

COPY

City of Ryde

ABN 81 621 292 610

Civic Centre

1 Devlin Street Ryde

Locked Bag 2069

North Ryde NSW 1670

cityofryde@ryde.nsw.gov.au

www.ryde.nsw.gov.au

TTY (02) 9952 8470

Facsimile (02) 9952 8070

Telephone (02) 9952 8222

Gary Squire
Project Manager
Coles Property Developments
800 Toorak Road
Hawthorn East VIC 3123

20 December 2010

Dear Mr Squire,

Address: 17 Chatham Rd West Ryde
Section 96 Application to Modify Local Development Consent No.
LDA2007/0559
Section 96 No. MOD2010/0095

Please find attached your Section 96 Consent No. MOD2010/0095 which is to be read in conjunction with Development Consent No. LDA2007/0559 approved by Council on 11 December 2007.

Development Consent is not approval to commence building work.

Before any construction works commence you must apply for a Construction Certificate. You can apply to Council or an Accredited Certifier. All plans and information which form part of your Construction Certificate application must comply with the conditions of Development Consent.

It is the responsibility of the applicant to carefully read all conditions of Development Consent prior to making application for a Construction Certificate.

Should you have any further questions please contact the Customer Service Centre on 9952 8222

Yours faithfully



Sanju Reddy
Acting Team Leader
Major Development Team

COPY

City of Ryde
Civic Centre, Devlin Street, Ryde
Locked Bag 2069, North Ryde NSW 1670
DX 8403, Ryde
Facsimile 9952 8070
Telephone 9952 8222



Section 96 Consent

Applicant: Mr Gary Squire
Project Manager
Coles Property Developments
800 Toorak Road
Hawthorn East VIC 3123

Section 96 Consent No: MOD2010/0095

Approval Date: 20 December 2010

Modification of Development Consent No. LDA2007/0559 under Section 96 of the Environmental Planning and Assessment Act, 1979

Property: 17 Chatham Road, West Ryde Lot 150 DP 11208, Lot 1 DP 590509, Lot 154 DP 11208, Lot A DP 398801, Lot 151 DP 11208, Lot 150 DP 11208, Lot 149 DP 11208, Lot 2 DP 590509, Lot B DP 398801, Lot 153 DP 11208, Lot 152 DP 11208, Lot 1 DP 1072082, Lot 2 DP 1072079

Development: Erection of a seven storey building of mixed retail, commercial and residential use with five basement levels and the provision of a village square on the area adjoining the building, landscaping and associated road works, and erection of four storey building to house community services and some retail floor space above two basement car parking levels.

Section 96 Modification:

West Ryde Community Centre Redevelopment.

Section 96 - Proposed amendments including removal of the external video screen, internal modifications to the layout due to structural and tenant requirements, lowering of building by 300mm and amendments to the external façade.

The City of Ryde as the Consent Authority pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979 (as amended) hereby consents to the modification of Local Development Application No. LDA2007/0559 dated 11 December 2007 as follows:

A. CONDITION 1 IS AMENDED TO READ AS FOLLOWS:

1. Development is to be carried out in accordance with the following plans and support information as submitted to Council, except where amended by these conditions of consent:

Document	Author	Date
Architectural		
DA.02D – Master Plan	Anthony Vavayis Architects	March 2009
DA 201E – Basement B1 (Retail Carparking)	Anthony Vavayis Architects	March 2009
DA 202E – Basement B2 (Council Carparking)	Anthony Vavayis Architects	March 2009
DA 210K Ground Floor	Anthony Vavayis Architects	March 2009
DA 211G – Level 1	Anthony Vavayis Architects	March 2009
DA 212G – Level 2	Anthony Vavayis Architects	March 2009
DA 213F – Level 3	Anthony Vavayis Architects	March 2009
DA 214E – Level 4	Anthony Vavayis Architects	March 2009
DA 215E – Level 5	Anthony Vavayis Architects	March 2009
DA 216E – Level 6	Anthony Vavayis Architects	March 2009
DA 217E – Level 7	Anthony Vavayis Architects	March 2009
DA 301H – Elevations	Anthony Vavayis Architects	March 2009
DA 302J – Elevations	Anthony Vavayis Architects	March 2009
DA 303F – Section	Anthony Vavayis Architects	March 2009
DA 304G – Section	Anthony Vavayis Architects	March 2009
DA 401F – Typical units	Anthony Vavayis Architects	March 2009
DA 402B – Typical units	Anthony Vavayis Architects	March 2009
DA 403C – Typical units	Anthony Vavayis Architects	March 2009
DA 501 D – Solar Access	Anthony Vavayis Architects	March 2009
DA 502 D – Solar Access	Anthony Vavayis Architects	March 2009
AR CC 1001 (E) – Basement 2 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1002 (E) – Basement 1 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1003 (H) – Ground Floor Plan	Anthony Vavayis Architects	7.7.10
AR CC 1004 (G) – Level 1 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1005 (E) – Level 2 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1006 (E) – Level 3 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1007 (B) – Roof Plan	Anthony Vavayis Architects	7.7.10
AR CC 2001 (C) - Sections	Anthony Vavayis Architects	7.7.10
AR CC 3001 (D) - Elevations	Anthony Vavayis Architects	7.7.10
AR CC 3002 (D) - Elevations	Anthony Vavayis Architects	7.7.10
Civil Services		
VC00 – Cover sheet, drawing index and locality plan	Buckton Lysenko Consulting Engineers	31.07.07
VC01 – General notes and Legend	Buckton Lysenko Consulting Engineers	31.07.07
VC02 – Soil and Water management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.07.07
VC03 – Stormwater – Basement 4 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC04 – Stormwater – Basement 3 Floor	Buckton Lysenko Consulting Engineers	31.07.07

Document	Author	Date
Plan	Engineers	
VC05 – Stormwater – Basement 2 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC06 – Stormwater – Basement 1B Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC07 – Stormwater – Basement 1A Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC08 – Stormwater – Ground Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC09 – Stormwater – Level 1 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC10 – Stormwater – Level 2 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC11 – Stormwater – Level 3 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC12 – Stormwater – Level 4 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC13 – Stormwater – Level 5 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC 14 – Stormwater – Level 6 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC15 – Stormwater – Roof Plan	Buckton Lysenko Consulting Engineers	31.07.07
Landscaping		
LS1 – Landscape Concept Plan	Jack Taylor Architects Pty Ltd	25.07.07
LS2 – Podium Landscape Concept	Jack Taylor Architects Pty Ltd	25.07.07
LS3 – Concept Details	Jack Taylor Architects Pty Ltd	25.07.07
Civil Services – Community Building		
CC00 – Community – Cover Sheet, Drawing Index, and Locality Plan	Buckton Lysenko Consulting Engineers	25.07.07
CC01 – Community – General Notes and Legend	Buckton Lysenko Consulting Engineers	25.07.07
CC02 – Community – Soil and Water Management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.7.07
CC03 – Community – Soil and Water Management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.7.07
CC04 – Community – Stormwater – Basement 2	Buckton Lysenko Consulting Engineers	31.7.07
CC05 – Community – Stormwater – Level 2 and Level 3	Buckton Lysenko Consulting Engineers	31.7.07
CC06 – Community – Stormwater – Roof Plan	Buckton Lysenko Consulting Engineers	31.7.07
Road Design		
RD01 – Cover Sheet, Drawing Index and Locality Plan	Buckton Lysenko Consulting Engineers	25.7.07
RD02 – General Notes, and Legend	Buckton Lysenko Consulting Engineers	25.7.07
RD03 – Sediment and Erosion Control Plan	Buckton Lysenko Consulting Engineers	25.7.07
RD04 – Proposed Intersections, Stormwater Drainage	Buckton Lysenko Consulting Engineers	Updated

Document	Author	Date
RD05 – MC01 – Anthony Road Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD06 – MC02 – Reserve Street and Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD07 – MC03 – New Betts Street and Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD08 – MC01 – Anthony Road Cross Sections, Sheet 1 of 2	Buckton Lysenko Consulting Engineers	25.7.07
RD09 – MC01 – Anthony Road Cross Sections, Sheet 2 of 2	Buckton Lysenko Consulting Engineers	25.7.07
RD010 – MC02 – Reserve Street Cross Sections	Buckton Lysenko Consulting Engineers	25.7.07
RD011 – MC03 – Reserve Street Cross Sections	Buckton Lysenko Consulting Engineers	25.7.07
RD012 – Kerb Returns	Buckton Lysenko Consulting Engineers	25.7.07
RD013 – Stormwater Longsections	Buckton Lysenko Consulting Engineers	25.7.07

B. NEW CONDITIONS 15(f) and 15(g) ARE INCLUDED AS FOLLOWS:

15(f). The stormwater system in Reserve Road must be designed to convey all stormwater in a 100 year ARI (Average Recurrence Interval) within the piped system so that there is no overland flow. The design is to include 30% inlet pipe capacity blockage, based on the existing upstream drainage conditions. Detailed plans and hydraulic models must be submitted to Council. Written approval must be obtained from Council prior to drainage works commencing.

15 (g) All habitable floor levels must be 300mm above the 100 year ARI.

C. CONDITION 171 IS AMENDED TO READ AS FOLLOWS:

Dot point 7:

- o Stairways are to have handrails on both sides of the stairway. Railings are to be a minimum of 30mm and a maximum of 50mm in diameter (AS 1428.2).

Dot point 15:

This dot point is deleted.

Dot point 20:

- o Clear door openings of at least 850mm to enable equitable access shall be provided throughout the development for people who use wheelchairs and people using other mobility aids. Sufficient circulation space at doors to allow people with disabilities to open and close the doors independently is also to be provided.

You are advised that failure to observe any condition of approval set out in the consent is an offence and Council may institute legal proceedings.

You are advised of your right of appeal to the Land and Environment Court under Section 96(6) of the Environmental Planning & Assessment Act.



Sanju Reddy
Acting Team Leader
Major Development Team

The fees quoted at the time of issue of this Consent may be subject to variation. Council's annual fees and charges are published in the Management Plan. To confirm fees please contact Customer Service on 9952-8222.

NOTE
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 This drawing is the property of ANTHONY VAIVAYIS + ASSOCIATES PTY LTD and any reproduction or distribution without prior consent constitutes a breach of copyright.

LEGEND

CITY OF RYDE
 LDA No 1/09 2010/95
 20 DEC 2010
 Approved Plans
 Signed *[Signature]*
 Subject to the conditions of the Consent

REV	DATE	AMENDMENT
E	07.07.2010	SECTION 96
D	29.06.2010	FOR END USER REVIEW
C	22.06.2010	FOR PRE-DA LODGEMENT MEETING
B	09.06.2010	FOR INFORMATION
A	02.06.2010	FOR INFORMATION

PRIVATE CERTIFYING AUTHORITY
McKENZIE GROUP CONSULTING
 SUITE 801, LEVEL 8, 188 KENT STREET
 SYDNEY NSW 2000
 PHONE: (02) 8288 8800
 FAX: (02) 8288 8889

ACCESSIBILITY CONSULTANT
MORRIS GOODING ACCESSIBILITY CONSULTING
 1/26 56 BOWMAN STREET, THE COOPERAGE
 PYRMONT NSW 2009
 PHONE: (02) 9652 0322
 FAX: (02) 9652 8433

STRUCTURAL ENGINEERS
MEINHARDT GROUP
 LEVEL 4, CLARENCE STREET
 SYDNEY NSW 2000
 PHONE: (02) 9699 3098
 FAX: (02) 9319 7508

ELECTRICAL/MECHANICAL ENGINEERS
UMOW LAI ENGINEERING PTY LTD
 LEVEL 1, 380 PACIFIC HIGHWAY
 CROWNS NEST NSW 2065
 PHONE: (02) 9431 9431
 FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
C&M CONSULTING ENGINEERS PTY.LTD.
 241-245 PENNANT HILLS ROAD
 CARLINGFORD NSW 2118
 PHONE: (02) 8209 3848
 FAX: (02) 9687 8393

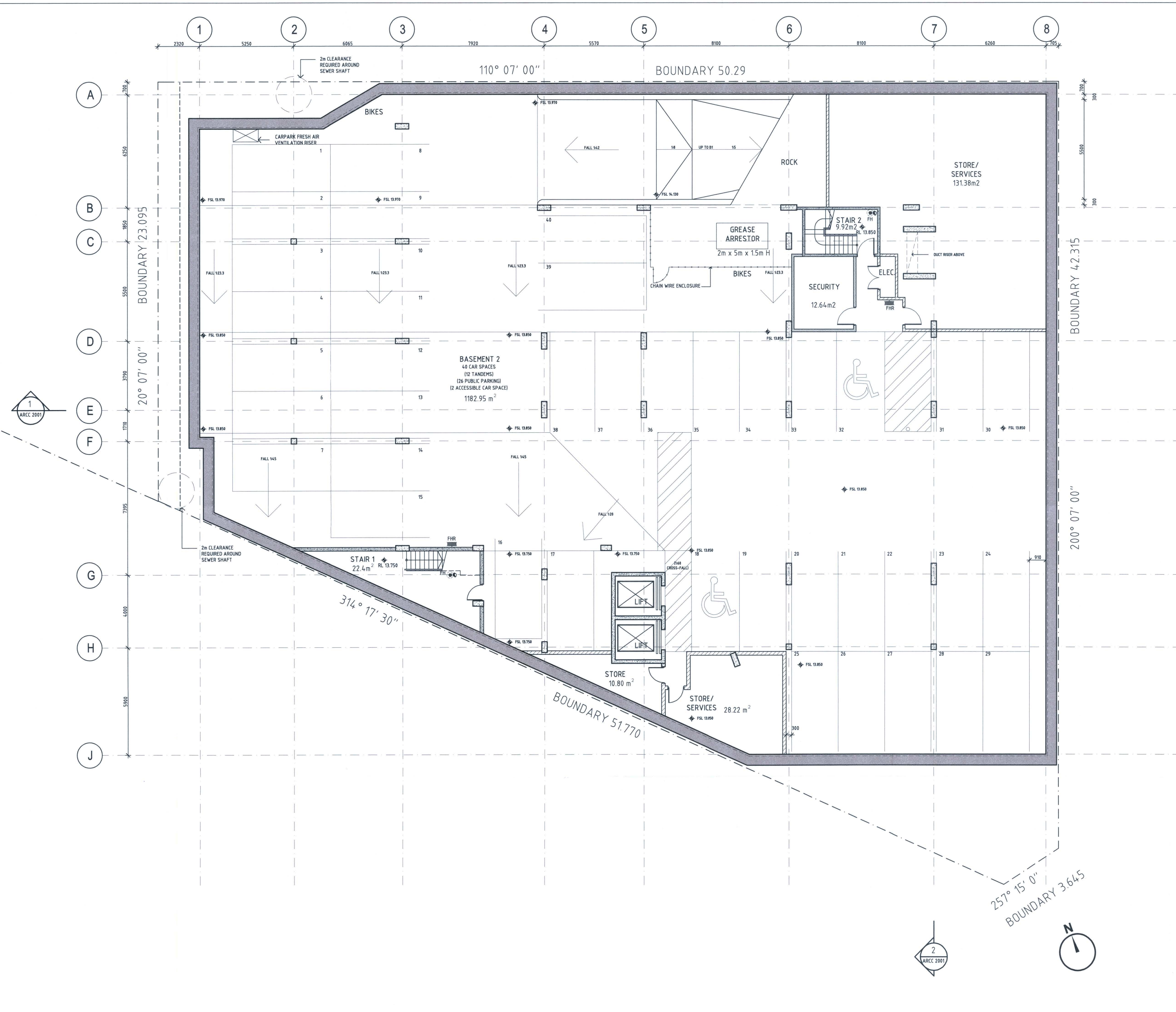
ARCHITECTS
ANTHONY VAIVAYIS + ASSOCIATES PTY LTD
 24 LIME STREET
 KING STREET WHARF
 SYDNEY NSW 2000
 PHONE: (02) 8290 1810
 FAX: (02) 8290 1980

PROJECT TITLE
WEST RYDE COMMUNITY CENTRE
 CNR RESERVE STREET & ANTHONY ROAD
 WEST RYDE
 FOR COLES GROUP PROPERTY
 DEVELOPMENTS LTD AND CITY OF RYDE

CLIENT
BUILTFORM CONSTRUCTIONS PTY LTD
 SUITE A33, 24 LEXINGTON DRIVE
 BAULKHAM HILLS NSW 2153
 PHONE: (02) 9629 3499
 FAX: (02) 9629 3488

DRAWING TITLE
COMMUNITY CENTRE
BASEMENT 2 PLAN
 SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
 DRAWN KD + TS + AB PROJECT 08004

DRWG NO: **AR CC 1001** REV **E**



NOTE
All dimensions to be verified prior to commencement of any shop drawings or fabrication. Shop drawings are to be approved before construction. All dimensions are in millimetres unless otherwise noted. Annotated dimensions are to be used in preference to scaling from drawings.
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LEGEND

CAR SPACE SUMMARY

	B1	B2	TOTAL	STACK	INCL	BUSES	COUR
DA CONSENT 2007	32	38	70	13	3	3	1
S96 2009	32	38	70	13	3	3	1
S96 2010	33	40	73	23	3	3	1

AREA SUMMARY

BASEMENT 1	29.91 m ²
BASEMENT 2	172.42 m ²
TOTAL	202.31 m ²

CITY OF RYDE
LDA No MCO 20/10/05
20 DEC 2010
Approved Plans
Signed
Subject to the conditions of the Consent

REV	DATE	AMENDMENT
E	07.07.2010	SECTION 96
D	29.06.2010	FOR END USER REVIEW
C	22.06.2010	FOR PRE-DA LODGEMENT MEETING
B	09.06.2010	FOR INFORMATION
A	02.06.2010	FOR INFORMATION

PRIVATE CERTIFYING AUTHORITY
McKENZIE GROUP CONSULTING
SUITE 601, LEVEL 6/189 KENT STREET
SYDNEY NSW 2000
PHONE: (02) 8288 8800
FAX: (02) 8288 8888

ACCESSIBILITY CONSULTANT
MORRIS GOODING ACCESSIBILITY CONSULTING
1/06/56 BOWMAN STREET, THE COOPERAGE
PYRMONT NSW 2009
PHONE: (02) 9662 9222
FAX: (02) 9662 9433

STRUCTURAL ENGINEERS
MEINHARDT GROUP
LEVEL 4, CLARENCE STREET
SYDNEY NSW 2000
PHONE: (02) 9699 3098
FAX: (02) 9119 7008

ELECTRICAL/MECHANICAL ENGINEERS
UMOW LAI ENGINEERING PTY LTD
LEVEL 1, 900 PACIFIC HIGHWAY
CROWS NEST NSW 2085
PHONE: (02) 9431 9431
FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
CSM CONSULTING ENGINEERS PTY LTD.
21/24/25 PENWANT HILLS ROAD
CARLINGFORD NSW 2118
PHONE: (02) 8209 3846
FAX: (02) 9687 9393

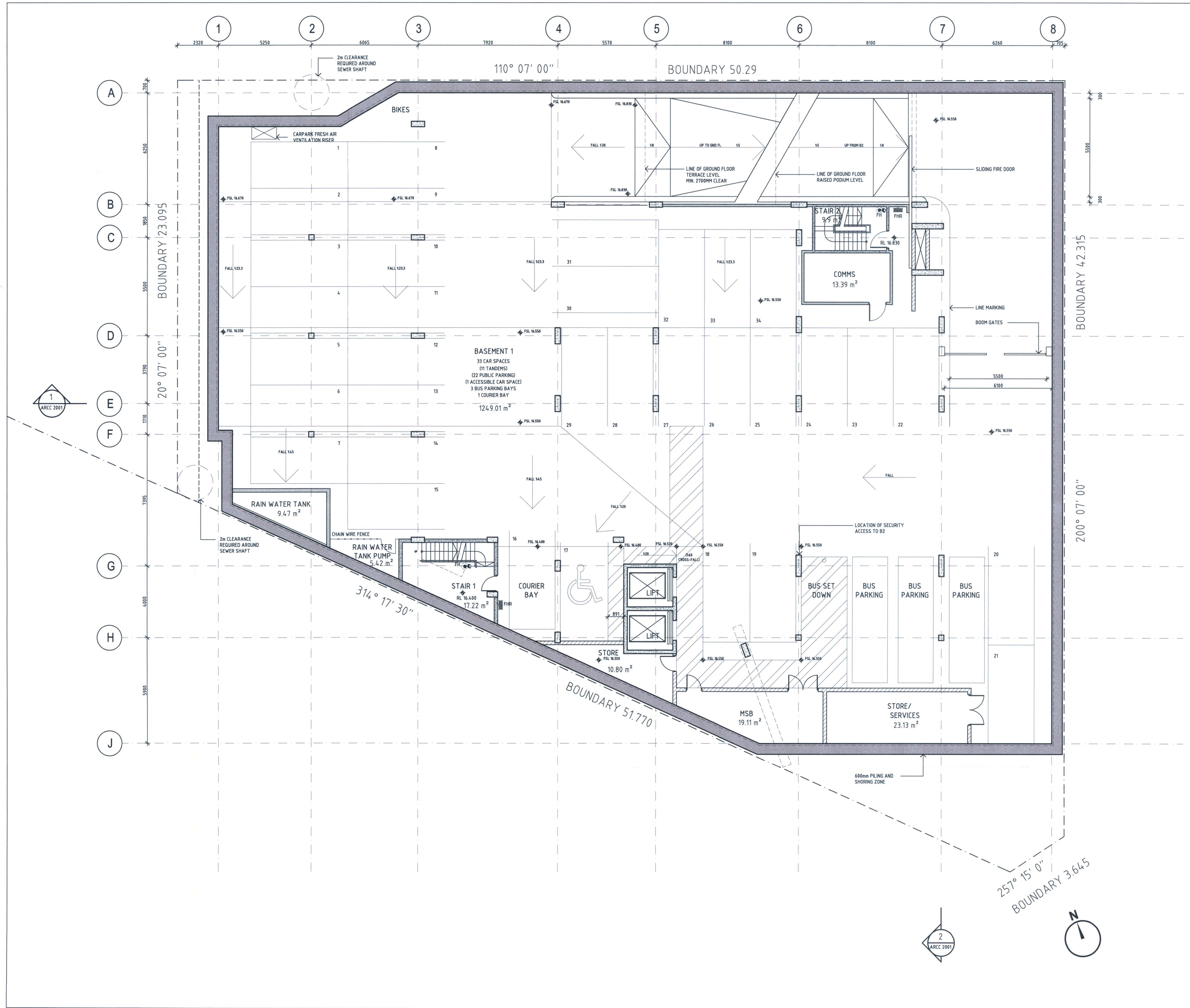
ARCHITECTS
ANTHONY VAVAYIS + ASSOCIATES PTY LTD
24 LIME STREET
KING STREET WHARF
SYDNEY NSW 2000
PHONE: (02) 8290 1810
FAX: (02) 9290 1880

PROJECT TITLE
WEST RYDE COMMUNITY CENTRE
CNR RESERVE STREET & ANTHONY ROAD
WEST RYDE
FOR COLES GROUP PROPERTY
DEVELOPMENTS LTD AND CITY OF RYDE

CLIENT
BULTFORM CONSTRUCTIONS PTY LTD
SUITE A33, 24 LEWINGTON DRIVE
BAULKHAM HILLS NSW 2150
PHONE: (02) 9629 3499
FAX: (02) 9629 3488

DRAWING TITLE
COMMUNITY CENTRE
BASEMENT 1 PLAN
SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
DRAWN KD+TS+AB PROJECT 08004

DRWG NO: AR CC 1002 REV E



NOTE
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LEGEND

CITY OF RYDE
LDA No *Mod 2010/95*
28 DEC 2010
Approved Plans
Signed
(Subject to the conditions of the Consent)

H	07.07.2010	SECTION 96
G	02.07.2010	FOR END USER REVIEW
F	01.07.2010	FOR STRUCTURAL COORDINATION
E	01.07.2010	FOR EARLY CHILDHOOD HEALTH CTR SIGN-OFF
D	29.06.2010	FOR END USER REVIEW
C	22.06.2010	FOR PRE-DA LODGEMENT MEETING
B	09.06.2010	FOR INFORMATION
A	02.06.2010	FOR INFORMATION
REV DATE	AMENDMENT	

PRIVATE CERTIFYING AUTHORITY
McKENZIE GROUP CONSULTING
SUITE 601, LEVEL 6/ 189 KENT STREET
SYDNEY NSW 2000
PHONE: (02) 8296 8800
FAX: (02) 8296 8889

ACCESSIBILITY CONSULTANT
MORRIS GOING ACCESSIBILITY CONSULTING
1/09/58 BOWMAN STREET, THE COOPERAGE
PYRMONT NSW 2009
PHONE: (02) 9692 9222
FAX: (02) 9692 9453

STRUCTURAL ENGINEERS
MEINHARDT GROUP
LEVEL 4, CLARENCE STREET
SYDNEY NSW 2000
PHONE: (02) 9699 3086
FAX: (02) 9319 7308

ELECTRICAL/MECHANICAL ENGINEERS
UMOW LAI ENGINEERING PTY LTD
LEVEL 1, 308 PACIFIC HIGHWAY
CROWNS NEST NSW 2065
PHONE: (02) 9431 9431
FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
C&M CONSULTING ENGINEERS PTY LTD.
241-245 PENNANT HILLS ROAD
CARLINGFORD NSW 2116
PHONE: (02) 8208 3848
FAX: (02) 9687 0393

ARCHITECTS
ANTHONY VAVAYIS + ASSOCIATES PTY LTD
24 LIME STREET
KING STREET WHARF
SYDNEY NSW 2000
PHONE: (02) 8290 1810
FAX: (02) 9290 1980

PROJECT TITLE
WEST RYDE COMMUNITY CENTRE
CNR RESERVE STREET & ANTHONY ROAD
WEST RYDE
FOR COLES GROUP PROPERTY
DEVELOPMENTS LTD AND CITY OF RYDE

CLIENT
BUILTFORM CONSTRUCTIONS PTY LTD
SUITE 303, 24 LEXINGTON DRIVE
BAULKHAM HILLS NSW 2153
PHONE: (02) 9620 3499
FAX: (02) 9620 3498

DRAWING TITLE
COMMUNITY CENTRE
GROUND FLOOR PLAN
SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
DRAWN KD + TS + AB PROJECT 08004

DRWG NO: **AR CC 1003** REV **H**



RESERVE STREET

ANTHONY ROAD

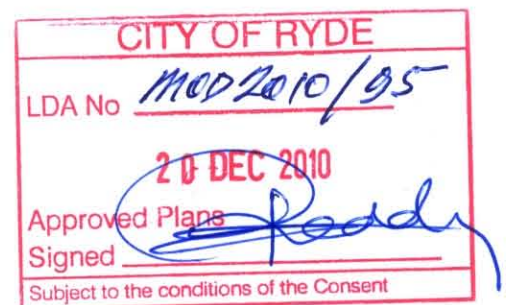


2
ARCC 2001

1
ARCC 2001

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LEGEND



REV	DATE	AMENDMENT
G	07.07.2010	SECTION 96
F	02.07.2010	FOR END USER REVIEW
E	01.07.2010	FOR STRUCTURAL COORDINATION
D	29.06.2010	FOR END USER REVIEW
C	25.06.2010	FOR END USER REVIEW
B	22.06.2010	FOR PRE-DA LODGEMENT MEETING
A	09.06.2010	FOR INFORMATION

PRIVATE CERTIFYING AUTHORITY
MCKENZIE GROUP CONSULTING
SUITE 601, LEVEL 6/189 KING STREET
SYDNEY NSW 2000
PHONE: (02) 9298 6800
FAX: (02) 9298 6888

ACCESSIBILITY CONSULTANT
MORRIS GOODING ACCESSIBILITY CONSULTING
1/89/56 BOYMAN STREET, THE COOPERAGE
PYRMONT NSW 2009
PHONE: (02) 9692 8322
FAX: (02) 9692 8433

STRUCTURAL ENGINEERS
MEINHARDT GROUP
LEVEL 4 CLARENCE STREET
SYDNEY NSW 2000
PHONE: (02) 9699 3088
FAX: (02) 9319 7308

ELECTRICAL/MECHANICAL ENGINEERS
UMOW LAI ENGINEERING PTY LTD
LEVEL 1, 380 PACIFIC HIGHWAY
CHERRY HILL NSW 2185
PHONE: (02) 9431 9431
FAX: (02) 9437 9120

CIVIL/HYDRAULIC/FIRE ENGINEERS
CAM CONSULTING ENGINEERS PTY LTD.
241-245 PENNANT HILLS ROAD
CARLINGFORD NSW 2118
PHONE: (02) 6230 3848
FAX: (02) 9657 0393

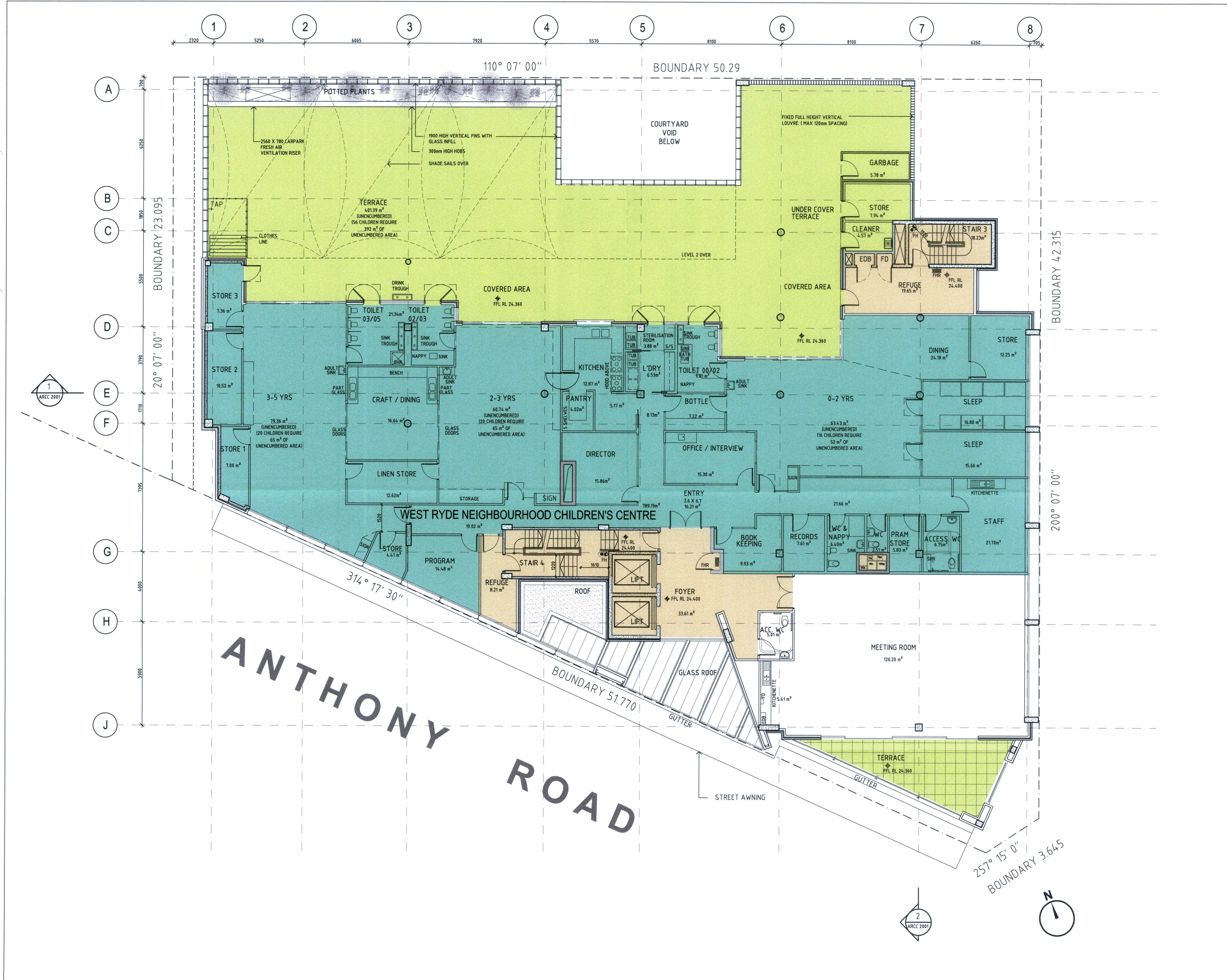
ARCHITECTS
ANTHONY VAVAYIS + ASSOCIATES PTY LTD
24 LIME STREET
KING STREET WHARF
SYDNEY NSW 2000
PHONE: (02) 9290 1810
FAX: (02) 9290 1880

PROJECT TITLE
WEST RYDE COMMUNITY CENTRE
CNR RESERVE STREET & ANTHONY ROAD
WEST RYDE
FOR COLES GROUP PROPERTY
DEVELOPMENTS LTD AND CITY OF RYDE

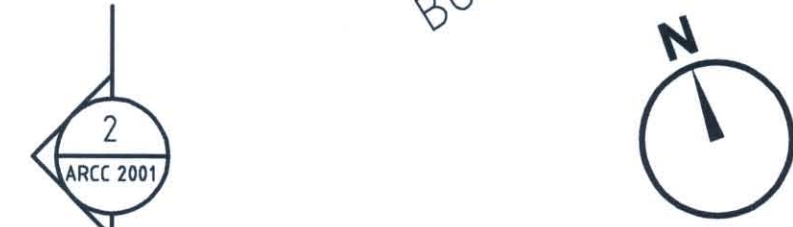
CLIENT
BULTFORM CONSTRUCTIONS PTY LTD
SUITE 33, 24 LEXINGTON DRIVE
BALLAHAM HILLS NSW 2153
PHONE: (02) 9620 3499
FAX: (02) 9620 3488

DRAWING TITLE
COMMUNITY CENTRE
LEVEL 1 PLAN
SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
DRAWN KD+TS+AB PROJECT 08004

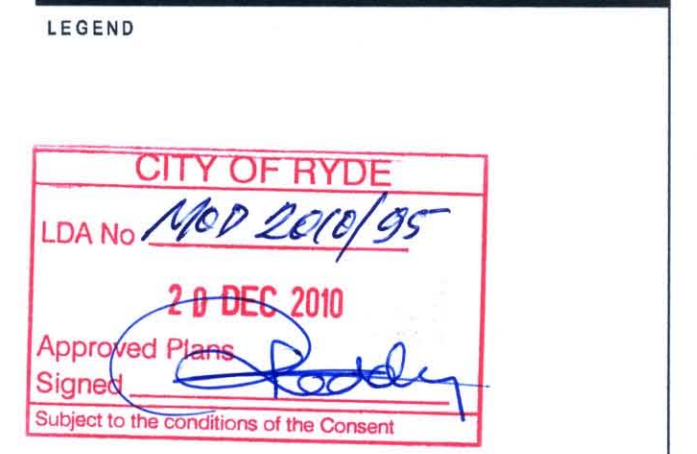
DRWG NO: AR CC 1004 REV G



ANTHONY ROAD



NOTE
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REV	DATE	AMENDMENT
E	07.07.2010	SECTION 96
E	01.07.2010	FOR STRUCTURAL COORDINATION
D	29.06.2010	FOR END USER REVIEW
C	25.06.2010	FOR END USER REVIEW
B	22.06.2010	FOR PRE-DA LODGEMENT MEETING
A	09.06.2010	FOR INFORMATION

PRIVATE CERTIFYING AUTHORITY
 McKENZIE GROUP CONSULTING
 SUITE 601, LEVEL 6/ 189 KENT STREET
 SYDNEY NSW 2000
 PHONE: (02) 8298 6800
 FAX: (02) 8298 6866

ACCESSIBILITY CONSULTANT
 MORRIS GOODING ACCESSIBILITY CONSULTING
 1,06/ 56 BOWMAN STREET, THE COOPERAGE
 PYRMONT NSW 2009
 PHONE: (02) 9652 9322
 FAX: (02) 9652 9433

STRUCTURAL ENGINEERS
 MERHARDT GROUP
 LEVEL 4, CLARENCE STREET
 SYDNEY NSW 2000
 PHONE: (02) 9659 3088
 FAX: (02) 9119 7508

ELECTRICAL/MECHANICAL ENGINEERS
 UMWOW LAI ENGINEERING PTY LTD
 LEVEL 1, 300 PACIFIC HIGHWAY
 CROWS NEST NSW 2085
 PHONE: (02) 9431 9431
 FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
 GCM CONSULTING ENGINEERS PTY LTD.
 21/215 PENNANT HILLS ROAD
 CARLINGFORD NSW 2118
 PHONE: (02) 8209 3846
 FAX: (02) 9667 9393

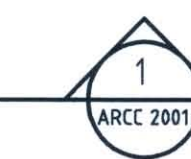
ARCHITECTS
 ANTHONY VAVAYIS + ASSOCIATES PTY LTD
 24 LIME STREET
 KING STREET WHARF
 SYDNEY NSW 2000
 PHONE: (02) 9290 1810
 FAX: (02) 9290 1860

PROJECT TITLE
 WEST RYDE COMMUNITY CENTRE
 CNR RESERVE STREET & ANTHONY ROAD
 WEST RYDE
 FOR COLES GROUP PROPERTY
 DEVELOPMENTS LTD AND CITY OF RYDE

CLIENT
 BUILTFORM CONSTRUCTIONS PTY LTD
 SUITEA33, 24 LEXINGTON DRIVE
 BALUKHAM HILLS NSW 2153
 PHONE: (02) 9629 3499
 FAX: (02) 9629 3488

DRAWING TITLE
 COMMUNITY CENTRE
 LEVEL 2 PLAN
 SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
 DRAWN KD + TS + AB PROJECT 08004

DRWG NO: AR CC 1005 REV E



1 2 3 4 5 6 7 8
 7320 5250 6065 7920 5570 8100 8100 6260 705

110° 07' 00" BOUNDARY 50.29

BOUNDARY 23.095

BOUNDARY 42.315

20° 07' 00"

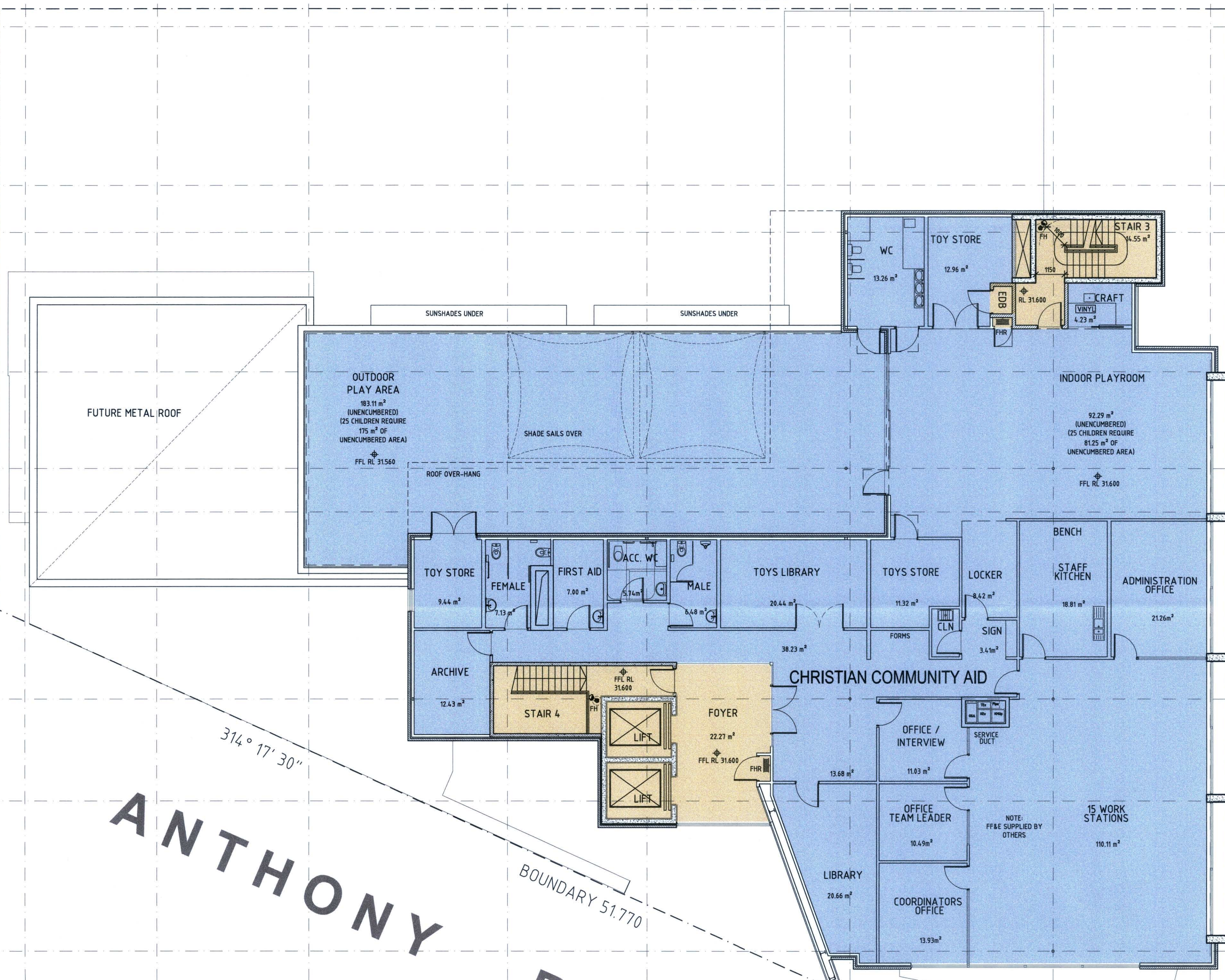
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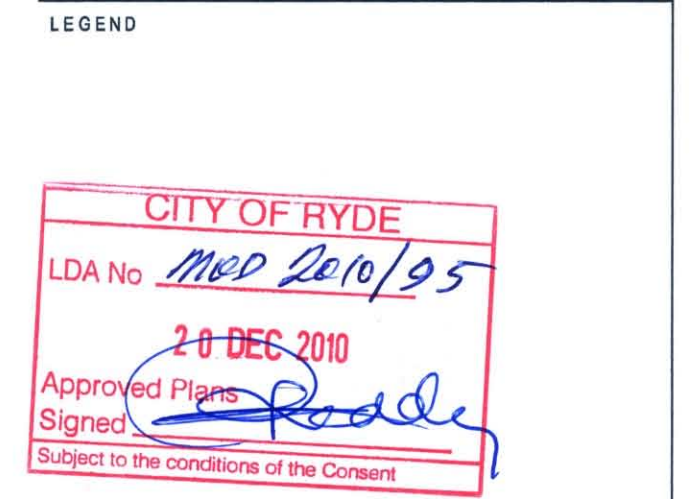
BOUNDARY 51.770

257° 15' 0" BOUNDARY 3.645

ANTHONY ROAD



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REV	DATE	AMENDMENT
E	07.07.2010	SECTION 96
E	01.07.2010	FOR STRUCTURAL COORDINATION
D	29.06.2010	FOR END USER REVIEW
C	25.06.2010	FOR END USER REVIEW
B	22.06.2010	FOR PRE-DA LODGEMENT MEETING
A	09.06.2010	FOR INFORMATION

PRIVATE CERTIFYING AUTHORITY
 MCKENZIE GROUP CONSULTING
 SUITE 601, LEVEL 6/180 KENT STREET
 SYDNEY NSW 2000
 PHONE: (02) 8296 8800
 FAX: (02) 8296 8889

ACCESSIBILITY CONSULTANT
 MORRIS GOODING ACCESSIBILITY CONSULTING
 1/661 56 BOWMAN STREET, THE COOPERAGE
 PYRMONT NSW 2009
 PHONE: (02) 9622 8222
 FAX: (02) 9622 8453

STRUCTURAL ENGINEERS
 MEINHARDT GROUP
 LEVEL 4, CLARENCE STREET
 SYDNEY NSW 2000
 PHONE: (02) 9659 3058
 FAX: (02) 9319 7508

ELECTRICAL/MECHANICAL ENGINEERS
 UMWOW LAI ENGINEERING PTY LTD
 LEVEL 1, 280 PACIFIC HIGHWAY
 CROWS NEST NSW 2065
 PHONE: (02) 9431 9431
 FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
 C&M CONSULTING ENGINEERS PTY.LTD.
 241-245 PENNANT HILLS ROAD
 CARLINGFORD NSW 2118
 PHONE: (02) 8208 3848
 FAX: (02) 9687 8383

ARCHITECTS
 ANTHONY VAVAYIS + ASSOCIATES PTY LTD
 24 LIME STREET
 KING STREET WHARF
 SYDNEY NSW 2000
 PHONE: (02) 8290 1810
 FAX: (02) 9290 1860

PROJECT TITLE
 WEST RYDE COMMUNITY CENTRE
 CNR RESERVE STREET & ANTHONY ROAD
 WEST RYDE
 FOR COLES GROUP PROPERTY
 DEVELOPMENTS LTD AND CITY OF RYDE

CLIENT
 BUILTFORM CONSTRUCTIONS PTY LTD
 SUITEA33, 24 LEXINGTON DRIVE
 BAULKHAM HILLS NSW 2153
 PHONE: (02) 9628 3489
 FAX: (02) 9628 3488

DRAWING TITLE
 COMMUNITY CENTRE
 LEVEL 3 PLAN
 SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
 DRAWN KD + TS + AB PROJECT 08004

DRWG NO: AR CC 1006 REV E



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LEGEND

CITY OF RYDE
LDA No *140/2010/95*
20 DEC 2010
Approved Plans
Signed *[Signature]*
Subject to the conditions of the Consent

REV	DATE	AMENDMENT
B	07.07.2010	SECTION 95
A	09.06.2010	FOR INFORMATION

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McKENZIE GROUP CONSULTING
SUITE 601, LEVEL 6/ 189 KENT STREET
SYDNEY NSW 2000
PHONE: (02) 8296 8800
FAX: (02) 8296 8899

ACCESSIBILITY CONSULTANT
MORRIS GOODING ACCESSIBILITY CONSULTING
1/60/ 56 BOWMAN STREET, THE COOPERAGE
PYRMONT NSW 2009
PHONE: (02) 9552 8322
FAX: (02) 9552 8433

STRUCTURAL ENGINEERS
MENHARDT GROUP
LEVEL 4, CLARENCE STREET
SYDNEY NSW 2000
PHONE: (02) 9599 3088
FAX: (02) 9518 7508

ELECTRICAL/MECHANICAL ENGINEERS
UMOW LAI ENGINEERING PTY LTD
LEVEL 1, 300 PACIFIC HIGHWAY
CROWNS NEST NSW 2065
PHONE: (02) 9431 9431
FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
G&M CONSULTING ENGINEERS PTY LTD.
211-215 PENNANT HILLS ROAD
CARLINGFORD NSW 2118
PHONE: (02) 8200 3846
FAX: (02) 9657 9593

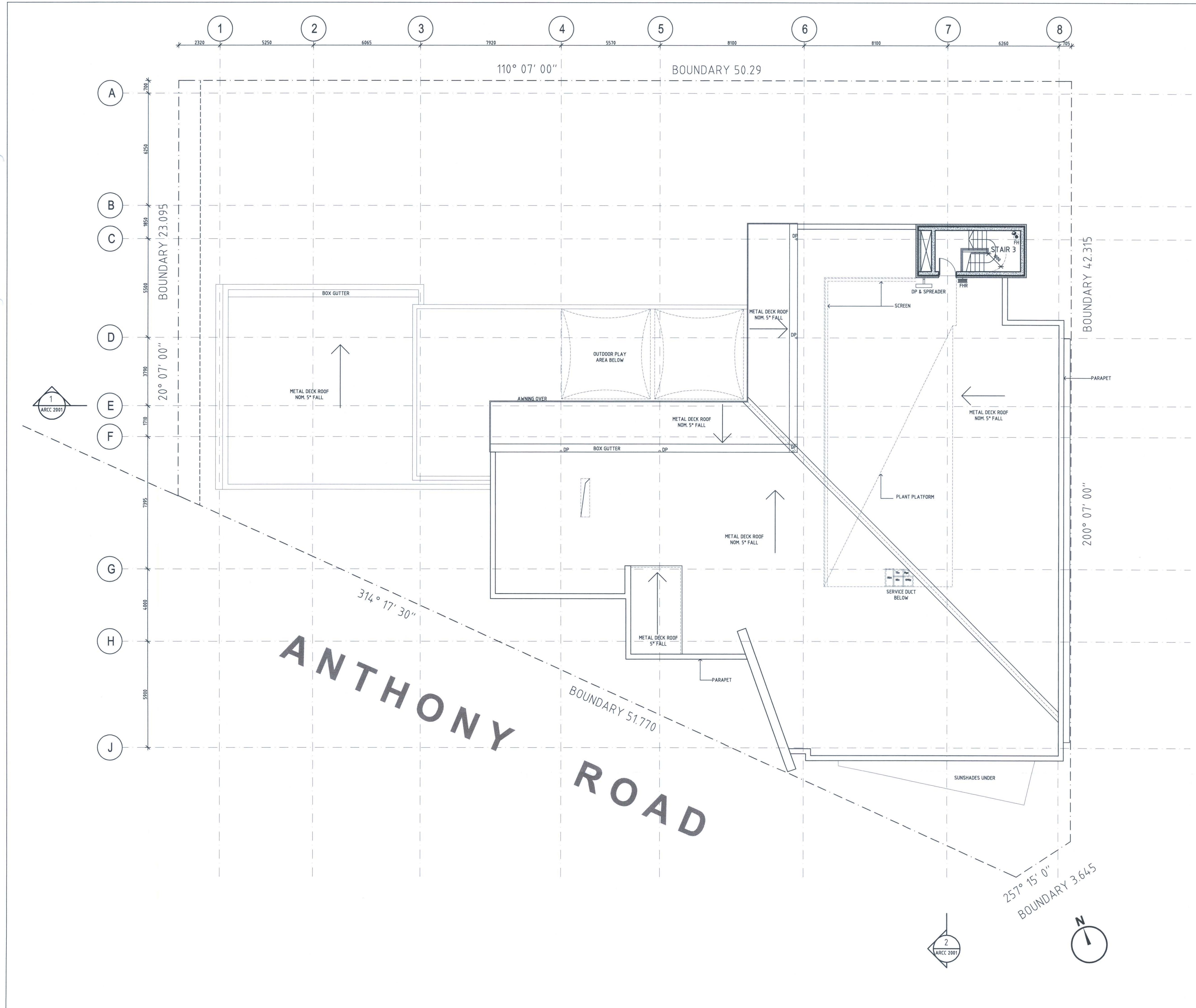
ARCHITECTS
ANTHONY VAVAYIS + ASSOCIATES PTY LTD
24 LIME STREET
KING STREET WHARF
SYDNEY NSW 2000
PHONE: (02) 8290 1810
FAX: (02) 8290 1880

PROJECT TITLE
WEST RYDE COMMUNITY CENTRE
CNR RESERVE STREET & ANTHONY ROAD
WEST RYDE
FOR COLES GROUP PROPERTY
DEVELOPMENTS LTD AND CITY OF RYDE

CLIENT
BULTFORM CONSTRUCTIONS PTY LTD
SUITE 33, 24 LEXINGTON DRIVE
BAULKHAM HILLS NSW 2150
PHONE: (02) 9620 3489
FAX: (02) 9620 3488

DRAWING TITLE
COMMUNITY CENTRE
ROOF PLAN
SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
DRAWN KD + TS + AB PROJECT 08004

DRWG NO: **AR CC 1007** REV **B**



ANTHONY ROAD

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LEGEND

CITY OF RYDE
 LDA No. MOD 2010/35
 20 DEC 2010
 Approved Plans
 Signed: [Signature]
 Subject to the conditions of the Consent

REV	DATE	AMENDMENT
C	07.07.2010	SECTION 96
B	29.06.2010	FOR END USER REVIEW
A	21.06.2010	PRE-DA LODGEMENT MEETING

PRIVATE CERTIFYING AUTHORITY
 McKENZIE GROUP CONSULTING
 SUITE 601, LEVEL 6/ 188 KENT STREET
 SYDNEY NSW 2000
 PHONE: (02) 8298 8800
 FAX: (02) 8298 8899

ACCESSIBILITY CONSULTANT
 MORRIS GOODING ACCESSIBILITY CONSULTING
 1,066 56 BOWMAN STREET, THE COOPERAGE
 PYRMONT NSW 2009
 PHONE: (02) 9662 8322
 FAX: (02) 9662 8433

STRUCTURAL ENGINEERS
 MERHARDT GROUP
 LEVEL 4, CLARENCE STREET
 SYDNEY NSW 2000
 PHONE: (02) 9699 3099
 FAX: (02) 9117 7008

ELECTRICAL/MECHANICAL ENGINEERS
 UMOW LAI ENGINEERING PTY LTD
 LEVEL 1, 380 PACIFIC HIGHWAY
 CROWNS NEST NSW 2065
 PHONE: (02) 9431 9431
 FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
 C&M CONSULTING ENGINEERS PTY LTD.
 21/24/25 PEPPINAW HILLS ROAD
 CARLINGFORD NSW 2118
 PHONE: (02) 8209 3846
 FAX: (02) 9687 9393

ARCHITECTS
 ANTHONY VAVAYIS + ASSOCIATES PTY LTD
 24 LIME STREET
 KING STREET WHARF
 SYDNEY NSW 2000
 PHONE: (02) 9296 1810
 FAX: (02) 9296 1860

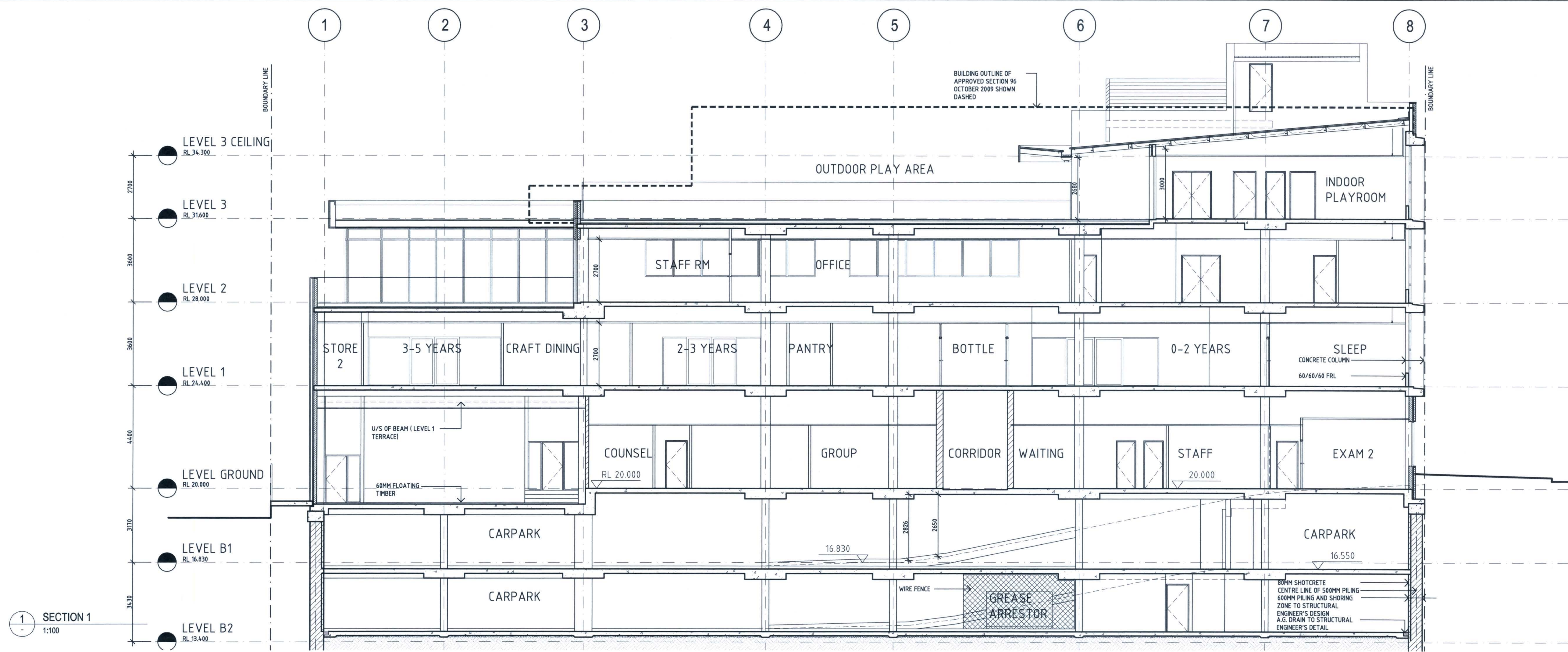
PROJECT TITLE
 WEST RYDE COMMUNITY CENTRE
 CNR RESERVE STREET & ANTHONY ROAD
 WEST RYDE
 FOR COLES GROUP PROPERTY
 DEVELOPMENTS LTD AND CITY OF RYDE

CLIENT
 BUILTFORM CONSTRUCTIONS PTY LTD
 SUITE 533, 24 LEXINGTON DRIVE
 BALUACHAM HILLS NSW 2153
 PHONE: (02) 9629 3499
 FAX: (02) 9629 3488

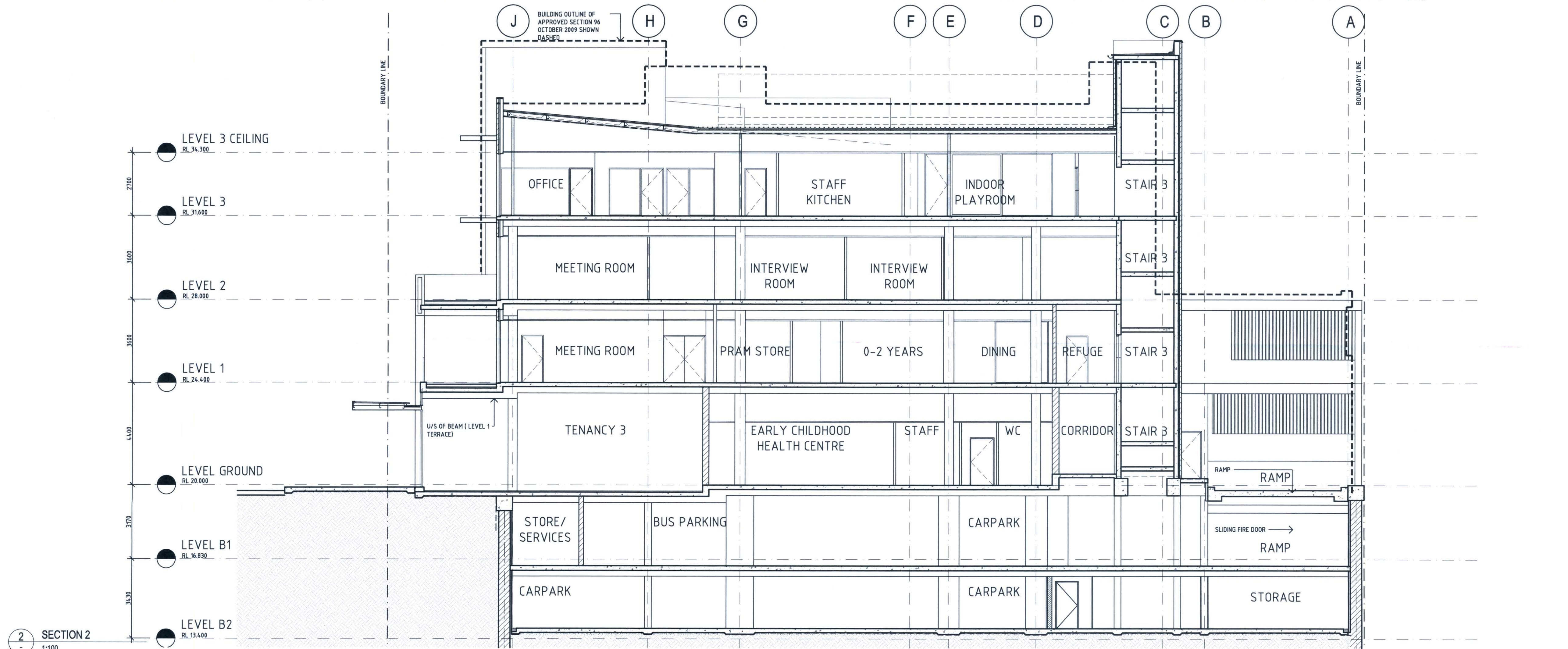
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 COMMUNITY CENTRE
 SECTION

SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
 DRAWN KD+TS+AB PROJECT 08004

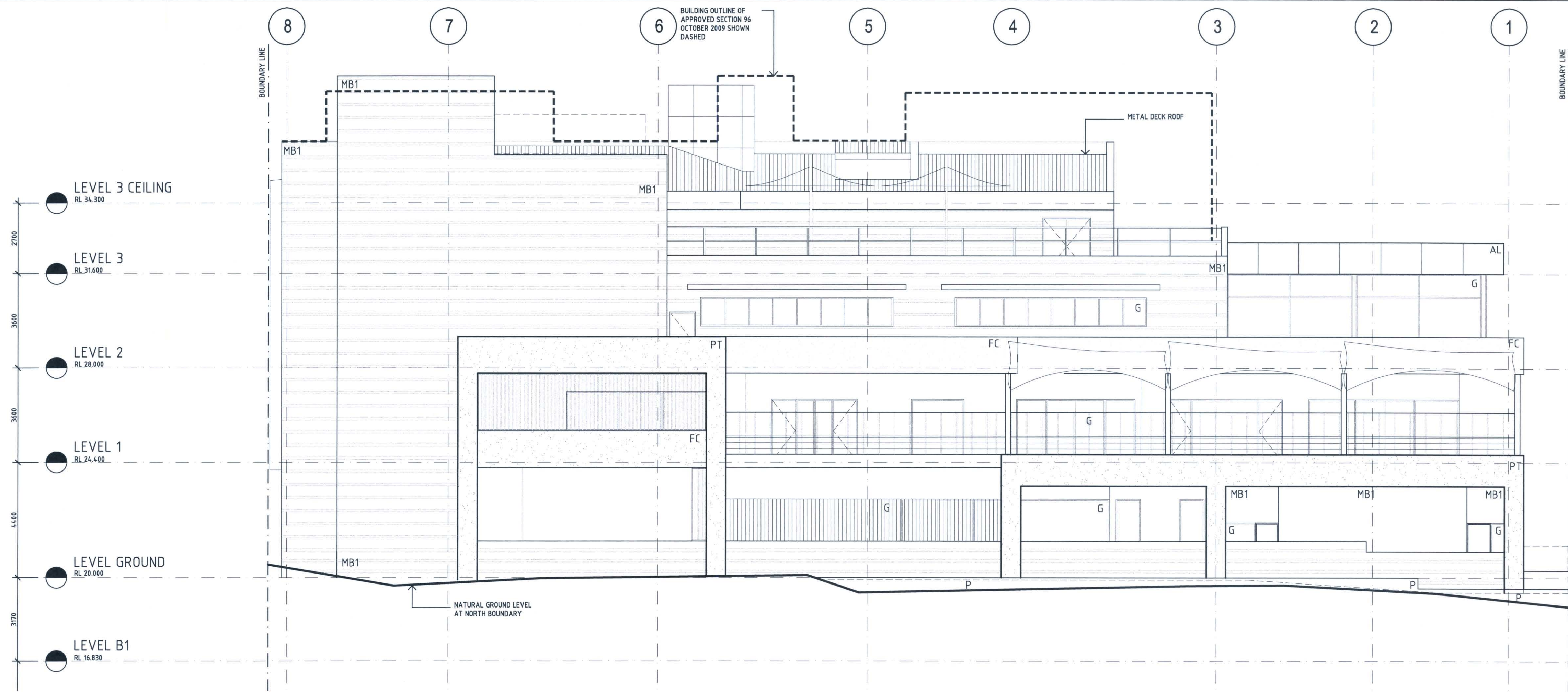
DRWG NO: AR CC 2001 c



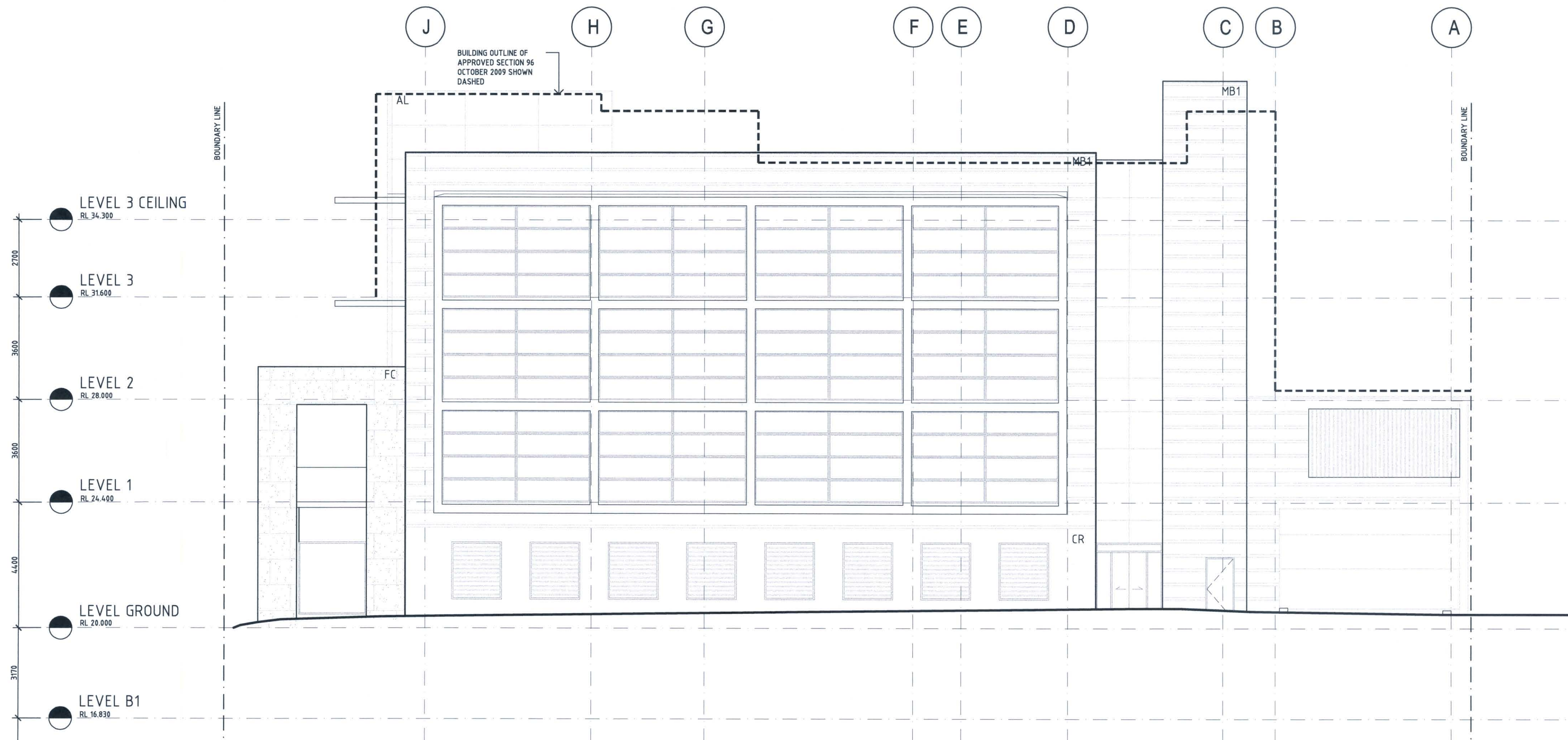
SECTION 1
 1:100



SECTION 2
 1:100



1 NORTH-EAST ELEVATION
1:100



2 SOUTH EAST ELEVATION (RESERVE STREET)
1:100

NOTE
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LEGEND
MB1 - Alabaster honed block or similar
MB2 - Charcoal honed block or similar
MB3 - Pearl grey honed block or similar
FC - Fibre cement panel
CR - Cement render
AL - Champagne Alucobond or similar
PT - Paint, Texturecoat
G - Glass
P - Paint

CITY OF RYDE
LDA No. *Map 2010/195*
20 DEC 2010
Approved Plans
Signed *[Signature]*
Subject to the conditions of the Consent

D	07.07.2010	SECTION 96
C	29.06.2010	FOR END USER REVIEW
B	22.06.2010	FOR PRE-DA LODGEMENT MEETING
A	09.06.2010	FOR INFORMATION
REV	DATE	AMENDMENT

PRIVATE CERTIFYING AUTHORITY
MCKENZIE GROUP CONSULTING
SUITE 601, LEVEL 6/ 189 KENT STREET
SYDNEY NSW 2000
PHONE: (02) 8266 6800
FAX: (02) 8266 6899

ACCESSIBILITY CONSULTANT
MORRIS GOODING ACCESSIBILITY CONSULTING
1/09/ 56 BOWMAN STREET, THE COOPERAGE
PYRMONT NSW 2009
PHONE: (02) 9692 8322
FAX: (02) 9692 8453

STRUCTURAL ENGINEERS
MEINHARDT GROUP
LEVEL 4, CLARENCE STREET
SYDNEY NSW 2000
PHONE: (02) 9699 3088
FAX: (02) 9319 7098

ELECTRICAL/MECHANICAL ENGINEERS
UMOW LAI ENGINEERING PTY LTD
LEVEL 1, 305 PACIFIC HIGHWAY
CROWNS NEST NSW 2065
PHONE: (02) 9431 9431
FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
CAM CONSULTING ENGINEERS PTY.LTD.
24-245 PENNANT HILLS ROAD
CARLINGFORD NSW 2118
PHONE: (02) 8208 3846
FAX: (02) 9687 6393

ARCHITECTS
ANTHONY VAVAYIS + ASSOCIATES PTY LTD
24 LIME STREET
KING STREET WHARF
SYDNEY NSW 2000
PHONE: (02) 8290 1810
FAX: (02) 8290 1880

PROJECT TITLE
WEST RYDE COMMUNITY CENTRE
CNR RESERVE STREET & ANTHONY ROAD
WEST RYDE
FOR COLES GROUP PROPERTY
DEVELOPMENTS LTD AND CITY OF RYDE

CLIENT
BULTFORM CONSTRUCTIONS PTY LTD
SUITE33, 24 LEXINGTON DRIVE
BAULKHAM HILLS NSW 2153
PHONE: (02) 9629 3469
FAX: (02) 9629 3488

DRAWING TITLE
COMMUNITY CENTRE
ELEVATIONS
SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
DRAWN KD + TS + AB PROJECT 08004

DRWG NO: AR CC 3001 REV D

NOTE
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CR - Cement render
AL - Champagne Alucobond or similar
PT - Paint, Texturecoat
G - Glass
P - Panel

CITY OF RYDE
LDA No MDP 2010/05
20 DEC 2010
Approved Plan
Signed [Signature]
Subject to the conditions of the Consent

REV	DATE	AMENDMENT
D	07.07.2010	SECTION 96
C	29.06.2010	FOR END USER REVIEW
B	22.06.2010	FOR PRE-DA LODGEMENT MEETING
A	09.06.2010	FOR INFORMATION

PRIVATE CERTIFYING AUTHORITY
McKENZIE GROUP CONSULTING
SUITE 601, LEVEL 6/ 189 KENT STREET
SYDNEY NSW 2000
PHONE: (02) 8298 6800
FAX: (02) 8298 6899

ACCESSIBILITY CONSULTANT
MORRIS GOODING ACCESSIBILITY CONSULTING
1/00/ 56 BOWMAN STREET, THE COOPERAGE
PYRMONT NSW 2009
PHONE: (02) 9692 9322
FAX: (02) 9692 9433

STRUCTURAL ENGINEERS
MENHARDT GROUP
LEVEL 4, CLARENCE STREET
SYDNEY NSW 2000
PHONE: (02) 9699 3088
FAX: (02) 9319 7008

ELECTRICAL/MECHANICAL ENGINEERS
UMOW LAI ENGINEERING PTY LTD
LEVEL 5, 300 PACIFIC HIGHWAY
CROWNS NEST NSW 2091
PHONE: (02) 9431 9431
FAX: (02) 9437 3120

CIVIL/HYDRAULIC/FIRE ENGINEERS
CAM CONSULTING ENGINEERS PTY LTD.
24-26 PENNANT HILLS ROAD
CARLINGFORD NSW 2118
PHONE: (02) 8209 2846
FAX: (02) 9687 6903

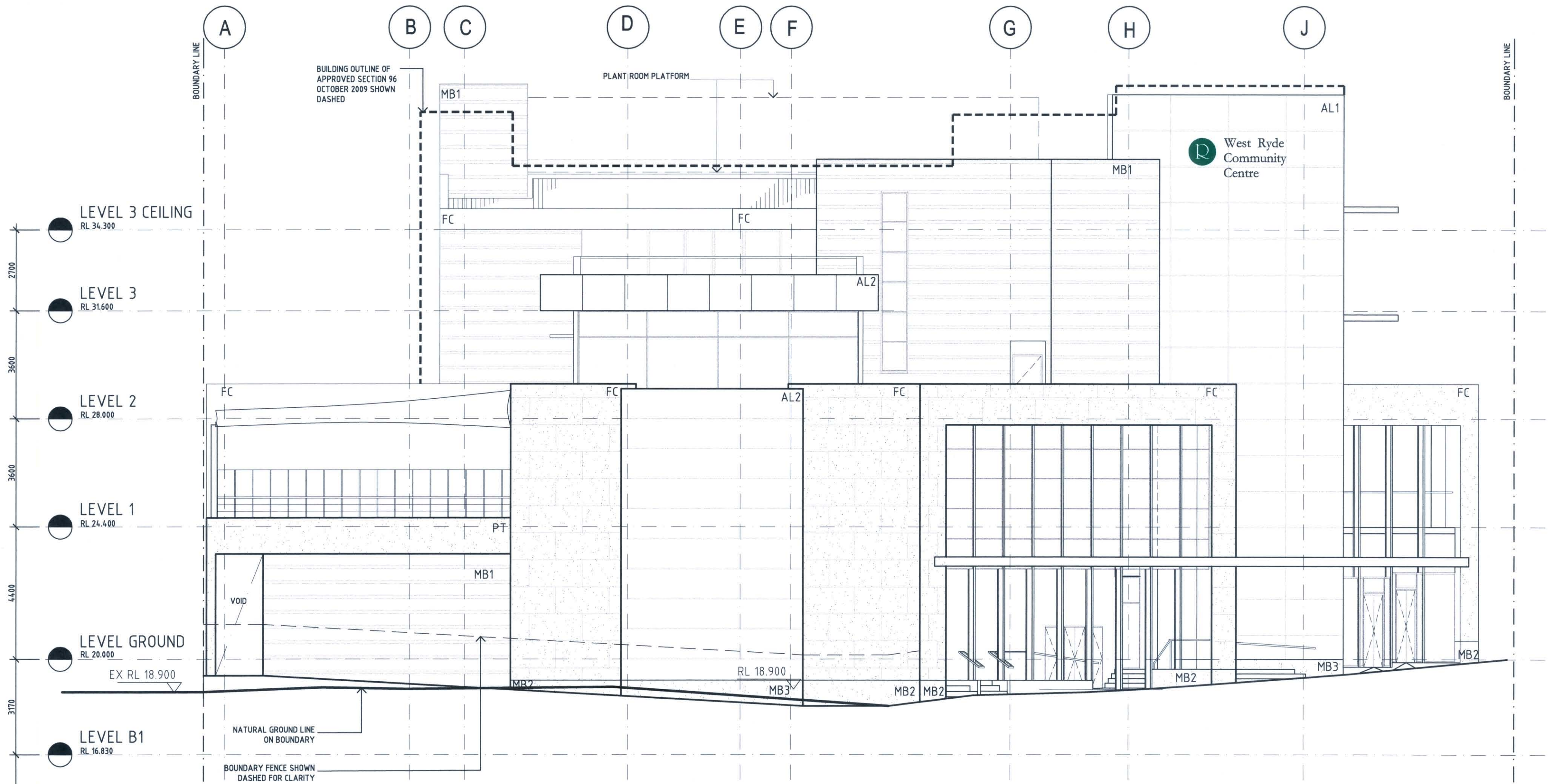
ARCHITECTS
ANTHONY VAVAYIS + ASSOCIATES PTY LTD
24 LIME STREET
KING STREET WHARF
SYDNEY NSW 2000
PHONE: (02) 9290 1810
FAX: (02) 9290 1800

PROJECT TITLE
WEST RYDE COMMUNITY CENTRE
CNR RESERVE STREET & ANTHONY ROAD
WEST RYDE
FOR COLES GROUP PROPERTY
DEVELOPMENTS LTD AND CITY OF RYDE

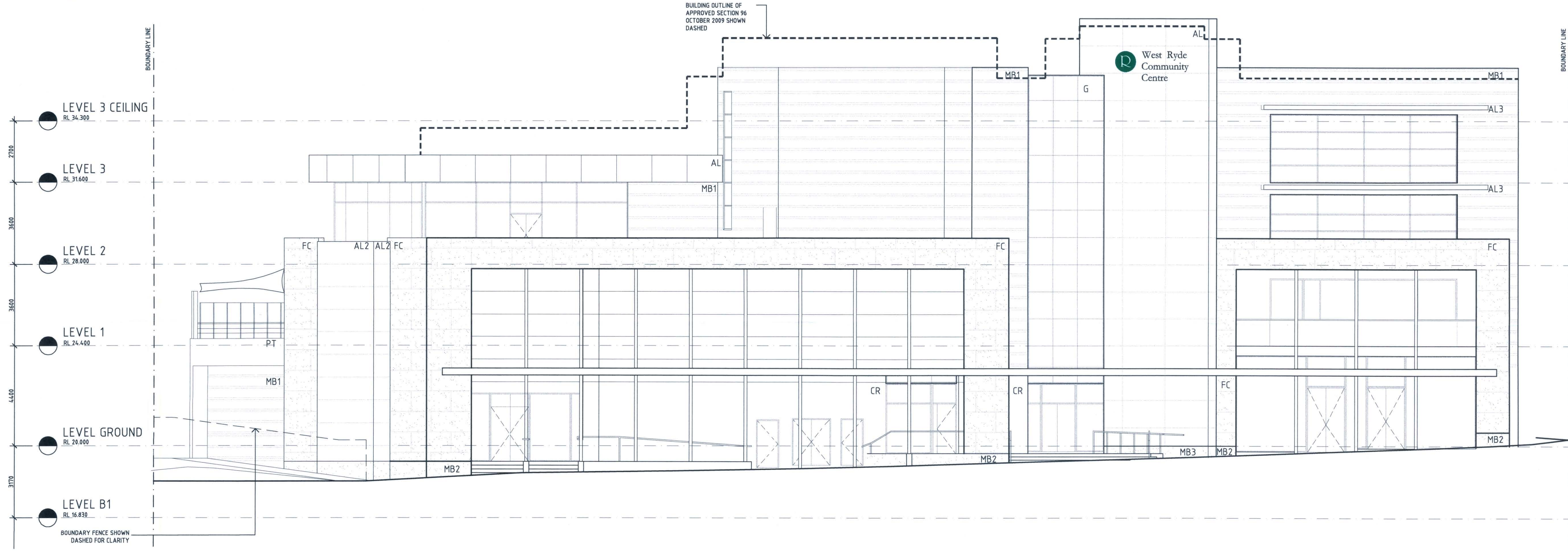
CLIENT
BULTFORM CONSTRUCTIONS PTY LTD
SUITE33, 24 LEXINGTON DRIVE
BAULKHAM HILLS NSW 2153
PHONE: (02) 9629 3499
FAX: (02) 9629 3488

DRAWING TITLE
COMMUNITY CENTRE
ELEVATIONS
SCALE 1:100 @ A1, 1:200 @ A3 DATE MAY 2010
DRAWN KD + TS + AB PROJECT 08004

DRWG NO: AR CC 3002 REV D



1 NORTH-WEST ELEVATION
1:100



2 WEST ELEVATION (ANTHONY ROAD)
1:100



ASSESSMENT REPORT - Section 96 Modification No. MOD2010/0095

Report to Manager Assessment –15 December 2010

Applicant: Coles Property Developments Ltd
Owner: City Of Ryde
Date lodged: 19 July 2010 (Additional information provided 9 & 20 September 2010)

Public Submissions: No submissions received.

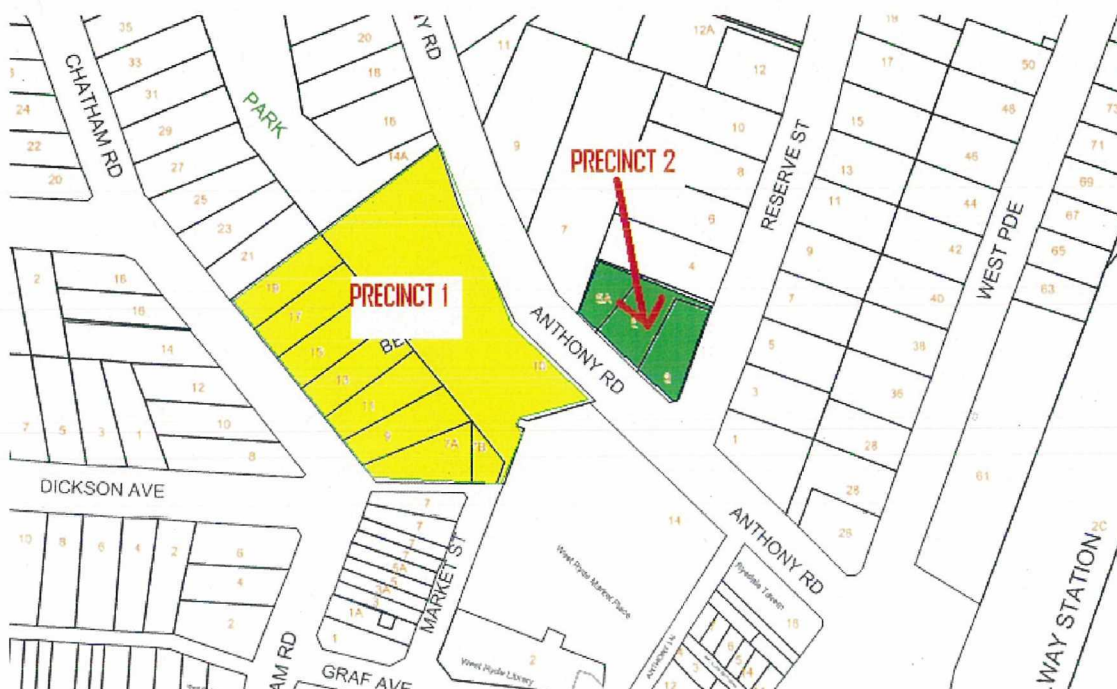
SEPP1 Objection received: Not Applicable

Value of works: \$100,000

The assessment contained in this report is a summary of the matters deemed relevant to this development proposal and matters contained in the Department of Planning's Guide to 79C - Potential Matters for Consideration have been considered.

Background

Council on 11 December 2007 granted development consent to the erection of a seven storey building of mixed retail, commercial and residential uses with five basement levels and the provision of a village square on the area adjoining the building, landscaping and associated road works (known as Precinct 1), and erection of a four storey building to house community services and some retail floor space above to basement car parking levels (known as Precinct 2). The following map locates the two precincts.



On 20 October 2009 Council granted consent to an application under Section 96 of the Environmental Planning and Assessment Act 1979 that sought to modify the original consent, in respect of the building on Precinct 1, in the following manner:

- Design amendments including changes to the number of levels and floor space ratio of the mixed use component of the development.
- Deletion of some conditions and modification of other conditions of consent.
- Variation to the Voluntary Planning Agreement so as to provide material public benefits in lieu of contributions towards the provisions of amenities and services.

A further Section 96 application has now been lodged, in respect of Precinct 2 development, seeking consent to:

- Remove external video screen;
- Alterations to the external façade;
- Internal alterations following consultation with stakeholders; and
- Lowering the floor level of the building.

Proposal

Application for a Modification under Section 96(2) of the EP&A Act, 1979 of Local Development Application No. LDA2007/0559 (Section 96 Modification No. MOD2010/0095)

The proposal involves the modification pursuant to Section 96 (2) of the Environmental Planning and Assessment Act, 1979 of the approved West Ryde Redevelopment.

The proposal involves the following modifications: -

Overview:

- Removal of external video screen;
- Internal modifications to the layout due to structural and tenant requirements;
- Amendments to the external façade; and
- Lowering of the building by 300mm.
- Changes to access arrangements.

Details:

Basement 2:

- Minor reconfiguring of the car parking layout;
- Provision made for bicycle parking;
- Additional plant and store.

Basement 1:

- Minor reconfiguration of the car parking layout;
- Bus parking configuration amended;
- Security boom gates proposed;
- Rainwater tanks proposed;
- Minor design changes to facilitate provision of services.

Ground Floor:

- Minor modifications to permit access to the building by disabled persons;
- Minor changes to ensure compliance with BCA;

- Minor changes to the configuration of the community centre, family support services and early childhood health centre in response to stakeholder consultation and BCA requirements;
- Enlarging of the shared outdoor area/courtyard so as to cater for functions;
- Minor modification to location of service equipment.

Level 1:

- The “West Ryde Neighbourhood Children’s Centre” has been slightly modified in response to stakeholder consultation and also to ensure compliance with BCA;
- Minor modifications to permit access by persons with a disability;
- The “Meeting Room” and associated terrace area has been modified to permit greater functionality;
- Minor modifications to ensure compliance with Department of Community Services.

Level 2:

- The “Community Life” facility has been slightly modified following consultation with the stakeholder and to ensure compliance with BCA;
- The floor has been extended to the west, with the proposed terrace now enclosed to permit greater utility for the space.
- Minor modifications to permit access by persons with a disability.

Level 3:

- The “Christian Community Aid” facility has been slightly modified in response to stakeholder consultations and BCA requirements;
- Minor modifications to permit access by persons with a disability;
- Minor modifications to ensure compliance with Department of Community Services.

Elevations:

- Relocation of the external video screen into the retail development across Anthony Road so as to promote a better relationship with the Village Square. (This application does not include the new position of the external video screen);
- Changes to the external form of the building.

Accessibility – Condition 171

Condition 171 of the development consent requires compliance with Council’s Pedestrian access and mobility requirements. The applicant is seeking modification of three parts of this consent, as follows:

Dot point 7 requires the provision of dual handrails on both sides of the stairway. The applicant is seeking to have only single handrails on both sides of the stairway, and requests this portion of the condition read:

Stairways are to have handrails on both sides of the stairway. Railings are to be a minimum of 300mm and a maximum of 50mm in diameter (AS 1428.1)

Dot point 15 relates to emergency exits need to be accessible to people with disabilities, this includes the use of fire rated lifts. The applicant is seeking deletion of this portion of the consent.

Dot point 20 relates to the making of door openings at least 960mm wide. The applicant is seeking the width of the doorway to be reduced to 850mm and the condition be modified to read:

Clear door openings of at least 850mm to enable equitable access shall be provided throughout the development for people who use wheelchairs and people using other mobility aids. Sufficient circulation space at doors to allow people with disabilities to open and close the doors independently is also to be provided.

Alterations to facades.

Following are artist's impressions of the approved building followed by the sought modifications.



Figures 1 & 2: The approved corner treatment (above); and the modified application (below).





Figures 3 & 4: The approved Anthony Road elevation (above); and the modified elevation (below).



In support of the revised design, the applicant states:

In reviewing the external appearance of the building and removing screen nominated on the approved development plans, it has been a priority to retain and emphasise the symbolic entry blade and to reinterpret and extend the civic colonnade that addresses Anthony Road. The screen had previously been located over the entrance to the community hall and addressed the Village Square. Removal of the screen left a bland façade that did not communicate the civic nature of the building. The community hall entry directly below the screen was a consequence understated, and lacked a significant sense of entry necessary for its function.

The key concept behind the interpretation of the colonnade was a portal with a more subtle internal rhythm of smaller steel columns that then communicates a single element and leads the eye from the village square view to the dominant entry blade. This allowed the building to have a cohesive base that incorporates and includes the various functions and entrances under one architectural statement rather than individual focus points linked by the colonnade.

Property Address:

Development Site

The land on which this Development Application is proposed to be carried out is:

- Small lot on northern edge of 7 Chatham Road, West Ryde - Lot 1, DP 1072082
- 9-19 Chatham Road, West Ryde - Lots 149-154, DP 11208
- 7A & 7B Chatham Road, West Ryde - Lots A & B, DP 398801
- 5 & 5A Anthony Road, West Ryde - Lots 1 & 2, DP 590509
- 3 Anthony Road, West Ryde - Lot B, DP 414394
- 10 Anthony Road, West Ryde - Lot 2, DP 1072079
- Part of Anthony Road, West Ryde
- Part of Chatham Road, West Ryde

The development site consists of two groups of land parcels termed as 'Precinct 1' and 'Precinct 2' for the purpose of this report. **Precinct 1** is the land currently being used as a car park and is located adjacent to Woolworths development and is bounded by Chatham Road to the west, Anthony Road to the east, residential properties and a heritage listed park to the north and Woolworths development on the south.

Precinct 2 is an amalgamation of three lots and is located on the north-eastern corner of Reserve Road and Anthony Road intersection. Building work on this site is currently underway.

Zone:

The subject site is zoned B4 – Mixed Use under Ryde Local Environmental Plan 2010.

The proposal is permissible within this zoning, with the consent of Council.

The objectives of the B4 – Mixed Use zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To create vibrant, active and safe communities and economically sound employment centres.*
- *To create safe and attractive environments for pedestrians.*
- *To recognise topography, landscape setting and unique location in design and land-use.*

The subject application is considered not to conflict with the above objectives.

Any Councillor Representations:

Nil.

Assessment:

Environmental Planning and Assessment Act, 1979.

1. Section 96 – Modification of Consents

The provisions of Section 96(2) of the Environmental Planning and Assessment Act, 1979 allow a consent authority to modify the consent where the application meets the following criteria: -

- (a) The development to which the consent as modified relates is substantially the same development.
- (b) Any concurrence authority has been consulted and has not objected.
- (c) The application has been notified in accordance with the regulations.
- (d) Submissions made during the prescribed notification period have been considered.

Under s96 (2) (a) Council must be satisfied that the development as modified is substantially the same as was approved in the original consent. In arriving at this determination there should be no consideration of the merits of the proposal but rather a straight before and after comparison. If it is determined to be substantially the same then the proposed modifications need to be assessed on their merits having regard to submissions received and any relevant council planning controls.

The **current approval** provides for creation of the West Ryde Urban Village in the form of a seven storey building of mixed retail, commercial and residential uses with five basement levels and the provision of a village square on the area adjoining the building, landscaping and associated road works (Precinct 1), and erection of a four storey building to house community services and some retail floor space above to basement car parking levels (Precinct 2).

The **proposed modifications** all relate to the four storey community services building (Precinct 2) and include:

- Removal of external video screen;
- Internal modifications to the layout due to structural and tenant requirements;
- Amendments to the external façade: and
- Lowering of the building by 300mm.

It is considered that there will be no discernible change to the height, the building footprint remains the same and none of the key elements are changed.

It is the opinion of the Consulting Town Planner that the modified development is substantially the same as the original and therefore the application can be considered on its merits.

Section 96(2) (b) is not relevant to the current application, as concurrence was not required for the original approval. The proposal meets the requirements of 96(2) (c) and 96(2) (d) listed above, as no submissions were received during the notification period.

2. Other matters for consideration pursuant to Section 79C EPAA 1997:

a) Environmental Planning Instruments

Ryde Local Environmental Plan 2010 (RLEP)

As previously identified, the proposal is permissible within the B4 – Mixed Use zone under the RLEP. Other relevant provisions of the RLEP are as follows:

(a) Floor space ratio.

The proposal involves a minor increase in the floor space of the development resulting from finalization of the needs of the community users of the building.

The following table details the minor floor space changes:

Approved in December 2007	3,532m ²	FSR = 2.05:1
As modified in May 2009	3,532m ²	FSR = 2.05:1
Current application	3,725.61m ² (RPSO definition of gross floor area)	FSR = 2.16:1
	3,362.44m ² (RLEP 2010 definition of gross floor area)	FRS = 1.95:1

On 30 June 2010 the Ryde Local Environmental Plan 2010 (RLEP) came into force. The RLEP contains a different definition of “gross floor area” to that as contained in the former Ryde Planning Scheme Ordinance (RPSO). Accordingly, applying the provisions of the now current RLEP, the gross floor area of the building has been reduced to 3,362.44m². Also, as detailed above, the floor space ratio of the building has reduced from 2.16:1 to 1.95:1.

(b) Height

The RLEP there is a maximum height limit of 15.5 metres applying to the subject site. The proposed development involves lowering the building by 300mm and the previous compliance with the statutory height control remains.

b) Relevant Development Control Plan/Council Code against which development has been assessed

Ryde Development Control Plan 2010

Part 4.3 – West Ryde Urban Village applies to the subject site.

The DCP contains controls in respect to mixed land use development, architectural characteristics, corner allotments, building height and bulk, car parking, awnings and colonnades, pedestrian access and amenity, signage, stormwater runoff management, landscaping and street trees, street furniture, colours, solar access and noise attenuation. The S96 application will not result in any issues in respect of the requirements of these controls.

The DCP also contains precinct development policies. The site is located in the retail core precinct.

The original application was assessed under the provisions of the West Ryde Urban Village controls and was subsequently approved. Accordingly, the proposed development which principally involves a reduction in gross floor area of the building, together with internal reconfiguration, is also considered to be acceptable.

Part 9.2 – Access for People with Disabilities

The project architect has detailed the steps taken to ensure compliance with the statutory provisions of the Disability Discrimination Act (DDA), the Building Code of Australia (BCA) together with Australian Standard 1428.2.

The application also seeks modification of parts of Condition 171 of the original consent which deals with access and mobility. On pages 2 and 3 of this report there is an overview of the parts of Condition 171 that are the subject of this application.

The action included the submission of an Accessibility Review by Morris-Goding Accessibility Consulting, together with an addendum dated 14 October 2010 which specifically addressed the changes to Condition 171, as well as consultation with Council's Access Advisory Committee. Consideration of the proposal by Council's Access Committee was held on 4 August 2010 where the Committee received a presentation from the applicant. The formal minutes of the 4 August 2010 Committee meeting was endorsed at its meeting on 6 October 2010.

The Committee has provided comments on the three condition changes requested by the applicant. The applicant has in turn provided an additional comment on the Committee's recommendations. For ease of understanding, following in italics are the comments of the Access Committee, and below each comment, in blue, are the further comments of the applicant.

Ms Kathy Davis, Architect gave a presentation and briefed the committee on how the developers would be addressing some issues in seeking a minor modification to the development consent under Section 96 of the Environmental Planning and Assessment Act 1979. Representatives of Coles Developers present joined in the discussion.

Three access issues were referred for discussion with the committee as part of the consultation process:

- *Stairways to have dual handrails*
- *Method used to make emergency exits accessible*
- *Door openings to be at least 960 mm*

1. Stairways to have dual handrails

Dual handrails are unsightly to fit due to differences in levels and the short lengths for which they could be fitted when accessing the main entrance. The committee agreed that dual handrails on the Anthony Road side of the building were unnecessary but these handrails would be fitted at the back entrance of the building.

Applicant's comment:

The committee agreed that dual handrails on the Anthony Road side of the building were unnecessary but these handrails would be fitted at the back entrance of the building. The development consent conditions should be amended in this respect.

2. Accessibility of emergency exits

It would not be possible to fit a fire-rated lift as there is no lift available in Australia that would satisfy the fire safety condition specified in the consent conditions. Other means of addressing the issue would be to construct several fire safety refuges in the fire stair wells. Such refuges which would be sufficient according to the fire rating standards appropriate to such an area. This solution was acceptable to the committee.

Applicant's comment:

The fire safety refuges in the fire stairs were considered a suitable compromise. These refuges have been provided in accordance with building regulations relating to child care and protection, however, would serve a dual purpose. In the event of fire, a disabled or wheel chair bound person could be safely stationed in a refuge until such time that assistance was rendered to lift that person down the stairs. It was agreed that this condition would be deleted.

3. Door openings to be at least 960mm

The committee understood and agreed to a reduction in the door opening widths from 960mm to 850mm to allow more space for larger community rooms. The committee advised Cole's Access Consultant to contact Dr Robert Zoa Manga who owns an electrically operated chair to seek his opinion.

Applicant's comment:

The conditioned door opening width is beyond any standard contained in the BCA or any relevant Australian Standards relating to accessible paths of travel by wheel chair users. The committee understood and agreed to a reduction in the door opening widths from 960mm to 850mm to allow more space for larger community rooms. The development consent conditions should be amended in this respect.

The Accessibility Review identifies compliance with the provisions of DDA and BCA. In view of this level of compliance, and the consultation that has taken place with Council's Access Committee, it is considered no further DDA consideration is required.

Condition 171 of the current development consent requires compliance with the relevant Australian Standards. The subject application seeks to modify/delete three sub-sections of Condition 171. The above comments from the Committee refer to the sought changes and it is noted that comment has been made that in some cases the original requirements were beyond the requirements of the Australian Standards. Neither the Access Committee nor the applicant's access consultant have agreed to any changes that are less than the relevant Australian Standard.

This condition of consent requires compliance prior to the issuing of the Occupation Certificate, so prior to any person occupying the building, it will have been certified as complying with the relevant Australian Standards with respect to access and mobility. This condition after modification as accepted by Council's Access Committee, and as detailed in the Addendum to the Morris Golding Accessibility Consulting dated 14 October, 2010, still provides an appropriate safeguard to ensure all access and mobility requirements are met within this development.

c) The likely impacts of the development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality:

The amended development is not likely to have an adverse impact on the surrounding properties. The proposed development should not adversely impact on the streetscape and is in keeping with the overall design of the West Ryde Urban Village.

d) Suitability of the site for development:

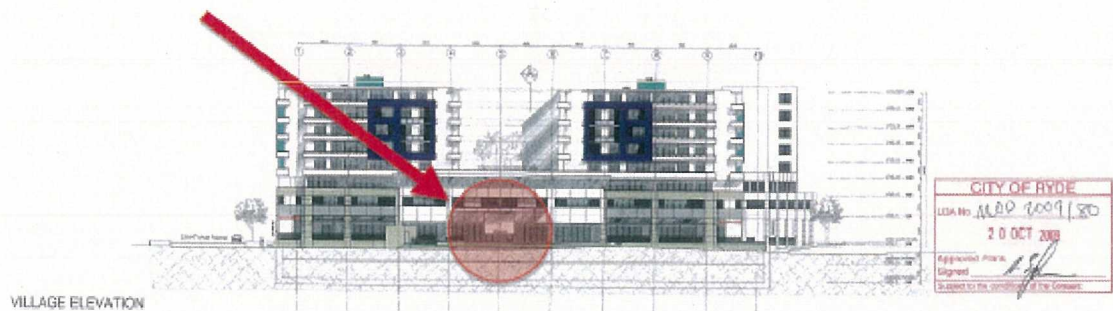
The amendments to the development as discussed above are considered to be minor and will be in keeping with the character of the West Ryde Urban Village development.

The principal thrust of the amendments is that following detailed consultation with the end users of the building, and in particular the community groups of West Ryde Neighbourhood Children's Centre and Christian Community Aid, the exact requirements of these groups has been ascertained.

The current drawings reflect these specific requirements. It is particularly noted that the building is proposed to be lowered by 300mm.

The current proposal involves the removal of the external video screen. Under consent Modification 2009/80 granted by Council on 20 October 2009, the new location on the Precinct 1 building for the external video screen was approved. The current application completes the process by approving removal of the screen from the subject building. The following drawing shows the new approved location on the Precinct 1 building:

APPROVED SCREEN LOCATION



e) Public Submissions:

The proposal was re-notified in accordance with Council's DCP 2010: Part 2.1 - Notification of Development Applications for a 14 day period ending on 2 September 2010. During this period no submissions were received objecting to the development.

f) SEPP1 Objection received?

Not Applicable.

g) Submissions from Public Authorities and the Public Interest:

It was not necessary to advise any Public Authorities in this instance.

h) Referrals

Internal:

(a) Heritage Officer: (13/9/2010) Council's Heritage Officer has raised no objection to the proposed modification.

(b) Urban Design: (10/9/2010) Council's Urban Designer has made the following overall comments:

1. Building form

- *The massing of the building is further developed in this modification with the articulated horizontal and vertical elements providing a more sculptural form.*

2. Building articulation:

Building articulation refers to the three dimensional modulation and modelling of a building façade. It is distinct from the building massing and form.

- *There is greater articulation of the facades in the modified proposal. For example there is a better interplay between the solid structural elements and the lighter framing. Sunshade elements have been visually strengthened and the corner is more articulated.*

3. Building – Street interface:

- *Pedestrian activity at this corner site will grow as the shopping precinct develops and the community centre will be a destination for the wider Ryde community.*
- *The proposed change to the building has removed a potentially large area of inactive street front (particularly when the screen is not in operation) and provides a more open façade. The changed façade gives better passive surveillance to the public domain and an improved streetscape.*
- *The removal of the raised planter on the corner also provides a better interface with the street. However, pedestrian amenity could be improved if the awning turned the corner for a short distance.*

The matter of extending the awning around the corner has been discussed with the Urban Designer, who notes that whilst this is a preferred situation, it is not recommended that the design be changed to accommodate this situation.

- (c) Community and Culture: (1/9/2010) The Manager Community and Culture has raised no objections to the proposal.
- (d) Building Surveyor: (1/9/2010) Council's Building Surveyor has raised no objections to the proposal, subject to identified conditions. The recommended conditions are already contained within the original consent and therefore no further conditions are required.
- (e) Development Engineer: (23/8/2010) Council's Development Engineer has raised no objection to the proposal.
- (f) Group Manager – Public Works: (15/12/2010) there has been lengthy discussion with the applicant regarding the likely effect of the 100 ARI (Average Recurrence Interval) on the subject development. By letter dated 15 December 2010, addressed to the applicant, Council's Group Manager – Public Works states:

I refer to your letter dated 25 November 2010 in response to Council's letter of 17 November 2010.

Council notes your disagreement with the modelled flood levels determined by Council, however no details were provided to justify Coles position. Furthermore Council does not agree that the lowering of habitable floor levels are a separate issue to stormwater management, given that floor levels are determined in part, based on flood levels for this site.

In Council's letter of 17 November 2010 the following information was requested before the determination of the section 96 application:

- (a) Detailed plans and hydraulic models showing the stormwater system in Reserve Street designed so as to convey all stormwater in a 100 year ARI (Average Recurrence Interval) within the piped system so that there is no overland flow and designed so as to include a 30% inlet and pipe capacity blockage, based on the upstream drainage conditions; and*
- (b) Amended plans showing that all habitable floor levels are 300mm above the 100 year ARI.*

Council notes that the third paragraph of your letter dated 25 November 2010 in response to Council's request, which was as follows:

"The developer's consultants will provide the responses sought in your letter as part of its obligation to meet the requirements of the DA to eliminate overland flow, and in due course these will be presented to Council for approval."

Council also notes the request in the last paragraph of your letter dated 25 November 2010, for an "urgent approval of the current S96 application".

As Coles do not intend to provide the further information for the purposes of the section 96 application, Council will impose necessary and reasonable conditions to deal with the absence of that information.

The conditions will be imposed on the section 96 approval in the interest of public safety and well being, and also to enable progression of this project. The conditions will be as follows:

- 1. The stormwater system in Reserve Street must be designed to convey all stormwater in a 100 year ARI (Average Recurrence Interval) within the piped system so that there is no overland flow. The design is to include 30% inlet and pipe capacity blockage, based on the existing upstream drainage conditions. Detailed plans and hydraulic models must be submitted to Council. Written approval must be obtained from Council prior to drainage works commencing.*
- 2. All habitable floor levels must be 300mm above the 100 year ARI.*

The intent of condition (1) above is to allow progression of works on-site to continue, with detailed plans required prior to the construction of drainage works. This condition aligns with Coles stated position that drainage details would be provided “in due course”.

If condition (1) is imposed and adhered to, floor levels fronting Reserve Street will not be required to be altered. However, as both Coles and Council agree, there is overland flow in Anthony Street which requires all habitable floor levels to have 300mm freeboard.

Condition (2) requires Council’s minimum standard freeboard. This can be achieved by either raising floor levels, lowering the road level or amplifying the existing drainage. Again this will allow Coles to continue with the project whilst protecting the safety of the public in a large storm event.

Council also notes that the preliminary plans and details discussed at the WRCC/ARS meeting held on 1 December 2010, appeared satisfactory and in compliance with the proposed conditions.

For further enquiries please contact Peter Nguyen – Project Manager on telephone (02) 9952 8242.

In reply, The Project Manager, Coles Property by letter dated 15 December 2010 states:



Email: gary.squire@coles.com.au

Telephone: 61 2 9795 7900 | Facsimile: 61 2 9795 7901

15 December 2010

MR TERRY DODDS
GROUP MANAGER OF PUBLIC WORKS
CITY OF RYDE
LOCKED BAG 2069
NORTH RYDE NSW 1670

Dear Terry

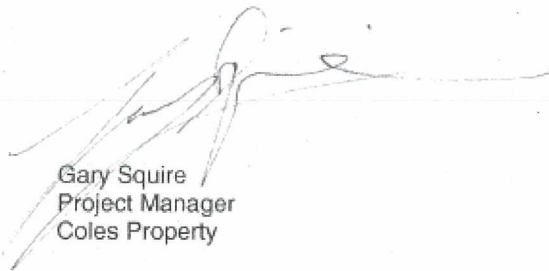
SECTION 96 WRC/ARS BUILDING – COR2010/163

Thank you for your letter dated 15 December 2010.

As agreed at our meeting with Council officers on 1 December, Coles accepts the inclusion in the S96 approval of the two conditions proposed in the second paragraph, page 2 of your letter.

We look forward to receiving the approval at your earliest convenience.

Yours faithfully,



Gary Squire
Project Manager
Coles Property

Coles Supermarkets ABN 45 004 189 708
62 Hume Highway Chullora 2190 NSW Australia

The two additional conditions, accepted by Coles are included in the modified consent as Conditions 15(f) and 15(g).

Following is an overview prepared by the Manager – Stormwater and Parks Assets, of the action taken by Council's Stormwater and Park Assets team relevant to the possible overland flow in Reserve and Anthony Roads.

The Stormwater & Park Assets team has reviewed the Section 96 Application from Coles seeking to lower the floor levels for the proposed development at Anthony Road.

No objection is raised to the current application subject to the following conditions being included in the consent:

- 1. The stormwater system in Reserve Street must be designed to convey all stormwater in a 100 year ARI (Average Recurrence Interval) within the piped system so that there is no overland flow. The design is to include 30% inlet and pipe capacity blockage, based on the existing upstream drainage conditions. Detailed plans and hydraulic models must be submitted to Council. Written approval must be obtained from Council prior to drainage works commencing.*
- 2. All habitable floor levels must be 300mm above the 100 year ARI.*

REPORT

The final report prepared by SKM Consulting Engineers (2008) showed overland flow in both Reserve Street and Anthony Road. This was confirmed by Council's own hydraulic and hydrologic analysis. Any property adjacent to an overland flowpath is at risk of flooding, which could lead to damage to property or harm to the safety and well being of the community.

RESERVE STREET

Of particular concern for this development is the proposal for a basement car park accessed via Reserve Street. During a storm event there is a risk that flood waters could quickly inundate the basement car park, trapping people inside. In order to address this, the original DA required the developer to upgrade the existing piped drainage system to a minimum 100 year ARI capacity and furthermore, that an entry crest be provided for all events up to and including the PMF (Probable Maximum Flood). The developer argued that compliance with the condition to upgrade the system would result in no overland flow, making the need for an entry crest redundant. Whilst in theory designing a system to cater for the 100yr ARI and then modeling that system would show no overland flow, in reality a system designed and built for the 100yr ARI does not guarantee the removal of overland flow. This can be due to many factors, such as obstruction or blockages within the system. In order to mitigate this and reduce the risk of the system failing, condition (1) adds the requirement that a 30% inlet and pipe capacity blockage be modeling to better reflect 'real-world' conditions. The condition also adds the requirement that the proposed system must eliminate overland flow from Reserve Street during the 100 year ARI.

In the event of a catastrophic failure (100% inlet and/or pipe capacity blockage) the original DA requires the installation of a Self Closing Waterdam (SCW) at the basement entry point. This system would close the basement entrance to flood waters should the driveway be overtopped, and provide the necessary time for any people in the basement to access the internal stairs and get to higher ground. This condition is to remain.

At our meeting of 1 December 2010 the applicant's engineer also stated that in the event of a catastrophic failure, an overland flowpath had been provided through the site. The consultant's preliminary investigations had shown the flowpath provided was capable of conveying water through the site without the building being inundated. The applicant's engineer also stated that they have done preliminary design calculations and service location investigations, and that the upgrading of the system is physically possible.

The remainder of the floor levels in Reserve Street provide greater than 300mm freeboard above the existing overland flow flood level. Notwithstanding this, condition (2) above requires that all habitable floor levels be 300mm above the 100 year ARI.

ANTHONY ROAD

Similar to Reserve Street, overland flow was shown to existing in Anthony Road. The Finished Floor Levels (FFL) have been checked against the overland flow flood levels fronting Anthony Road. The minimum requirement of 300mm free board is met at all entrances except for at tenancy four and at the entrance to the office area. The imposition of condition (2) above again will require this minimum freeboard to be provided. This can be carried out by either raising entrance floor levels, amplifying the drainage or lowering the road levels. With all the information available this condition can be practically achieved.

SUMMARY

The imposition of the two proposed conditions are consistent with Council's standard conditions and industry best practice to minimise the risk of flooding to the proposed development.

Conclusion:

The Section 96 modification complies with the provisions of Council's Development Control Plan 2010, Part 4.3 – West Ryde Urban Village, and the provisions of the Building Code of Australia.

The proposed changes to Condition 171 which relate to Access and Mobility have been endorsed by both the applicant's access consultant (Morris-Goding) as well as Council's Access Committee.

RECOMMENDATION:

That the application for modification of Local Development Application No. LDA2007/0559 be modified as follows:

(A) Condition 1, which, after modification on 20 October 2009, presently reads

1. Development is to be carried out in accordance with the following plans and support information as submitted to Council, except where amended by these conditions of consent:

Document	Author	Date
Architectural		
DA.02D – Master Plan	Anthony Vavayis Architects	March 2009
DA 201E – Basement B1 (Retail Carparking)	Anthony Vavayis Architects	March 2009
DA 202E – Basement B2 (Council Carparking)	Anthony Vavayis Architects	March 2009
DA 210K Ground Floor	Anthony Vavayis Architects	March 2009
DA 211G – Level 1	Anthony Vavayis Architects	March 2009
DA 212G – Level 2	Anthony Vavayis Architects	March 2009
DA 213F – Level 3	Anthony Vavayis Architects	March 2009
DA 214E – Level 4	Anthony Vavayis Architects	March 2009
DA 215E – Level 5	Anthony Vavayis Architects	March 2009
DA 216E – Level 6	Anthony Vavayis Architects	March 2009
DA 217E – Level 7	Anthony Vavayis Architects	March 2009
DA 301H – Elevations	Anthony Vavayis Architects	March 2009
DA 302J – Elevations	Anthony Vavayis Architects	March 2009
DA 303F – Section	Anthony Vavayis Architects	March 2009
DA 304G – Section	Anthony Vavayis Architects	March 2009
DA 401F – Typical units	Anthony Vavayis Architects	March 2009
DA 402B – Typical units	Anthony Vavayis Architects	March 2009
DA 403C – Typical units	Anthony Vavayis Architects	March 2009
DA 501 D – Solar Access	Anthony Vavayis Architects	March 2009
DA 502 D – Solar Access	Anthony Vavayis Architects	March 2009
DA 101D – Community Centre – B1 Carpark	Anthony Vavayis Architects	26.03.09
DA 102D – Community Centre – B2 Carpark	Anthony Vavayis Architects	26.03.09
DA 103E – Community Centre – Ground	Anthony Vavayis Architects	26.03.09
DA 104D – Community Centre – Level 1	Anthony Vavayis Architects	26.03.09
DA 105D- Community Centre – Level 2	Anthony Vavayis Architects	26.03.09
DA 106D – Community Centre – Level 3	Anthony Vavayis Architects	26.03.09
DA 107D – Community Centre – Roof Plan	Anthony Vavayis Architects	26.03.09
DA 110D – Community Centre – Sections 1 & 2	Anthony Vavayis Architects	26.03.09
DA 111D – Community Centre – Sections 3 & 4	Anthony Vavayis Architects	26.03.09
DA 112D – Community Centre – Elevations	Anthony Vavayis Architects	26.03.09
DA 113D – Community Centre - Elevations	Anthony Vavayis Architects	26.03.09
DA 114B – Community Centre	Jack Taylor Architects Pty Ltd	26.03.09
Civil Services		
VC00 – Cover sheet, drawing index and locality plan	Buckton Lysenko Consulting Engineers	31.07.07
VC01 – General notes and Legend	Buckton Lysenko Consulting	31.07.07

Document	Author	Date
	Engineers	
VC02 – Soil and Water management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.07.07
VC03 – Stormwater – Basement 4 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC04 – Stormwater – Basement 3 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC05 – Stormwater – Basement 2 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC06 – Stormwater – Basement 1B Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC07 – Stormwater – Basement 1A Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC08 – Stormwater – Ground Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC09 – Stormwater – Level 1 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC10 – Stormwater – Level 2 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC11 – Stormwater – Level 3 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC12 – Stormwater – Level 4 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC13 – Stormwater – Level 5 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC 14 – Stormwater – Level 6 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC15 – Stormwater – Roof Plan	Buckton Lysenko Consulting Engineers	31.07.07
Landscaping		
LS1 – Landscape Concept Plan	Jack Taylor Architects Pty Ltd	25.07.07
LS2 – Podium Landscape Concept	Jack Taylor Architects Pty Ltd	25.07.07
LS3 – Concept Details	Jack Taylor Architects Pty Ltd	25.07.07
Civil Services – Community Building		
CC00 – Community – Cover Sheet, Drawing Index, and Locality Plan	Buckton Lysenko Consulting Engineers	25.07.07
CC01 – Community – General Notes and Legend	Buckton Lysenko Consulting Engineers	25.07.07
CC02 – Community – Soil and Water Management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.7.07
CC03 – Community – Soil and Water Management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.7.07
CC04 – Community – Stormwater – Basement 2	Buckton Lysenko Consulting Engineers	31.7.07
CC05 – Community – Stormwater – Level 2 and Level 3	Buckton Lysenko Consulting Engineers	31.7.07
CC06 – Community – Stormwater – Roof Plan	Buckton Lysenko Consulting Engineers	31.7.07

Document	Author	Date
Road Design		
RD01 – Cover Sheet, Drawing Index and Locality Plan	Buckton Lysenko Consulting Engineers	25.7.07
RD02 – General Notes, and Legend	Buckton Lysenko Consulting Engineers	25.7.07
RD03 – Sediment and Erosion Control Plan	Buckton Lysenko Consulting Engineers	25.7.07
RD04 – Proposed Intersections, Stormwater Drainage	Buckton Lysenko Consulting Engineers	Updated
RD05 – MC01 – Anthony Road Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD06 – MC02 – Reserve Street and Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD07 – MC03 – New Betts Street and Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD08 – MC01 – Anthony Road Cross Sections, Sheet 1 of 2	Buckton Lysenko Consulting Engineers	25.7.07
RD09 – MC01 – Anthony Road Cross Sections, Sheet 2 of 2	Buckton Lysenko Consulting Engineers	25.7.07
RD010 – MC02 – Reserve Street Cross Sections	Buckton Lysenko Consulting Engineers	25.7.07
RD011 – MC03 – Reserve Street Cross Sections	Buckton Lysenko Consulting Engineers	25.7.07
RD012 – Kerb Returns	Buckton Lysenko Consulting Engineers	25.7.07
RD013 – Stormwater Longsections	Buckton Lysenko Consulting Engineers	25.7.07

(B) Be modified so as to read:

1. Development is to be carried out in accordance with the following plans and support information as submitted to Council, except where amended by these conditions of consent:

Document	Author	Date
Architectural		
<i>DA.02D – Master Plan</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 201E – Basement B1 (Retail Carparking)</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 202E – Basement B2 (Council Carparking)</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 210K Ground Floor</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 211G – Level 1</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 212G – Level 2</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 213F – Level 3</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 214E – Level 4</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 215E – Level 5</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>
<i>DA 216E – Level 6</i>	<i>Anthony Vavayis Architects</i>	<i>March 2009</i>

Document	Author	Date
DA 217E – Level 7	Anthony Vavayis Architects	March 2009
DA 301H – Elevations	Anthony Vavayis Architects	March 2009
DA 302J – Elevations	Anthony Vavayis Architects	March 2009
DA 303F – Section	Anthony Vavayis Architects	March 2009
DA 304G – Section	Anthony Vavayis Architects	March 2009
DA 401F – Typical units	Anthony Vavayis Architects	March 2009
DA 402B – Typical units	Anthony Vavayis Architects	March 2009
DA 403C – Typical units	Anthony Vavayis Architects	March 2009
DA 501 D – Solar Access	Anthony Vavayis Architects	March 2009
DA 502 D – Solar Access	Anthony Vavayis Architects	March 2009
AR CC 1001 (E) – Basement 2 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1002 (E) – Basement 1 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1003 (H) – Ground Floor Plan	Anthony Vavayis Architects	7.7.10
AR CC 1004 (G) – Level 1 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1005 (E) – Level 2 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1006 (E) – Level 3 Plan	Anthony Vavayis Architects	7.7.10
AR CC 1007 (B) – Roof Plan	Anthony Vavayis Architects	7.7.10
AR CC 2001 (C) - Sections	Anthony Vavayis Architects	7.7.10
AR CC 3001 (D) - Elevations	Anthony Vavayis Architects	7.7.10
AR CC 3002 (D) - Elevations	Anthony Vavayis Architects	7.7.10
Civil Services		
VC00 – Cover sheet, drawing index and locality plan	Buckton Lysenko Consulting Engineers	31.07.07
VC01 – General notes and Legend	Buckton Lysenko Consulting Engineers	31.07.07
VC02 – Soil and Water management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.07.07
VC03 – Stormwater – Basement 4 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC04 – Stormwater – Basement 3 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC05 – Stormwater – Basement 2 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC06 – Stormwater – Basement 1B Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC07 – Stormwater – Basement 1A Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC08 – Stormwater – Ground Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC09 – Stormwater – Level 1 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC10 – Stormwater – Level 2 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC11 – Stormwater – Level 3 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC12 – Stormwater – Level 4 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07

Document	Author	Date
VC13 – Stormwater – Level 5 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC 14 – Stormwater – Level 6 Floor Plan	Buckton Lysenko Consulting Engineers	31.07.07
VC15 – Stormwater – Roof Plan	Buckton Lysenko Consulting Engineers	31.07.07
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LS3 – Concept Details	Jack Taylor Architects Pty Ltd	25.07.07
Civil Services – Community Building		
CC00 – Community – Cover Sheet, Drawing Index, and Locality Plan	Buckton Lysenko Consulting Engineers	25.07.07
CC01 – Community – General Notes and Legend	Buckton Lysenko Consulting Engineers	25.07.07
CC02 – Community – Soil and Water Management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.7.07
CC03 – Community – Soil and Water Management Plan, Notes and Details	Buckton Lysenko Consulting Engineers	31.7.07
CC04 – Community – Stormwater – Basement 2	Buckton Lysenko Consulting Engineers	31.7.07
CC05 – Community – Stormwater – Level 2 and Level 3	Buckton Lysenko Consulting Engineers	31.7.07
CC06 – Community – Stormwater – Roof Plan	Buckton Lysenko Consulting Engineers	31.7.07
Road Design		
RD01 – Cover Sheet, Drawing Index and Locality Plan	Buckton Lysenko Consulting Engineers	25.7.07
RD02 – General Notes, and Legend	Buckton Lysenko Consulting Engineers	25.7.07
RD03 – Sediment and Erosion Control Plan	Buckton Lysenko Consulting Engineers	25.7.07
RD04 – Proposed Intersections, Stormwater Drainage	Buckton Lysenko Consulting Engineers	Updated
RD05 – MC01 – Anthony Road Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD06 – MC02 – Reserve Street and Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD07 – MC03 – New Betts Street and Longitudinal Section	Buckton Lysenko Consulting Engineers	25.7.07
RD08 – MC01 – Anthony Road Cross Sections, Sheet 1 of 2	Buckton Lysenko Consulting Engineers	25.7.07
RD09 – MC01 – Anthony Road Cross Sections, Sheet 2 of 2	Buckton Lysenko Consulting Engineers	25.7.07
RD010 – MC02 – Reserve Street Cross Sections	Buckton Lysenko Consulting Engineers	25.7.07
RD011 – MC03 – Reserve Street Cross Sections	Buckton Lysenko Consulting Engineers	25.7.07

Document	Author	Date
RD012 – Kerb Returns	Buckton Lysenko Consulting Engineers	25.7.07
RD013 – Stormwater Longsections	Buckton Lysenko Consulting Engineers	25.7.07

Note: For ease of understanding, the original consent drawings that are the subject of this S96 application are shaded yellow, and the amending, or revised, drawings are shaded green. This shading effect is NOT for inclusion in the modified consent.

(C) Condition 171 which presently contain the following sub-sections:

Dot point 7:

- Stairways are to have dual handrails on both sides of the stairway. The top rail is to be 865 to 900mm from the top of a step and the lower rail is to be 665 to 700mm from the top of the step. Railings are to be a minimum of 30mm and a maximum of 50mm in diameter (AS 1428.2).

Dot point 15:

- Emergency exits need to be accessible to people with disabilities. Where egress is required from upper levels, the use of fire rated lifts or other means may be required. There is no Australian Standard dealing with this issue, however, the Human Rights and Equal Opportunity Commission's Advisory Notes on Access to Premises provide advice (HREOC Advisory Notes on Access to Premises, Section 5.21).

Dot point 20:

- Clear door openings of at least 960mm to enable equitable access shall be provided throughout the development for people who use wheelchairs and people using other mobility aids. Sufficient circulation space at doors to allow people with disabilities to open and close the doors independently is also to be provided.

(D) Condition 171 be amended as follows:

Dot point 7:

- Stairways are to have handrails on both sides of the stairway. Railings are to be a minimum of 30mm and a maximum of 50mm in diameter (AS 1428.2).

Dot point 15:

Delete this dot point.

Dot point 20:

- Clear door openings of at least 850mm to enable equitable access shall be provided throughout the development for people who use wheelchairs and people using other mobility aids. Sufficient circulation space at doors to allow people with disabilities to open and close the doors independently is also to be provided.

(E) New conditions 15 (f) and (g) be included as follows:

15(f). The stormwater system in Reserve Road must be designed to convey all stormwater in a 100 year ARI (Average Recurrence Interval) within the piped system so that there is no overland flow. The design is to include 30% inlet pipe capacity blockage, based on the existing upstream drainage conditions. Detailed plans and hydraulic models must be submitted to Council. Written approval must be obtained from Council prior to drainage works commencing.

15 (g) All habitable floor levels must be 300mm above the 100 year ARI.



Bob Tillott
Consulting Town Planner



Chris Young
Acting Manager Assessment



Sanju Reddy
Acting Team Leader
Major Development Team



Dominic Johnson
Group Manager
Environment and Planning

Consent Date:

20/12/2010