through-site link, public open space, privately owned publicly-accessible space (POPS) or other fully publicly accessible route shall be provided along the approximate line of each Woven Way		
4 Streets & Landscape		
4.1 Street Network Provide for bicycle and other active transport infrastructure where identified in Figure 15. Active Transport Network Map, working with Transport for NSW and providing for sufficient site area to be dedicated to that use	A cyclist and pedestrian bridge is identified in figure 15 to connect land west of Lane Cove Road to land east of Lane Cove Road. As shown within the Architectural Plans (Appendix 4), the proposal will dedicate 1,000m ² of land in the south eastern corner to facilitate the construction of this future bridge (by another party), which will improve pedestrian and cyclist connectivity, enhance active transport options, and support the Macquarie Park Accelerated TOD Precinct objectives. A formal letter of offer will be submitted following lodgement of this EIS.	Appendix 4
4.1 Street Network CPTED principles must be achieved including encouraging passive surveillance, effective lighting, management of public areas and boundary demarcation	A Crime Prevention Through Environmental Design (CPTED) Report has been prepared to support this EIS and concludes that the development appropriately addresses CPTED principles, ensuring safety, visibility, and passive surveillance throughout the site.	Appendix 25
4.2 Through-Site Links - Within 400m of the Metro stations, additional pedestrian connections should be provided when requested by the consent authority to manage high pedestrian volumes. - Each through-site link is to be designed such that it is: A minimum of 12m wide for at least 75% of its total length; A minimum of 6m wide at any one point;	The proposal is located within 150m of the Macquarie Park Metro station. While the consent authority has not specifically requested a through-site link in this instance, the Applicant has proposed one to enhance public domain amenity and improve pedestrian connectivity. The proposed through-site link significantly exceeds the minimum standards outlined in the design guide, with a minimum width of 18m, compared to the minimum of 12m.	Appendix 4

Consideration	Discussion	EIS ref/Compliance
A minimum 4m wide paved fully accessible continuous path of travel connecting from public street to public street, meeting relevant clauses of the Australian Standards – AS1428 suite as well as the Access provisions in the RDCP2014		
4.3 Open Space Network - Open spaces are to be provided and designed in accordance with the Macquarie Park Design Guide's specified locations and characteristics - Open spaces are to be dedicated to Council in accordance with the Macquarie Park Design Guide - Each nominated public open space will have the solar protections in accordance with Figure 19. - There is no specific solar protection for Gari Nawi Park (on the site) - There is a 50% protection control from 10am-2pm on Drake Ave Park (immediately southwest of the site)	The open space has been designed in accordance with the Macquarie Park Design Guide, including its specified location and characteristics, and will be dedicated to Council to ensure public access and long-term management in accordance with the Guide's intent. The dedication will be formalised through a letter of offer to be submitted following lodgement of this EIS. As shown within the Architectural Plans, the proposal does not adversely overshadow Drake Ave Park.	Appendix 4.
Buildings		

Consideration	Discussion	EIS ref/Compliance
5.1 Site Planning A Noise and Vibration Impact Assessment is to be prepared by a suitably qualified acoustic consultant when submitting a development application for a new building within 100m of the M2 corridor, Epping Road or Lane Cove Road.	A Noise and Vibration Impact Assessment (Appendix 20) has been prepared to support this EIS. The report assesses the potential noise impacts through both the construction and operations phase and operationally, as well as vibration impacts associated with the proposal. In summary: - during demolition and clearing works, noise affecting noise management levels (NMLs) for residential receivers are expected to comply. There are exceedances up to 9 dB at nearby commercial receivers (including the hotel development neighbouring the site) - during excavation and piling works, exceedances of up to 8 dB of the noise affected NMLs are anticipated at some residential receivers and 12 dB at commercial receivers The report recommends the implementation of feasible and reasonable construction noise mitigation measures where exceedances of the noise management levels are predicted. These are outlined in Appendix 24.	Appendix 20 and 24
5.2 Building Line Setbacks - Lane Cove Road: 15m - Hyundai Dr and Drake Ave: 6m - Open space: 3m	As shown within the Architectural Plans, the proposal complies with the prescribed setbacks.	Appendix 4
5.3 Building Envelopes Floor plates within mixed-use buildings at heights above 32-metres above natural ground level are not to exceed 750m² GFA.	The development proposes the following tower floor plates above 8 storeys: 633m² (Tower A) 765m² (Tower B)	Appendix 4

Consideration	Discussion	EIS ref/Compliance
- Tower building forms are to provide a minimum 3m upper-level setback at or before the 8th storey, the top storey, or a height of building of 32-metres above natural ground level (whichever is lesser), to reduce the visual bulk of mid-rise buildings as well as create podium and tower forms in taller buildings. - Objects taller than 100m above ground must be referred to the Civil Aviation Safety Authority, per Regulation 7.1.5.1 of the CASA Manual of Standards Part 139.	It is noted Tower B includes a minor non-compliance however this is acceptable as the variation is negligible in scale, does not result in any adverse visual or amenity impacts, and allows for a more efficient and functional built form that maintains compliance with the intent of the tower floor plate control Although the proposal does not provide the 3m upper-level setback, the building façades are sufficiently articulated through material variation, modulation and recesses to visually reduce bulk and clearly define the podium and tower form. The setbacks and overall built form have been reviewed by the SDRP who raised no concerns regarding the omission of the 3m upper-level setback with regard to its ability to achieve design excellence. Lastly, it is noted DPHI will refer the application to the Civil Aviation Safety Authority.	
5.4 Building Frontage Contributory frontages are to be provided in the approximate locations shown in Figure 40. Contributory Frontages Map. Retail active frontages are to: Provide a minimum internal depth from the street frontage of 10m measured from the glass line, except in the case of food and beverage tenancies; Provide accessible entries at the same level as the adjacent footpath. On sloping sites, the maximum level change between ground floor tenancies and the adjacent footpath is 600mm;	Drake Avenue and the developments interface with Gari Nawi Park are identified on the Contributory Frontages Map therefore this section applies. Retail premises are provided along these frontages consistent with the requirements outlined in Section 5.4(4)(a)-(c).	

Consideration	Discussion	EIS ref/Compliance
Provide majority clear glazing along the building frontage up to a height of 3m. The sill height for windows must be maximum 900mm above the footpath.		
Canopy coverage and biodiversity		
Canopy coverage to meet or exceed: 20%	Ground Level: 3340m ² (27% of site) Podium / rooftop 242m ² (1.95% of site)	Appendix 15
Deep soil to meet or exceed: 15%	5178m ² (42% of site) and includes all area outside of basement)	Appendix 15
Public art and culture		
The site is to include provision for major public artworks which are site-specific and of high calibre. • Artworks in and around public open spaces within Activity Hubs, which should seek to differentiate the activity hub. • Precinct Entry Points, which should help establish visitors' perception of entering (or passing through) the Precinct.	The proposal acknowledges the requirement for the inclusion of major public artworks that are site-specific and of high calibre. Public art will be integrated within key public domain areas, including Gari Nawi Park and adjoining pedestrian spaces, to enhance place identity and contribute to the character of the precinct. Artworks will be designed to respond to the cultural and environmental context of the site, aligning with the Connecting with Country strategies and broader placemaking objectives. The applicant is agreeable to a condition of consent requiring the provision of public artwork in accordance with these principles.	N/A