

Appendix R Detailed Consistency with Environmental Planning Instruments

1.0 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Provision	Response
Part 2 Site-related requirements	
Clause 26 – Location and access to facilities	
(1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to: (a) shops, bank service providers and other retail and commercial services that residents may reasonably require, and (b) community services and recreation facilities, and (c) the practice of a general medical practitioner.	✓
(2) Access complies with this clause if: (b) in the case of a proposed development on land in a local government area within the Greater Sydney (Greater Capital City Statistical Area)—there is a public transport service available to the residents who will occupy the proposed development: (i) that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and (ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and (iii) that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive), and the gradient along the pathway from the site to the public transport services (and from the public transport services to the facilities and services referred to in subclause (1)) complies with subclause (3),	✓
(3) For the purposes of subclause (2) (b) and (c), the overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable: (i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time, (ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time, (iii) a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time.	✓
Part 3 Design Requirements	
Clause 33 – Neighbourhood Amenity and Streetscape	
(a) recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and	✓
(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan,	N/A

Provision	Response
<p>(c) maintain reasonable neighbourhood amenity and appropriate residential character by:</p> <ul style="list-style-type: none"> (i) providing building setbacks to reduce bulk and overshadowing, and (ii) using building form and siting that relates to the site's land form, and (iii) adopting building heights at the street frontage that are compatible in scale with adjacent development, and (iv) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and <p>(d) be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
<p>e) embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
<p>(f) retain, wherever reasonable, major existing trees, and</p>	<p>✓</p>
<p>(g) be designed so that no building is constructed in a riparian zone.</p>	<p>✓</p>
Clause 34 – Visual and Acoustic Privacy	
The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by:	
<p>(a) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping,</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
<p>(b) ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
Clause 35 – Solar Access and Design for Climate	
<p>(a) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
<p>(b) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
Clause 36 – Stormwater	
<p>(a) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas,</p>	<p>✓</p>
<p>(b) include, where practical, on-site stormwater detention or re-use for second quality water uses.</p>	<p>✓</p>
Clause 37 – Crime Prevention	

Provision	Response
(a) site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and	✓
(b) where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and	✓
(c) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	✓
Clause 38 – Accessibility	
The proposed development should:	
(a) have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and	✓
(b) provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	✓
Clause 39 – Waste Management	
The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities	✓
Clause 40 – Development Standards	
Site Size – Minimum 1,000sqm	✓
Site Frontage – Minimum 20m	✓
Height zones where residential flat building are not permitted If the development is proposed in a residential zone where residential flat buildings are not permitted: <ol style="list-style-type: none"> the height of all buildings in the proposed development must be 8 metres [as defined within the <i>Seniors Housing SEPP</i>] or less, and a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and a building located in the rear 25% area of the site must not exceed 1 storey in height. 	N/A
Part 5 – Development on land adjoining land zoned primarily for urban purposes	
Clause 42 – Serviced self-care housing	
(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have reasonable access to: <ol style="list-style-type: none"> home delivered meals, and personal care and home nursing, and assistance with housework. (2) For the purposes of subclause (1), residents of a proposed development do not have reasonable access to the services referred to in subclause (1) if those services will be limited to services provided to residents under Government provided or funded community based care programs (such as the Home and Community Care Program administered by the Commonwealth and the State and the Community Aged Care and Extended Aged Care at Home programs administered by the Commonwealth).	✓ To be further demonstrated in future detailed development application.

Provision	Response
Clause 43 - Transport services to local centres	
<p>(1) A consent authority must not consent to a development application made pursuant to this Chapter to carry out development for the purpose of serviced self-care housing on land that adjoins land zoned primarily for urban purposes unless the consent authority is satisfied that a bus capable of carrying at least 10 passengers will be provided to the residents of the proposed development:</p> <p>(a) that will drop off and pick up passengers at a local centre that provides residents with access to the following:</p> <p>(i) shops, bank service providers and other retail and commercial services that residents may reasonably require,</p> <p>(ii) community services and recreation facilities,</p> <p>(iii) the practice of a general medical practitioner, and</p> <p>(b) that is available both to and from the proposed development to any such local centre at least once between 8am and 12pm each day and at least once between 12pm and 6pm each day.</p> <p>(2) Subclause (1) does not apply to a development application to carry out development for the purposes of the accommodation of people with dementia.</p> <p>(3) In this clause, <i>bank service provider</i> has the same meaning as in clause 26.</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
Clause 44 – Availability of facilities and services	
<p>A consent authority must be satisfied that any facility or service provided as a part of a proposed development to be carried out on land that adjoins land zoned primarily for urban purposes will be available to residents when the housing is ready for occupation. In the case of a staged development, the facilities or services may be provided proportionately according to the number of residents in each stage.</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
Part 6 – Development for vertical villages	
Clause 45 – Vertical villages	
<p>(1) Application of clause</p> <p>This clause applies to land to which this Policy applies (other than the land referred to in clause 4 (9)) on which development for the purposes of residential flat buildings is permitted.</p>	Noted
<p>(2) Granting of consent with bonus floor space</p> <p>Subject to subclause (6), a consent authority may consent to a development application made pursuant to this Chapter to carry out development on land to which this clause applies for the purpose of seniors housing involving buildings having a density and scale (when expressed as a floor space ratio) that exceeds the floor space ratio (however expressed) permitted under another environmental planning instrument (other than State Environmental Planning Policy No 1—Development Standards) by a bonus of 0.5 added to the gross floor area component of that floor space ratio.</p>	<p>The clause 4.6 variation accompanying this DA seeks to utilise this bonus (See Appendix Q)</p>
<p>(3) Subsection (2) applies even if the floor space ratio permitted under another environmental planning instrument is expressed in a development control plan.</p>	Noted
<p>(4) In calculating the gross floor area for the purposes of subclause (2), the floor space used to deliver on-site support services (other than any floor space used to deliver communal or residents' living areas) is to be excluded.</p>	Noted
<p>(5) However, if the area of the floor space referred to in subclause (4) is greater than 50% of the gross floor area, then the area that may be excluded under subclause (4) is limited to an area that does not exceed 50% of the gross floor area.</p>	Noted
<p>(6) Requirements relating to affordable places and on-site support services</p> <p>A consent authority may only grant consent to a development application as referred to in subclause (2) if:</p> <p>(a) the consent authority is satisfied, on written evidence, that:</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>

Provision	Response
<p>(i) the proposed development will deliver on-site support services for its residents, and</p> <p>(ii) at least 10% of the dwellings for the accommodation of residents in the proposed development will be affordable places, and</p> <p>(b) the applicant identifies, to the satisfaction of the consent authority, which of the dwellings for the accommodation of residents in the proposed development will be set aside as affordable places.</p>	
<p>(7) Grounds on which consent cannot be refused</p> <p>A consent authority must not refuse consent as referred to in subclause (2) only because the proposed development does not comply with a standard referred to in clause 40 (4) (a), 48 (a), 49 (a) or 50 (a).</p>	Noted
<p>(8) Conditions on grants of development consent</p> <p>A development consent may be granted as referred to in subclause (2) subject to a condition that requires the creation of a restrictive or positive covenant on land to which a development application relates concerning the continued provision of the affordable places identified in the application</p>	Not applicable as affordable places will be owned by LAHC
<p>(9) A development consent may be granted as referred to in subclause (2) subject to a condition that requires the affordable places identified in a development application to be owned and managed by an organisation providing community housing that is registered for the time being with the Office of Community Housing.</p>	<p>✓</p> <p>All social and affordable housing will be owned and managed by a registered community housing provider.</p>
<p>(10) Subclauses (8) and (9) do not limit the kinds of conditions that may be imposed on a development consent, or allow conditions to be imposed on a development consent otherwise than in accordance with the Act.</p>	Noted
<p>(11) Clause does not apply to certain heritage affected land</p> <p>Nothing in this clause applies in relation to the granting of consent to a development application made pursuant to this Chapter for the carrying out of development on land to which an interim heritage order or listing on the State Heritage Register under the Heritage Act 1977 applies.</p>	N/A
Part 7 – Development standards that cannot be used as grounds to refuse consent	
Clause 48 Standards that cannot be used to refuse development consent for residential care facilities	
<p>(a) building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
<p>(b) density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
<p>(c) landscaped area: if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>
<p>(d) parking for residents and visitors: if at least the following is provided:</p> <p>(i) 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and</p> <p>(ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and</p> <p>(iii) 1 parking space suitable for an ambulance.</p>	<p>✓</p> <p>To be further demonstrated in future detailed development application.</p>

Provision	Response
Clause 50 – Standards that cannot be used to refuse development consent for self-contained dwellings	
(a) building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or	N/A
(b) density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 0.5:1 or less,	N/A
(c) landscaped area: if: <ul style="list-style-type: none"> (i) in the case of a development application made by a social housing provider – a minimum of 35 square metres of landscaped area per dwelling is provided; or (ii) in any other case – a minimum of 30% of the area of the site is to be landscaped 	✓ To be further demonstrated in future detailed development application.
(d) Deep soil zones: if, in relation to that part of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed, there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15% of the area of the site (the deep soil zone). Two-thirds of the deep soil zone should preferably be located at the rear of the site and each area forming part of the zone should have a minimum dimension of 3 metres,	✓ Deep soil planting across the site exceeds 15%. To be further demonstrated in future detailed development application.
(e) solar access: if living rooms and private open spaces for a minimum of 70% of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,	✓ To be further demonstrated in future detailed development application.
(f) private open space for in-fill self-care housing: if: <ul style="list-style-type: none"> (i) in the case of a single storey dwelling or a dwelling that is located wholly or in part, on the ground floor of a multi-storey building, not less than 15 square metres of private open space per dwelling is provided and, of this open space, one area is not less than 3 metres wide and 3 metres long and is accessible from a living area located on the ground floor, and (ii) in the case of any other dwelling, there is a balcony with an area of not less than 10 square metres (or 6 square metres for a 1 bedroom dwelling), that is not less than 2 metres in either length or depth and that is accessible from a living area, 	✓ To be further demonstrated in future detailed development application.
(d) parking: if at least the following is provided: <ul style="list-style-type: none"> (i) 0.5 car spaces for each bedroom where the development application is made by a person other than a social housing provider, or (ii) 1 car space for each 5 dwellings where the development application is made by, or is made by a person jointly with, a social housing provider. 	✓

2.0 Ryde Development Control Plan 2015

The *Ryde Development Control Plan 2014* (Ryde DCP) does not apply to the proposed Masterplan, being State Significant Development, as per Clause 11 of the *State Environmental Planning Policy (State and Regional Development) 2011*. Notwithstanding this, the table below provides an overview of how the proposal would address the relevant provisions of the Ryde DCP.

Provision	Comment	Reference in EIS
Part 4.5 – Macquarie Park Corridor		
5.4 – Shrimptons Creek Park	The Masterplan accommodates a mixture of riparian planting and recreation facilities that will be publicly accessible along the Shrimptons Creek Corridor. This will form part of a future Voluntary Planning Agreement offer to Ryde City Council.	Section 3.3.5 Section 5.5 Section 5.18
5.9 – Community Facilities	A number of community facilities will be provided across the site, to benefit both the occupants of Ivanhoe Estate and the surrounding community. These facilities are located to activate open space areas such as the Village Green, Forest Playground, and Shrimptons Creek Park Corridor, or to front Main Street that forms the key north/south spine of the Estate. The demand for community facilities is addressed in the Community Infrastructure and Recreation Demand Study prepared by Elton Consulting (Appendix U of EIS).	Section 5.8
5.10 – Art in Publicly Accessible Spaces	The Public Domain Masterplan (Appendix B of the EIS) nominates a number of locations capable of accommodating future public artworks. The design and delivery of these artworks will be explored through the future detailed application(s), and will reference the environmental and cultural background of the site.	Section 3.4
7.1 – Site Planning and Staging	The proposal represents a comprehensive re-planning of the Ivanhoe Estate, which will create new road connections, circulation routes and a revised open space network than what was considered under the DCP. The Masterplan represents a new structure plan for this area that is consistent with the intent of the control to ensure development occurs within a carefully considered and planned framework of streets and open space.	Section 3
7.3 – Active Frontages	Building A3 accommodates a child care centre and play area that will be accessible off Herring Road, to activate the 'primary active frontage'. Refer to the Masterplan drawings at Appendix A of the EIS.	-
7.4 – Setbacks and Build-to-lines	The proposal is consistent with the objectives for setbacks and build-to lines set out in the Macquarie Park DCP. A minimum setback of 10m from the site's perimeter boundaries has generally been adopted. In some cases, lower levels (up to four storeys) extend to 6m from the side boundary consistent with the minimum side setback control in the DCP, as shown in the Masterplan drawings at Appendix A of the EIS.	Section 3.2 Section 5.4.5
7.5 – Awnings and Canopies	Awnings and canopies may be provided along the frontages of buildings addressing the public domain, which will be tested and confirmed during the detailed design of future buildings on site.	-
7.6 – Rear and Side Setbacks	All internal site setbacks will be informed by the Ivanhoe Estate Design Guidelines (Appendix L of the EIS) and the Apartment Design Guide, where relevant. The proposed setbacks ensure there is sufficient space for deep soil planting, visual and acoustic privacy, and residential amenity.	Section 3.2 Section 5.4.5

Provision	Comment	Reference in EIS
7.7 – Building Separation	The proposal is compliant with the building separation requirements of the Apartment Design Guide, with the exception of Buildings A1 and A2 (see further discussion in EIS).	Section 3.2 Section 5.6
7.8 – Building Bulk and Design	The proposed building envelopes do not exceed 2,000m ² over a height of 8 storeys, and have been designed to address and activate the street network. The future detailed design of these building envelopes will be guided by the Design Guidelines (Appendix L of the EIS) that provide a framework for assessing façade articulation and amenity.	Section 3.2 Section 5.4.4
8.1 – Site Planning and Staging	The subject application is for a site specific Masterplan for the renewal of Ivanhoe Estate, which addresses site access and parking, non-residential uses, detailed building envelopes, and is accompanied by a Social Impact Assessment (Appendix W of the EIS) and confirmation of the likely public benefits being provided by the Consortium.	Section 3.0 Section 5.8 Section 5.18
8.2 – Site Coverage, Deep Soil Areas and Private Open Space	The Masterplan accommodates areas of deep soil planting, communal open space, private open space, and public open space. Ivanhoe Estate remains capable of complying with the provisions of the Apartment Design Guide and DCP, however, the final quantum and detailed design of these open space areas will be confirmed as part of separate detailed applications for the staged delivery of the Masterplan.	Section 3.2 Section 3.3 Section 5.5-5.6
8.3 – Planting on Structures	Planting on buildings may be provided, subject to further detailed design. Future applications for the delivery of buildings will consider the recommended standards for planting on buildings in the DCP.	-
8.4 – Topography and Building Interface	The proposal meets the objectives and achieves the controls set out in this section of the DCP.	Section 3.8 Section 5.12 Section 5.19
8.5 – Site Facilities	The relevant facilities for all residential and non-residential uses on the site will be confirmed through separate detailed applications for the buildings on site.	-
8.6 – Vehicular Access	The Masterplan utilises the existing road connection off Herring Road, and provides a new connection to the south to improve access and circulation through the Estate. It will also create a more accessible and legible internal street layout comprising clear intersecting north/south and east/west roads.	Section 3.5 Section 5.7
8.7 – Onsite Parking	On site vehicle parking will be minimised on the site, and a number of measures will be investigated/implemented through the redevelopment of the Estate to reduce car dependency, such as providing a Green Travel Plan. The quantum and design of parking will be confirmed in the detailed design application to deliver stages of the Masterplan, referencing the parking rates nominated in the DA.	Section 3.5 Section 5.7
9.1 – Wind Impact	A Wind Assessment has been prepared by CPP and accompanies the EIS at Appendix V . The wind assessment addresses the likely wind conditions affecting the various trafficable outdoor areas within and site and makes a number of recommendations to be explored and implemented through the detailed design and testing of future buildings.	Section 5.6.3

Provision	Comment	Reference in EIS
9.2 – Noise and Vibration	An Acoustic Assessment has been prepared by Acoustic Logic and provided at Appendix S of the EIS. This report demonstrates that the proposed development remains capable of complying with the relevant acoustic benchmarks with some recommendations.	Section 5.20
9.3 – Bushfire Management	The subject site is not located within the Bushfire Prone Land in accordance with Figure 9.3.1 of the Macquarie Park Corridor DCP.	-
9.4 – Soil Management	An Erosion and Sediment Control Plan will accompany the detailed Construction and Traffic Management Plan(s) provided at the relevant delivery stage of the Masterplan.	-
Part 7.2 Waste Minimisation and Management		
-	The proposed development is capable of accommodating the on site sorting and storage of waste. Further detailed discussion of the waste requirements of the development has been provided within the Waste Management Plan at Appendix O of the EIS.	Section 3.12
Part 8.2 Stormwater Management		
-	A Stormwater and Drainage Assessment and Flood Impact Assessment accompany the EIS at Appendices F and I , which detail stormwater measures that can be implemented to manage stormwater quality and quantity, and confirm that the Masterplan will not adversely impact flood behaviour, including stormwater runoff, flows within the underground pipe drainage network, and flows within the Shrimptons Creek corridor.	Section 3.11 Section 5.12 Section 5.13