CITY OF RYDE

COMMITTEE OF THE WHOLE AGENDA NO. 17/07

The above Committee will meet on Tuesday, 2 October 2007 in Committee Room No. 2, Fifth Floor, Civic Centre, Ryde at 7.30pm to discuss the following matters.

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ITEM 1

CONFIRMATION OF COMMITTEE REPORT

RECOMMENDATION:

That the report of the meeting of the Committee of the Whole No. 16/07 held on 18 September 2007 be confirmed.
ITEM 2

EASTWOOD CENTRE AND ADJOINING LAND; Rowe Street, Eastwood. Local Development Application for Demolition, reconstruction of Eastwood Shopping Centre and neighbouring land. LDA 837/2006. Applicant: The Property Lab. Public submissions 15 received: 5 in favour, though 3 raise some concerns, and 10 against the proposal.

FILE NO. LDA06/837

Group Manager Environment and Planning Reports 25 September 2007

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 Section 79C – Potential Matters for Consideration.

1. Report Summary

This report considers a proposal for the staged redevelopment of the Eastwood Centre and adjacent properties into a new two-level shopping centre with underground and roof-top carparking. The existing shopping centre is nearing the end of its useful life and is in urgent need of improvements. The proposal does not involve changes to the Eastwood Centre office tower, which is to be retained.

The subject site is zoned 3(uv) Business Urban Village under the provisions of the Ryde Planning Scheme Ordinance and the proposal is permissible with Council’s approval. A maximum height of 10 storeys applies to this site and the current proposal, being 4 storeys, is under the maximum height limit.

It is proposed that the demolition and construction works will be undertaken in stages to allow sections of the Centre to continue trading. The staging plan submitted with the application has been assessed and is considered acceptable. Adequate car parking will be provided during the construction phase and during construction measures will be put into effect to ensure public safety.

Comments on the application were sought from the Roads and Traffic Authority under State Environmental Planning Policy 11 (SEPP 11). The RTA has advised that it has no objection to the proposal subject to certain conditions. Eastwood Police has advised that it has no concerns with the development, subject to the adoption of the recommendations contained within the applicant’s Crime Prevention Through Environmental Design (CPTED) assessment. The redevelopment will also provide an opportunity to improve disabled access arrangements into the centre by providing facilities meeting current standards.
ITEM 2 (continued)

Existing vehicle access into the centre is from Trelawney Street in the west, and West Parade in the east. The Trelawney Street entrance is in the form of an elevated access ramp up to the rooftop level and is reliant upon a right of carriageway over several adjacent properties. This ramp has been in existence for many years and it can be described as having a negative visual impact. Approval of this new development should be on the condition that all vehicle access is provided at grade and the ramp removed.

An extensive notification, with some 2000 letters sent, was undertaken in accordance with the requirements of Council’s Development Control Plan 2006 (DCP 2006), Part 2.1 - Notification of Development Applications. A total of 15 submissions were received, with 5 in favour, though 3 raise some concerns, and 10 against the proposal. The key issues raised in the submissions were traffic concerns and overdevelopment. These have been addressed in the body of the report.

This assessment has found the proposal to be an acceptable outcome for the redevelopment of this site. Accordingly, the application is recommended for approval, subject to appropriate conditions of consent.

Reason for Referral to Development Committee: Nature of development and submissions received.

2. Site (Refer to attached map.)

Address : 152-180 Rowe Street, Eastwood

The proposed development applies to some 15 land parcels as described below:-

| 152-160 Rowe St | Lot A DP 342118 |
|                | Lot 1 DP 315919 |
|                | Lot 1 DP 583398 |
|                | Lots 1 and 2 DP 15579 |
|                | Lots 1-3 DP 1082714 |
| 168 Rowe St    | Lot 2 DP 583398 |
| 170 Rowe St    | Lot 1 DP 105344 |
| 172-176 Rowe St| Lot 1 DP 211809 |
| 176A Rowe St   | Lot 2 DP 211809 |
| 178-180 Rowe St| Lot 7 DP 656027 |
|                | Lot 1 DP 173607 |
|                | Lot A DP 317789 |
|                | Lot A DP 374497 |
|                | Part Lot 25 DP 4231 |
ITEM 2 (continued)

Site Area : 11,250m$^2$ (1.25 hectares)
Frontage 155 metres
Depth 94 metres

Topography and Vegetation : The subject site gently slopes from Rutledge Street to Rowe Street. There is no significant existing vegetation on the site.

Existing Buildings : The subject site is currently occupied by several existing retail and commercial buildings. The largest is the four-storey Eastwood Centre and associated carparking structure. The Eastwood Centre has frontage to Rowe Street, Rutledge Street and West Parade.

The site includes the former BBC hardware building that has a frontage to Rutledge Street (the building is now occupied by Tokyo Pianos).

There are several premises facing Rowe Street that also form part of the development site, including the ANZ bank, Douglas Hanly Moir, Homer’s café and the former RSL hall.

Planning Controls
Zoning : 3(uv) Business - Urban Village
Other : Ryde Planning Scheme Ordinance
SEPP 11 – Traffic Generating Development
SEPP 55 – Remediation of Land
SEPP 64 – Advertising and Signage
Draft SEPP 66 – Integrating Land Use and Transport
SREP (Sydney Harbour Catchment) 2004
City of Ryde DCP 2006
Section 94 Contributions Plan No. 1 (2003 Amendment)

3. Any Councillor Representations:

The following is a summary of all Councillor representations that have occurred in relation to the subject development application.

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ITEM 2 (continued)
4. Proposal

The proposed development involves the staged demolition of the existing shopping centre and the construction of a new shopping centre with 16,395m$^2$ of gross floor area and on-site car parking for 643 vehicles.

The proposal comprises the following components:

- Demolition of the existing shopping centre and surrounding retail/commercial properties and construction of a new shopping centre in stages to enable continued trading.
- Construction of two retail levels accessible directly from Rowe Street Mall and Rutledge Street, and three levels of car parking.
- Retail and restaurant facilities totalling 14,375m$^2$ gross floor area are to be provided as outlined below:
  - Retail level 1 includes approx 3,110m$^2$ of specialty retailing, three mini-major stores and market style food retailing within the central area comprising 23 stalls.
  - Retail level 2 includes a 3,200m$^2$ supermarket, a 935m$^2$ mini-major, 1,080m$^2$ of specialty retailing space, and three kiosk stalls totalling 71m$^2$ of leasable space.
  - A Yum Cha restaurant will be located at Level P1 along the northern boundary overlooking Rowe Street Mall. Access will be provided via the internal lifts and an external stairway from Rowe Street at the western boundary of the site adjacent to the Masonic Temple. The floor space of this restaurant will be 1,480m$^2$.
  - A small outdoor terrace is proposed immediately south of the commercial building/Yum Cha restaurant, being 73m$^2$ in area.

- A total of 643 car parking spaces are to be provided over three levels:
  - Basement level car parking will be accessible via a ramp from Trelawney Street. 245 car spaces will be provided on this level, including six disabled spaces. Lift and escalator access will be provided for pedestrian access to the retail levels.
ITEM 2 (continued)

- Car parking level P1 will be located above Retail Level 2 and will be accessible via both the Trelawney Street and West Parade ramps. 181 car parking spaces will be provided at this level, including eight disabled spaces, and plant will be located around the car parking ramp at the south western corners of the floor plate.
- Car parking level P2 will be located above level P1 and will be accessible directly from the West Parade vehicle ramp and via parking level P1. 217 car parking spaces will be provided at this level, including six disabled spaces, along with escalator and lift access to the retail levels. Plant will be situated to the north of the car parking ramp at the south eastern corner of the floor plate.

- The office tower building does not form part of this proposal and will be retained.
- Approval is sought for the operation of the shopping centre 24 hours, seven days a week. However, it is acknowledged that the supermarket will generally operate between 6.00am and midnight, whilst the specialty shops will predominantly operate during normal trading hours.
- A detailed staging plan has been submitted with the DA, indicating the proposed staging of the demolition and construction works.

5. Background

The DA was lodged on 18 October 2006. Below is a summary of the key milestones in the assessment of the application:-

- Notification of the development application commenced on 28 October 2006 and the final date for receipt of submissions was 16 November 2006.
- Energy Australia submission in respect of the DA was received on 17 November 2006.
- RailCorp submission in respect of the DA was received on 30 November 2006.
- Letter sent to applicant on 25 January 2007 seeking clarification of the nature of the proposal and intentions for a mixed residential/commercial development. Response from the applicant was received on 13 February 2007. A copy of this letter is ATTACHED for the information of Councillors.
- Letter received from RTA requesting additional information was received on 15 February 2007.
- Letter sent to applicant on 12 March 2006 advising of stormwater drainage issues.
ITEM 2 (continued)

- Final comments from RTA under SEPP 11 received on 25 May 2007.
- Letter sent to the applicant on 13 June 2007 advising of issues with carparking and stormwater drainage issues.
- NSW Police provided CPTED comments on 21 August 2007.

6. Management Plan Linkages

N/A.

7. Relationship to Key Outcome Areas

People

The City of Ryde is committed to becoming a socially sustainable City through effective community participation and the active application of social justice principles. A City in which its citizens work together to improve the quality of life and enhance community wellbeing through improved networks and services.

The assessment of this development application meets the key outcomes for People (set out on pages 32-33 of the Management Plan 2007-2010):

- A vibrant City that is healthy, physically attractive, economically strong and engages its community through cultural and social activities.
- A City that plans for people by identifying their diverse needs and involving them in decision making to improve their quality of life.
- A harmonious community through a culturally enriched and respectful society.

Comment: All public submissions were considered in the assessment of this proposal. The DA has been notified and advertised in accordance with DCP 2006, Part 2.1 - Notification of Development Applications, and the referral of this DA to the Committee of the Whole will make it possible for the applicant to speak to the Committee members as part of the Committee’s consideration of the DA. This report, as well as the minutes of meetings involved in considering this report, will also be available for perusal on Council’s website.

Assets

The City of Ryde is committed to continuing the delivery and maintenance, with community participation, of high quality and environmentally friendly infrastructure facilities throughout the City, which contribute to the lifestyle of the community.
ITEM 2 (continued)

The assessment of this development application meets the following key outcomes for Assets (set out on pages 34-35 of the Management Plan 2007-2010):

- Well designed streets and paths where motorists, cyclists and pedestrians feel safe.
- Well designed places and spaces that minimise personal harm and where people interact with each other, so that crime is reduced.
- A high standard of visual appearance as there is no litter or graffiti, and we care for our public infrastructure and public areas.

Comment: The development will, by way of appropriate conditions of consent, ensure protection and upgrading of Council assets (footpaths, roadway, drainage infrastructure and the public domain) in the vicinity of the site.

Environment
The City of Ryde is committed to becoming an ecologically sustainable City through the professional management of our City’s natural and physical environment and the conservation of natural resources to ensure the health, diversity and productivity of the local environment is maintained or enhanced for the benefit of future generations.

The assessment of this development application meets the following key outcomes for Environment (set out on pages 36-38 of the Management Plan 2007-2010):

- Attractive streets, public places and buildings through better planning and design which is responsive to community expectations and our local environment.
- Clean water through control of pollution entering our waterways and through protection of these waterways.
- A leafy City through parks, gardens, trees and the built environment.
- Clean air through protection of natural resources and better integrated transport systems.
- Sustainable practices in buildings, waste management, transport, energy systems and water use through community commitment.

Comment: The impact of the development upon the natural environment will generally be controlled through the imposition of appropriate conditions of consent.
ITEM 2 (continued)

Governance
The City of Ryde is committed to ethical and effective decision making processes that ensure full transparency and involvement of its community in the governance of the City.

The assessment of this development application meets the key outcomes for Governance (set out on pages 39-41 of the Management Plan 2007-2010):

- Improved communication with the community and increased awareness and understanding of Council’s decisions by the community.
- Members of the community are engaged through involvement in democratic decision making and the promotion of active citizenship.
- Incorporation of best practice approaches in the delivery of services to the community.

Comment: The development application has been notified to the local community in accordance with Council’s DCP 2006, Part 2.1 - Notification of Development Applications, and the comments of affected residents sought.

8. Consultation – Internal and External

Internal Referrals

Development Engineer: Date; 11 September 2007; Council’s Development Engineer has reviewed the proposal and advised that it is acceptable subject to appropriate conditions of consent relating to stormwater management, car parking design and vehicle access and integration with the public domain (see conditions 15, 16,18 – 20, 44, 97 – 108, 115 – 119, 172, 177, 178, 187 – 189).

The comments made in relation to the drainage design are as follows:-

“The amended drainage plan indicates the entire site stormwater runoff is being collected and piped to an existing stormwater pit in West Parade via a gross pollutant trap, 250m³ rainwater tank connected for internal reuse and a 140m³ on-site detention tank. As the on-site detention tank is now located at a higher level (on Parking Level CP1) instead of the lower level basement car park as proposed earlier, the OSD outlet pipe is not affected by backwater flow from Council’s stormwater system in a 1 in 100 year storm. Accordingly, apart from some minor design issues that can be resolved by conditions of consent, the amended stormwater drainage plan is considered satisfactory”.

ITEM 2 (continued)

Building Surveyor: 14 December 2006; Council’s Building Surveyor has advised that the proposal is satisfactory subject to conditions (see conditions 77 – 79, 88, 109, 111, 120 – 124, 130 – 140, 168 – 170, 174 – 176, 179, 180, 190).

Environmental Health Officer: 4 May 2007; The following comments have been received from Council’s Environmental Health Officer;

“Food Shop Fitouts: It will be necessary for individual applications be made for the use and fit-out of food outlets (see condition 173).

Waste Management: Given the high number of food outlets in this development, the operational management of waste is an important issue and serious consideration of the adequacy of space, equipment and access allocated to it must be undertaken at an early stage. The information supplied with the application only mentions that waste will be stored in the loading dock area, that some compaction equipment and bins will be used and onsite staff will manage the process. No specific details about the equipment, its location, the layout of the storage area, the containment of spills and cleaning facilities have been supplied.

Also there are no specific details about grease arrestor arrangements, how it will be constructed and serviced (see conditions 156 and 157).

Noise: it is not anticipated that the development would change the noise situation much from what already exists apart from a carpark entrance and the loading dock facing Rutledge Street. A report submitted with the application by Acoustic Logic Consultancy (Report No. 2006554/0906A/R6SL) dated 3 October, 2006 concludes that so long as its recommendations are followed the development would comply with the NSW EPA Industrial Noise Policy (see conditions 84 to 92).

Mechanical Ventilation: The basement carpark will require exhaust ventilation, the main air conditioning will use cooling towers and individual tenancies may require specific exhaust systems for cooking equipment (see conditions 146, 147, 157, 158 & 160).

Site Contamination: A preliminary contamination assessment report (project 44453-1) from Douglas Partners Pty Limited, dated March 2007, was submitted with the application. The site inspection revealed a diesel fuel tank, lift motor room and a sullage room (with grease trap) as items of concern for potential soil contamination. Five boreholes were also sampled (within the constraints of the site) around these areas of concern.
ITEM 2 (continued)

The report concludes that the site is suitable for the redevelopment however a further investigation should be done after demolition to confirm the preliminary findings and whether or not a detailed report should be undertaken. A detailed report is only recommended at this stage if the site was to be used for a more sensitive use (eg. residential). The report also mentioned the possibility of finding asbestos on this site during the demolition (see conditions 93 to 96).

Traffic Engineer: 4 April 2007; Comments from Council’s Traffic Engineer have been provided. There is no objection to the proposed development from a traffic point of view and the Traffic Engineer concurs wit the comments of the RTA. Appropriate traffic conditions have been included in the recommendation of the report (see conditions 10 to 31).

Heritage Adviser, 27 October 2006; Council’s Heritage Adviser has reviewed the proposal and provided the following comments.

“The proposed redevelopment of the Eastwood Shopping Centre is located within vicinity of two heritage items;

- 119-123 & 136 Rowe Street. A pair of commercial retail buildings forming the eastern gateway to the entrance to the Rowe Street Mall. These items are prominent two storey retail buildings with parapet roof forms.

- 86 Rowe Street, a former freestanding Masonic Hall constructed in 1923. It is set back from the front boundary to allow a front courtyard and side setbacks anticipating the future development of the Eastwood commercial area.

I do not consider that the former Masonic Hall was ever a landmark building designed or sited to be viewed in the round. The building has aesthetic significance as a streetscape element relating to its landmark character as an iconic building in the Rowe Street main street with two storey classically proportioned front façade set against commercial buildings with shop front awnings.

The design of the proposed redevelopment of the Eastwood Shopping Centre has included a re-entrant angle adjoining the former Masonic Hall, resulting in increased setback and views to the eastern side of the hall.

The increased setback of the Shopping Centre has resulted in the proposed western side stairway appearing as a dominant element against the hall.
ITEM 2 (continued)

With regards to Clause 86 & 87 of the Ryde Planning Scheme Ordinance, the proposed redevelopment of the Eastwood Shopping Centre will not result in any additional heritage impacts to heritage items in the vicinity of the site.

The appearance of the proposed western side stairway should be addressed by the applicant either by setting it back in line with the front building line of the former Masonic Hall or changing its design. The masonry infill below the stair forward of the Masonic Hall appears as a dominant element. By modification of its design to be more slimline through the use of glass or steel the stairway could appear as a more recessive element in the streetscape and adjoining the hall”.

The applicant made changes to the stairway design in response to this issue (see plan DA.1003 - Revision D).

Access Consultant. December 2006; The DA was referred to Council’s Access Consultant for assessment against the requirements of DCP 2006, Part 9.2. The main findings are provided below:

“The DA drawings for the proposed redevelopment of the Eastwood Shopping Centre are essentially only at concept stage and provide none of the resolution or details necessary for a comprehensive assessment of the proposal in terms of compliance with disability access requirements. Accordingly, our review has focussed not just on the drawings but also on the access review by Morris Goding Accessibility Consulting. That review has provided recommendations to the applicant that, if adopted, will help ensure that the development will comply with disability access requirements.

We support all the recommendations contained within the Morris Goding Access Review as being consistent with the Australian Standards and Council’s DCP Part 9.2, with the exception of clause 4.2 relating to doorways. The access review recommends that all doors have a clear with of 850mm compliant with AS1428.2. However Council’s DCP contains a higher standard which requires doorways to have clear openings of at least 960mm width.

We have also identified some potential additional issues which will need to be addressed in more detailed stage of planning. They are:

- In addition to door widths, it will be important to ensure that there is no door threshold or change of level (more than 3mm) that could present as a barrier to people with a disability. The access review notes only 4 tenancies that will have access from Rowe Street, but in addition all of the sub-tenancy specialty areas will have doors and thresholds that secure them from the central circulation area. It will be important to ensure that each of them is accessible.
ITEM 2 (continued)

- It is not clear how access will be provided to the restaurants, where levels differ from the adjacent retail areas, and how the lifts will service the restaurants, especially as lift openings and restaurant entries are not shown. Council will need to pay particular attention to these arrangements in the next stage of design documentation.

- Subsequent stages of the planning and design process will also need to have regard to provisions regarding controls, signs and symbols, furniture and fitments and street furniture, as contained within Council’s DCP 2006 Part 9.2”.

These outstanding matters have been addressed by way of conditions of consent (see conditions 50 to 54).

External Referrals

Roads and Traffic Authority, 12 February 2007; The RTA has provided the following comments.

“Further to your letters of 19 and 28 October 2006, concerning the above mentioned development application referred to the Roads and Traffic Authority in accordance with the requirements of State Environmental Planning Policy No 11.

The RTA has reviewed the application and raises the following concerns:

The RTA has previously acknowledged to the applicant that there are existing traffic and capacity issues at the intersection of Rutledge Street / Trelawney Street. Queuing within Trelawney Street would worsen as a result of this proposal. There is regular queuing back from Rutledge Street that causes delays for right turn vehicles entering the site. Therefore any additional delay to vehicles entering into Trelawney Street currently experience delays and reduce the westbound movements in Rutledge Street to one lane.

Previous comments also indicated the RTA’s willingness to allow entry off Rutledge Street for eastbound traffic as this would take some traffic pressure off Trelawney Street.

Whilst the development would not be significantly increasing in scale, there will be a noticeable increase in parking numbers (i.e. 180 spaces). Such an increase in parking numbers should result in a much higher increase in traffic generation than that stated within the Traffic Report.
ITEM 2 (continued)

Prior to the determination of the development application, the RTA requires the following:

- The applicant should provide detailed SCATES (input/output) data file printouts and electronic modelling of the Rutledge Street / Trelawney Street intersection to the RTA for further review and comment. NOTE: Such modelling must be amended to include a much higher traffic generation that is comparable to the increase in parking numbers on the development site.

- Previous comments to the applicant requested that consideration be given to the provision of a separate right turn by from Rutledge Street (westbound) into Trelawney Street (northbound) whilst maintaining two (2) through lanes along Rutledge Street. A concept design of such an arrangement must be (prepared / strategically costed) and submitted to the RTA for review / comment. This would facilitate negotiation between the developer / Council / RTA for an appropriate contribution towards the future upgrade of the Rutledge Street / Trelawney Street intersection.

Note: Once the RTA has reviewed the above information, additional conditions would be imposed by the RTA on top of the conditions listed below.

Exercise of Concurrence Function under the Roads Act.

Subject to satisfactory resolution of the above issues, the RTA has reviewed the development application and grants its concurrence under Section 138(2) of the Roads Act to the development application subject to the following comments being included in Council’s conditions of development consent (should the development application be approved):

1. The proposed carpark and loading dock access arrangements from Rutledge Street must be constructed in accordance with the RTA’s requirements.

   A concept design of the access arrangements from Rutledge Street, which will include a short deceleration lane, must be submitted to the RTA for “in-principle” approval prior to the issue of a construction certificate.

2. Any realignment boundary resulting from the proposed short deceleration lane must be dedicated as road at no cost to the RTA.
ITEM 2 (continued)

3. The RTA will only support construction related activities along Rutledge Street subject to the following:
   - That the proposed short deceleration lane be constructed up-front; and
   - The proposed short deceleration lane be the only area used as a construction zone along Rutledge Street.

4. Any redundant driveways along the Rutledge Street frontage are to be removed and replaced with kerb and gutter (Type SA) to match existing.

5. The applicant should ensure that post development stormwater discharge from the site into the RTA drainage system does not exceed the pre-development discharge.

6. The short deceleration lane / access arrangements along Rutledge Street shall be designed to meet the RTA’s requirements, and be endorsed by a suitably qualified and chartered Engineer. The design requirements (where applicable) shall be in accordance with the RTA’s Road Design Guide and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to the RTA for consideration and approval prior to the release of the construction certificate by Council and commencement of road works.

   The RTA fees for administration, plan checking, civil works inspections and project Management shall by paid by the developer prior to the commencement of works.

   The developer may be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. If required, please note that the Works Authorisation Deed (WAD) will need to be executed prior to the RTA’s assessment of the detailed civil design plans.

7. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the proposed works and as required by the various public utility authorities and/or their agents.

8. All works/regulatory signposting associated with the proposed development shall be at no cost to the RTA.

Each of these conditions provided by the RTA as part of its concurrence role under the Roads Act has been included as a condition of consent in the recommendation of the assessment report (see conditions 21 to 28).
ITEM 2 (continued)

**RailCorp: 27 November 2006**; The following comments have been provided by RailCorp;

“Rail Corporation New South Wales (RailCorp) has reviewed the proposal and asks that the following issue be addressed in the conditions for this proposed development:

**Noise and Vibration**

RailCorp is concerned that the future occupants of the development will encounter rail-related noise and vibration from the adjacent rail corridor. Rail noise and vibration can seriously affect the amenity and comfort of residential and other land use types, and jeopardise the structural safety of buildings. As such, rail noise and vibration should be addressed early in the development process.

RailCorp has published the following documents as part of an initiative aimed at managing rail noise and vibration impacts associated with development near the rail corridor:

- **Interim Guidelines for Councils** – consideration of rail related noise and vibration in the planning process. This aims to assist local government in considering and assessing rail noise and vibration as part of their strategic planning and development control functions.

- **Interim Guidelines for Applicants** – consideration of rail related noise and vibration in the planning process. This aims to assist those involved in the planning and design of developments near the rail corridor.

In assessing the application, Council is encouraged to adopt the recommendations given in Part B – Development Assessment Process of the Guidelines for Councils. Section 11 of the Guidelines for Councils provides recommended conditions of consent for specific development categories such as multi-unit residential within the acoustic assessment area. Council should extract the relevant conditions from this section and insert in the development consent.

Alternatively, Council could impose the following condition of consent:

“An acoustic assessment is to be submitted to Council prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with RailCorp’s Interim Guidelines for Applicant’s in the consideration of rail noise and vibration from the adjacent rail corridor”. (see condition 192)
ITEM 2 (continued)

Finally, it is asked that Council forward a copy of the final development consent to enable RailCorp to monitor the applicant’s compliance with rail related conditions of consent.

Energy Australia, 14 November 2006; The following comments have been provided by Energy Australia;

“After reviewing a set of plans from Council, Energy Australia provide the following comments in relation to the impact on its existing infrastructure and the provision of electricity supply to the above re-development.

Firstly, the proposed development requires multiple substations to cater for the proposed electrical load demand. The initial discussion and negotiation with the developer’s representative for a chamber type substation is underway now and the number of number of required substation and the method of supply are subject to the final load assessment by Energy Australia.” (See condition 14)

“Secondly, as you are aware, Energy Australia’s overhead transmission mains (66kV) currently traverse along the Rutledge Street and West Parade of the existing Eastwood Shopping Centre building sideways. The minimum 3m horizontal and 5m vertical clearances in addition to conductor swing due to the wind should be maintained between the existing Energy Australia’s overhead transmission mains (66kV) and any new building/structure of the development throughout the premises. A copy of the relevant page of the Guidelines for Design and Maintenance of Overhead Distribution and Transmission Lines is enclosed for your reference.” (Undergrounding power lines resolves this matter.)

“Finally, Energy Australia’s basement type substation S4186 exists under the driveway to the Woolworths from West Parade and it serves for the existing Eastwood Shopping Centre and other shops in the area. Existing access, ventilation system and the building integrity of the substation should be retained or any modification proposal should meet the Energy Australia’s current requirements for substations”. (See condition 45).

NSW Police, 21 August 2007; Comments on the proposal were sought from NSW Police (Eastwood LAC) having regard to the Crime Prevention through Environmental Design (CPTED) principles. No major concerns have been raised, provided the recommendations of the Crime Risk Assessment prepared by Urbis JHD are implemented as part of the development and it would be advisable that NSW Police be consulted as part of any proposal to install Automatic Teller Machines (ATM) within the shopping centre. These matters have been addressed by the imposition of conditions of consent (see conditions 55 to 64).
ITEM 2 (continued)

9. SUBMISSIONS:

The proposal was advertised and notified in accordance with Development Control Plan 2006 - Part 2.1, Notification of Development Applications. The application was advertised on 1 November 2006. Notification of the proposal was from 28 October until 16 November 2006.

A total of fifteen (15) submissions were received. The issues raised in the submissions were;

1. **Concern is raised that the proposal will increase traffic using the Trelawney Street entry ramp and as a consequence it will become more difficult and dangerous to enter and exit the properties to the north-west of the proposed development that rely on this ramp for access to their land**

   **Comment:** The proposed development provides for vehicle access from several other locations aside from Trelawney Street. There will be a new vehicle access to the basement carparking level from Rutledge Street and access from West Parade. There is no evidence that the access from Trelawney Street will become more difficult and dangerous. Council’s Traffic Engineer and the RTA are satisfied with the likely traffic impacts associated with this proposed redevelopment.

2. **Concerns are raised about the noise, dust and demolition debris that will be produced during the construction work and the associated impact on adjoining properties.**

   **Comment:** Appropriate conditions to mitigate the environmental impacts of demolition and construction work have been incorporated into the recommendation of this report (see conditions 111 to 139).

3. **Concern is raised that adjoining owners/tenants will be adversely affected by heavy vehicles entering and leaving the site during construction and demolition works.**

   **Comment:** Given the scale of the proposed redevelopment, there will be a large number of truck movements accessing the site during the demolition and reconstruction phase. There is some potential for adjoining owners/tenants to be inconvenienced by those works. Details of the proposed demolition are covered by the Demolition Method Statement, the staging of construction is addressed by the Staging Plan and a Construction Traffic Management Plan is required by a condition of consent (see condition 119).
ITEM 2 (continued)

4. Concern is raised that the location of the proposed loading dock on Rutledge Street (classified as a County Road) is entirely unsuitable.

Comment: The proposed design of the redevelopment involves a new loading dock to be constructed along the Rutledge Street frontage of the site. Given the unsuitability of Rowe Street for the loading dock, the only locations available are Rutledge Street and West Parade. The RTA has indicated that it does not object to the loading dock being sited on Rutledge Street provided its operation does not disrupt traffic. The acoustic report submitted with the DA indicates that the operation of the loading dock can be managed to avoid disturbance to nearby residents.

5. Concern is raised that the retention of the above ground car parking and access ramps are unsuitable for the site. Underground parking is more desirable and would improve the amenity.

Comment: The development application involves the provision of one level of underground carparking and two levels of rooftop parking. It is intended that the elevated Trelawney Street ramp will be removed and all access into the carpark gained from ground level. The claim that above ground carparking is unsuitable for this location is not considered true as most shopping centres in suburban areas have roof top carparking (for example; Westfield Hornsby, Parramatta, Rhodes Waterside).

6. Concern is raised that the overall proposal completely ignores the co-ordinated approach to development of the land bounded by Rowe, Trelawney and Rutledge Streets and West Parade.

Comment: The current proposal has been submitted on the basis of the current planning controls that apply to the site, being the Eastwood Town Centre LEP & DCP (LEP 110 & DCP 37). There have been some preliminary discussions with landowners in relation to future development of this block, however these discussions have not resulted in any amendments to the planning controls.

7. Concern is raised that the proposal will cause considerable overshadowing of the nearby Eastwood Masonic Hall building.
ITEM 2 (continued)

Comment: The development application included shadow diagrams that predicted the likely shadowing impact resulting from the proposed development. The extent of overshadowing to the adjoining Masonic Hall may be slightly increased compared to the existing situation, however the site will retain solar access in the afternoon from the north-west. Additionally, the current use of the Masonic building is not considered a sensitive use (unlike residential) in terms of solar access.

8. Concerns are raised in relation to the demolition and reconstruction of the Eastwood Centre as many elderly people will have their way of life disrupted.

Comment: The application submitted is for the staged redevelopment of the site which will allow for trading from the centre to continue during demolition/construction works. The existing Woolworths supermarket will continue to trade during the first stage of the development before moving into the newly rebuilt section of the centre. The needs of the local population will be accommodated during the redevelopment of the shopping centre.

9. Concern is raised that this proposal will lead to a succession of big, high-rise, CBD-style developments. The Eastwood we have all come to know will be destroyed.

Comment: This proposal is only for a new shopping centre. The applicant has confirmed that this application is not the first stage of a mixed-use development. Although the planning controls applying to the site permit greater development on the site (up to 10 storeys), the current application is just for a 2 level shopping centre.

10. Concern is raised that there is no provision made to include a larger department store to replace Target.

Comment: The applicant has submitted a proposal that is based on the commercial realities of developing a small shopping centre. The scale of the shop spaces and the likely future tenants will be based on the ability of the centre to attract retailers into the centre. It may be unviable for a department store such as Target to locate in Eastwood.

11. Concern is raised that the market hall should cater for the needs of the broader community and not solely focus on Asian produce. It would also be preferable to have an international food court instead of another Yum Cha restaurant.
ITEM 2 (continued)

Comment: The particular types of food retailers and the theme of the food court are not planning issues and cannot form part of this assessment. The applicant will decide the types of future tenants that occupy the various shops within the shopping centre.

12. Concern is raised about the impact of the redevelopment on traffic flows on streets around the area. With the proposed increase in retail space and approximately a 40% increase in parking capacity, it can be expected there will be an increase in the number of vehicles entering and exiting the shopping centre.

Comment: It is understood the existing shopping centre has carparking for 415 vehicles with a further 45 vehicles on the Tokyo Pianos site (being a total of 460 spaces). The new shopping centre provides parking for 643 vehicles and represents an increase of 183 spaces. The existing centre is underprovided in terms of the number of car parking spaces provided, having regard to the rates contained in DCP 2006. The proposal provides an acceptable level of car parking spaces for the new shopping centre and the associated office tower.

13. Concern is raised that future residential development on top of the shopping centre will further exacerbate traffic flows.

Comment: This proposal is only for the redevelopment of the shopping centre. The applicant has indicated to Council officers that there will not be any future residential development above this development. Should a proposal for an integrated mixed use development be planned, it will be the subject of a separate development application.

14. Concern is raised with the stark contrast that exists between the heritage-listed Masonic Centre and the very modern look of the proposed redevelopment.

Comment: Council’s Heritage Adviser considered the development application and the Heritage Report that specifically assessed the impact of the proposal on the heritage-listed Masonic Hall building. The advice from the Heritage Adviser is that the proposal does not adversely impact upon the significance of the heritage item (subject to changes being made to the stairs on the western edge of building).

15. The Eastwood Chamber of Commerce strongly supports the Eastwood Centre proposal. In particular, the proposed increased provision of car parking will help reduce the current shortage of parking opportunities for customers. It is also believed that the unique retail offering will differentiate itself from competing shopping centres.
ITEM 2 (continued)

Comment: The comments of the Eastwood Chamber of Commerce in support of the proposed redevelopment are noted.

16. Concern is raised that the proposed development is in fact the first stage of a mixed retail & residential development.

Comment: This proposal is only for the redevelopment of the shopping centre. The applicant has indicated to Council officers that there will not be any future residential development above this development. Should a proposal for an integrated mixed use development be planned, it will be the subject of a separate development application.

17. Concern is raised that vehicle access to several properties to the north-east of the site (Nos. 142-148 Rowe St) will be denied as a consequence of the proposed redevelopment.

Comment: The applicant has submitted information that demonstrates that vehicle access to the affected properties will be maintained. Also a condition of consent has been included in the recommendation of the report to address this matter (see condition 13).

18. Concern is raised that heavy vehicles and construction trucks may impact on adjoining residents in East Parade (near First Avenue) and that on street parking will be varied as a consequence of the proposed redevelopment.

Comment: Given the distance between the development site and the writer’s property on East Parade, it is unlikely that there will be unreasonable inconvenience caused by the proposed development.

19. Concern is raised about the prospect of any high-rise development and the changes, noise and traffic resulting from such development types. The loss of the “Old Eastwood” that would arise from such development is also feared. Eastwood has more than enough $2 shops, restaurants and noodle shops. We cannot buy anything of good quality anymore and are forced to shop elsewhere.

Comment: The current proposal is simply a redevelopment of the existing shopping centre and does not involve the development of high-rise towers. Any such proposal will be subject of a separate development application. The applicant has indicated that the proposal will provide for an improvement to the shopping centre to prevent it from becoming run down and unattractive to tenants.
ITEM 2 (continued)

20. Concern is raised about the ability of people with disabilities to evacuate from the basement carpark in the event that it is inundated in a flood.

Comment: Council’s Development Engineers have advised that the extent of the 1 in 100 year flood does not affect the subject site. Overland flows are confined to the northern side of Rowe Street and are unlikely to flood the basement carpark.

21. Concern is raised that the proposed shops/retail areas facing West Parade are not accessible from the disabled parking spaces within the centre. There appears to be no accessible path of travel from the disabled parking to these shops.

Comment: There is one retail tenancy facing West Parade that is only accessible from the street and cannot be accessed from within the shopping centre. All persons, including those with disabilities, will be required to gain access to this space via the footpath along Rutledge Street or alternatively from Rowe Street and West Parade.

22. Concern is raised that there are no ramps in the proposal, but there are many sets of stairs.

Comment: The proposal involves the provision of a lift and travelators between each floor of the development. The only stairs within the centre appear to be limited to fire stairs.

23. Concern is raised that the proposed lifts are inadequate and do not provide a continuous, accessible path of travel. The lifts must be fire rated if they are to serve as a means of emergency evacuation of disabled persons.

Comment: Council’s DCP 2006 states that emergency exits need to be accessible to people with disabilities. The use of fire rated lifts is only something that may be required. Generally the use of lifts in a fire situation is not supported.

24. Concern is raised that the DA shows a new multi storey staircase alongside the Masonic Hall in Rowe Street. This discriminates against the disabled. I require that a lift be installed to provide the same degree of access.

Comment: These stairs provide a pedestrian link between the roof parking level and Rowe Street. The failure to provide an equitable situation for people with disabilities is a matter for the applicant to consider and make a determination whether they contravene the provisions of the Disability Discrimination Act.
ITEM 2 (continued)

25. Concern is raised that the applicant’s Access Review has indicated that the existing access arrangements will be maintained for the duration of the staged construction. The existing access arrangements do not meet current standards and fail to provide an adequate level of disabled access for visitors to the shopping centre.

Comment: The existing shopping centre was built in 1976 and would have many issues in terms of meeting current standards for disabled access. It would be unreasonable to expect the applicant to upgrade sections of the existing building to comply with current requirements for a short duration during the construction phase. Upon completion of the building works, a new fully-complying shopping centre will be available for the use of the community.

26. Concern is raised that the proposal will remove the existing accessible parking spaces on Rutledge Street, which serve as an alternative entry into the Eastwood Centre.

Comment: The spaces in question form part of the development site and will be unavailable once construction commences. For the duration of the demolition and building works, people with disabilities will be required to use the existing disabled spaces provided within the section of the carpark to be kept open during the first stage of the redevelopment.

27. Concern is raised that the DA does not provide detail about how the existing building will become accessible. The relevant planning rules require Council to consider the original development and subsequent development together with the proposed development as if they were taking place at the present time. If this was done it would reveal that access, fire safety measures and emergency exits do not comply with today’s standards.

Comment: The proposal is effectively a new building, albeit to be constructed in stages with a section of the existing shopping centre kept open for trade whilst the first stage is built. The new shopping centre will be required to comply with the applicable access standards listed in Council’s DCP and other relevant documents (the Building Code of Australia, AS1428.1 and AS1428.2).

28. Concern is raised that the proposal does not show any exits, only egress. The Council DCP requires that emergency exits 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. Where stairs are used as the only exit, fire isolated refuges must be provided so that disabled persons can wait to be rescued by the Fire Brigade. What is the egress passageway in the direction of Trelawney Street?
ITEM 2 (continued)

Comment: The building will be required to comply with the Building Code of Australia and its requirements dealing with fire safety and egress. The BCA is regarded as the main reference point for building design issues of a technical nature.

It is noted that the applicant is required to comply with the provisions of the BCA and any specific fire evacuation requirements that it prescribes. Details concerning the disabled access will be provided with the Construction Certificates as there are a number of technical ways to deal with this issue. A condition also requires certification that the building is fully accessible and meets all applicable standards prior to occupation (see condition 4).

29. Concern is raised that there is no mention of toilet facilities in the DA. The existing toilets are not adequate to serve both the existing and new buildings.

Comment: New amenities will be provided within the shopping centre. The applicant’s Access Review has indicated that the new amenities will be required to comply with the relevant Australian Standards and the BCA.

30. Concern is raised that no provision has been made for the use and security of mobility scooters.

Comment: This matter is a requirement of Council’s Car Parking DCP and has been addressed by way of a condition of consent included within the recommendation of this assessment report (see condition 53).

General Comment on Access

Councillors are advised that the Development Application was reviewed by Council’s Access Consultant, Elton Consulting, and conditions have been recommended to deal with the access requirements of the development, and this is discussed further in the report.

Many of the matters are appropriately dealt with in the detail at the Construction Certificate stage and certified as being compliant with the relevant Australian Standards and the Building Code of Australia prior to occupation.
ITEM 2 (continued)

10. Policy Implications

Section 79C(1)(a) Provisions of Environmental Planning Instruments:

Ryde Planning Scheme Ordinance

Zoning

The subject site is zoned 3(uv) Business - Urban Village under the provisions of the Ryde Planning Scheme Ordinance. The proposed redevelopment of the shopping centre is permissible with the consent of Council.

Mandatory Requirements

Clause 34(1) – Probable Aesthetic Appearance

This clause of the Ordinance requires Council to take into consideration the probable aesthetic appearance of the proposed development as seen from the Main Northern Railway and from Rutledge Street.

The external appearance of the redeveloped shopping centre has been reviewed by an urban design consultant to guide Council’s decision in respect of this matter. The treatment of the building’s Rutledge Street elevation is important due to its high visibility and connection to the adjoining residential precinct to the south. Council’s urban design consultant has observed that the Rutledge Street frontage has loading docks, the carpark ramp substations and other service areas making up more than half the frontage. The remainder of the frontage has some small retail outlets separated by the substation and loading docks. Concern has been raised with the viability of these retail spaces given their limited size and double frontage to the inside space or “market’ area.

Council’s consultant has recommended that Rutledge Street requires active frontages along its length;

“these are to be regular in their width i.e. for example designed on a 6 or 10m grid, to create a quality street frontage. These could be occupied by a variety of businesses not limited to retail i.e. offices or professional suites may suit. Double height frontage are encouraged”.
ITEM 2 (continued)

The proposed development has incorporated minimal active street frontages especially to the very lengthy Rutledge frontage and is not ideal. Nevertheless, the new Rutledge Street frontage will be a significant improvement upon the existing situation which is dominated by the above ground carparking structure. Clearly the applicant has put the most effort into the design of the Rowe Street elevation and just the minimum attention given to Rutledge Street. However it needs to be remembered that this application is for a suburban shopping centre and they tend to follow standard design principles. Therefore on balance, it is considered that the proposal will provide an acceptable level of aesthetic appearance from Rutledge Street.

There will be only a small section of the proposal visible from the Main Northern Railway and no particular concerns are raised with respect to its appearance from the railway line.

Clause 34(2) – Traffic Impacts

This clause of the Ordinance applies to any type of development that is likely to cause increased vehicular traffic on any road in the vicinity of that development. Council is to take into consideration;

(a) whether adequate vehicular entrances to and exits from the site have been provided so that vehicles using those entrance and exits will not endanger persons and vehicles using those roads.

Comment: The proposed development involves the retention of the main vehicle access points into the site from Trelawney Street and from West Parade. It is also proposed to provide a new vehicular entrance and loading dock from Rutledge Street. The RTA has provided its concurrence to these arrangements.

(b) the provision of space on the site of the building or development or on land adjoining the site, other than a public road, for the parking and standing of such number of vehicles as the responsible authority may determine; and

Comment: The proposed redevelopment provides for a total of 643 car spaces, comprising 245 spaces within the basement level, 181 spaces on the upper level 1 and 217 spaces on the upper level 2.

(c) whether adequate space has been provided within the site of the building or development for the loading, unloading and fuelling of vehicles and for the picking up and setting down of passengers.
ITEM 2 (continued)

Comment: A new loading dock area is to be provided on the southern side of the development facing Rutledge Street. The size and scale of the loading dock is considered to be adequate for a shopping centre of this scale. The applicant has provided turning path diagrams to demonstrate that trucks can enter and exit the loading dock safely with minimal disruption to other road users and traffic flows along Rutledge Street.

Clause 42 – Advertising Signs

This clause of the Ordinance requires Council to have regard for certain matters when it considers proposals for the erection and display of advertising signage.

As the current application does not involve provision of any advertising signs, no further consideration of this clause is required. Separate development consent will be sought in connection to the provision of signage on the redeveloped shopping centre (see condition 171).

Clause 51A – Development in Certain Urban Villages

This clause of the Ordinance states:

“When considering any application for consent to carry out development on any land to which this clause applies the Council must take into consideration:

(a) the planning principles set out in Schedule 17, and

(b) the following objectives:

(i) To create a safe and attractive environment for pedestrians,
(ii) To create a mixed use precinct with emphasis on uses that promote pedestrian activity and safety at ground level,
(iii) To create a precinct that contains opportunities and facilities for living, working, commerce, leisure, culture, community services, education and spiritual nurture,
(iv) To increase the number of people living within walking distance of high frequency public transport services,
(v) To increase the use of public transport,

These matters have been considered in the following table:
## ITEM 2 (continued)

<table>
<thead>
<tr>
<th>Matter for Consideration</th>
<th>Comment</th>
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</thead>
<tbody>
<tr>
<td><strong>Regional Role</strong></td>
<td></td>
</tr>
<tr>
<td>Development should contribute to the status of the land as an important business, employment and residential location.</td>
<td>The redeveloped shopping centre achieves this outcome.</td>
</tr>
<tr>
<td>Development is to promote a compact working and living environment to maximise the efficient use of resources and infrastructure provision.</td>
<td>The proposal maintains a significant retail presence in Eastwood and is consistent with this objective.</td>
</tr>
<tr>
<td><strong>Integrated Planning and Development</strong></td>
<td></td>
</tr>
<tr>
<td>Planning and development is to ensure that social, economic, environmental and urban design issues are considered together and with proper regard for their mutual and cumulative impacts.</td>
<td>This assessment has taken account of these matters and all likely impacts associated with the proposal.</td>
</tr>
<tr>
<td>All planning, design and development activities must take account of and effectively respond to the linkages and interfaces between public space and private land.</td>
<td>The proposal provides an acceptable response between the public and private land.</td>
</tr>
<tr>
<td><strong>Public Domain</strong></td>
<td></td>
</tr>
<tr>
<td>Development is to define and contribute to the public domain so as to create a high quality physical setting for buildings, which is safe and accessible and can be enjoyed by shoppers, residents and workers.</td>
<td>The subject site has a very large area of street frontage and as a consequence a large area of public domain. The proposed development will be required to make some improvement to this area by replacing footpaths, street trees and other improvements to create a high quality setting for the new building.</td>
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ITEM 2 (continued)

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<tr>
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<tbody>
<tr>
<td>Development of the public domain is to enhance the integration between individual precincts and their surrounding areas.</td>
<td>Improvement of the public domain will be required as part of the development and those improvement works will assist to enhance integration between the precinct and the surrounding areas.</td>
</tr>
<tr>
<td>Public space areas should be set aside for public use and enjoyment. Development that enhances the enjoyment of these public spaces, such as kiosks, restaurants and recreation facilities, is to be encouraged.</td>
<td>A large proportion of this development will be publicly accessible. It will provide retail and commercial spaces and draw people into Eastwood from surrounding areas. The premises will also include restaurants that will sustain activity in the evening and on weekends.</td>
</tr>
<tr>
<td>Carparking facilities should be set back away from the public spaces and should not prejudice pedestrian and cycle use of the public space.</td>
<td>The proposal involves all off-street car parking contained within the building, including a basement level and 2 rooftop levels.</td>
</tr>
<tr>
<td>Public streets and spaces should be created generally in accordance with:</td>
<td>Conditions of consent have been included in the recommendation of the report to ensure the treatment of public spaces around the development will be consistent with the provisions of the Eastwood Master Plan (see conditions 32 to 39).</td>
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ITEM 2 (continued)

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<tr>
<td><strong>Urban Form</strong></td>
<td>The proposal involves the replacement of a dated and tired looking shopping centre with a new revitalised complex. The external appearance of the building will provide an acceptable level of articulation to mitigate concerns about its scale and bulk.</td>
</tr>
<tr>
<td>Urban form is to reflect its location in relation to transport nodes, existing residential and commercial precincts, be architecturally rich and diverse, define and enhance the public domain and allow for mixed uses.</td>
<td></td>
</tr>
<tr>
<td>Building form within specified blocks is to be articulated both in height and mass to provide interest, resolve urban design and environmental issues and satisfy other planning principles in this Schedule.</td>
<td>The proposal occupies a large and highly visible street-block between Rowe St, West Pde, Rutledge St and almost extends to Trelawney St. The building form provides an acceptable level of articulation to address concerns about its bulk and scale.</td>
</tr>
<tr>
<td>Buildings are to be high quality and adaptable to a variety of uses over time, to ensure their long life.</td>
<td>The proposal replaces an existing shopping centre and would not be suited to conversion to other uses.</td>
</tr>
<tr>
<td>Buildings are to support and be integrated into the public domain network to achieve coherence and purpose.</td>
<td>The proposed development provides an acceptable relationship to both the Rowe Street mall and the key pedestrian routes along West Parade and Rutledge Street.</td>
</tr>
<tr>
<td>The integrity of heritage items and significant landscape elements is to be protected and enhanced.</td>
<td>The proposal is considered satisfactory in terms of its relationship to adjacent heritage items, particularly the nearby Masonic Lodge.</td>
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ITEM 2 (continued)

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<tbody>
<tr>
<td><strong>Land Use Mix</strong></td>
<td></td>
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<tr>
<td>Development is to provide a variety of housing types and employment – based activities and contribute to the creation of a range of precincts with character.</td>
<td>The Eastwood Centre is the single largest retail development within Eastwood urban village and has operated as a shopping centre for more than 30 years. This proposal maintains the retail/commercial uses only. No housing is proposed.</td>
</tr>
<tr>
<td>Development is to contribute to an integrated mixed use development pattern (both vertical and horizontal) containing a wide range of housing, employment and recreational opportunities.</td>
<td>The current proposal does not provide for a mixture of land uses. The application seeks to continue the retail/commercial use of the land despite the planning controls allowing for a mixed residential/commercial development on the site.</td>
</tr>
<tr>
<td>Development is to facilitate the increase and diversify employment opportunities, which are to be compatible with achieving a high quality mixed shopping, living and working environment.</td>
<td>The proposal maintains and improves the viability of the Eastwood urban village by upgrading the largest single retail destination within the centre.</td>
</tr>
<tr>
<td><strong>Transport and Access</strong></td>
<td></td>
</tr>
<tr>
<td>Development is to promote the reduction of motor vehicle dependency and actively encourage the use of public transport, walking and cycling.</td>
<td>The proposed development has not exceeded the minimum parking rate for Eastwood Town Centre and in fact will provide a building that can accommodate the needs of pedestrians and cyclists.</td>
</tr>
<tr>
<td>An accessible environment for people with disabilities and mobility difficulties is to be created to ensure access equity.</td>
<td>The proposal provides for a significant upgrade in access for the disabled compared to the existing shopping centre. The proposal generally complies with the requirements of Council’s DCP 2006.</td>
</tr>
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ITEM 2 (continued)

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<tbody>
<tr>
<td>The intensity of development is to be in accordance with the capacity of existing and proposed public transport and road systems.</td>
<td>The scale and intensity of the proposal is compatible with the existing shopping centre. The site enjoys good access to the Eastwood railway station and road access from Rutledge &amp; Trelawney Streets and West Parade.</td>
</tr>
<tr>
<td>Parking provision is to acknowledge accessibility by foot, bicycle and public transport.</td>
<td>The proposed development, whilst enjoying a good degree of accessibility by foot/bicycle and public transport, involves the provision of a large number of car spaces. A total of 643 spaces are proposed, being 183 more than the current shopping centre. This increase is considered to make up for an existing under provision of car parking based on the existing floor space of the shopping centre and office tower. There will be provision for bicycle parking within the shopping centre.</td>
</tr>
</tbody>
</table>

Environmental Performance

| Development is to create a safe and comfortable environment for shoppers, residents and workers in both the private and public space, by “best practice” design to ensure buildings and spaces achieve maximum environmental performance and minimum resources use. | The proposal has been assessed in terms of crime prevention principles and is considered satisfactory. The NSW Police have advised that they have no objection to the proposal from a safety and security perspective. |
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>Matter for Consideration</th>
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<tbody>
<tr>
<td>Development is to be designed having regard to the following:</td>
<td>The proposal has been assessed in terms of these criteria, where they are relevant. These matters are considered in more detail under Impacts of the Development.</td>
</tr>
<tr>
<td>(a) Wind effect, (b) Reflectivity, (c) Noise attenuation, (d) Solar access and energy</td>
<td></td>
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<tr>
<td>conservation, (e) Water conservation and re-use, (f) Stormwater management, (g) Use of</td>
<td></td>
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<tr>
<td>recycled materials, (h) Waste reduction.</td>
<td></td>
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<tr>
<td>The development of public spaces is to contribute to greater biodiversity, habitat</td>
<td>It is unlikely that opportunities exist for increased biodiversity, habitat protection/enhancement given the site is located in the</td>
</tr>
<tr>
<td>protection and enhancement and better air and water quality.</td>
<td>centre of a large urban centre with no direct connection to bushland or foreshore areas.</td>
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<td></td>
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<tr>
<td>Objectives</td>
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<tr>
<td>To create a safe and attractive environment for pedestrians,</td>
<td>The proposed development is considered to be consistent with this objective. New paving and awnings will be provided around the edge</td>
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<tr>
<td></td>
<td>of the development and internal access through the development will be encouraged.</td>
</tr>
<tr>
<td>To create a mixed use precinct with emphasis on uses that promote pedestrian activity</td>
<td>The development will provide a range of active uses at ground level to encourage pedestrian movement past and through the site.</td>
</tr>
<tr>
<td>and safety at ground level,</td>
<td></td>
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<tr>
<td>To create a precinct that contains opportunities and facilities for living, working,</td>
<td>The redeveloped shopping centre will provide a much needed space for retailing and commercial activity within the Eastwood Town Centre.</td>
</tr>
<tr>
<td>commerce, leisure, culture, community services, education and spiritual nurture,</td>
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<tr>
<td>To increase the number of people living within walking distance of high frequency public transport services,</td>
<td>Not applicable in this instance as housing does not form part of the proposal.</td>
</tr>
<tr>
<td>To increase the use of public transport,</td>
<td>The redeveloped shopping centre is located close to the Eastwood railway station and there will be good access to nearby bus and train services for workers employed in the centre.</td>
</tr>
</tbody>
</table>

Clause 51C – Height of Buildings within Eastwood Urban Village

This clause of the Ordinance prescribes that the maximum height of buildings on the subject site shall be 2-10 storeys (30 metres). The proposed development has a total height of 4 storeys and therefore complies with this requirement.

Clause 72KA – Development within Zone No. 3(uv)

This clause of the Ordinance applies to land zoned 3(uv) and states “Council shall not grant consent to any proposed development of land within Zone No. 3(uv) likely to be adversely impacted by rail-related noise and vibration unless the development incorporates mitigation measures to the satisfaction of the Council.

As the proposed development is for a non-residential purpose and it will be 30 metres from the railway line, it unlikely that the development will be adversely affected by rail related noise and vibration. However, a condition of consent has been imposed in accordance with RailCorp’s advice. This condition requires an acoustical report to consider impact of any rail related noise and vibration. (See condition 192.)

Clause 88 – Development in the vicinity of a Heritage Item

This clause of the Ordinance applies to development of land that is within the vicinity of heritage items. The subject site is located within 100m of several heritage items (Summerhayes building & Eastwood Masonic Lodge).
ITEM 2 (continued)

Council’s Heritage Officer has advised that the proposed redevelopment of the Eastwood Centre is unlikely to have any significant impact upon either of the heritage items located nearby.

State Environmental Planning Policy No. 11 – Traffic Generating Development

State Environmental Planning Policy No. 11 (“SEPP 11”) applies to the proposed development and has been considered as part of this assessment.

Clause 7 of SEPP 11 requires that Council refer a copy of the development applications to the Roads and Traffic Authority for comment. The RTA has provided Council with the following comments regarding this development application. Points 1-8 being conditions of the RTA concurrence under Section 138(2) of the Roads Act 1993 and points 9-11 being advisory matters for Council to consider.

1. The proposed car park and loading dock arrangements from Rutledge Street must be constructed in accordance with the RTA’s requirements. A concept design of the access arrangements from Rutledge Street, which will include a short deceleration lane, must be submitted to the RTA for “in principle” approval prior to the issue of a Construction Certificate.

Comment: This matter is addressed by the imposition of a condition of consent (see condition 21).

2. Any realignment boundary resulting from the proposed short deceleration lane must be dedicated as road at no cost to the RTA.

Comment: This matter is addressed by the imposition of a condition of consent (see condition 22).

3. The RTA will only support construction related activities along Rutledge Street subject to the following:

- That the proposed short deceleration lane be constructed up-front; and
- The proposed short deceleration lane be the only area used as a construction zone along Rutledge Street.

Comment: This matter is addressed by the imposition of a condition of consent (see condition 23).
ITEM 2 (continued)

4. **Any redundant driveways along the Rutledge Street frontage are to be removed and replaced with kerb and gutter (Type SA) to match existing.**

   **Comment:** This matter is addressed by the imposition of a condition of consent (see condition 24).

5. **Council should ensure that post-development stormwater discharge from the subject site into the RTA drainage system does not exceed the pre-development discharge.**

   **Comment:** This matter is addressed by the imposition of a condition of consent (see condition 25).

6. **The short deceleration lane / access arrangements along Rutledge Street shall be designed to meet the RTA’s requirements, and be endorsed by a suitably qualified and chartered Engineer (i.e. who is registered with the Institute of Engineers, Australia). The design requirements (where applicable) shall be in accordance with the RTA’s Road Design Guide and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to the RTA for consideration and approval prior to release of the Construction Certificate by Council and commencement of road works.**

   The RTA fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

   The developer may be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. If required, please note that the WAD will need to be executed prior to the RTA’s assessment of the detailed civil design plans.

   **Comment:** This matter is addressed by the imposition of a condition of consent (see condition 26).

7. **The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.**

   **Comment:** This matter is addressed by the imposition of a condition of consent (see condition 27).
ITEM 2 (continued)

8. All works /regulatory signposting associated with the proposed development shall be at no cost to the RTA.

Comment: This matter is addressed by the imposition of a condition of consent (see condition 28).

9. Appropriate signage/measures should be implemented to address Parking P1 conflict point at the circular ramps (up / down from basement).

Comment: Council’s Development Engineer has reviewed the car park layout and requested that several changes be made to the plans to avoid potential conflict points and areas with difficult turning paths. Nevertheless, a condition has been added to the recommendation to address any issue (see condition 29).

10. Off street parking associated with the proposed development (including ramp grades, aisle lengths, turning paths, sight distance requirements and parking bay dimensions should be designed in accordance with AS 2890.1-2004 and AS 2890.2-2002 for loading areas.

Comment: This matter is addressed by the imposition of a condition of consent (see condition 30).

11. The proposed loading dock should be appropriately managed to ensure that there is no impediment to traffic flows along Rutledge Street.

Comment: This matter is addressed by the imposition of a condition of consent (see condition 31).

State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No 55 ("SEPP 55") applies to the proposed development and has been considered as part of this assessment.

Clause 7 of SEPP 55 requires the Council satisfy itself in relation to the following matters;

(a) whether the land is contaminated.

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
ITEM 2 (continued)

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Comment: These matters have been considered by Council’s Environmental Health Officer. A preliminary contamination report was submitted with the development application.

The site inspection revealed a diesel fuel tank, lift motor room and a sullage room (with grease trap) as items of concern for potential soil contamination. Five boreholes were also sampled (within the constraints of the site) around these areas of concern. The report concludes that the site is suitable for the redevelopment however a further investigation should be done to confirm the preliminary findings and whether or not a detailed report should be undertaken.

A more detailed report is not recommended at this stage, because the site will continue to be used for commercial purposes.

State Environmental Planning Policy No. 64 – Advertising & Signage

State Environmental Planning Policy No 64 – Advertising and Signage (“SEPP 64”) applies to the subject site and has been considered in this assessment.

The proposal does not involve the erection or display of advertising signage requiring consent under the provisions of SEPP 64.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 applies to the subject site and has been considered in this assessment.

The site is located within the designated hydrological catchment of Sydney Harbour and therefore is subject to the provisions of the above SREP. However, the site is not located on the foreshore or adjacent to the waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The objective of improved water quality is satisfied through compliance with the provisions of Council’s Development Control Plan 2006 – Part 9.2. In particular, the development will incorporate a rainwater tank for irrigation purposes. This tank will have a capacity of 250,000 Litres and provide water storage for landscaping and toilet flushing.
ITEM 2 (continued)

The proposal also involves the provision of an oil and water separation CDS to prevent oils and other contaminants entering the stormwater system. The installation of this system will ensure that there will be a high level of water quality treatment prior to runoff being released back into the Lane Cove/Parramatta River catchments.

The proposed development raises no other issues and otherwise satisfies the aims and objectives of the SREP.

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

The Department of Planning released Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport for public exhibition on 14 September 2001. The Policy has remained in draft form for several years with no indication on when it will be adopted.

The general intent of the Draft SEPP is to ensure that there is coordination between the development of large development and the provision of public transport services. Clause 7 defines the development types to which the provisions of the draft policy apply and shopping centres with a floor area greater than 1000m$^2$ are included.

The following 5 matters must be considered in the assessment of a development application to which the policy applies:-

1. **Whether carrying out the development will further the aims and the planning objectives of this Policy.**

2. **Whether the development is consistent with policy on location of specific land uses and the general policies in the Integrated Land Use and Transport Policy Package or complies with Clause 10.**

3. **Whether adequate consultation with the Director General of Transport NSW and any appropriate planning agency, transport agency and transport provider takes place in accordance with Clause 11.**

4. **Whether the transport implications are considered in accordance with Clause 12.**

5. **Whether the development incorporates travel demand management mechanisms and features that will minimise the demand for travel and use of cars including the following:**
ITEM 2 (continued)

- An urban form and structure that encourage walking, cycling and public transport use,
- Parking requirements designed to discourage car use in areas with good public transport access,
- Provision of adequate trip-end facilities for cyclists such as secure bicycle storage.
- Residential densities that will help achieve a passenger threshold for viable public transport services especially in accordance with clause 13 for new residential release areas,
- Employment or floor space densities in commercial or employment areas that reflect the accessibility of the area by suitable public transport services and facilities,
- Suitable provision for taxis.

Comment: The applicant has provided the following statement in the Statement of Environmental Effects in relation to draft SEPP 66;

“Consideration of the proposed development with regard to Draft SEPP 66 indicates that it is well considered, based on the following:

- The proposed development will create a vibrant, accessible mixed use centre, which is closely aligned with the public transport system, and protects community investment and investor confidence in the existing centre.
- The site is accessible by walking and cycling. Excellent pedestrian links, including signalisation at key intersections enables pedestrian movements. The use of cycling as a means of access to the site will be encouraged through the provision of bicycle parking facilities in the basement parking level. Further it is intended that discussions be entered into with Council regarding the provision of bicycle parking at the Rowe Street mall entrance.
- Eastwood is well serviced by public transport, including train services and a range of bus services.
- The proposed car parking spaces will be able to accommodate the likely demand arising from the proposed development and prevent on-street car parking however parking has been restricted so that it does not encourage car dependency”.

The proposed development is considered to be consistent with the aims and objectives of the Draft SEPP.
ITEM 2 (continued)

City of Ryde DCP 2006

On 4 July 2006 Council adopted a new consolidated development control plan for the City of Ryde. The provisions of the consolidated DCP became effective as of 26 July 2006.

The following sections of the DCP apply to the proposal and have been considered as part of this assessment:-

Part 4.1 – Eastwood Town Centre

The controls previously contained within DCP No. 39 have been incorporated into Part 4.1 of DCP 2006. The following requirements of Part 4.1 apply to the proposed development:

Clause 3.1 – Mixed Use Development

The following controls apply:-

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car parking should be provided at either street level or basement level(s). If</td>
<td>The new shopping centre maintains the majority of carparking at roof level with a new basement level to be created. There will be no car parking visible from street level.</td>
</tr>
<tr>
<td>parking is provided at street level it should be masked from view from the street</td>
<td></td>
</tr>
<tr>
<td>by shop frontages or architectural details. A balance however is to be achieved in</td>
<td></td>
</tr>
<tr>
<td>having some parking clearly visible from the street to emphasise convenience while</td>
<td></td>
</tr>
<tr>
<td>not creating an unattractive street level environment.</td>
<td></td>
</tr>
<tr>
<td>Retail and other active public uses, such as restaurants/cafes and libraries</td>
<td>There will be considerable retail activity at street level along the Rowe Street frontage with the shopping centre opening out onto the Rowe St mall. Limited opportunities also exist to provide some retail uses along the Rutledge St frontage complying with this requirement.</td>
</tr>
<tr>
<td>should be located at or around street level. These uses would tend to attract</td>
<td></td>
</tr>
<tr>
<td>higher volumes of pedestrian traffic, resulting in a safer environment</td>
<td></td>
</tr>
<tr>
<td>particularly after dark and would also result in adjacent public areas</td>
<td></td>
</tr>
<tr>
<td>being better utilised.</td>
<td></td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>The level immediately above street level could accommodate public and commercial uses which may not have the same regularity or intensity of pedestrian traffic as retail uses. Such uses may include professional offices, leisure uses such as gymnasiums, cinemas/theatres or uses such as places of worship or meeting rooms. Residential dwellings could also be accommodated on this level.</td>
<td>Retail uses are proposed at street level and the level above. Restaurant uses will also be provided above street level.</td>
</tr>
<tr>
<td>Upper levels of development could be used for either commercial or residential.</td>
<td>The current proposal is for retail, commercial and restaurant uses only.</td>
</tr>
<tr>
<td>Buildings should be designed to overlook public and communal streets and other public areas to provide casual surveillance.</td>
<td>The proposed development does not offer any views out to the street from the upper floor levels. The external facades above street level are generally solid walls.</td>
</tr>
<tr>
<td>Private living spaces and communal or public spaces should be clearly identified and defined.</td>
<td>Not applicable in this instance.</td>
</tr>
<tr>
<td>Sufficient lighting is to be provided to all pedestrian ways, building entries, driveways and car parks to ensure a high level of safety and security for residents and visitors at night.</td>
<td>The application indicates that there will be adequate lighting and surveillance of building entries and car parking areas.</td>
</tr>
<tr>
<td>Pedestrian and communal areas to be well lit and designed to minimise opportunities for concealment.</td>
<td>The proposal will adopt the principles of CPTED (crime prevention) and include adequate lighting of public areas.</td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pedestrian entry for the residential component of mixed use developments should be separated from entry to other land uses in the building/s.</td>
<td>Not applicable in this instance.</td>
</tr>
<tr>
<td>The use of outdoor restaurant seating whether on private or public land is a favoured land use in the urban village. Applicants should refer to Council’s Footpath Activity Policy.</td>
<td>At this stage, there are no proposals for outdoor dining within Rowe Street mall.</td>
</tr>
</tbody>
</table>

Clause 3.2 – Stormwater Management

This section of the DCP applies to that land which is subject to stormwater inundation and mapped as development restricted or development constrained within LEP 110. The subject site is not affected by either of the above categories. Accordingly, a detailed stormwater inundation report is not required.

The application has been assessed by Council’s Development Engineer having regard to the requirements of Council’s DCP 2006, Part 8.2. A detailed consideration against the DCP is provided elsewhere in this report.

Clause 3.3 – Architectural characteristics

The following requirements apply:

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height</td>
<td>The proposed development complies with the maximum height permissible under LEP 110, being 2-10 storeys.</td>
</tr>
<tr>
<td>Buildings must comply with the maximum height limit shown on the map marked “Eastwood Urban Village Height Map”.</td>
<td></td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>All parapets, fronting retail/pedestrian priority streets, shall remain at their existing levels. Vertical extensions to these buildings shall be designed so that they be seen from the opposite site of the street onto which they face.</td>
<td>Existing parapet heights in Rowe Street will be maintained (approximately 4 storeys and 15.5 metres).</td>
</tr>
<tr>
<td>Except as specified above, development is to be within the envelope of the ‘sun altitude height plane’ being the plane projected at an angle of 26 degrees over a building site measured from the property boundary on the opposite side of the road.</td>
<td>The Rutledge Street building façade will be 11.2 metres and complies with the sun altitude height plane required by the DCP. The properties on the southern side of Rutledge Street will not be adversely affected.</td>
</tr>
</tbody>
</table>

Setbacks

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>New buildings are to have street frontages built predominantly to the street alignment for the first 2 storeys.</td>
<td>The proposed development respects this setback requirement as majority of the development is to be built at the street alignment.</td>
</tr>
<tr>
<td>Buildings may be constructed to the side and rear boundaries for the first two storeys.</td>
<td>The proposal shares common boundaries along its western boundary. That part of the development generally has a nil setback.</td>
</tr>
<tr>
<td>Buildings (including balconies) are to be setback a minimum of 3 metres from all boundaries above the first 2 storeys.</td>
<td>The proposed building is unique in that it is the largest single development in the Eastwood Town Centre and is entirely retail and commercial uses. The proposed setbacks are considered appropriate under the circumstances.</td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Urban Design/Exterior Finishes</strong></td>
<td>The external facades of the building involve solid walls however they do have screening devices and other elements to create interest.</td>
</tr>
<tr>
<td>Building exteriors are to be designed to avoid extensive expanses of blank glass or solid wall.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Not applicable in this instance.</td>
</tr>
<tr>
<td>Balconies and terraces should be provided, particularly where buildings overlook public spaces.</td>
<td></td>
</tr>
<tr>
<td>All new buildings and renovations should incorporate a colour scheme using the colour palette.</td>
<td>Details of the external materials and finishes have been submitted and are considered acceptable.</td>
</tr>
<tr>
<td>Corporate colours should be limited to advertising signs and structures.</td>
<td>Not applicable in this instance</td>
</tr>
<tr>
<td>The sitting and configuration of buildings should take into account the impact on surrounding development and public spaces in terms of amenity, shadowing and visual privacy.</td>
<td>The proposed development essentially fits within the envelope of the existing shopping centre. No adverse amenity impacts associated with the proposed development have been identified.</td>
</tr>
<tr>
<td>The tops of buildings are to be designed so that they:</td>
<td>The roof design is considered acceptable in terms of these objectives.</td>
</tr>
<tr>
<td>- integrate with the design of the building and conceal plant and equipment; and</td>
<td></td>
</tr>
<tr>
<td>- promote a visually distinctive and interesting skyline.</td>
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ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Corner Allotments</strong></td>
<td></td>
</tr>
<tr>
<td>The design of buildings should consider the following:</td>
<td>The proposed development only occupies one street corner, that being the highly visible corner of Rutledge Street and West Parade. The building’s response to this corner is considered acceptable in terms of its visual appearance.</td>
</tr>
<tr>
<td>- The height of adjacent buildings;</td>
<td></td>
</tr>
<tr>
<td>- Stepping the building up where the building turns the corner;</td>
<td></td>
</tr>
<tr>
<td>- The incorporation of distinctive features to enhance the streetscape, i.e. clocks, flag poles and towers;</td>
<td></td>
</tr>
<tr>
<td>- Giving the corner a splayed, concave, convex or square recess treatment such that it signifies the intersection; and</td>
<td></td>
</tr>
<tr>
<td>- Design incorporating the removal and clutter such as power poles and advertising signage from around intersections.</td>
<td></td>
</tr>
</tbody>
</table>

*Clause 3.4 – Access & Parking*

The following requirements apply:

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Parking Design and Location</strong></td>
<td></td>
</tr>
<tr>
<td>The creation of additional on-street car parking is encouraged. Opportunities to amplify on-street car parking through reconfiguration of car spaces (i.e. angled parking) should be explored.</td>
<td>No additional on-street car parking is proposed as part of this application.</td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car parking associated with uses other than general retail uses should be located below ground level or should not be visible from the street. Alternatively, car parking can be screened from the street by situating retail uses between the street alignment and the parking area.</td>
<td>Not applicable in this instance as the proposal is for a general retail use. Nevertheless, the car parking is generally provided below ground in a basement or on the rooftop.</td>
</tr>
<tr>
<td>In order to minimise vehicular conflict between the resident’s and delivery/customers vehicles, car parking associated with residential uses should be provided separately from parking and other land uses.</td>
<td>The proposal is for a single use only. No residential dwellings are proposed.</td>
</tr>
<tr>
<td>Provision of off-street parking must comply with the following requirements:</td>
<td>A total of 643 car spaces are required; Retail (14,375m²) – 575 spaces Offices (2,018m²) – 68 spaces 643 car spaces are proposed as part of the development.</td>
</tr>
</tbody>
</table>
|  - **General Retail Uses**: 1 space per 25m² floor area accessible to the public.  
  - **Offices**: not more than 1 space per 46m² of nett useable floor area. |                                                                                                                                                                                                                             |
| Location of Vehicle Access and Footpath Crossings                                                                                                                                                            |                                                                                                                                                                                                                             |
| The design and location of vehicle access to developments should minimise: | Vehicle access points associated with the proposal are located on West Parade, Rutledge Street and Trelawney Street. There is no vehicle access proposed from Rowe Street. The treatment of vehicle entrances will be conditioned to provide a safe environment for pedestrians. |
|  - conflicts between pedestrians and vehicles on footpaths, particularly along pedestrian priority streets; and  
  - visual intrusion and disruption of streetscape continuity. |                                                                                                                                                                                                                             |
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>New vehicle access points are restricted in retail/pedestrian priority streets. Where practicable, vehicle access is to be from lanes and minor streets rather than major pedestrian streets or major arterial roads such as Rutledge Street, First Avenue or Blaxland Road.</td>
<td>No new vehicle access points are proposed on retail/pedestrian priority streets.</td>
</tr>
<tr>
<td>Service vehicle access is to be combined with parking access and limited to a maximum of one access point per building.</td>
<td>Given the scale of the proposed development, a dedicated loading dock is necessary. This has been kept separate from the entrance to the parking levels.</td>
</tr>
<tr>
<td>Design of Vehicle Access</td>
<td></td>
</tr>
<tr>
<td>Wherever practicable, vehicle access is to be a single crossing, perpendicular to the kerb alignment.</td>
<td>Vehicle access has generally been kept to single crossings with 2-way movement and perpendicular to the kerb alignment.</td>
</tr>
<tr>
<td>Vehicle access ramps parallel to the street frontage will not be permitted.</td>
<td>The proposal does not involve any vehicle access ramps parallel to the street.</td>
</tr>
<tr>
<td>Active uses or items of visual interest above vehicle access points are required in the horizontal line of sight of pedestrians.</td>
<td>It's important to minimise any distraction to motorist entering or exiting the building to reduce the potential for conflict with pedestrians. It is anticipated that directional signage will be erected above carpark entrances. Signage will be the subject of a separate DA. See condition 171.</td>
</tr>
<tr>
<td>Vehicle entries are to have high quality finishes to walls and ceiling as well as high standard detailing. No service duct pipes are to be visible from the street.</td>
<td>This matter is best addressed by way of a condition of consent (see condition 17).</td>
</tr>
</tbody>
</table>
## ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bicycle Facilities</strong></td>
<td></td>
</tr>
<tr>
<td>New developments in the station interchange area (as defined by the Eastwood Master Plan) shall provide parking facilities such as U-rails for bicycle users, to the satisfaction of Council.</td>
<td>Not applicable in this instance as the site is not located within the Station Interchange Area.</td>
</tr>
<tr>
<td>Road improvements and new traffic calming measures, such as speed humps and pedestrian refuge islands should be designed and installed so that they can be safely negotiated by cyclists.</td>
<td>Not applicable in this instance.</td>
</tr>
</tbody>
</table>

**Clause 3.5 – Pedestrian Access and Amenity**

The following requirements apply:-

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Frontage Activities</strong></td>
<td></td>
</tr>
<tr>
<td>Buildings with frontage to retail streets are to contribute to the liveliness and vitality of those streets by:-</td>
<td>The proposed development complies with these requirements. The Rowe Street frontage in particular, includes many retail uses that will contribute to the liveliness and vitality of the Rowe Street mall.</td>
</tr>
<tr>
<td>(a) providing product retailing and/or food/drink outlets within all enclosed shop-fronts,</td>
<td></td>
</tr>
<tr>
<td>(b) Allowing for visual interest such as display cases on the external face of fire escapes, service doors and equipment hatches.</td>
<td></td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
</table>
| (c) Minimising the extent and visual impact of building entrances, office lobbies, foyers, vehicle entrances and other entries not associated with retail and fire escapes, service doors and equipment hatches.  
(d) Locating activities that may involve queuing (including automatic teller machines) behind building frontages so that footpaths remain free for pedestrian movement. Queuing space is to be within the building. Recesses in the street alignment for these activities are appropriate.  
(e) Providing a high standard of finish for shopfronts.                                                                                                                                                                                                                                                                                                                                                                       | The proposed development complies with these requirements. The Rowe Street frontage in particular, includes many retail uses that will contribute to the liveliness and vitality of the Rowe Street mall.                                                                                                                                                                                                 |
| Buildings with frontages to retail/pedestrian priority streets are to contribute to the liveliness and vitality of those street by providing one or more of the following at ground level:  
   (a) Retailing, food/drink outlets, customer counter services, or other activities which provide pedestrian interest.  
   (b) Enclosed shop-fronts with window displays of goods and services within, and/or artworks.  
   (c) Open shopfronts to food outlets and/or interiors with tables and chairs for diners.  
   (d) Indoor queuing space for activities that may involve queuing (automatic teller machines) so that footpaths remain free for pedestrian movement. Recesses in the street alignment for these activities are appropriate.  
   (e) A high standard of finish for shopfronts.                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                  |
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings with frontage to other streets and lanes are to contribute to the liveliness and vitality of those streets by:</td>
<td>The proposed development provides limited active uses to West Parade and Rutledge Street.</td>
</tr>
<tr>
<td>(a) Providing visual interest. (b) Providing well designed and attractive entrances, lobbies and commercial uses at ground level. (c) Incorporating, where practicable, either open or enclosed shopfronts with window displays of merchandise or services within, and/or artworks.</td>
<td></td>
</tr>
<tr>
<td>Ground floor uses are to be at the same level as the footpath. Split level arcades or open retail forecourts at different levels to the footpath are inappropriate because they separate the activities within them from the street.</td>
<td>The ground floor uses on the Rowe Street level of the development will be at the same level as the footpath (with a small rise to keep floodwater out of the shopping centre).</td>
</tr>
<tr>
<td>The ground floor of all development is to be flush with the street footpath for the predominant level of the street frontage and at the main entry to the building.</td>
<td>The ground floor of the shopping centre will generally be flush with the footpath level in Rowe Street mall to ensure there is good access into the centre for people with disabilities, prams and scooters.</td>
</tr>
<tr>
<td>All street frontage windows at ground level are to have clear glazing.</td>
<td>This matter has been addressed by way of a condition of consent (see condition 6).</td>
</tr>
<tr>
<td>Enclosed shopfronts are preferred to open shopfronts, except for restaurants and cafes.</td>
<td>All shopfronts facing the Rowe St mall and other streets will have enclosed shopfronts.</td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Dining tables and chairs are generally permissible on the footpath along the</td>
<td>This application currently does not involve outdoor dining, however it does not preclude such development in the future.</td>
</tr>
<tr>
<td>street frontage of a site subject to compliance with Council’s Footpath Activity</td>
<td></td>
</tr>
<tr>
<td>Policy.</td>
<td></td>
</tr>
<tr>
<td>Security grilles are to be fitted only within the shopfront. Such grilles are to</td>
<td>A condition of consent has been included in the recommendation of the report to prevent the erection of security grilles on the</td>
</tr>
<tr>
<td>be transparent.</td>
<td>street frontage (see condition 62).</td>
</tr>
<tr>
<td>Recesses for roller doors and fire escapes are to be wide and shallow to provide</td>
<td>Most of the recesses are shallow and wide.</td>
</tr>
<tr>
<td>for personal security. Narrow, deep recesses are to be avoided.</td>
<td></td>
</tr>
<tr>
<td>Dining tables and chairs may be permitted on suitably designed spaces at awning</td>
<td>This application currently does not involve outdoor dining, however it does not preclude such development in the future.</td>
</tr>
<tr>
<td>level.</td>
<td></td>
</tr>
</tbody>
</table>

**Circulation**

| Where circulation is provided through a site or within a building serving to       | It is desirable that a pedestrian circulation path be provided through the shopping centre between Rowe Street and Rutledge Street. The developer has indicated that pedestrians will have access through the centre from Rutledge Street to the Rowe Street mall. |
| connect 2 points, the thoroughfare should function as a shortcut, be continuous   |                                                                                                                                       |
| and level with pedestrian areas and incorporate an active edge of retail or        |                                                                                                                                       |
| commercial uses.                                                                 |                                                                                                                                       |
| Entry and exit points for vehicles are to be designed in a manner that reinforces | Vehicle circulation around Eastwood is very constrained. The proposal ensures that access will be available from Trelawney St, Rutledge St and West Pde. |
| the Circulation Strategy.                                                         |                                                                                                                                 |
|                                                                                  |                                                                                                                                 |
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
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<tbody>
<tr>
<td><strong>Street Furniture</strong></td>
<td></td>
</tr>
<tr>
<td>Development which entails the provision of new public spaces (i.e. streets, footpaths and walkways and the like) will need to incorporate new street furniture on the public space. This embellishment will be at the developer’s cost and the type and amount of embellishment will be negotiated with Council.</td>
<td>Where opportunities exist for new street furniture to be installed, these will be included as conditions of consent. See conditions 32 and 33.</td>
</tr>
<tr>
<td>Street furniture should be designed and installed in accordance with a theme and provided throughout the centre, particularly in areas with the greatest concentration of and use by pedestrians.</td>
<td>Limited opportunity exists for the provision of street furniture, however where such opportunities exist, they will be required to conform to these standards.</td>
</tr>
<tr>
<td>The style, colour and installation methods of street furniture shall be in accordance with Council’s specifications.</td>
<td>This matter can be addressed by a condition of consent where applicable. See condition 33.</td>
</tr>
<tr>
<td><strong>Landscaping and Trees</strong></td>
<td></td>
</tr>
<tr>
<td>Development proposals, incorporating landscaped elements, are to be accompanied by a landscape plan.</td>
<td>A landscape plan was submitted with the DA.</td>
</tr>
<tr>
<td>Where appropriate developments should incorporate landscaping in the form of planter boxes incorporated into the upper levels of the building to soften building form.</td>
<td>The landscape plan submitted with the DA indicates that landscaping will be provided around the building perimeter.</td>
</tr>
<tr>
<td>Ground level entry areas to upper level dwellings should be well lit and not obstructed by planting in a way that reduces the actual or perceived personal safety or security of residents or pedestrians.</td>
<td>Not applicable in this instance as development is not for residential dwellings.</td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Street trees shall be provided in accordance with the Master Plan for the Centre and shall be provided at the developers’ cost in conjunction with any new building work involving additional floor space.</td>
<td>The landscape plan submitted with the development application indicates new street tree planting along Rutledge Street and West Parade frontages of the site.</td>
</tr>
<tr>
<td>Street trees at the time of planting shall have a minimum container size of 200 litres, and a minimum height of 3.5m, subject to species availability.</td>
<td>This matter can be addressed by way of a condition of consent. Accordingly, a condition has been included in the recommendation of the assessment report. (see condition 34).</td>
</tr>
<tr>
<td>Tree sites in the footpath area shall be 1.2m by 1.2m, filled with an approved gravel and located 200mm from the back of the kerb line.</td>
<td>This matter can be addressed by way of a condition of consent. Accordingly, a condition has been included in the recommendation of the assessment report. (see condition 35).</td>
</tr>
<tr>
<td>A tree grate of a type that meets Council’s specifications shall protect all trees.</td>
<td>This matter can be addressed by way of a condition of consent. Accordingly, a condition has been included in the recommendation of the assessment report. (see condition 36).</td>
</tr>
<tr>
<td>Where a proposal involves redevelopment of a site of at least 40m to a public road, the developer shall arrange for electricity and telecommunications utilities to be undergrounded along the entire length of all street frontages. Such utility modifications will be carried out to the satisfaction of the responsible authority (Energy Australia). This is to improve the visual amenity of the area and allow street trees to grow unimpeded.</td>
<td>This requirement applies to the subject site due to the length of the frontage of Rutledge Street only. There is high voltage (66Kv) overhead transmission mains running along the Rutledge Street frontage that should be undergrounded should the opportunity arise. It is proposed that the applicant underground these mains as part of the redevelopment of this site. More detailed consideration of this issue is provided below (under Utility Service).</td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Where utility installations are undergrounded in conjunction with new development Council will waive 50% of the total contribution towards public space acquisition and embellishment normally payable under Council’s relevant Section 94 Contributions Plan.</td>
<td>It is proposed that the Energy Australia high voltage transmission mains be undergrounded. Therefore the Section 94 Contribution payable will need to be adjusted accordingly (The contribution amount in Condition 65 has yet to be adjusted).</td>
</tr>
</tbody>
</table>

Awnings and Colonnades

<table>
<thead>
<tr>
<th>Buildings with frontage to any street must incorporate an awning or colonnade along that boundary.</th>
<th>New awnings are proposed to be provided to the Rowe and Rutledge Street elevations of the building.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The pavement level of a colonnade or covered walkway shall be at the same level as the footpath to which it is adjacent.</td>
<td>Not applicable in this instance as a colonnade is not proposed.</td>
</tr>
<tr>
<td>The height of a colonnade, awning or covered way shall not be less than 3 metres or greater than 4.5 metres.</td>
<td>The plans submitted indicate that the height of the awning to Rowe Street will be 3.5m and to Rutledge Street less than 5m.</td>
</tr>
<tr>
<td>The width of a colonnade, awning or covered way shall not be less than 3 metres.</td>
<td>The awning widths will be conditioned to comply with this requirement (see condition 37).</td>
</tr>
<tr>
<td>Any new awning should:</td>
<td>The specifications for new awnings can be dealt with by conditions of consent. Accordingly, a condition of consent has been included in the recommendation of this assessment report (see conditions 37 and 38).</td>
</tr>
<tr>
<td>- Be continuous for the entire length of the site frontage.</td>
<td></td>
</tr>
<tr>
<td>- Be set back from the face of the kerb by 0.6m.</td>
<td></td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
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</tr>
</thead>
<tbody>
<tr>
<td>- Have cut outs of 1m wide by 1m deep to accommodate street trees, where the frontage is proposed to accommodate street tree in accordance with the Master Plan or any public domain improvement plan.</td>
<td>All shopfronts are to be designed to comply with this requirement. A condition of consent specifying the standards for shopfronts has been included in the recommendation of the assessment report (see condition 62).</td>
</tr>
<tr>
<td>- Be weather sealed to the face of the building to which they are attached and the adjoining awnings.</td>
<td></td>
</tr>
<tr>
<td>- Have a height clearance above the footpath level of at least 3m or a height consistent with adjoining awnings; and</td>
<td></td>
</tr>
<tr>
<td>- Maintain sufficient clearances from any overhead electricity or telecommunications installations.</td>
<td></td>
</tr>
</tbody>
</table>

Ground level shop fronts may incorporate see-through security grills or translucent barriers to ensure that maximum light is transmitted to footpath areas. Blank roller-shutter type doors will not be permitted.

**Clause 3.6 – Advertising and Signage**

The proposed development does not involve the erection of display of any advertising signage. At this stage it is expected that separate applications will be made to Council in relation to signage.

**Clause 3.7 – Environmental Management**

The following requirements apply:-
## ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Sunlight</strong></td>
<td><strong>Major public spaces should receive a minimum of 50% sunlight on the ground plane for at least 2 hours between 10am and 2pm on June 21.</strong></td>
</tr>
<tr>
<td></td>
<td>The proposed development does not overshadow any major public spaces. Rowe Street mall will not be affected by the proposal.</td>
</tr>
<tr>
<td>All new buildings should have an area of roof, with appropriate orientation and</td>
<td>The current proposal does not intend to install solar hot water or photovoltaic cells upon the roof of the development.</td>
</tr>
<tr>
<td>pitch that is suitable for the installation of solar collectors and photovoltaic</td>
<td></td>
</tr>
<tr>
<td>cells.</td>
<td></td>
</tr>
<tr>
<td>In new residential developments, windows to north facing living areas should</td>
<td>Not applicable in this instance, as no residential development is proposed.</td>
</tr>
<tr>
<td>receive at least 3 hours of sunlight between 9am and 5pm on June 21 over a portion</td>
<td></td>
</tr>
<tr>
<td>of their surface. North facing windows to living areas of neighbouring dwellings</td>
<td></td>
</tr>
<tr>
<td>should not sunlight reduced to less than the above 3 hours.</td>
<td></td>
</tr>
<tr>
<td>All development proposals of 2 storeys or more are to be accompanied by shadow</td>
<td>Shadow diagrams were submitted with the proposal. The proposed development does not overshadow the Rowe St mall, which is to the north of the site. Current overshadowing of Rutledge Street will not be increased.</td>
</tr>
<tr>
<td>diagrams that are submitted with the local development application.</td>
<td></td>
</tr>
<tr>
<td><strong>Wind Standards</strong></td>
<td></td>
</tr>
<tr>
<td>Building design is to minimise adverse wind effects on recreation facilities and</td>
<td>The redeveloped shopping centre is unlikely to have any significant impact upon wind conditions. Any future residential development would need detailed assessment.</td>
</tr>
<tr>
<td>open terraces within developments.</td>
<td></td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Energy Efficiency of Buildings</strong></td>
<td></td>
</tr>
<tr>
<td>New buildings should be designed to ensure that energy usage is minimised.</td>
<td>The application has been supported by an ESD report addressing this issue.</td>
</tr>
<tr>
<td><strong>Vibration and Noise Mitigation</strong></td>
<td></td>
</tr>
<tr>
<td>In respect of proposals for new residential buildings;</td>
<td></td>
</tr>
<tr>
<td>- The building plan, walls, windows, doors and roof are to be designed and detailed reduce intrusive noise levels.</td>
<td></td>
</tr>
<tr>
<td>- Balconies and other external building elements are located, designed and treated to minimise infiltration and reflection of noise onto the façade.</td>
<td></td>
</tr>
<tr>
<td>- Dwellings are to be constructed in accordance with:</td>
<td></td>
</tr>
<tr>
<td>- Australian Standard AS3671-1989 Acoustics Road Traffic Noise Intrusion, Building Siting and Construction; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Not applicable in this instance as the proposal does not involve any residential development.</td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
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</tr>
</thead>
</table>
| In respect of developments proposed within 100m of the railway line, the following document should be used as a guideline for incorporating measures to mitigate noise and vibration:  
- Rail Related Noise and Vibration: Issues to consider in Local Environmental Planning – Development Applications and Building Applications.                                                                                                                                                                                                 | The proposal does not involve residential development and therefore there are no residents to be affected by railway operations. The retail development is unlikely to be impacted by railway operations.                                                                                                                                 |
| **Reflectivity**                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                     |
| New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.                                                                                                                                                                                                                       | This matter can be addressed by way of a condition of consent (see condition 9).                                                                                                                                                                                                                                                     |
| Visible light reflectivity from building materials used on the facades of new buildings should not exceed 18%.                                                                                                                                                                                                                                    | This matter can be addressed by way of a condition of consent (see condition 8).                                                                                                                                                                                                                                                     |
| **External Lighting of Buildings**                                                                                                                                                                                                                                                                                                                                                                        | The external lighting to be installed on the building should be designed to integrate with the building design, provide adequate surveillance for security purposes and minimise obtrusive impacts upon residents (see conditions 9, 55 - 58).                                                                                     |
| Any external lighting of buildings is to be considered with regard to:                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                     |
| a) The integration of external light fixtures with the architecture of the building (for example highlighting external features of the building).  

b) The contribution of the visual effects of external lighting to the character of the building, surrounds and skyline.  

c) The energy efficiency of the external lighting system.  

d) The amenity of residents in the locality. |                                                                                                                                                                                                                                                                                                                                     |
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
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</tr>
</thead>
<tbody>
<tr>
<td>All applications for demolition, building and land development must be</td>
<td>A Waste Management Plan was submitted with the application.</td>
</tr>
<tr>
<td>accompanied by a waste management plan.</td>
<td></td>
</tr>
<tr>
<td>The system for waste management is compatible with collection services.</td>
<td>There will be a waste storage area provided within the Rutledge St loading dock and collection will take place from this location.</td>
</tr>
<tr>
<td>On-site source separation is facilitated.</td>
<td>This will be provided.</td>
</tr>
<tr>
<td>An appropriately designed and well located waste storage and recycling area</td>
<td>This will be provided.</td>
</tr>
<tr>
<td>and/or garbage and recycling room is provided on-site.</td>
<td></td>
</tr>
<tr>
<td>Clear access for staff and collection services is provided.</td>
<td>It appears that this requirement can be accommodated.</td>
</tr>
<tr>
<td>Facilities are clearly sited, well-designed and do not impact on adjoining</td>
<td>The location of the waste management area is considered acceptable.</td>
</tr>
<tr>
<td>premises or the amenity.</td>
<td></td>
</tr>
<tr>
<td>There are acceptable administrative arrangements for on-going waste management.</td>
<td>The shopping centre management will be responsible for on-going waste management arrangements.</td>
</tr>
<tr>
<td>Every building shall be provided with a waste storage and recycling area</td>
<td>This will be provided within the development and details of the waste storage area are to be submitted prior to the release of the</td>
</tr>
<tr>
<td>designed and constructed to be flexible in size and layout to cater for future</td>
<td>Construction Certificate (see conditions 66, 67 and 70).</td>
</tr>
<tr>
<td>changes of use. The size is to be calculated on the basis of waste generation</td>
<td></td>
</tr>
<tr>
<td>rates and proposed bin sizes.</td>
<td></td>
</tr>
</tbody>
</table>
## ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Where special waste material is to be generated (such as chemicals and other</td>
<td>Should not be necessary in this instance.</td>
</tr>
<tr>
<td>products past their expiry date) special arrangements will be required.</td>
<td></td>
</tr>
<tr>
<td>Where multiple occupancy, such as a series of shops or an office complex is</td>
<td>It is proposed that the shopping centre will have a communal/shared waste storage area. There is not adequate detail at this stage to determine the specific waste requirements of individual uses. More detail will be provided as applications for change of use/fit-out are submitted to Council.</td>
</tr>
<tr>
<td>proposed, communal facilities may be appropriate. The waste storage and recycling</td>
<td></td>
</tr>
<tr>
<td>area should be designed to enable each separately tenanted or separately</td>
<td></td>
</tr>
<tr>
<td>occupied area within the building or complex to be provided with a designated</td>
<td></td>
</tr>
<tr>
<td>and clearly identified space for the housing of sufficient commercial containers</td>
<td></td>
</tr>
<tr>
<td>to accommodate the quantity of waste and recycled material generated.</td>
<td></td>
</tr>
<tr>
<td>Buildings containing more than 3 storeys shall be provided with an acceptable</td>
<td>Not applicable in this instance as the shopping centre only involves 2 levels of retail development.</td>
</tr>
<tr>
<td>method for transporting waste from each level to a garbage and recycling room.</td>
<td></td>
</tr>
<tr>
<td>This could be a goods lift, a chute system or some other means of providing direct</td>
<td></td>
</tr>
<tr>
<td>and convenient internal access.</td>
<td></td>
</tr>
<tr>
<td>Ongoing management is a significant issue – details are required in the Waste</td>
<td>The Waste Management Plan provided contains detail of the ongoing waste management arrangements.</td>
</tr>
<tr>
<td>Management Plan.</td>
<td></td>
</tr>
<tr>
<td>For offices and commercial premises particular attention should be paid to paper</td>
<td>There will be arrangements put into place for the recycling of paper and cardboard.</td>
</tr>
<tr>
<td>and cardboard recycling with source separation at the waste storage and</td>
<td></td>
</tr>
<tr>
<td>recycling area or garbage and recycling room.</td>
<td></td>
</tr>
</tbody>
</table>
ITEM 2 (continued)

<table>
<thead>
<tr>
<th>DCP Requirement</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special attention should be paid to food scrap generation. Specialised containment should be provided and a regular and frequent collection service arranged to ensure that no impacts result from the activity.</td>
<td>As a large portion of the shopping centre will be dedicated to food premises (such as the fresh food market and supermarket), special arrangements will need to be made for the storage of food wastes. Details concerning those arrangements cannot be assessed until individual development applications are lodged with Council for the fit-out of each food premises.</td>
</tr>
<tr>
<td>Refrigerated garbage rooms should be provided when large volumes, perishables (such as seafood) and infrequent collection is proposed.</td>
<td>This requirement should be considered if necessary.</td>
</tr>
<tr>
<td>Contact should be made with Sydney Water to obtain their trade waste requirements for the installation of grease arrestors where there is a likelihood of the need to dispose of liquid waste.</td>
<td>This matter can be addressed by way of a condition of consent (see condition 81 and 82).</td>
</tr>
</tbody>
</table>

**Part 7.1 – Energy Smart/Water Wise**

The controls previously contained within DCP 45A have been incorporated into Part 7.1 of DCP 2006 and have been applied to the proposal as part of this assessment.

The key objectives relating to this part of the DCP for a retail shopping centre are:-

- A base building that incorporates appropriate energy conservation measures.
- Reducing the consumption of water, electricity and gas for the purposes of lighting, heating and cooling.
- Substantial reductions in water consumption through the use of water efficient fixtures and water efficient landscaping.
ITEM 2 (continued)

The DCP requires that the total anticipated energy consumption for the base building is not to exceed 900MJ/m²/annum.

A report addressing ecologically sustainable development (ESD) initiatives has been submitted with the development application. This report states that an assessment of the proposal against the AGBR pilot shopping centre tool has been undertaken. A 4 star rating is proposed with the possibility of achieving a rating of 5 stars in the forthcoming Version 1 Green Star Shopping Centre Design Tool. The Green Star rating gives considerable weighting to energy and the following initiatives have been included in the development to provide for a satisfactory outcome:

- Good shading on the glazed surfaces,
- CO₂ monitoring in the mall areas to match outdoor air loads to the occupancy.
- Use of “split air” from retail tenancies to aid in conditioning the mall space.
- Energy efficient water cooled equipment
- Gas boiler for heating to reduce CO₂ emissions
- Energy efficient lighting in the common areas
- CO₂ monitoring in the car parks to minimise unnecessary fan energy.

The above initiatives have been included into the development in order to attain the objectives of the DCP in relation to energy consumption.

In relation to water consumption, the proposal will incorporate AAAA rated fixtures, waterless urinals, rainwater and stormwater collection for toilet flushing and irrigation and efficient operation of the development’s cooling towers.

The standard conditions for hot water heating, water saving fittings and fixtures have been included within the recommendation of the report (see conditions 48 and 49).

**Part 7.2 – Waste Minimisation & Management**

The controls previously contained within DCP 27 have been incorporated into Part 7.2 of DCP 2006 and have been applied to the proposed development as part of this assessment.

A Waste Management Plan has been submitted with the development application.

The main sources of waste can be categorised into the following 3 groups:
ITEM 2 (continued)

Demolition Waste: The demolition section of the Waste Management Plan indicates that the majority of materials will be handled by the appointed waste contractor, Collex. The majority of demolition material will be disposed off site, including 11,000 tonnes of concrete. Special arrangements will be put into place for the disposal and handling of any asbestos material. Conditions of consent have been included in the recommendation of the report to address the handling, storage and disposal of any asbestos products (see conditions 74, 77 and 78).

Construction Waste: The construction section of the Waste Management Plan indicates that several tonnes of waste material will be transport off site by the waste contractor to be appointed by the developer. This material includes excavation material, bricks, concrete and metals.

On-Going Waste: As a large proportion of the future tenants of the shopping centre are not known at this stage, the precise details of the likely waste generation are not known at this stage.

Council is aware that one of the future tenants will be a Woolworths supermarket, which will generate approximately 56 cubic metres of waste material a week. Woolworths is located on the same level as the loading dock/waste storage area and will have direct connection through to this area for easy accessibility to the waste storage area.

The plans submitted with the development application indicate that many of the future tenants will be restaurants and food retailers. Experience shows that food premises generate a considerable amount of waste, including packaging and food scraps. In order to effectively deal with the wastes generated by these premises, suitable arrangements should be submitted to Council for approval with each DA for fitout/use of each tenancy.

The DA plans state there will be a storage area that appears as though it will be a shared waste storage room that is provided for the use of all tenancies. This is confirmed in the Statement of Environmental Effects which nominates the loading dock area as the location of the garbage room. There will be a waste compactor installed to compact the waste materials prior to collection on a daily basis. This waste storage area for the shopping centre will be located on the Rutledge Street level, adjoining the loading dock, allowing for easy garbage collection. Much of the detail relating to the design of the waste storage area has not been submitted for Council to assess. This makes it difficult to determine whether there will be adequate space to serve the waste storage needs of all the proposed retail tenants and the current occupants of the office tower. A condition of consent requiring the submission of more detailed plans of this aspect of the building has been included in the recommendation of the report (see condition 70).
ITEM 2 (continued)

Measures will be put in place for the recycling of paper and cardboard products on a weekly basis. The DA indicates that there will be source separation of recyclables (such as cardboard, paper, glass, plastics, etc).

Part 8.1 – Construction Activities

The controls previously contained within DCP 42 have been incorporated into Part 8.1 of DCP 2006 and have been applied to the proposal as part of this assessment.

The proposed development involves the undertaking of substantial construction and demolition works within the centre of Eastwood town centre. Staging plans for the demolition and construction phases of the development have been submitted with the development application to indicate the timing of these aspects of the development. It is understood that the centre will continue trading for the duration of these works, with the western section of the building being rebuilt first and then works will progress over to the eastern side of the centre. It is anticipated that the rebuilt western half of the centre will be ready to be occupied before work starts on the eastern half of the centre.

During the demolition and construction phases of the development appropriate safety measures will need to be put in place to safeguard the public and workforce visiting the centre. The building works on the site will need to incorporate appropriate safety measures such as the erection of hoardings over the footpath, installation of signage and barriers to keep the public away from construction areas and protection of Council assets in the vicinity of the site for the duration of all building works. The usual OH&S and WorkCover safety requirements will also need to be met (see conditions 119 to 137).

The DCP also requires the development to make provision for the incorporation of appropriate soil and sedimentation measures to prevent pollution of the Lane Cove/Parramatta River catchment. Appropriate conditions of consent intended to manage all construction-related impacts on the environment have been included in the recommendation of the report (see conditions 105 to 110).

Given the scale of development and extent of excavation being proposed, it is considered appropriate that a dilapidation survey of nearby buildings and structures be undertaken prior to the commencement of any building work (see condition 114).

It is considered that the proposed development is capable of complying with the requirements of Part 8.1 of DCP 2006.
ITEM 2 (continued)

Part 8.2 – Stormwater Management

The controls previously contained within DCP 41 have been incorporated into Part 8.2 of DCP 2006.

The proposed redevelopment of the Eastwood Centre has been assessed in terms of the requirements of this section of DCP 2006. Council’s Development Engineer has provided the following comments in relation to the proposal;

“The amended drainage plan indicates the entire site stormwater runoff is being collected and piped to an existing stormwater pit in West Parade via a gross pollutant trap, 250m$^3$ rainwater tank connected for internal reuse and a 140m$^3$ OSD tank. As the OSD tank is now located at a higher level (on Parking Level CP1) instead of the lower level basement car park as proposed earlier, the OSD outlet pipe is not affected by backwater flow from Council’s stormwater system in a 1in 100 year storm. Accordingly, apart from some minor design issues that can be addressed by conditions of consent, the drainage plan is considered satisfactory”.

Appropriate conditions of consent have been included in the recommendation of the report to ensure that the proposed development complies with the requirements of Part 8.2 of DCP 2006 (see conditions 97 to 104).

Part 9.1 – Advertising Signs

The proposed development does not involve the erection of display of any advertising signage. At this stage it is expected that separate applications will be made to Council in relation to signage. Such applications will of course be assessed against the requirements of this section of the DCP (see condition 171).

Part 9.2 – Access for People with Disabilities

The controls previously contained in DCP 37 have been incorporated into Part 9.2 of DCP 2006. Given the complexity of this proposal and the very technical nature of the standards contained in Part 9.2, a copy of the development application was referred to Council’s Access Consultant (Elton Consulting) for review against the requirements of the DCP and other relevant standards adopted by the DCP. The findings of this assessment are considered in detail below.
ITEM 2 (continued)

Because a shopping centre is a very public space that is used by a large number of people in the community it is important that this development offers a high level of access for people with disabilities. The DCP requires that disabled access be provided both into and within the newly refurbished building and that such access meet the access standards currently in force. The DCP prescribes compliance with the requirements of both AS1428 and the Building Code of Australia. All parts of the refurbished building must be accessible to people with disabilities via a continuous accessible path of travel to and through the entrances, with doors and doorways of appropriate design to be used by people with a disability, and appropriate tactile ground surface indicators, furniture, sanitary facilities and car parking.

Access into the development; From the Rowe Street mall, there appears to be an accessible path of travel into the building as the floor level is the same as the ground level within the mall (RL 68.65). The plans do not indicate the proposed door treatment of this area, however these details can be resolved at later stages of the application process (such as prior to issue of the Construction Certificate).

On the Rutledge Street level, access to the street is provided via a ramp leading from RL 74.55 to RL 74.85. Council’s consultant has indicated that this ramp appears to comply with statutory requirements in terms of its gradient, width and length.

The recommendations of the applicant’s access review are satisfactory, however when slight level changes greater than 3mm are provided at doorways (to keep out wet weather) it should be ensured that they do not provide a barrier for people with a disability.

Access within the building; Given the scale of the shopping centre there are many areas of the building to be assessed including the general circulation spaces, within the various shops and other retail areas, access between the retail levels, the access between the shops and the parking levels and access to the restaurants. A summary of the main issues raised in the consultant’s assessment is below:

The proposal appears to allow accessible paths of travel around each level with sufficient width to allow 2 wheelchairs users to pass (1800mm) in accordance with AS1428.2.

In terms of access into the various shops and sub-tenancy spaces on each of the two retail levels, no doorways are indicated for either the shops leading directly off Rowe Street mall and Rutledge Street or those leading off the internal central shopping plaza areas. Accordingly, Council’s access consultant is unable to confirm whether doorways and thresholds will comply with statutory requirements and permit access by people with a disability.
ITEM 2 (continued)

The consultant reviewing the application has found an inconsistency between the report from the applicant's access consultant and Council's DCP. The applicant's consultant has recommended doors leading into tenancies have clear widths of 850mm and door components compliant with AS 1428.1. The DCP requires doors to have clear openings of at least 960mm width. Council's Access Consultant has advised that the wider door width (960mm) creates a very heavy door which is difficult for people with disabilities to open. Therefore the 850mm door width, which is required by the Australian Standard, is considered to be more appropriate under the circumstances. It is recommended that Council allow this variation to DCP 2006, Part 9.2 - Access for People With Disabilities.

The main accessible path of travel between the retail levels and car parking levels will be provided by lifts. There will be a lift between the basement car park providing access to all upper levels and another lift going from the lift lobby on Rowe Street and servicing all the existing commercial levels above. In addition to the lifts, there will be moving travelators linking the five levels. Tactile ground surface indicators will be provided at the top and bottom of all travelators on each level.

A potential area of concern exists in relation to the access arrangements for the restaurants on the upper levels of the Rowe Street frontage. The plans indicate that the two restaurant and the Yum Cha restaurant do not correspond with the levels for the remainder of the shopping centre. It is not clear what levels will be serviced by the lifts and whether the lifts in the lift core will provide access to the restaurants or retail/parking levels. As no doorways into the restaurants/Yum Cha area are shown, it is not clear where and where people will get into them and how the lifts will serve them.

Access to amenities: The plans submitted do not provide details of the internal layout of the amenities, however, all amenities within the shopping centre will be required to comply with the relevant Australian Standards (see condition 51).

Parking: The DCP requires that 3% of all car parking spaces within the development should be accessible spaces. This amounts to a minimum of 19 wide bay spaces. The proposed development indicates that there will be 20 accessible spaces provided within the development and dispersed through the 3 parking levels. These spaces are to be generally located as close to the building entrances as possible to minimise the travel distance required. An appropriate condition of consent has been included in the recommendation of the report in respect of the provision of accessible car parking spaces (see condition 52).
ITEM 2 (continued)

Part 9.3 – Car Parking

The controls previously contained within DCP 29A have been incorporated into Part 9.3 of DCP 2006.

As the car parking requirements set out in Part 4.1 of DCP 2006 apply specifically to the Eastwood Town Centre, they have been applied as part of this assessment instead of the more general controls under Part 9.3.

In general, the proposal has a total of 14,375m\(^2\) of retail floor area and 2,018m\(^2\) of office floor area. Based on the DCP requirements 575 spaces are required for the retail component of the development and 68 spaces for the commercial/office floor area. This represents a total parking provision of 643 spaces.

In respect of the design and layout of the parking areas, Council’s DCP prescribes the relevant Australian Standards AS2890.1 and AS2890.2. An appropriate condition of consent has been included in the recommendation of the report to ensure that the car parking spaces, aisles, ramps and the like meet the requirements of these standards (see condition 30).

Clause 4.5(iii) of the Car Parking DCP also requires that all major retail and commercial developments provide parking facilities and secure storage of electric scooters used by people with disabilities. This matter is addressed by way of a condition of consent that has been included in the recommendation of the report (see condition 53).

Section 94 Contributions Plan No 1 (2003 Amendment)

Council’s Section 94 Contributions Plan No 1 (2003 Amendment) applies to the subject site and has been considered in the assessment of this development application.

The contribution rate in respect of new retail floor space is $33/m\(^2\). It is understood that the current shopping centre has a total leaseable floor area of 16,683m\(^2\), including the shopping centre (9,652m\(^2\)), Tokyo Pianos (3,289m\(^2\)), the adjacent office tower (2,690m\(^2\)), and the adjacent buildings to be demolished (1,052m\(^2\)).

The proposed development involves the provision of a new shopping centre comprising approximately 16,400m\(^2\) of leaseable floor area (shopping centre 14,380m\(^2\)) and the retention of the existing office tower with a small reduction in floor area (2,020m\(^2\)).
ITEM 2 (continued)

As Section 94 Contributions are based on Gross Floor area as opposed to leaseable floor area, the additional floor space created by voids, service areas and amenities should be included. Using the information provided with the development application it is not precisely possible to determine the exact level of additional gross floor area being created but the BCA assessment report indicates that the combined floor space of the Rowe St level and the Rutledge Street level will be 18,000m$^2$.

Based on a gross floor area of 18,000m$^2$, a contribution of $594,000 is payable. If the applicant provides council with details to confirm the total gross floor area of the existing buildings forming the development site, Council can recalculate the Section 94 amount.

In the meantime a condition of consent requiring the payment of $594,000 has been included in the recommendation of this report (see condition 65).

11. Likely impacts of the Development

(a) Built Environment

Context and Setting

The Eastwood Centre is more than 30 years old and the building, particularly as viewed from Rutledge Street, presents poorly both in terms of its external appearance and the internal shopping centre experience. The loss of the Target store has significantly reduced the ability of the centre to compete with neighbouring shopping centres. The current state of the building does not reflect the desire to create an urban village that has vitality and vibrancy.

Council’s Urban Design consultant has reviewed the proposal and was requested to provide some comments in respect of the façade treatments to Rowe and Rutledge Street and in terms of active frontages generally.

The following comments were made in relation to the proposed design:

“Given the location of the site is in a town centre and therefore located in a highly public and social space, the building and particularly its frontages along the public domain, streets and open spaces need to be designed to:

- Add vitality to the town centre, and.
- Provide opportunities for working, shopping, dining and relaxing at street level, and
ITEM 2 (continued)

- Create human and pedestrian scale along the street, and
- Provide a high level of physical and visual connection between the inside of the building and the street, and
- Maximise the usefulness and economic potential of the street edge.

The main issues relating to these objectives are:

1. Given the wide variety of retail spaces proposed it seems there is adequate scope to provide some of the smaller outlets facing onto the public domain to ensure that street and public spaces have active street frontages; the recommended north-south through site link, Rowe Street and Rutledge Street. In addition, office and professional suites could add to the mix of uses at street level.

2. Although retail is shown located against the external walls of the building it is questionable how well this can activate the streets given the size of the outlets and their double frontage to the inside space or ‘market’.

3. Rutledge Street has loading docks, the car park ramp, substations, and other service areas making up more than half the frontage. The remainder of the frontage has some small retail outlets separated by the substation and loading docks. It is unlikely these retail spaces will be particularly successful given that shops work best when collocated with other shops to form a retail strip and need to be appropriately sized to be flexible to accommodate a range of premises types.

The exact way that the building will be treated at ground level is difficult to determine because of the scale of the plans submitted and the conceptual nature of the architectural plans submitted with the development application. It is not clear which parts of the Rowe Street elevation will be glazed and which parts will consist of solid materials. It is also difficult to determine from the plans submitted the location of doorways and access points into the various tenancies. DCP 2006 requires that all street frontage windows at ground level are to have clear glazing (see condition 6).

A deferred commencement condition has been included in the recommendation to address the lack of a clearly legible through site pedestrian connection. Ideally the preferred outcome would be for an open pedestrian arcade or laneway at street level to link Rowe and Rutledge Street, however the applicant has not chosen this option. Instead the proposal submitted involves a clearly defined internal pedestrian linkage through the shopping centre between Rowe and Rutledge Streets. While the current design is not the best outcome, it will be acceptable if the required changes are made to the Rutledge Street elevation as set out in deferred commencement condition 3.
ITEM 2 (continued)

**Access and Traffic**

Vehicle access into the Eastwood Centre is currently available from Trelawney Avenue and West Parade, with pedestrian access from Rowe and Rutledge Streets. All carparking associated with the centre is currently located within a multi-deck parking structure located above the southern half of the building. Truck access and loading facilities for the site is generally carried out from the West Parade frontage of the shopping centre.

The proposed development involves the staged demolition and rebuilding of the centre and the provision of a new basement carparking level and two new levels of car parking on the roof of the centre.

Two important issues identified as part of the assessment of the development application have been the issue of the elevated Trelawney Street ramp to the rooftop parking levels and the very confusing access to the basement parking level. Resolution of both these matters would be good outcomes in terms of the appearance and operation of the shopping centre. Given the complexity of attempting to remove the Trelawney Street ramp due to the legal easements over various parcels of land and the numerous land owners involved, the use of a deferred commencement condition is supported (see deferred commencement condition 1).

Firstly, the developer has agreed to pursue the removal of the elevated Trelawney Street ramp, which is seen as a significant benefit to the appearance of the development and the surrounding streetscape. Letters indicating support for the removal of the Trelawney Street ramp from the owners of the adjoining sites involved have been submitted to Council. With the removal of the access ramp, cars will be able to enter the shopping centre carpark at ground level and then proceed up an internal ramp to the roof level. This will provide at grade access to the adjoining sites facing both Rowe Street and Rutledge Street.

The second issue was the complexity of accessing the basement car park level due to all access being gained from the roof top level and descending down to the basement. This was seen to be confusing and would be a deterrent to shoppers using this parking level. The applicant has agreed to make a new ramp into this parking level directly from Rutledge Street. Given the large change in levels between street level (RL 74.75) and the basement level (RL 65.65), the ramp would need considerable length to achieve an acceptable gradient. The applicant has provided sketch plans that show an acceptable ramp is capable of being provided into the basement level. It is considered that a deferred commencement condition is appropriate for the submission of a detailed plan showing the internal ramp design and any resultant changes to the parking layout. The applicant will be required to satisfy Council of both these matters prior to the consent taking effect (see deferred commencement condition 2).
ITEM 2 (continued)

Noise and Vibration

The proposed development has potential to generate noise impacts from a wide variety of sources, including vehicles entering the carpark, trucks entering and leaving the loading dock, mechanical plant and equipment and the like.

An acoustic report has been submitted with the development application to assess potential noise sources and recommend mitigation measures that will enable the development to achieve relevant noise assessment criteria/standards.

The acoustic report indicates that the proposed redevelopment (and its associated car parks and loading docks) is capable of complying with the relevant EPA Industrial Noise Policy provided the following recommendations are implemented:-

<table>
<thead>
<tr>
<th>Acoustic Report Recommendation</th>
<th>Response</th>
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<tbody>
<tr>
<td>The loading dock roller shutter shall be open only between the hours of 7am to 6pm Monday to</td>
<td>The recommendations of the Acoustic Report are to be incorporated into the development and the predicted noise levels must be complied with (see condition 85).</td>
</tr>
<tr>
<td>Saturday, and 8am to 6pm Sundays whilst the loading dock is in operation.</td>
<td></td>
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<tr>
<td>Between the hours of 10pm and 7am (the following day), vehicles shall be restricted to accessing</td>
<td>The recommendations of the Acoustic Report are to be incorporated into the development and the predicted noise levels must be complied with (see condition 85).</td>
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<td>the proposed development via the Trelawney Street car park entrance and exit.</td>
<td></td>
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<tr>
<td>Between the hours of 10pm and 7am (the following day), parking shall be restricted to the</td>
<td>The recommendations of the Acoustic Report are to be incorporated into the development and the predicted noise levels must be complied with (see condition 85).</td>
</tr>
<tr>
<td>basement parking level. A boom gate shall be installed on the ramp landing on the P1 Parking</td>
<td></td>
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<tr>
<td>level prohibiting access to the upper parking levels with centre management controls in place</td>
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<tr>
<td>restricting parking on the P1 level.</td>
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</tbody>
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ITEM 2 (continued)

<table>
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<tr>
<th>Requirement</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>An imperforate roller shutter shall be installed at the Rutledge Street car exit which shall be closed between the hours 10pm and 7am (the following day).</td>
<td>The recommendations of the Acoustic Report are to be incorporated into the development and the predicted noise levels must be complied with (see condition 85).</td>
</tr>
<tr>
<td>Broom finished, non-corrugated ramps shall be used in the construction of the ramp landing with joint cover plates finished flush and mechanically fixed in place. Furthermore, ramps are to be dowelled and finished flush with surrounding grades.</td>
<td>The recommendations of the Acoustic Report are to be incorporated into the development and the predicted noise levels must be complied with (see condition 85).</td>
</tr>
<tr>
<td>The slab soffit of the P1 parking level shall have an absorptive lining applied. The extent of the absorptive lining shall be determined as part of the CC documentation to ensure full compliance with the noise levels objectives presented in this report.</td>
<td>The recommendations of the Acoustic Report are to be incorporated into the development and the predicted noise levels must be complied with (see condition 85).</td>
</tr>
</tbody>
</table>

Utility Services

Energy Australia: The utility requirements of the proposed development will be comparable to the existing shopping centre. Energy Australia was consulted on the proposal and the following relevant comments were provided:

“the proposed development requires multiple substations to cater for the proposed electrical load demand. The initial discussion and negotiation with the developer’s representative for a chamber type substation is well under way now and the number of required substations and the method of supply are subject to the final load assessment by Energy Australia”.

A condition of consent, requiring the developer to consult with Energy Australia in relation to the energy requirements of the proposed development, has been included into the recommendation of this report (see condition 41).

In addition, Energy Australia has provided the following advice in respect of an existing substation on the site that serves the existing shopping centre as well as several adjoining developments;
ITEM 2 (continued)

“Energy Australia’s basement type substation S4186 exists under the driveway to the Woolworths from West Parade and it serves the existing Eastwood shopping centre and other shops in the area. Existing access, ventilation system and the building integrity of the substation should be retained or any modification proposal should meet the Energy Australia current requirements”.

The applicant has designed the redevelopment in such a way to retain and protect the integrity of the existing substation located beneath the development site (see condition 45).

66kV Transmission Mains: Energy Australia has advised that a 66kV high-voltage overhead transmission main exists along the southern boundary of the subject site (along Rutledge Street and then across West Parade and over the Main Northern Railway). The nature of high-voltage electricity lines requires that they must be strung very high above the ground and the distance between power poles must be greater than normal. Energy Australia does not object to the undergrounding of these transmission mains but will only agree when a proposal meets its required minimum distance to be undergrounded (normally requires that a distance between several power poles be undergrounded).

As the DCP 2006 requires the undergrounding of overhead electricity and telecommunications infrastructure, the applicant should be required to undertake the undergrounding of the 66kV transmission mains along the entire Rutledge Street frontage of the Eastwood Centre site (between Trelawney Street and the main northern railway). Accordingly, a condition of consent has been included in the recommendation of this assessment report addressing this matter (see condition 46).

Note: while undergrounding overhead electricity and telecommunications infrastructure in other areas in close proximity to the Eastwood Centre site would have good public domain benefits, requiring the applicant to do more than the Rutledge Street frontage is beyond the requirements of Council's DCP.

Sydney Water: In respect of the water and sewer services provided by Sydney Water, the site already serviced with water and sewer. Sydney Water has advised Council that the developer will be required to satisfy all of its requirements, including the payment of any relevant developer levies, before commencing construction works. Sydney Water will only issue a Section 73 Compliance Certificate at the completion of any required works. This compliance certificate will be required prior to occupation of the development. A condition of consent to this effect has been included in the recommendation of the report (see condition 40).
ITEM 2 (continued)

Safety by Design

The Department of Planning has issued assessment guidelines for Crime Prevention through Environmental Design (CPTED) that are to be considered in the assessment of all development applications. In addition, NSW Police undertake a referral role for Council applying their expertise in identifying potential crime risks and making suggestions on how the risk of criminal activity can be reduced. The subject application has been assessed against the 4 principles of CPTED (being surveillance, territorial reinforcement, access control and space management) and, where appropriate, conditions of consent included in the recommendation of this report.

The applicant has submitted a very detailed Crime Risk Assessment with the development application, which has made recommendations regarding actions that need to be incorporated into the development in order to reduce the risk of criminal activity within the shopping centre. It is recommended that all of those recommendations be implemented as part of the approved development (see condition 55).

The following key issues are discussed for the information of Councillors:

Surveillance: Large publicly accessible spaces, such as the Eastwood Centre, can be an easy target for criminal behaviour unless people feel safe and know that they are being observed by other people. The design of the centre provides opportunities for natural surveillance by other shoppers and staff. These areas will generally be busy and offer a very good level of safety. However there will be some places, such as the carparks and building entrances, where there will be a need for technical surveillance (by use of CCTV equipment). Therefore, the installation of CCTV throughout the shopping centre is necessary to provide a safe environment for shoppers and staff (see condition 60).

Lighting: Lighting is a key requirement of good surveillance. There are minimum standards set for carparking lighting and the illumination of pedestrian thoroughfares. It is recommended that those spaces be provided with lighting that meets those standards and that such lighting be constantly maintained to those specified standards (see condition 56).
ITEM 2 (continued)

Graffiti: The incidence of graffiti is a major problem in some shopping centres and large blank walls near ground level can become easy targets. A condition of consent has been included in the recommendation of the report to require the applicant to develop a strategy to combat the incidence of graffiti attack. This should include the use of anti-graffiti paint on wall surfaces at or near ground level. In addition, the condition requires the immediate removal of any graffiti from the building where it occurs (see condition 61).

Automatic Teller Machines: NSW Police have requested that they be consulted in relation to the placement of any ATM equipment within the shopping centre. It is the preference of police that cash dispensing machines be located in areas that are well lit and offer good surveillance. The recent increase in ram-raiders targeting Automatic Teller Machines is also another reason that NSW Police need to be consulted on their locations (see condition 63).

Directional Signage: A large public space such as the Eastwood Centre can be a confusing place for the first time visitor. Some criminals have been known to exploit confusion about these types of buildings to enter areas that they should not be. Therefore to reduce the incidence of this type of behaviour NSW Police recommend that a coordinated suite of directional signage be installed throughout the building to provide information to visitors about the location of important facilities within and external to the shopping centre (this should include but not be limited to places such as the carparking areas, bus stops, train station, centre management office, Rowe Street Plaza, toilets, the office tower). The directional signage should also include the erection of directional signage at the Rutledge Street entry indicating access through to Rowe Street.

Access Control: A large building such as a shopping centre becomes a difficult space to manage outside of normal trading hours. The supermarket and restaurants will be trading longer than many of the other shops. Measures will need to be put into effect to close off some areas at night when not in use. It is understood that the basement carpark will be closed during the evening to confine all vehicles to the upper level carparks closer to Woolworths and the restaurants. These measures will be incorporated into the development as part of the recommendations of the Crime Risk Assessment (see condition 55).
ITEM 2 (continued)

(b) Natural Environment

As the subject site occupies a large site within the Terrys Creek drainage catchment, it is considered important that the redevelopment of the site ensure that the quality of stormwater entering into this catchment meets accepted standards. All runoff eventually enters the Lane Cove / Parramatta Rivers before entering Sydney Harbour. The proposed development will incorporate water quality treatment measures that will protect the natural ecosystem found within the upper tributaries of the Parramatta River.

There are no significant trees on the site, which has been entirely built-upon for the existing retail/commercial developments. Because the subject proposal occupies a large site within an urban centre, there is no opportunity for provision of large areas of landscaping. Instead the proposed development will provide improvements to the public domain abutting the site such as new street trees along Rutledge Street and West Parade as well as minor improvements to the Rowe Street mall frontage.

12. Suitability of the site for the development

There are no site constraints affecting the subject land that would render it unsuitable for the proposed shopping centre redevelopment. As the site has been operating as a shopping centre for more than 30 years, there are no particular issues that would compromise its suitability for redevelopment.

13. The Public Interest

Having regard to the matters listed in the Department of Planning’s Guide to Section 79C, all relevant matters for consideration have been taken into account as part of this assessment.

The redevelopment of the shopping centre has been assessed in terms of the applicable planning controls for the site, including relevant State Environmental Planning Policies and a detailed review in terms of the requirements specified in DCP 2006.

The works proposed to the Rutledge Street frontage of the site will require Council to grant a separate approval under Section 138 of the Roads Act 1993. The concurrence of the Roads and Traffic Authority (RTA) is a requirement of this process because Rutledge Street is a classified arterial road. Council has received the concurrence of the RTA (with the conditions that must form part of the approval). (See conditions 21 to 28).
ITEM 2 (continued)

The nature of the development, being a building with large areas open to the public, is one where crime and security will be a major issue. The proposal has been assessed in terms of the “Crime Prevention Through Environmental Design” guidelines and found to be acceptable. The NSW Police have reviewed the proposal and advised that it has no objection to the redevelopment.

Energy Australia has advised Council of its requirements concerning this development and those matters have been taken into consideration as part of the assessment. The 66kV high-voltage overhead transmission mains adjoining the Rutledge Street boundary should be undergrounded as part of this development to improve the amenity of the location and to improve the outlook of future residents should a residential development be contemplated on the site. A condition of consent requiring the underground of this infrastructure has been included in the recommendation of the report. (See condition 46).

14. Financial Impact

Adoption of the option(s) outlined in this report will have no financial impact.

Other Options
Nil.

15. CONCLUSION:

The proposed development has been assessed against all relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act and is considered satisfactory.

A major issue concerning this proposal has been to seek clarification about a future residential development above the shopping centre. Council officers sought clarification in respect of this issue from the applicant before proceeding with a detailed assessment of the proposal. The applicant has confirmed that if a mixed retail and residential development is to be pursued in the future that a separate application for an integrated development will be submitted. Therefore this application is just for a shopping centre and is not the first stage of a mixed use development.

Deferred commencement conditions of consent are considered appropriate in relation to the undergrounding of the Trelawney Street carpark ramp, the Rutledge Street entrance to the basement carpark and amendments to the Rutledge Street entry to the shopping mall. These matters were the subject of discussions between the applicant and the Group Manager Environment and Planning and the use of deferred commencement conditions was agreed.
ITEM 2 (continued)

Given that the major issues associated with the proposal have been satisfactorily resolved the determination of the development application is supported. Accordingly, it is recommended that the application be approved subject to the following conditions of consent.

RECOMMENDATION:

(a) That Local Development Application No 837/2006 for the redevelopment of the Eastwood Shopping Centre and adjoining properties at 152-178 Rowe Street, Eastwood be APPROVED as a Deferred Commencement Consent pursuant to section 80(3) of the Environmental Planning and Assessment Act 1979.

In accordance with Clause 95(3) of the Environmental Planning and Assessment Regulation 2000 these matters must be satisfied within six (6) months. This consent does not become operative until the matters referred to in Part 1 have been submitted to and approved by Council and Council has notified you in writing that the consent has become operative.

Part 1 – Conditions Relating to a Deferred Commencement Consent pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979:

1. The Trelawney Street vehicle access ramp to the upper parking levels is to be removed and all vehicle entry to the site from Trelawney Street is to be provided at grade. Details confirming the proposed method of providing such access at grade (to be generally in accordance with SK/DA 1002 and SK/DA 1004) are to be submitted to Council for approval.

2. Vehicle access to the Basement Parking Level 1 is to be provided from Rutledge Street. Details indicating the location of the required access ramp into the carpark (to be generally in accordance with SK/DA 1001 and SK/DA 1003) and any modifications to the carparking layout are to be submitted to Council for approval.

3. The Rutledge Street elevation of the building is to be amended by enlarging and enhancing the prominence of the shopping centre entrance in order to create a more visible entrance to the building. The amended plans are to be generally in accordance with the plan SK/DA 1003 dated 10 July 2007.
ITEM 2 (continued)

Part 2 – General Conditions of Consent: The following requirements shall apply upon satisfactory completion of the requirements outlined in Part 1 of this consent (above):

1. Development is to be carried out in accordance with the Plans No. DA.0001('C'), DA.0002('C'), DA.0003('D'), DA.0004('D'), DA.0005('C'), DA.0006('C'), DA.0007('C'), DA.1001('D'), DA.1002('C'), DA.1003('C'), DA.1004('D'), DA.1005('D'), DA.1006('C'), DA.1501('C'), DA.1502('C'), DA.1061('C'), DA.1602('C'), DA.8001('D'), DA.8004('D') & DA.9001('A') prepared by Rice Daubney architects dated September 2007, November 2006 & March 2007 and support information submitted to Council.

2. In issuing this approval, Council has relied on the information provided by you about the siting of the building/structure on the allotment. If this information is incorrect, it is your responsibility to correct the errors. It may be advisable to undertake a land survey prior to commencing any works.

3. All of the works required to be carried out under the conditions of this consent being maintained at all times in good order and repair.

Prescribed Conditions

4. All building works are required to be carried out in accordance with the provisions of the Building Code of Australia.

5. In relation to demolition, all work is to be carried out in accordance with the requirements of AS2601.2001 – The Demolition of Structures.

Context and Setting

6. All street frontage windows at ground level are to have clear glazing.

7. The roof material being non-reflective.

8. All external glazing having a maximum reflectivity of 18%.

9. The lighting of the premises shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/adjoining premises or to motorists on adjoining or nearby roads. All existing and proposed lights shall comply with the Australian Standard AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting.
ITEM 2 (continued)

Access and Traffic

10. A Maximum of 643 off-street car spaces being provided in accordance with the submitted plans. Such spaces to be paved, line marked and made freely available at all times during business hours of the site for staff and visitors.

11. All loading and unloading in relation to the use of the premises taking place wholly within the property.

12. Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.

13. Vehicle access to the rear of properties No. 142-148 Rowe Street is to be maintained at all times. Such access, via the concrete ramp at the rear of No. 144 Rowe Street, is to be maintained on a 24-hour/7-day basis.

14. A minimum of 20 bicycle parking rails or lockers designed and installed in accordance with Australian Standard AS 2890.3, must be provided in a suitable location for the convenience of employees and visitors to the site. Suitable change facilities for cyclists must also be provided within the development.

15. Internal Car Parking - To ensure safe and satisfactory access to and from the proposed development all internal driveways, vehicle turning areas, garage opening widths, parking spaces dimensions and gradients shall be designed and constructed in accordance with Australian Standards AS 2890.1-2004 and AS 2890.2-2002 and the City of Ryde Environmental Standards – Development Criteria Section 1 – Driveways. The design shall ensure all vehicles using the site can enter and exit in a forward direction and address pedestrian safe sight distance requirement at driveway entry and exit from the site.

16. Driveway Grades - The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels where they are required as a condition of consent. A driveway plan, longitudinal section from the centreline of the public road to the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manœuvre within the site without scraping.
ITEM 2 (continued)

17. Vehicle entries are to have high-quality finishes to walls and ceilings as well as high-standard detailing. No service duct pipes are to be visible from the street.

18. External Road and Drainage Works - To facilitate drainage disposal and access to and from the proposed development, the applicant shall construct the following works at the applicant expense:-

- **West Parade Frontage**: Reconstruct existing kerb and gutter, re-sheeting of existing asphalt footpath and the replacement of damaged concrete footpath together with removal of redundant vehicular crossings where applicable and its replacement with vertical concrete kerb and gutter.

- **Rutledge Street Frontage**: Reconstruct damaged footpath and regrade / replace existing footpath to remove existing trap low point located adjacent to the existing power pole and water hydrant.

The above works shall include any other necessary works to make the construction effective. In this regard detailed engineering plans prepared by a qualified and experienced civil engineer in accordance with City of Ryde Environmental Standards - Development Criteria –1999 Section 4 - Public Civil Works are to be submitted to and approved by Council.

Engineering plans assessment and inspections fee associated with this work are payable in accordance with Council’s Management Plan at the time of lodgement.

19. Vehicle Footpath Crossings - To facilitate safe access to and from the site, new concrete layback and apron crossings are to be constructed at locations as indicated on the approved plan. The width, design and construction shall conform to Ryde City Council’s Environmental Standards Development Criteria – Section 1-Driveways-1999. Additionally, crossings are to be constructed in plain reinforced concrete with finished levels comply with property alignment levels issued by Council’s Public Works Division. Kerbs shall not be returned to the property boundary alignment and Bridge and pipe crossings will not be permitted.

20. Disused Gutter Crossing - All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
ITEM 2 (continued)

21. The proposed carpark and loading dock access arrangements from Rutledge Street must be constructed in accordance with the RTA’s requirements.

A concept design of the access arrangements from Rutledge Street, which will include a short deceleration lane, must be submitted to the RTA for “in-principle” approval prior to the issue of a construction certificate.

22. Any realignment boundary resulting from the proposed short deceleration lane must be dedicated as road at no cost to the RTA.

23. The RTA will only support construction related activities along Rutledge Street subject to the following:

- That the proposed short deceleration lane be constructed up-front; and
- The proposed short deceleration lane be the only area used as a construction zone along Rutledge Street.

24. Any redundant driveways along the Rutledge Street frontage are to be removed and replaced with kerb and gutter (Type SA) to match existing.

25. The applicant should ensure that post development stormwater discharge from the site into the RTA drainage system does not exceed the pre-development discharge.

26. The short deceleration lane / access arrangements along Rutledge Street shall be designed to meet the RTA’s requirements, and be endorsed by a suitably qualified and chartered Engineer. The design requirements (where applicable) shall be in accordance with the RTA’s Road Design Guide and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to the RTA for consideration and approval prior to the release of the construction certificate by Council and commencement of road works.

The RTA fees for administration, plan checking, civil works inspections and project Management shall by paid by the developer prior to the commencement of works.

The developer may be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. If required, please note that the Works Authorisation Deed (WAD) will need to be executed prior to the RTA’s assessment of the detailed civil design plans.
ITEM 2 (continued)

27. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the proposed works and as required by the various public utility authorities and/or their agents.

28. All works/regulatory signposting associated with the proposed development shall be at no cost to the RTA.

29. Appropriate signage / measures should be implemented to address the Parking P1 conflict point at the circular ramps (up/down from the basement).

30. Off street parking associated with the proposed development (including ramp grades, aisle widths, aisle lengths, turning paths, sight distance requirements, and parking bay dimensions) shall be designed in accordance with AS 2890.1-2004 and AS2890.2-2002 for loading areas.

31. The proposed loading dock shall be appropriately managed to ensure that there is no impedance to traffic flows along Rutledge Street.

Public Domain Improvements & Landscaping

32. Landscaping works (including new footpath paving, street trees, street furniture, street lighting, and kerb and guttering) are to be carried out in accordance with the approved landscape plan (plan number LDA101(‘B’) prepared by Site Image and dated 2 November 2006).

33. The style, colour and installation methods of street lighting and any street furniture proposed to be installed must be in accordance with Council’s specifications. Details of new street lighting to be installed shall be submitted to Council for approval prior to issue of the Construction Certificate.

34. New street trees at the time of planting shall have a minimum container size of 200 Litres, and a minimum height of 3.5m, subject to species availability.

35. Tree sites in the footpath area shall be 1.2m x 1.2m filled with an approved gravel and located 200mm from the back of the kerb line.

36. A tree grate of a type that meets Council’s specifications shall protect all trees.

37. New awnings are to be provided over the Rutledge Street, Rowe Street and West Parade frontage of the building in the locations shown on the approved plans. The height of all new awnings shall not be less than 3.0m or greater than 4.5m above the footpath. The width of the awnings shall not be less than 3.0m.
ITEM 2 (continued)

38. New awnings shall provide cut outs 1m wide by 1m deep to accommodate street trees.

39. New street lighting is to be provided to Rutledge Street to replace any street lights lost as a consequence of the relocation underground of the Energy Australia overhead transmission mains.

Utility Services

40. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building, Development and Plumbing section of the website at www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, as it may take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development / release of the plan of subdivision.

41. Please contact Energy Australia’s Local Customer Service Office to obtain documentary evidence that Energy Australia has been consulted and that their requirements have been met.

Energy Australia
Building No. 2 Bridge Road (near Sherbrook Road) Hornsby
Telephone: 9477 8201
Facsimile: 9477 8295
Postal Address: GPO Box 4009, Sydney NSW 2001
Website Address: www.energy.com.au

This information is to be submitted to Council prior to the release of the Occupation Certificate.
ITEM 2 (continued)

42. Connection to sewer - The premises must be connected to the sewerage system by gravity flow and documentary evidence of compliance must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate.

43. Protection of underground services - Before work commences the location of any underground services (e.g. gas, water, electricity, telecommunications cables, etc.) must be identified and appropriate measures taken to protect those services.

44. Service Alterations - All mains, services, poles, etc., which require alteration shall be altered at the applicant’s expense.

45. Existing access, ventilation systems and building integrity of the Energy Australia’s electricity substation (No. S4186) located beneath the subject site is to be preserved and maintained at all times during the course of the demolition and construction work.

46. The Energy Australia 66kV overhead transmission mains between Trelawney Street and the Main Northern Railway are to be relocated underground prior to the issue of the Occupation Certificate. All works associated with the relocation of this infrastructure are to be in accordance with the requirements of Energy Australia.

Energy Efficiency

47. The development is to incorporate the recommendations and initiatives contained within the ESD report (prepared by Advanced Environmental & dated October 2006) submitted with the development application.

48. Any hot water system installed as part of the development must achieve a minimum 3.5 Star Greenhouse Score. The energy rating of the hot water system should be visible on the product at the place of purchase. The location and rating of any new hot water system is to be reflected on the plans submitted with the Construction Certificate.

49. Water Efficient Fixtures - Showerheads and toilet cisterns shall be at least AAA rated water efficient. Bathroom and kitchen taps shall be fitted with aerators and water closets shall have a dual flush cistern. Details are to be noted on the plans submitted with the Construction Certificate.
ITEM 2 (continued)

**Disabled Access**

50. Disabled Access - Disabled access is to be provided to and within the development in accordance with the recommendations contained within the Access Review prepared by Morris Goding Accessibility Consulting and dated 6 October 2006. Prior to occupation of the development, a suitably qualified access consultant is to certify that the development complies with the relevant requirements of Australian Standard 1428.1 and 1428.2 and the Building Code of Australia, including the restaurants on the upper level of the Rowe Street frontage.

51. Sanitary facilities for people with disabilities shall be provided in accordance with Clause F2.4 Table F2.4 of the BCA and to the standards set out in AS 1428.1.

52. A minimum of 19 wide-bay car spaces shall be provided within the proposed car parking area. These spaces shall be designed and constructed to comply with the specifications referenced by Part 9.2 of DCP 2006.

53. The development is to provide suitable parking facilities and secure storage area of electric scooters used by people with disabilities. These facilities should be generally in accordance with the standards laid down in Australian Standard 2890.1. Details are to be submitted to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate.

54. Prior to issue of the Construction Certificate, plans are to be provided that:

   - have regard for controls, signs and symbols, furniture and fitments, and street furniture as required by DCP 2006, Part 9.2, and
   - to ensure that there is no door threshold or change or level (more than 3mm).

**Safety by Design**

55. The recommendations contained within the Crime Risk Assessment (prepared by Urbis JHD and dated September 2006) submitted with the development application are to be implemented prior to occupation of the development.

56. All car park lighting is to be designed, installed and maintained to Australian Standard AS1680.2.1 - 1993: Interior Lighting Circulation Spaces and Other General Areas. To this effect, ceilings, columns and other vertical structures (including columns and pipes) should be painted white.
ITEM 2 (continued)

57. The lighting of pedestrian pathways within the development shall be designed, installed and maintained to Australian Standard AS1158.3.1 – 1999: Road Lighting Pedestrian Area (Category P) Performance and Installation Design Requirements. Areas besides thoroughfares should be evenly lit to avoid concealment or entrapment opportunities. The same is applicable to public clotheslines, communal courtyards and letterbox areas.

58. Where security lighting is provided within the development, it should not illuminate observers or vantage points. Light should be projected outwards towards pathways and gates, not towards windows and doors. Passing motorists, police and pedestrians will be the likely observers.

59. Pathways around the development should ideally be 3 metres wide to facilitate psychologically comfortable pedestrian traffic and encourage more pedestrian use and making them safer for users.

60. Installation of CCTV equipment - Any surveillance equipment installed is to utilise digital or video technology to record images from the cameras. Cameras are to be installed in and around the business to maximise surveillance opportunities. Any surveillance system should be manufactured and installed by a qualified/reputable installer and regularly function tested. If surveillance equipment is installed, it should meet the requirements of the Privacy legislation.

61. Consideration should be given to a strategy to combat graffiti. In this regard all surfaces at or near ground level are to be treated with anti-graffiti coating to minimise the potential of defacement. In addition, any graffiti evident on the exterior facades and visible from a public place is to be removed immediately.

62. The shop front may incorporate only see-through security grilles or translucent barriers to ensure maximum light is transmitted to footpath areas. Metal or roller shutter doors are not permitted. Details of any security grilles to be installed are to be provided to Council and approved prior to issue of the Construction Certificate.

63. Any proposals for the installation of Automatic Teller Machines (ATM) either within the building or within an external wall of the building shall be subject a separate development application and subject to consultation with NSW Police.

64. A plan for internal directional signage is to be prepared and implemented prior to the occupation of the development. This signage should inform visitors to the site about the location of the carpark entries and exits, the entrance to each building, visitors parking and the like. The plan is to provide an indicative location for all directional signage that will be erected within the site. The Plan is to be submitted to Council prior to occupation of the development for consultation with NSW Police.
ITEM 2 (continued)

Section 94 Contributions

65. A contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of the Construction Certificate.

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
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<tbody>
<tr>
<td>Public Space</td>
<td>$252,000</td>
</tr>
<tr>
<td>Stormwater Drainage</td>
<td>$306,000</td>
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<tr>
<td>Administration</td>
<td>$36,000</td>
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The **total contribution is** $594,000

This contribution is a contribution under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Contribution Plan No. 1 (2003 Amendment) adopted by City of Ryde on 19 August 2003.

The above amount, if not paid within one calendar year of the date of this consent, shall be adjusted for inflation by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) on an annual basis until such time as the contribution is paid.

Waste Management

66. The development shall be carried out in accordance with the approved Waste Management Plan.

67. Storage of garbage and recyclable materials - A separate room or area must be provided in a convenient location on the premises for the storage of garbage and recyclable materials.

68. Demolition wastes not to be placed on public roads, etc. - Demolition wastes must not be placed on public roads, footpaths or reserves, or be allowed to enter any street gutter, stormwater drain or waterway.

69. Access for waste collection vehicles - Safe easy access must be provided for waste collection vehicles to service the waste containers. The driveways and manoeuvring areas must be designed for maximum legal dimensions and weights and allow collection vehicles to enter and leave the premises in a forward direction. Additional clearances must be provided for overhead and side loading where appropriate.
ITEM 2 (continued)

70. Garbage storage details - Details of the proposed garbage room or storage area must be submitted to Council or an accredited private certifier for approval with the application for the Construction Certificate. Such details must include:
   a. the specifications and layout of all proposed waste containers and equipment; and
   b. the access to the collection point,
   c. the provisions for cleaning the containers, equipment and storage area, and
   d. the provisions for the containment of leakages or spills

71. Access details for waste collection vehicles - Details of all driveways and manoeuvring areas for waste collection vehicles must be submitted to Council or an accredited private certifier for approval with the application for the Construction Certificate. Such details must include:
   a. vehicle turning circles and swept paths; and
   b. overhead and side clearances (where appropriate).

72. Demolition wastes - All demolition wastes must be stored in an environmentally acceptable manner and be removed from the site at such intervals as may be necessary to ensure that no nuisance or danger to health, safety or the environment is created.

73. Recyclable wastes - All wastes nominated for recycling or re-use in the approved waste management plan must be segregated from other wastes and be transported to a place or facility where they will be recycled or re-used.

74. Storage of asbestos wastes - All asbestos wastes must be segregated from other wastes and stored in a secure area in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2005.

75. Burning of demolition waste - The burning of demolition waste is prohibited under the Protection of the Environment Operations (Clean Air Regulation 2002).

76. Transportation of wastes - All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal docket must be kept by the applicant for at least 3 years and be submitted to Council on request.
ITEM 2 (continued)

77. Disposal of asbestos wastes - All asbestos wastes, including used asbestos-cement sheeting (i.e. fibro), must be disposed of at a landfill facility licensed by the New South Wales Environment Protection Authority to receive asbestos waste.

78. Asbestos work - All work involving asbestos products and materials, including asbestos-cement sheeting (i.e. fibro), must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.

79. Storage and disposal of wastes - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.

80. Waste containers - An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.

81. Disposal of liquid wastes - All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.

82. Trade waste permit - The applicant must contact the Wastewater Source Control Branch of Sydney Water Corporation on Tel. 13 11 10 to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.

83. Maintenance of waste storage areas - All waste storage areas must be maintained in a clean and tidy condition at all times.

Noise & Vibration

84. Noise and vibration from plant and equipment - Unless otherwise provided in this consent, the operation of any plant or equipment installed on the premises must not cause:

a. The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
ITEM 2 (continued)

b. An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.

c. The transmission of vibration to any place of different occupancy.

85. Noise Limits - Noise generated at the premises must not exceed the noise limits specified in the report by Acoustic Logic Consultancy (Report No. 2006554/0906A/R6/SL) dated 3 October, 2006. In this regard, all of the recommendations contained in the above acoustic report are to be put into effect as part of the construction and operation of the proposed development.

To determine compliance with the specified noise limits the noise must be measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver's premises. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).

86. Noise - Noise must be minimised by the selection of appropriate methods and equipment and the use of screening or barriers where practical.

87. Noise monitoring - Noise monitoring must be carried out by a qualified acoustical consultant if complaints are received, or if directed by Council, and any control measures recommended by the acoustical consultant must be implemented during the demolition work.

88. Construction Noise - The $L_{10}$ noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.

89. Noise control measures - All noise and vibration control measures nominated in the acoustical consultant’s report and any related project documentation must be implemented.

ITEM 2 (continued)

91. Compliance with noise management plan - The occupier must ensure that the requirements of the noise management plan are complied with.

92. Council may require acoustical consultant’s report - Council may require the submission of a report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria.

Site Remediation

93. Removal of underground storage tanks - The removal of any underground storage tanks must be carried out in accordance with:
   a. Australian Institute of Petroleum Code of Practice CP22 - 1994 The Removal and Disposal of Underground Petroleum Storage Tanks; and
   b. the requirements of WorkCover New South Wales.

94. Contaminated soil - All potentially contaminated soil excavated during demolition work must be stockpiled in a secure area and be assessed and classified in accordance with the Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (EPA, 1999) before being transported from the site.

95. Discovery of Additional Information - Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.

96. Further requirements - If additional information is discovered about site contamination, the proponent must comply with any reasonable requirements of Council.

Water Management

97. Design and Construction Standards - All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council’s publication Environmental Standards Development Criteria and relevant Development Control Plans except as amended by other conditions.
ITEM 2 (continued)

98. Restoration - Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment.

99. Drainage Construction - The stormwater drainage on the site is to be constructed in accordance with the construction certificate version of drainage concept plan No. 061248 C01 Revision P3, 061248 C02 Revision P5, 061248 C03 Revision P3, 061248 C04 Revision P3, 061248 C05 Revision P3 prepared by Taylor Thomson Whitting.

100. On-Site Stormwater Detention - Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to a suitable on-site detention system in accordance with the City of Ryde, Development Control Plan 2006: - Part 8.2; Stormwater Management. The minimum capacity of the piped drainage system shall be equivalent to the collected runoff from a 20 year average recurrence interval storm event. Overland flow paths are to be provided to convey runoff when the capacity of the piped drainage system is exceeded up to the 100 year average recurrence interval and direct this to the on-site detention system. Runoff which enters the site from upstream properties should not be redirected in a manner which adversely affects adjoining properties. Accordingly, stormwater drainage concept plan No. 061248 C01 Revision P3, 061248 C02 Revision P5, 061248 C03 Revision P3, 061248 C04 Revision P3, 061248 C05 Revision P3 prepared by Taylor Thomson Whitting shall be amended to incorporate but not be limited to the following:

- To ensure overflow from rainwater tank can be convey unrestricted to the OSD control pit the overflow pipes from the rainwater tank shall be increased to three, 300 diameter pipes or other conveyance structure of the same equivalent cross-sectional area.

- To ensure surcharge flows from the site can be convey to the street kerb and gutter without overflowing via the emergency overflow weir above the footpath the outlet pipe from the overflow chamber tank shall be a minimum of 750mm diameter R.C.P or twin 525mm diameter R.C pipes should there be insufficient cover above the outlet pipe. This arrangement will ensure overflow will only occur from the emergency overflow weir above the footpath when there is blockage in the outlet pipe. Accordingly, the Council’s existing pit in West Parade will need to be modified to cater for the proposed connection.
ITEM 2 (continued)

- The CDS or equivalent gross pollutant trap shall be sized for the first 5mm of rainfall runoff from the contaminated catchment.

- All roof gutters, downpipes and pipeline conveying runoff from the site to the OSD tank via the rainwater tank shall be sized for the 1 in 100 year, 5 minutes duration storm event.

Amended engineering plans incorporating the above requirement are to be submitted to and approve by the Principal Certifying Authority.

The system is to be cleaned regularly and maintained to the satisfaction of Ryde City Council.

101. Water Tank First Flush - A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.

102. On-Site Stormwater Detention System - Marker Plate - To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with City of Ryde, Development Control Plan 2006: - Part 8.2; Stormwater Management section 3.10. The plate may be purchased from Council’s Customer Service Centre at Civic Centre, Devlin Street, Ryde.

103. Positive Covenant, OSD - To ensure the constructed On-site detention system will be maintained in operable condition a Positive Covenant under Section 88 E of the Conveyancing Act 1919, shall be created and registered on the subject land requiring the proprietor of the land to maintain the stormwater detention system on the property.

The terms of the 88 E instruments are to be generally in accordance with the Council’s draft terms for Maintenance of Stormwater Detention Systems as specified in City of Ryde, Development Control Plan 2006: - Part 8.2; Stormwater Management section 10.5 and to the satisfaction of Council.

104. Work-as-Executed Plan - To ensure stormwater drainage works are completed in accordance with approved plans, a Work-as-Executed plan for the site drainage system certified by a registered surveyor is to be submitted to the Principal certifying Authority and Council (If Council is not the appointed PCA) prior to issue of Occupation Certificate.
ITEM 2 (continued)

The W.A.E plans is to note all departures clearly in red on a copy of the approved Construction Certificate plans and certification from a qualified and experienced civil engineer should be submitted to support all variations from approved plan.

105. Erosion and Sediment Control Plan - An Erosion and Sediment Control Plan (ESCP) shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual “Managing Urban Stormwater, Soils and Construction” prepared by the Department of Housing. These devices shall be maintained during the construction works and replaced where considered necessary.

The following details are to be included in drawings accompanying the Erosion and Sediment Control Plan:-

a. Existing and final contours,
b. The location of all earthworks, including roads, areas of cut and fill,
c. Location of all impervious areas,
d. Location and design criteria of erosion and sediment control structures,
e. Location and description of existing vegetation,
f. Site access point/s and means of limiting material leaving the site,
g. Location of proposed vegetated buffer strips,
h. Location of critical areas (drainage lines, water bodies and unstable slopes),
i. Location of stockpiles,
j. Means of diversion of uncontaminated upper catchment around disturbed areas,
k. Procedures for maintenance of erosion and sediment controls,
l. Details for any staging of works, and
m. Details and procedures for dust control.

106. Compliance Certificate - To ensure satisfactory sediment and erosion control has been implemented, a Compliance Certificate should be obtained from an accredited certifier to confirm that the erosion and sediment control measures installed comply with the approved plan and City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities.
ITEM 2 (continued)

107. Sediment and Erosion Control - To protect the existing environment from pollutants runoff arising from proposed on site construction activities, the applicant shall install sediment and erosion control devices in accordance with an approved plan prior to commencement of construction on the site. These devices shall be maintained during the construction period and replaced when and where considered necessary to maintain them in operable condition at all times.

108. Erosion and sediment controls - Appropriate erosion and sediment controls must be installed before site works are commenced and be maintained at operational capacity until the site has been stabilised. These controls must include:

   a. diversion of upslope runoff around disturbed areas in such a manner that the diverted water will not cause erosion and is diverted to a legal discharge point; and
   b. sediment control fences or other measures on the downslope perimeter of disturbed areas to prevent sediment escaping from the site.

109. Only unpolluted water is to be discharged to Council’s stormwater drainage system.

110. Duty to notify pollution incidents - Pollution incidents causing or threatening harm to the environment must be reported to Council as soon as practicable on Tel. 9952 8222.

Construction Impacts

111. All demolition and all construction and associated work is to be restricted to between the hours of 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

112. The delivery/pick-up of any large equipment/materials/containers transported by an 'Over Size' vehicle to/from the site is not to occur between 11.00pm and 5.00am in order to protect the amenity of local residents.

113. Licenced contractor to carry out work - All demolition work must be carried out by an appropriately licensed contractor.
ITEM 2 (continued)

114. A dilapidation survey is to be undertaken in the locality of all properties that could be potentially affected by the construction of this development. The dilapidation survey shall be carried out prior to any work commencing on the site. The applicant shall, at their own cost, rectify any damage caused to other properties during construction of the proposal. In this regard, the applicant is to submit to Council, prior to the Construction Certificate being issued, a copy of an insurance policy that covers the cost of any rectification works. The insurance cover shall be a minimum of $20 million.

115. Dilapidation Report - To determine the extent of restoration works that may be required, the applicant shall submit to Council a pre and post construction dilapidation report on the status of existing public infrastructures in the vicinity of the proposed development. The report is to include photographic records, description and location of any existing observable defects of the following infrastructure and others where applicable:

a. Road pavement.
b. Kerb and gutter.
c. Constructed footpath
d. Drainage pits.
e. Traffic signs.
f. Any other relevant infrastructure.

These reports shall be submitted to Council development engineer, prior to the issue of the Construction and Occupation Certificate. The report shall be used by Council as Roads Authority under the Roads Act to assess whether restoration works are required prior to the issue of the Occupation Certificate. All restoration works deemed necessary by Council’s development engineer are to be completed to Council satisfaction prior to the issue of Occupation Certificate.

116. Excavation – The proposed development will result in substantial excavation that has the potential to affect the foundations of adjoining properties. The applicant shall-

a. seek independent advice from a Geotechnical Engineer on the impact of the proposed excavations on the adjoining properties,
b. detail what measures are to be taken to protect those properties from undermining during construction.
c. provide Council with a certificate from the engineer on the necessity and adequacy of support for adjoining buildings.
ITEM 2 (continued)

The above matters shall be completed prior to the issue of the Construction Certificate.

All recommendations of the Geotechnical Engineer are to be carried out during the course of the excavation. The applicant must give at least 7 days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

117. Roadway Excavation – The proposed development will result in substantial excavation to the roadway (or road embankment). The applicant shall construct a retaining wall within the property to support the roadway (or road embankment). The proposed excavation has been approved subject to the following matters being satisfied:-

a. The owner lodging with Council a $50,000 cash bond or bank guarantee, prior to the issue of a construction certificate, to ensure that the work is carried out in accordance with the approved plans. The bond will be refunded upon satisfactory completion of the retaining wall.

b. Fully detailed design drawings and calculations shall be prepared by a Geotechnical Engineer for the retaining wall and submitted to Council for approval prior to the issue of a Construction Certificate.

c. On completion of the retaining wall, a certificate from a Geotechnical Engineer shall be submitted to Council which states that the engineer has inspected the work during construction and that the works have been carried out in accordance with the approved design. If no certificate is produced on completion of the retaining wall, then no further work shall proceed on the site until such certificate is produced.

d. If the certificate referred to above is found to be unacceptable, no work shall proceed on the site until the applicant has satisfied Council’s Group Manager – Public Works that the retaining wall has been constructed in accordance with the approved design.

e. The applicant shall inform Council at least 7 days before commencing any excavation works.

118. Vehicle Footpath Crossings - To facilitate safe access to and from the site, new concrete layback and apron crossings are to be constructed at locations as indicated on the approved plan. The width, design and construction shall conform to Ryde City Council’s Environmental Standards Development Criteria – Section 1-Driveways-1999. Additionally, crossings are to be constructed in plain reinforced concrete with finished levels comply with property alignment levels issued by Council’s Public Works Division. Kerbs shall not be returned to the property boundary alignment and Bridge and pipe crossings will not be permitted.
ITEM 2 (continued)

119. Traffic Management Plan - To ensure safe construction traffic flow on site a Traffic Management Plan (TMP) and report shall be prepared by an RTA accredited person and submitted to and approved by Council prior to issue of Construction certificate where the works affect the public road reserve.

The TMP shall be prepared in accordance with Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, the RTA’s Manual – “Traffic Control at Work Sites” and City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities. The TMP is to address but not be limited to the loss of on-street parking, construction vehicles travel routes, safety of the public, materials storage, handling and deliveries including construction traffic parking.

Additionally, all traffic controllers on site must be RTA accredited traffic controllers and a minimum of seven (7) days notice shall be given to residents if their access will be affected by proposed construction activities.

120. No spoil, stockpiles, building or demolition material is to be placed on any public road, footpath, park or Council owned land.

121. Toilet facilities - Toilets and hand washing facilities must be provided for workers in accordance with the Code of Practice: Amenities for Construction Work (WorkCover, 1996). Where practicable, the toilets must be standard flushing toilets connected to the sewerage system.

122. Site security - Security fencing must be provided around the perimeter of the site, and other precautions taken, to prevent unauthorised entry to the site during the demolition period.

123. Hoardings - Where the site adjoins a public thoroughfare the common boundary must be fenced with a hoarding, unless the horizontal distance between the boundary and the structure being demolished is more than twice the height of the structure. All hoardings must be constructed of solid materials and be at least 1.8 metres high.

124. Overhead protection - Where the site adjoins a public thoroughfare with a footpath alongside the common boundary, the footpath must be provided with overhead protection in accordance with the requirements of Australian Standard AS 2601-1991 The Demolition of Structures, unless:
ITEM 2 (continued)

a. the vertical height of the structure being demolished is less than 4 metres above the footpath; or

b. the horizontal distance between the boundary and the structure being demolished is more than half the height of the structure.

125. Site signage - A rigid durable sign showing the demolition contractor’s name, address and telephone contact details must be displayed in a prominent position on the site so that they can be easily read by anyone in any public road or other public place adjacent to the site.

126. Warning notices - Notices lettered in accordance with Australian Standard AS 1319-1994 Safety Signs for the Occupational Environment and displaying the words ‘DANGER! DEMOLITION WORK IN PROGRESS’ must be fixed to the security fencing/hoardings at appropriate intervals to warn the public.

127. Additional warning notices in relation to asbestos - Where the work involves the demolition or removal of asbestos products and materials, including asbestos-cement sheeting (i.e. fibro), notices lettered in accordance with Australian Standard AS 1319-1994 Safety Signs for the Occupational Environment and displaying the words ‘WARNING! ASBESTOS’ must be fixed to the security fencing/hoardings at appropriate intervals to warn the public.

128. Dust control - Appropriate measures must be taken to control the generation of dust during demolition work:

a. Any existing accumulations of dust (e.g. in ceiling voids and wall cavities) must be removed using an industrial vacuum cleaner fitted with a high efficiency particulate air (HEPA) filter.

b. Any materials that are likely to generate dust during demolition or removal must be wetted down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.

c. All stockpiles of materials that are likely to generate dust must be kept damp or covered.

d. Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.
ITEM 2 (continued)

129. Protection of buildings - Any buildings or parts of buildings to be retained on the site and all adjacent buildings must be protected from damage during demolition work.

130. Excavation and backfilling - All excavation and backfilling associated with the demolition work must be carried out in a safe manner.

131. Surplus excavated material - All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.

132. Covering of loads - All vehicles transporting demolition materials from the site must have their loads covered.

133. Mud and debris from vehicles - All practicable measures must be taken to ensure that vehicles leaving the site do not deposit mud or debris on the road.

134. Removal of mud and debris from roadway - Any mud or debris deposited on the road must be cleaned up immediately in a manner that does not pollute waters (i.e. by sweeping or vacuuming).

135. Signage is to be provided on the site as follows:

   a. During the demolition process notices lettered in accordance with AS1319 displaying the words “DANGER - DEMOLITION IN PROGRESS” or a similar message shall be fixed to the security fencing at appropriate places to warn the public.

   b. During the entire construction phase signage shall be fixed on site identifying the PCA and principal contractor (the coordinator of the building work), and providing phone numbers.

136. Excavations and backfilling.

   a. All excavations and backfill associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards;

   b. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
ITEM 2 (continued)

137. Retaining walls and drainage - If the soil conditions require it:

   a. retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided;
   b. adequate provision must be made for drainage.

138. Support for neighbouring buildings - If the soil conditions require it:

   a. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
      i. must preserve and protect the building from damage, and if necessary, ii. must underpin and support the building in an approved manner, and iii. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
   b. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on an adjoining allotment of land.
   c. In this clause, “allotment of land” includes a public road and any other public place.

139. Protection of Public Places.

   a. If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place;
   b. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place;
   c. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place;
   d. Any such hoarding, fence or awning is to be removed when the work has been completed.
ITEM 2 (continued)

Internal Design

140. Compliance with the Building Code of Australia.

a. All building work (other than work relating to the temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date of the application for the relevant construction certificate or complying development certificate was made)

b. This clause does not apply to the extent to which an exemption is in force under clause 187 or 188, in the Environmental Planning and Assessment Regulations 2000, subject to any terms of any condition or requirement referred to in Clause 187(6) or 188(4).

141. Construction and fit-out of food premises - The construction and fitout of all new food premises, and renovations or alterations to any existing food premises, must comply with the requirements of:

a. Food Safety Standard 3.2.3 Food Premises and Equipment; and

142. Construction of walls - The walls of all food premises must be constructed of brick, concrete blocks, preformed panels filled with suitable material or other solid materials.

143. Sanitary facilities - Sanitary facilities must be provided in accordance with the requirements of the Building Code of Australia.

144. Toilets for customers - Toilets intended for use by customers must not be accessed through food preparation and storage areas.

145. Airlocks - The toilets must be provided with airlocks where required by the Building Code of Australia.

146. Ventilation of rooms - Every habitable room, sanitary compartment or other room occupied by a person for any purpose must be provided with adequate natural ventilation or an approved system of mechanical ventilation.
ITEM 2 (continued)

147. Ventilation of carpark - The basement carpark must be provided with an adequate system of permanent natural ventilation or an approved system of mechanical ventilation.

148. Provision for installation of kitchen exhaust systems - Adequate provision must be made for the installation of kitchen exhaust systems to the proposed food premises.

149. Fresh air intake vents - All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.

150. Exhaust air discharge vents - All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.

151. Carpark exhaust vent - The carpark exhaust vent must be located at least 3 metres above ground level or any pedestrian thoroughfare and at least 6 metres from any fresh air intake vent, natural ventilation opening or neighbouring property boundary.

152. Regulated systems - All air-handling and water systems regulated under the Public Health Act 1991 must be installed, operated and maintained in accordance with the requirements of the Public Health (Microbial Control) Regulation 2000.

153. Access for maintenance purposes - Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2002 Air-handling and water systems of buildings - Microbial control - Operation and maintenance.

154. Registration of water-cooling and warm water systems - All water-cooling and warm water systems (including thermostatic mixing valves) regulated under the Public Health Act 1991 must be registered with Council’s Environmental Health Unit within one (1) month of installation.

Registration forms may be obtained from Council’s Customer Service Centre on Tel. 9952 8222.
ITEM 2 (continued)

155. Plumbing and drainage work - All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.

156. Installation of grease trap - A grease trap must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a specially constructed grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.

157. Construction of grease trap rooms - All grease trap rooms must be constructed in accordance with the following requirements:
   a. The floor, walls and ceiling must be constructed of solid materials finished to a smooth even impervious surface free of any cracks, holes or other openings that may allow the escape of odours;
   b. The room must be fitted with an air-tight (e.g. coolroom type) door;
   c. The room must be vented in accordance with Australian/New Zealand Standard AS/NZS 3500.2:2003 Plumbing and drainage – Sanitary plumbing and drainage or be provided with an approved system of mechanical ventilation;
   d. The room must be provided with intrinsically safe artificial lighting; and
   e. A hose cock with a backflow prevention device must be provided in or adjacent to the room to facilitate cleaning.

158. Carpark ventilation details - Details of the proposed method of ventilating the basement carpark must be submitted to Council or an accredited private certifier for approval with the application for the Construction Certificate.

159. Details of provisions for kitchen exhaust systems - Details of the provisions made for the installation of kitchen exhaust systems to the proposed food premises must be submitted to Council or an accredited private certifier for approval with the application for the Construction Certificate.

160. Mechanical ventilation details - Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted to Council or an accredited private certifier for approval with the application for the Construction Certificate. Such details must include:
ITEM 2 (continued)

a. Certified plans of the proposed work, with any alterations coloured to
distinguish between new and existing work;
b. A site survey plan showing the location of all proposed air intakes and
exhaust outlets on the site, and any existing cooling towers, air intakes,
exhaust outlets and natural ventilation openings in the vicinity;
c. A completed Mechanical Services Design Certificate (Form M1),
together with a copy of the certifier’s curriculum vitae; and
d. Documentary evidence in support of any departures from the deemed-
to-satisfy provisions of the Building Code of Australia.

161. Cooling tower details - Details of any proposed water-cooling systems, and
alterations to any existing systems (including the installation of new cooling
towers), must be submitted to and approved by Council before the issue of a
Construction Certificate. Such details must include:

a. Certified plans and specifications of the proposed water cooling system;
b. A site survey plan showing the location of the proposed cooling tower
and any air intakes, exhaust outlets and natural ventilation openings in
the vicinity;
c. Access details for inspection and maintenance purposes;
d. Details of the proposed water treatment system; and
e. A Compliance Certificate from a suitably qualified person certifying that
the design of the cooling tower(s) complies with Australian/New
Zealand Standard AS/NZS 3666.1:2002 Air-handling and water
systems of buildings – Microbial Control – Design, installation and
commissioning.

162. Certification of mechanical ventilation work - A Mechanical Services
Completion and Performance Certificate (Form M2) must be submitted to the
Principal Certifying Authority on completion and commissioning of all
mechanical ventilation work approved under this consent and before the issue
of an Occupation Certificate.

163. Certification of cooling towers - A Compliance Certificate must be submitted to
the Principal Certifying Authority (and Council, if Council is not the PCA) on
completion and commissioning of all cooling towers approved under this
consent and before the issue of an Occupation Certificate.

The certificate must be from a suitably qualified person and certify that the
cooling towers have been installed in accordance with the approved plans and
specifications and comply with Australian/New Zealand Standard AS/NZS
3666.1:2002 Air-handling and water systems of buildings – Microbial control –
Design, installation and commissioning.
ITEM 2 (continued)

164. Grease trap room details - Details of any proposed grease trap room must be submitted to Council or an accredited private certifier for approval with the application for the Construction Certificate.

165. Operation and maintenance of plant and equipment - The occupier must ensure that all plant and equipment installed on the premises is:

   a. maintained in a proper and efficient condition; and
   b. operated in a proper and efficient manner.

166. Telephone Installations - Advice should be obtained from your local telecommunications office regarding any telephone lines required to be installed in concrete floors.

167. Australia Post - Approval for the site and size of proposed household mailboxes must be obtained from Australia Post.

Fire Safety

168. A “Fire Safety Schedule” specifying the fire safety measures that are currently implemented in the building premises and the fire safety measures proposed or required to be implemented in the building premises as required by Clause 168 – Environmental Planning and Assessment Regulation 2000 are to be submitted and approved prior to the issue of the Construction Certificate.

169. A Fire Safety Certificate/s from a suitably qualified person/s is to be submitted to Council or an accredited certifier (and Council, if Council is not the PCA or an accredited certifier) for all the essential services installed in the building in accordance with Clauses 170 and 171 of the Environmental Planning and Assessment Regulation 2000.

On completion of the building work and prior to an Occupation Certificate being issued, the owner of the building must provide to the Consent Authority (i.e. Ryde City Council) a Fire Safety Certificate from a competent person with respect to each essential.

Other Approvals

170. The applicant shall obtain approval from Council pursuant to Section 68 of the Local Government Act 1993 for any proposal to use the premises or part thereof as a Place of Public Entertainment. Such approval shall be obtained prior to the taking up of such use.
ITEM 2 (continued)

171. Any proposals for the erection or display of signage shall be subject to a separate development application to Council. Any signage shall be in accordance with the requirements set out in Part 9.1 of DCP 2006.

172. Road Opening Permit - The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.

173. Separate development applications must be submitted to Council for the fit-out and use of each individual retail tenancy within the shopping centre.

174. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act, 1979 are to be complied with:

   a. A Construction Certificate is to be obtained in accordance with Section 81A (2)(a) of the Act.
   b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A (2)(b) of the Act and Form 7 of Schedule 1 to the Regulations.
   c. Council is to be notified at least two (2) days prior to the intention to commence building works, in accordance with Section 81A (2)(c) of the Act and Form 7 of Schedule 1 to the Regulations.

175. The applicant may apply to the Council or an accredited certifier for the issuing of a Construction Certificate and to Council or an accredited certifier to monitor compliance with the approval and issue any relevant documentary evidence or certificate/s.

   Note: Council Officers can provide these services and further information can be obtained from Council by telephoning 9952 8222 (Customer Service).

176. An Occupation Certificate must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.
ITEM 2 (continued)

177. Boundary Levels - To ensure a smooth transition between external and internal site works, street alignment levels shall be obtained from Council. These levels shall be incorporated into the design of the internal works e.g. driveway, carparking areas, landscaping, stormwater drainage etc and shall be clearly shown on plans submitted with the Construction Certificate application.

178. Compliance Certificates – Engineering - To ensure the development will be completed in accordance with approved plans, current specifications and applicable Australian and Council’s standards the Principal Certifying Authority shall ensure the following will be met:

- Compliance Certificate should be obtained from an accredited certifier confirming that the constructed internal car park and associated drainage complies with AS 2890.1-2004 & AS 2890.2-2002, the construction plan requirements and Ryde City Council’s Environmental Standards Development Criteria – 1999;
- Compliance Certificate should be obtained from an accredited certifier confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2006: - Part 8.2; Stormwater Management;
- Compliance Certificate should be obtained to confirm that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris;
- Compliance Certificate shall be obtained from Council confirming that all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and Ryde City Council’s Environmental Standards Development Criteria – 1999;
- Compliance Certificate shall be obtained from Council confirming that all external works within the public road reserve including all restoration works have been completed to Council’s satisfaction;
- Compliance Certificate shall be obtained from Council confirming that all redundant vehicular crossings have been removed and replaced with concrete footpath and kerb and gutter with disturbed areas grassed where required to Council’s satisfaction.

Please be advised that all Compliance Certificates issued by Council are subject to the payment of inspection fees in accordance with Council’s Management Plan.
ITEM 2 (continued)

**Inspections**

179. The Principal Certifying Authority is required to ensure that adequate provisions are made for the following measures at each stage of construction, to ensure compliance with the approval and City of Ryde's DCP 2006, Part 8.1 - “Construction Activities”:

   a. Sediment control measures.
   b. Tree Preservation and protection measures.
   c. Security fencing.
   d. Materials or waste containers upon the footway or road.
   e. PCA and principal contractor (the coordinator of the building work) signage and site toilets.

180. Council recommends that a Registered Surveyors check survey certificate be submitted to the Principal Certifying Authority (and Council, if Council is not appointed as the PCA) detailing compliance with Council’s approval at the following stages: On completion of the proposed building showing the area of the land, completed building and the boundary setbacks.

181. Health inspections - Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the *Local Government Act 1993*.

The approved fees are contained in Council’s Management Plan and may be viewed or downloaded at [www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au).

**Deposits & Fees**

182. A security deposit (Category Type: Other buildings with delivery of bricks or concrete or machine excavation) is to be paid to Council (Public Works and Services Group) as well as the Infrastructure Restoration and Administration Fee. Please refer to Council's Management Plan for the current fee amounts.

183. An Enforcement Levy is to be paid to Council on lodgement of the Construction Certificate application in accordance with the requirements of Council’s Management Plan (scheduled fees).

184. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be received prior to the issuing of the Construction Certificate.
ITEM 2 (continued)

185. The applicant is to apply to Council, pay the required fee, and have issued street alignment levels by Council prior to the issue of the Construction Certificate.

186. Documentary evidence of compliance with Conditions 177-180 to the satisfaction of Council or an accredited certifier is to be submitted to the Council prior to the issuing of the Construction Certificate.

187. Hoarding Fees - In accordance with Council’s Management Plan a fee shall be paid to Council prior to the issue of the Construction Certificate for the erection of protective hoarding along the street frontage of the property where applicable. The fee is based on Council Management Plan and is for a period of 6 months. Should the footpath occupation period varied from the approved period an adjustment of the fee will be made upon completion of the works.

188. Drainage Security Deposit - The applicant shall lodge with Council a security deposit of $1,000 to ensure the Positive Covenant has been prepared, lodged and registered and that the onsite stormwater detention system is constructed in accordance with the approval plans; this includes the correct sediment sump construction and fitting of the orifice plate and debris screen in the outlet control pit. Refund of this security deposit will be made on satisfactory completion of the works and notification to Council of lodgement of the Positive Covenant with the Department of Lands.

189. Maintenance Bond - To ensure satisfactory performance of the completed external works, a maintenance period of six (6) months shall apply to all external engineering works completed in relation to this application. The performance period shall commence from Council’s Compliance Certificate issue date.

The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council’s standard specification. A bond in the form of a cash deposit or Bank Guarantee of $10,000 shall be lodged with City of Ryde prior to issue of the Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the six (6) months maintenance period.

190. The applicant is to submit to and have approved by Council or an accredited certifier engineer’s details for all concrete work and structural steelwork prior to the issue of the Construction Certificate.
ITEM 2 (continued)

Lot Consolidation

191. All land titles within the site must be consolidated into one allotment. A plan of consolidation in a form capable of registration shall be lodged with the Land Titles Office prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979.

192. An acoustic assessment is to be submitted to Council prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with RailCorp’s Interim Guidelines for Applicant’s in the consideration of rail noise and vibration from the adjacent rail corridor.

(b) That the persons who made submissions be advised of Council's decision.

Liz Coad             Troy Loveday
Manager Assessment   Major Development Manager

Sue Weatherley
Group Manager - Environment & Planning
ITEM 2 (Continued)

Indicates submissions received

Other submissions received outside of map area.
ITEM 2 (continued)

12 February 2007

Sue Weatherley
Acting General Manager
City of Ryde
Locked Bag 2069
RYDE NSW 1670

Dear Sue,

Local Development Application No 837/2006 – Redevelopment of Eastwood Shopping Centre (Your Ref: 07/040)

I refer to your correspondence dated 25 January 2007 and our previous correspondence dated 16 January 2007 regarding the above development application.

Please be advised that the current development application lodged with Council is for the redevelopment of the Eastwood Shopping Centre and comprises a mixture of retail and commercial development. No residential development is proposed within the current development application.

The owners of the site are examining the potential to provide residential development on the site and should it be intended to pursue this matter, a separate and new development application comprising both a retail scheme and residential scheme will then be lodged with Council.

Please do not hesitate to contact me should you wish to discuss.

Yours sincerely,

John Wynne
Director
ITEM 2 (continued)
ITEM 2 (continued)
ITEM 2 (continued)
ITEM 2 (continued)
ITEM 2 (continued)
ITEM 2 (continued)
ITEM 2 (continued)
ITEM 2 (continued)
ITEM 3

NORTHERN SYDNEY REGIONAL ORGANISATION OF COUNCILS (NSROC) SUBREGIONAL PLANNING STRATEGY

File No. S11700

The Manager Urban Planning reports 2 October 2007:

Report Summary
The Northern Sydney Regional Organisation of Councils (NSROC) draft Sub-Regional Planning Strategy 2004 – 2034 has been placed on public exhibition. The purpose of this report is to advise Council of the submissions received during the exhibition period, and of the changes made to the draft Strategy, and to recommend that the final strategy, known as the ‘Northern Sydney Regional Organisation of Councils (NSROC) Sub-Regional Planning Strategy 2006 – 2031’, be endorsed by Council.

Background
The Draft Northern Sydney Sub-Regional Planning Strategy was based on research and technical studies undertaken by NSROC, as well as from work undertaken by NSROC in the preparation of the NSROC submission on the Metropolitan Strategy. The Draft NSROC Strategy is limited in its focus to three key change factors: population, dwellings and employment. The Draft Strategy seeks to:

- Present policies to underpin land use and infrastructure;
- Indicate the planned changes to population and employment from 2014 to 2034; and
- Identify the main planning issues.

The Northern Sydney Regional Organisation of Council (NSROC) draft Sub-Regional Planning Strategy 2004 – 2034 was reported to Council at its meeting of 21 March 2006 when Council resolved:

(a) That the Draft Northern Sydney Sub-Regional Planning Strategy be placed on public exhibition for 28 days with additional commentary on the current status of planning for Ryde Town Centre and the Macquarie park Corridor.

(b) That a further report on the draft Northern Sub regional Planning Strategy be submitted to Council at the conclusion of the exhibition period.

The Northern Sydney Regional Organisation of Council (NSROC) draft Sub-Regional Planning Strategy 2004 – 2034 was publicly exhibited from Wednesday 5 April 2006 until Friday 5 May 2006.
ITEM 3 (continued)

Report
During the exhibition period the City of Ryde requested that the Draft NSROC Strategy be amended to:

- recognise the strategic importance of the Macquarie Park Corridor (including the regional role of the Macquarie Shopping Centre and the present and future opportunities provide by Macquarie University);
- identify the importance of the completion of the Parramatta to Chatswood rail link; and
- to acknowledge Ryde town centre as a future Major Centre within the subregion.

The NSROC board agreed in May 2007 that the NSROC Strategy would be amended to address the issues raised by the City of Ryde. The Draft NSROC Strategy was also renamed as the Northern Sydney Sub-regional Planning Strategy 2006-2031 in order to bring the dates into line with the effective period of Sydney Metropolitan Strategy. A copy of the NSROC Northern Sydney Sub-regional Planning Strategy 2006-2031 is CIRCULATED UNDER SEPARATE COVER.

Council received 2 submissions during the exhibition period. The submissions noted the lack of recognition given to the role of Macquarie Park and raised concerns regarding inadequate transport infrastructure. A summary of the issues raised in each submission, and a response to each issue, is ATTACHED.

Management Plan Budget / Linkages
This project is not listed in the Management Plan.

Relationship to Key Outcome Areas

People
This project meets the following key outcomes for People (set out on pages 32-33 of the Management Plan 2007-2010):

- A vibrant city that is healthy, physically attractive, economically strong and engages its community through cultural and social activities.
- A city that plans for people by identifying their diverse needs and involving them in decision making to improve their quality of life.
- A harmonious community through a culturally enriched and respectful society.

The NSROC Strategy provides the opportunity to optimise services and open space facilities.

Assets
This project meets the following key outcomes for Assets (set out on page 34-35 of the Management Plan 2007-2010):

- Well designed streets and paths where motorists, cyclists and pedestrians feel safe.
ITEM 3 (continued)

- Well designed places and spaces that minimise personal harm and where people interact with each other, so that crime is reduced.
- A high standard of visual appearance as there is no litter or graffiti, and we care for our infrastructure and public areas.

The NSROC Strategy provides a clear framework for the provision of infrastructure.

Environment
This project meets the following key outcomes for Environment (set out on pages 36-38 of the Management Plan 2007-2010):

- Clean air through protection of natural resources and better integrated transport systems.
- Attractive streets, public places and buildings through better planning and design which is responsive to community expectations and our local environment.
- Clean water through control of pollution entering our waterways and through protection of these waterways.
- Protected ecological systems and processes that support life and the environment through actions that safeguard them.
- Preserved natural areas which are enhanced and maintained.
- Strong links to the past through protection, conservation and interpretation of our heritage.
- A leafy City through parks, gardens, trees and the built environment.
- Sustainable practices in buildings, waste management, transport, energy systems and water use through community commitment.

The NSROC Strategy provides the opportunity to consider environmental issues at the larger scale eg provision of transport

Governance
This project meets the following key outcomes for Governance (set out on page 39-41 of the Management Plan 2007-2010):

- Incorporation of best practice approaches in the delivery of services to the community.
- Compliance with all legislative requirements and statutory obligations.
- An efficient and effective regulatory environment.

The NSROC Strategy had enabled input into strategic planning issues by the community (through public exhibition) and provides a framework for Council decision making.
ITEM 3 (continued)

Consultation – Internal and External
External public consultation included:-
• Public exhibition of the Northern Sydney Regional Organisation of Councils (NSROC) draft Sub-Regional Planning Strategy 2004 – 2034 from Wednesday 5 April 2006 until Friday 5 May 2006.
• Consultation with NSROC

Policy Implications
There are no policy implications through adoption of the recommendation.

Critical Dates
There are no critical dates.

Financial Impact
Adoption of the option(s) outlined in this report will have no financial impact.

Other Options
Not applicable.

Conclusion
The Northern Sydney Regional Organisation of Councils (NSROC) draft Sub-Regional Planning Strategy 2006 – 2031 should be endorsed by Council.

RECOMMENDATION:

That the Northern Sydney Regional Organisation of Councils (NSROC) Sub-Regional Planning Strategy 2006 – 2031 be endorsed.

Kate Higgins
Senior Strategic Planner
Urban Planning
Environment and Planning

Sue Weatherley
Group Manager
Environment and Planning

Meryl Bishop
Manager
Urban Planning
Environment and Planning
ITEM 3 (continued)

ATTACHMENT

SUBMISSIONS – Northern Sydney Regional Organisation of Council (NSROC) draft Sub-Regional Planning Strategy 2004 – 2034

<table>
<thead>
<tr>
<th>Comment</th>
<th>Response</th>
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<tr>
<td><strong>Submitter: AMP Capital Investors</strong>&lt;br&gt;The Draft NSROC Strategy does not recognise the important role of Macquarie Park, and the Macquarie Centre is a shopping centre of regional significance. &lt;br&gt;The centres hierarchy of the Draft NSROC Strategy is not accepted and the centres hierarchy of the Metropolitan Strategy is preferred.</td>
<td>The NSROC Board agreed to amend the Draft NSROC Strategy so as to acknowledge the importance of the Macquarie Park Corridor.</td>
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| **Submitter: Resident, Garland Road Epping**<br>The route of the future rail link from Epping to Parramatta should be reinvestigated. <br>The F3 Freeway and M2 should be linked to provide a bypass for the Pacific Highway. <br>The Eastwood County Road should go ahead. <br>The Delhi Road should be upgraded to a min. of a 2 lane divided carriageway in each direction. <br>Eastwood should be rejuvenated, including the upgrading of the railway station and stormwater system. | The Epping to Parramatta rail link is recommended and shown on the Structure Plan. <br>A tunnel by-pass of Chatswood CBD is recommended. <br>No recommendation. <br>No recommendation, but indicated as a major transport link. <br>No recommendation, but it is understood that State Rail is upgrading the station and the City of Ryde is currently reviewing the stormwater issues. These issues also do not have a regional impact. |
ITEM 4

LOCAL ENVIRONMENTAL PLAN 137 – Macquarie Park Corridor – Review

File No. COR2006/663

The Manager Urban Planning reports 26 September 2007:

Report Summary
Local Environmental Plan (LEP) 137 covers the area known as Macquarie Park Corridor, which is identified as a Specialised Centre in the State Government’s Metropolitan Strategy. LEP 137 was gazetted on 20 January 2006. The LEP requires that the provisions contained in the Ryde Planning Scheme Ordinance relating to the Macquarie Park Corridor be reviewed by Council within 2 years of the LEP’s gazettal.

This report outlines a proposed review of the planning provisions for the Corridor and proposes that the review be undertaken via an amendment to the City wide Local Environmental Plan 2008.

The report recommends

(a) That a draft local environmental plan be prepared for the area known as the Macquarie Park Corridor to meet the requirements of Clause 103 within the Ryde Planning Scheme Ordinance.

(b) That the Department of Planning be advised of Council’s decision to prepare a draft local environmental plan for the Macquarie Park Corridor in accordance with Section 54 (4) of the Environmental Planning and Assessment Act.

This recommendation will enable the review process to commence in a manner which complies with the requirements of the Environmental Planning and Assessment Act (EP & A).

The review of the provisions within the Ordinance is being supported by a review of Draft DCP 55 Macquarie Park which is currently underway, as reported to the Committee of the Whole on 3 April 2007. The outcomes of the review of DCP 55 will be reported to Council on completion.

Background
In early 2000 Council and the State Government commenced the development of a comprehensive planning framework to support growth and guide redevelopment in Macquarie Park Corridor.
ITEM 4 (continued)

The objectives of the process were:

- To ensure that the Corridor matures into a premium location for globally competitive businesses;
- To improve accessibility and mobility within the Corridor;
- To maximise use of the proposed Chatswood to Epping Rail Link;
- To improve the public domain.

The principal studies undertaken to develop this planning framework were:

- A Structure Plan
- A Transport Management and Access Plan
- A Master Plan, which was adopted by Council and the State Government in July 2004

The planning framework will be implemented through LEP 137 Macquarie Park (gazetted on 20 January 2006) and DCP 55 Macquarie Park.

A draft DCP 55 was developed by Council and exhibited in April 2006.

Both LEP 137 and Draft DCP 55 now need to be revised to ensure that they fully support Macquarie Park’s future as a Specialised Centre of national significance.

The need for a review of both plans was outlined in a report to the Committee of the Whole on 3 April 2007. The reasons for the review of the plans, as outlined in the report to that meeting, are summarised as follows:-

- LEP 137 contains a Department of Planning (DOP) direction requiring the provisions of the Ryde Planning Scheme Ordinance (RPSO) relating to the Macquarie Park area to be reviewed by January 2008.

- As a result of submissions received following the exhibition of draft DCP 55 in 2006 and Council’s experience of assessing development applications in Macquarie Park over the last 18 months, various issues need to be addressed in Draft DCP 55 and LEP 137 in the following areas:-
  - Floor space ratios (FSRs) and heights in some locations, particularly in the vicinity of the new stations;
  - Setbacks in some areas;
  - The bonus system to be used to fund road and open space improvements;
  - The location and design of some sections of the proposed roads and open space network;
  - Car parking requirements, particularly in proximity to the stations;
  - Public domain design and implementation.
ITEM 4 (continued)

Various studies are being commissioned during 2007 to inform the analysis and resolution of the issues summarised above, including:-

- An Integrated Traffic and Movement Study
- A Water Sensitive Urban Design Strategy
- Economic testing of potential height and FSR changes, particularly in the vicinity of the stations
- Precinct Design Concept Plans for key redevelopment precincts within Macquarie Park eg around the new stations
- A comprehensive Parking Study

Consultation with external public and private sector stakeholder groups is an important part of the study process outlined above.

Report

This report relates only to the review of the provisions within the RPSO that apply to the Macquarie Park Corridor.

A separate report will be prepared for Council about the outcomes of the review of draft DCP 55, following completion of the process.

Council has consulted with DoP and other state agencies about those elements of the RPSO requiring review. The parties have agreed that the following aspects of the Plan require attention:-

- Car parking rates

  The car parking rates range from 1 space per 80 m², 70 m² and 46 m² – with the lower parking rates of 1 space/80 m² being in close proximity to the railway station.

  DOP have indicated that the rates are to be reviewed in light of the opening of the rail stations around July 2008. The review is to take account of parking rates in comparable specialised centres (eg North Sydney, NorWest Business Park) and the findings and directions of the Draft Metropolitan Parking Strategy, which is expected to be released by the Government soon.

  DoP has allocated $100,000 to Council from the Planning Reform Fund to help fund the study. A condition of the funding is that Council and DoP jointly finalise the scope of the study and sign a memorandum of understanding.
ITEM 4 (continued)

- Deferred lands

Within the Corridor there are a number of land parcels owned by the State Government, most of which are in the control of Transport Infrastructure Development Corporation (TIDC). The two largest TIDC sites, adjacent to the M2 and North Ryde Station, were excised from LEP 137 and are therefore not subject to the current planning controls applying to the remainder of the Corridor.

TIDC has commenced a master planning process to determine development scenarios and appropriate land uses for these two sites. Council has proposed that a “whole of Government” approach be adopted for this important master planning process, involving Council and other state agencies owning land in the master plan areas eg RTA, DoP.

- Compliance with standard LEP Template

The review of the provisions within the RPSO requires the preparation of local environmental plan. The plan making process is required to comply with the following section of the EP&A Act:

- S54 - Submission to the Minister requesting the making of an LEP;
- S62 - Consultation with Government agencies and authorities on the draft plan;
- S65 - Submission to the Department requesting the issuing of the certificate to allow the public exhibition of the plan, and
- S68 - Submission to the Department requesting the making of the plan.

DoP is taking a keen interest in the review process and the preparation of the draft LEP due to the regional significance of the Corridor and need for growth to support the new railway line and 3 stations.

Council has given a commitment to the Department that to meet the January 2008 deadline, the S65 submission will be lodged in December 2007.

It is proposed that the proposed draft LEP will constitute amendment 1 to LEP 2008.

It is anticipated that LEP 2008 will be placed on public exhibition in early 2008.

Management Plan Budget / Linkages
This project is from the Management Plan under the Key Outcome Area and is listed as part of the Urban Planning Projects on page 56 on the Management plan 2007 – 2010.
ITEM 4 (continued)

The project forms part of the 2007-2008 Operational Budget for Urban Planning.

The project is also listed within the Urban Planning Work Program for 2007 – 2008 endorsed by Council on 14 August 2007

Relationship to Key Outcome Areas

People

The review of the planning provisions for Macquarie Park Corridor meets the following key outcomes for People (set out on pages 32-33 of the Management Plan 2007-2010):

- A vibrant city that is healthy, physically attractive, economically strong and engages its community through cultural and social activities.

The review of the planning provisions within the RPSO relating to the Macquarie Park Corridor meet this outcome by:-

- Improving the urban design, layout of buildings and open space areas in Macquarie Park to achieve a more attractive, efficient and vibrant area to better meet the needs of students, shoppers, workers and residents.
- Positively influencing the layout and function of roads, stormwater and other infrastructure to provide a better platform to support the future economic and social development of Macquarie Park.
- Fostering redevelopment in Macquarie Park which generates quantifiable economic, environmental and social benefits eg establishment of special mixed use precincts in the vicinity of the three new rail stations.

Assets

The review process meets the following key outcomes for Assets (set out on page 34-35 of the Management Plan 2007-2010):

- Well designed streets and paths where motorists, cyclists and pedestrians feel safe.
- Well designed places and spaces that minimise personal harm and where people interact with each other, so that crime is reduced.
- A high standard of visual appearance as there is no litter or graffiti, and we care for our public infrastructure and public areas.

The review of the planning provisions within the RPSO relating to the Macquarie Park Corridor will meet this outcome by:-

- Significantly enhancing the look and efficiency of existing roads, stormwater and open space infrastructure in Macquarie Park.
ITEM 4 (continued)

- Providing new infrastructure to improve the functioning of Macquarie Park, from a social, environmental and economic perspective. This includes construction of new roads, pedestrian paths and cycle ways, open-space and creek corridor links which integrate well with existing infrastructure, the new rail stations and other new buildings in Macquarie Park.

Environment
This project meets the following key outcomes for Environment (set out on pages 36-38 of the Management Plan 2007-2010):

- Clean air through protection of natural resources and better integrated transport systems.
- Attractive streets, public places and buildings through better planning and design which is responsive to community expectations and our local environment.
- A leafy City through parks, gardens, trees and the build environment.

The review of the planning provisions within the RPSO relating to the Macquarie Park Corridor meet this outcome by:-

- Reducing car dependency and traffic congestion by increasing walking, cycling and use of public transport in Macquarie Park, thereby improving local air quality and reducing commuter stress and atmospheric emissions from cars.
- Facilitating the uptake by commercial developers of best practise sustainable building design and operation (eg solar efficiency, water conservation, energy efficiency, “safe” design), thereby reducing per capita atmospheric carbon contributions.

Governance
This project meets the following key outcomes for Governance (set out on page 39-41 of the Management Plan 2007-2010):

- Improved communication with the community and increased awareness and understanding of Council’s decision by the community.
- Members of the community are engaged through involvement in democratic decision making and the promotion of active citizenship.
- Incorporation of best practice approached in the delivery of services to the community.
- Compliance with all legislative requirements and statutory obligations.
- An efficient and effective regulatory environment.
ITEM 4 (continued)

The review of the planning provisions within the RPSO relating to the Macquarie Park Corridor meet this outcome by:-

- Actively seeking a dialogue with landowners and developers to help achieve strategic planning outcomes on key sites in Macquarie Park which will be of benefit to land owners, property developers and operators, as well as workers and the broader community.
- Establishing a consistent dialogue with external stakeholders in the commercial sector and in state government to add value to the strategic planning process and improve broad community and stakeholder ownership and enjoyment of outcomes.
- Involving stakeholders in setting priorities and scoping activities which are required to make Macquarie Park a better place to work and live.

Consultation – Internal and External

Internal Council business units consulted for the review of the planning provisions within the RPSO relating to the Macquarie Park Corridor and the preparation of the draft LEP included:-

- Assessment
- Parks
- Community Service
- Access
- Catchment and Assets
- Operations

External public consultation for the review and preparation of the draft LEP will include:-

- Department of Planning
- Roads and Traffic Authority
- Transport Infrastructure Development Corporation

Consultation with a range of other government agencies and adjoining councils will be undertaken as part of the consultation process required to be undertaken by s62 of the Act

Policy Implications

There are no policy implications through the adoption of the recommendation

Critical Dates

Clause 103 of the RPSO requires that the provisions contained with the Ryde Planning Scheme Ordinance that apply to the Macquarie Park Corridor are to be reviewed by Council within 2 years of the gazettal of the instrument. The review process is to be completed by January 2008.
ITEM 4 (continued)

The DOP have verbally advised that the Council will meet this review timeframe if it lodges the request to exhibit the draft LEP (being Amendment No.1 to LEP 2008) under s65 of the Act with the Department by December 2007.

Financial Impact
The review and refinement of the planning provisions applying to Macquarie Park involves a number of studies, as outlined earlier within this report. These studies are being funded through the special rate levy applying to commercial land within the Corridor. The outcomes of this work will inform the review of the planning provisions relating to the Corridor.

The review process and the preparation of the draft LEP are funded through the operation budget of the Urban Planning Unit for 2007 – 2008.

Other Options
Not applicable.

RECOMMENDATION:

(a) That a draft local environmental plan be prepared for the area known as the Macquarie Park Corridor to meet the requirements of Clause 103 within the Ryde Planning Scheme Ordinance.

(b) That the Department of Planning be advised of Council's decision to prepare a draft local environmental plan for the Macquarie Park Corridor in accordance with Section 54 (4) of the Environmental Planning and Assessment Act.

Meryl Bishop  Sue Weatherley
Manager – Urban Planning  Group Manager -
Environment & Planning

Nick Chapman
Place Manager Major Centres
ITEM 5

MACQUARIE PARK FLOODPLAIN RISK MANAGEMENT COMMITTEE –
Acceptance of new Committee members (September 2007).

File No. COR2006/2613

The Acting Manager Catchments & Assets reports 24 September 2007:

Report Summary
To recommend to Council that three (3) new members be accepted on the Macquarie Park Floodplain Risk Management Committee (Macquarie Park FMC), which was established to guide and oversee the preparation of the Macquarie Park Floodplain Risk Management Study and Plan (Macquarie Park FRMS&P).

Background
The Macquarie Park FMC currently comprises the following members, as approved at the Committee of the Whole Meeting held on 5 December 2006:

1. Two (2) members of the local community (those who have already expressed an interest).
2. Elected members of the City of Ryde, to be nominated by the Council.
3. A representative from the Department of Natural Resources.
4. Representatives from the State Emergency Service.
5. A representative from the National Parks & Wildlife Service.
6. A representative from the Department of Planning.
7. Members of the Council’s Public Works and Environmental Planning Departments, being the Group Manager Public Works (Chairman), the Senior Drainage Engineer and a Strategic Planning Officer; and
8. specialist consultants as engaged.
9. A representative from the Macquarie University.
10. A representative from the Macquarie Shopping Centre.
11. Up to two (2) representatives from Macquarie Park businesses.

The inaugural meeting of the Macquarie Park FMC was held at the Eden Gardens Function Centre on 22 March 2007.

Report
At the inaugural meeting of the Macquarie Park FMC it was proposed that, due to the large size of the study area of 1550 ha which consists of five (5) Stormwater catchments, additional community representatives be invited to participate in the project. This proposal was endorsed by Council at its Committee of the Whole Meeting held on 3 April 2007.
ITEM 5 (continued)

Subsequently an advertisement was placed in The Weekly Times in June 2007 for local community representatives which resulted in expressions of interest from three (3) residents (these expressions of interest have been forwarded to Councillors UNDER SEPARATE COVER).

It is recommended that these three (3) additional community representatives be invited to join the Macquarie Park FMC.

Management Plan Budget / Linkages
This project is listed as a key project on page 43 of the Management Plan 2006-2009.

This project forms part of the 2007/2008 Operational Budget for Catchments & Assets.

Relationship to Key Outcome Areas

Assets
This project meets the following key outcomes for Assets:

- Stormwater infrastructure that is well maintained and designed to enhance public safety.
- High quality, environmentally friendly infrastructure services which meet all Australian Standards and contribute to the lifestyle of the community.
- Well planned, safe and maintained public places and spaces throughout the City.

Environment
This project meets the following key outcomes for Environment:

- Social and economic needs are met in a way that does not harm the environment.
- Energy and water consumption is minimised.
- Biodiversity is protected and enhanced.
- There is a diverse aquatic life in our waterways.
- There is a variety of life in our natural areas
- Natural areas are not weed infested.
- Preserved natural areas which are enhanced and maintained.

Governance
This project meets the following key outcomes for Governance:

- Improved communication with the community and increased awareness and understanding of council’s decisions by the community.
- Incorporation of best practice approaches in the delivery of services to the community and within the organisation.
- Compliance with all legislative requirements and statutory obligations.
ITEM 5 (continued)

People
This project meets the following **key outcomes** for People:

- Members of the community are engaged through involvement in democratic decision making and the promotion of active citizenship.
- Services are delivered and facilities provided for social, cultural, recreational and environmental needs.

Consultation – Internal and External
The idea of attracting further participation was initiated at the inaugural meeting.

Policy Implications
There are no policy implications through adoption of the recommendation.

Critical Dates
Not applicable.

Financial Impact
Adoption of the option(s) outlined in this report will have no financial impact.

Other Options
Not to increase the community representation of the Macquarie Park FMC.

RECOMMENDATION:

That, to increase community participation, Council endorses the expressions of interest received from three (3) additional community representatives to join the Macquarie Park FMC.

Milan Avramovic        Kim Woodbury
Acting Manager Catchments & Assets        Group Manager - Public Works
ITEM 6

EASTWOOD & TERRY’S CREEK FLOODPLAIN RISK MANAGEMENT STUDY & PLAN COMMITTEE – Identified Flood Mitigation Options

File No. COR2006/2615

The Manager – Catchments & Assets reports 25 September 2007:

Report Summary
To advise Council of the outcomes of the public exhibition of the historic 1984 flood simulation model, and to seek Council’s endorsement of potential flood mitigation options for detailed assessment.

Background
The floodplain risk management process is being undertaken by the City of Ryde in accordance with process outlined in the NSW Government’s Floodplain Development Manual, which was gazetted in April 2005.

The focus of the Eastwood & Terry’s Creek Floodplain Risk Management Study & Plan is the Eastwood and Terry’s Creek stormwater drainage catchments. These have a combined area of approximately 495 hectares (4.95 square kilometres).

The floodplain management process is comprised of a number of fundamental stages including the formation of a floodplain risk management committee, the collection of flood modelling data, the establishment of a flood model and the identification and assessment of potential flood mitigation options.

A detailed hydrologic / hydraulic flood model has now been established and the outcomes of the historic 1984 flood simulation publicly exhibited. The next stage of the project involves the identification and assessment of potential flood mitigation options.

Report
Public exhibition of the historic November 1984 flood simulation model has recently been completed and the results reported to the Eastwood & Terry’s Creek Floodplain Risk Management Committee at its meeting of 6 September 2007.

In summary, twelve (12) submissions were received via the flood model feedback form. Four (4) of these respondents found the model to accurately represent their experiences during the historic flood of 8 November 1984. One (1) response was that it was a “Poor Match” and the remaining seven (7) respondents replied either “Don’t Know” or the question remained unanswered.

Members of the floodplain risk management committee have resolved to recommend to Council the adoption of the established hydrologic / hydraulic model as the basis for the assessment of potential flood mitigation options as well as future development in the study area.
ITEM 6 (continued)

The next stage of the project is aimed at identifying and assessing the effectiveness of a wide range of potential flood management options and solutions.

At the meeting of 6 September 2007, Committee members were requested to identify potential flood mitigation options which would be appropriate for detailed assessment by Council’s floodplain management specialists, Bewsher Consulting.

The minutes of the meeting and the list of identified flood mitigation options is provided in ATTACHMENT “A”.

Council’s floodplain management specialists, Bewsher Consulting are now proposing to undertake a detailed assessment of these options, including their technical, social, economic, and ecological impacts.

Management Plan Budget / Linkages
This project forms part of the 2007/2008 Operational Budget for the Catchments & Assets Unit.

Relationship to Key Outcome Areas

People
This project meets the following key outcomes for People (set out on pages 32-33 of the Management Plan 2007-2010):

• A vibrant city that is healthy, physically attractive, economically strong and engages its community through cultural and social activities.

This report outlines a proposed approach to floodplain management that ensures community participation through membership on the Committee.

Assets
This project meets the following key outcomes for Assets (set out on page 34-35 of the Management Plan 2007-2010):

• Well designed places and spaces that minimise personal harm and where people interact with each other, so that crime is reduced.

This report outlines a best practice approach to floodplain management that seeks to reduce the risk to the community from floods through an integrated set of works and policy initiatives, developed in accordance with NSW Government policy.

Environment
This project meets the following key outcomes for Environment (set out on pages 36-38 of the Management Plan 2007-2010):

• Attractive streets, public places and buildings through better planning and design which is responsive to community expectations and our local environment.
ITEM 6 (continued)

- Sustainable practices in buildings, waste management, transport, energy systems and water use through community commitment.

>This project seeks to achieve a sustainable balance between flood risk and development.

**Governance**
This project meets the following key outcomes for Governance (set out on page 39-41 of the Management Plan 2007-2010):

- Improved communication with the community and increased awareness and understanding of Council’s decisions by the community.
- Members of the community are engaged through involvement in democratic decision making and the promotion of active citizenship.
- Incorporation of best practice approaches in the delivery of services to the community.
- Compliance with all legislative requirements and statutory obligations.
- An efficient and effective regulatory environment.

>This report outlines a proposed approach to floodplain management that ensures community participation, meets best practice guidelines and complies with NSW Government policy and legislation.

**Consultation – Internal and External**
Internal Council business units consulted included:-

- Urban Planning

External public consultation included:-

- Members of the Eastwood & Terry’s Creek Floodplain Risk Management Committee.
- Public exhibition and submissions by the local community.

**Policy Implications**
There are no policy implications through adoption of the recommendation.

**Critical Dates**
There are no critical dates or deadlines to be met.

**Financial Impact**
Adoption of the option(s) outlined in this report will have no financial impact.
ITEM 6 (continued)

Other Options
The Council may:
- Endorse the recommendations of this report without change;
- Endorse the recommendations of this report with amendments; or
- Reject the recommendations of this report.

It is considered, however, that the core recommendation of this report seeking the endorsement of potential flood mitigation options for detailed assessment is the appropriate course of action for the City.

Conclusion
Public exhibition of the 1984 flood simulation model has recently been completed. As part of the next stage of the project a list of potential flood mitigation options has been identified for detailed assessment. Adoption of the flood model and the endorsement of the list of potential mitigation options will give authorisation to the next stage of the project.

RECOMMENDATION:

(a) That the Minutes of the Eastwood & Terry’s Creek Floodplain Risk Management Study and Plan Committee dated 6 September 2007, be received and noted.

(b) That Council adopts the hydrologic / hydraulic flood model established by Brewster Consulting (2007) as part of the Eastwood & Terry’s Creek Floodplain Risk Management Study and Plan for the assessment of potential flood mitigation options as well as future development and development controls in the study catchment area (Eastwood & Terry’s Creek).

(c) That Council endorses the list of identified flood mitigation options provided in ATTACHMENT “A” to the report of the Manager Catchments & Assets dated 25 September 2007 for detailed assessment, and the outcomes of the assessment be the subject of a separate report to Council.

Matthew Lewis
Manager – Catchments & Assets

Kim Woodbury
Group Manager – Public Works
MEETING RECORD
City of Ryde

Project: Eastwood & Terry’s Creek FRMS&P
Reference: S8517
Location: The Eastwood Club
Date: 6 September 2007
Time: 6.00pm – 8.00pm

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<td>Anthony Collins</td>
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<td>Ted Nettle</td>
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<td>Keith Murphy</td>
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<td>Geoff Graham</td>
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<td>Paul H Riddell</td>
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<td>David Dunkerley</td>
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<td>Peter Munro</td>
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<td>Bart Foley</td>
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<td>Adam Dunn</td>
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<td>Drew Bewsher</td>
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<td>Dimas Muente</td>
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<td>Kim Woodbury</td>
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<td>Vince Galletto</td>
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<td></td>
<td>Matthew Lewis</td>
<td>ML City of Ryde</td>
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</tbody>
</table>

Recorded By: Matthew Lewis
Total Pages: 2 (plus attachments)

Subject: Meeting 5 – Progress Report and Identification of Flood Mitigation Options

Welcome by Chairperson
The meeting was opened at 6.15pm.
The minutes of the meeting of 21 June 2007 were adopted.
Flood behaviour and model results were discussed.
Calibration to the 1984 flood was discussed.
### MEETING RECORD

| Project: Eastwood & Terry’s Creek FRMS&P | Reference: S8517 |
| Location: The Eastwood Club | Date: 6 September 2007 |
| Time: 6.00pm – 8.00pm |

Feedback from the public display was provided by ML. Generally the feedback was positive.

Results from the design flood simulations were presented and no concerns were raised.

Potential floodplain management measures were presented by JM in general terms and a list of options to be assessed in detail prepared as follows:

- **Options that Modify the Flood**
  1. Stormwater tunnel from Terry Rd to Forrester Park (or Somerville Park).
  2. Stormwater tunnel from Terry Rd to Eastwood Park.
  3. Detention basin in Glen Reserve with option of pressuring the downstream system.
  4. Detention basin in Mobbs Lane.
  5. Enlarging the culvert under the railway embankment.
  6. Detention basin in Eastwood Park.
  7. Other culvert upgrades at Terry Road.
  8. Abuklea Rd pipe upgrade (incl. Works in the vicinity of TG Millner field).
  9. Debris control structures.
  10. Pipe upgrade at Woods Lane.
  11. Pipe diversion from the open channel at Eastwood to Parramatta River via the railway line.

- **Options that Modify the Property**
  1. Voluntary purchase of severely flood-affected properties.
  2. House raising and other modifications.
  3. Planning and development controls (integrate with Masterplan review).

- **Options that Modify People’s Response**
  1. Public awareness.
  2. Emergency response.
  3. Improved flood warning.

Bewsher Consulting to investigate all of the above options.

Requires flood damages database, which relies on the property survey currently being undertaken.

Property survey to be largely completed by end September 2007.

Next meeting may be planning workshop.
ITEM 6 (continued)

MEETING RECORD

<table>
<thead>
<tr>
<th>Project:</th>
<th>Eastwood &amp; Terry's Creek FRMS&amp;P</th>
<th>Reference:</th>
<th>S8517</th>
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</thead>
<tbody>
<tr>
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<td>6 September 2007</td>
</tr>
<tr>
<td>Time:</td>
<td>6.00pm – 8.00pm</td>
<td></td>
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</tbody>
</table>

Committee Resolution

The established hydrologic / hydraulic model is to form the basis for the assessment of potential flood mitigation options and future development in the study area.

Note

The identified list of potential flood mitigation options is to be the subject of detailed assessment.

Note

Copies of all presentations and the meeting minutes will be placed on the City of Ryde website at www.ryde.nsw.gov.au/committees/eastwood_terryscrk.htm
ITEM 7

ANNUAL TENDERS – Tender for Hire of Plant

File No. COR2007/2248

The Co-Ordinator – Plant & Fleet Management reports 24 September 2007

Report Summary
This report is to advise the Council on the Tenders received for hiring of plant and to recommend acceptance of Tenders to be placed on preferred contractors list up to 30 September 2008.

Background
The plant owned by Council is not sufficient to carry out Council's work program. A plant hire tender is invited annually for various categories of plant and are placed on a preferred contractors list. Plant are hired on “as required” basis, from the preferred contractor list in the absence of Council plant.

The Compliance Register and Category of Plant have been forwarded to Councillors UNDER SEPARATE COVER – CONFIDENTIAL. Pursuant to Section 10A(2)(d)(i) of the Local Government Act 1993, these documents are listed as confidential as they concern the receipt and discussion of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it. It is not in the public interest to disclose this analysis of tenders as it could affect Council’s ability to secure the preferred tenderers.

Report
Council has recently called tenders (COR-RFT-09/07) for the provision of hire plant included in Council’s Construction and Maintenance Programs. Tenders were advertised in the Sydney Morning Herald on 31 July 2007, 01 & 04 August 2007. Twenty seven (27) tenders were received for fifteen (15) different categories of plant including three (3) non-conforming tenders and a late tender.

The tenders were assessed by a panel, consisting of three (3) Council Officers. Tenderers were selected and evaluated on the following selection criteria:

- Legal Status Of Entity
- Conformity to the Documentation
- Insurance
- Referees
- Tender Price
- Proposed personnel including Sub - contractors
- OHS&R
- Previous Experience
- Organisational Structure - technical/ financial capability
ITEM 7 (continued)

- Demonstrated understanding of Council requirements
- Conformity to EPA requirements and past records

It should be noted that several tenderers were unable to submit all financial and insurance details required. This situation, however, will be rectified prior to the execution of contracts.

Tender prices were called for a total of fifteen (15) categories of plant as follows.

<table>
<thead>
<tr>
<th>Category of Plant</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Graders</td>
</tr>
<tr>
<td>2</td>
<td>Front end Loaders</td>
</tr>
<tr>
<td>3</td>
<td>Backhoes</td>
</tr>
<tr>
<td>4</td>
<td>Excavators</td>
</tr>
<tr>
<td>5</td>
<td>Water Carts</td>
</tr>
<tr>
<td>6</td>
<td>Street Sweepers</td>
</tr>
<tr>
<td>7</td>
<td>Skid Steer Loaders</td>
</tr>
<tr>
<td>8</td>
<td>Skid Steer Loader and Truck combination</td>
</tr>
<tr>
<td>9</td>
<td>Bogey Tip Truck</td>
</tr>
<tr>
<td>10</td>
<td>Bogey Truck and Dog</td>
</tr>
<tr>
<td>11</td>
<td>Eight wheeler Truck</td>
</tr>
<tr>
<td>12</td>
<td>5 -8 tonne Tipper with Canopy suitable to cart woodchip</td>
</tr>
<tr>
<td>13</td>
<td>Rollers</td>
</tr>
<tr>
<td>14</td>
<td>Cranes</td>
</tr>
<tr>
<td>15</td>
<td>Elevated Platforms</td>
</tr>
</tbody>
</table>

The assessment panel has placed the Tenders into the following categories:

**Category A: Preferred Contractors**

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Category of Plant</th>
</tr>
</thead>
<tbody>
<tr>
<td>A &amp; A Hire Services</td>
<td>3, 4, 7, 9</td>
</tr>
<tr>
<td>Allard’s Plant Hire Pty. Ltd.</td>
<td>1, 2, 3, 4, 5, 6, 7, 9, 10, 13, 15</td>
</tr>
<tr>
<td>Anova Constructions Pty. Ltd.</td>
<td>3</td>
</tr>
<tr>
<td>Apec Excavations</td>
<td>4, 7</td>
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<tr>
<td>Barron Transport Pty. Ltd.</td>
<td>7, 8</td>
</tr>
<tr>
<td>Coates Pty. Ltd.</td>
<td>2, 3, 4, 5, 7,13, 14, 15</td>
</tr>
<tr>
<td>Conplant Pty. Ltd.</td>
<td>13</td>
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<tr>
<td>D C M Excavations</td>
<td>4</td>
</tr>
<tr>
<td>D S A Contracting</td>
<td>4, 7</td>
</tr>
<tr>
<td>Economy Sweepers Pty. Ltd.</td>
<td>6</td>
</tr>
<tr>
<td>G V R D Chong Pty. Ltd.</td>
<td>12</td>
</tr>
<tr>
<td>Hickey’s Earthmoving Pty. Ltd.</td>
<td>4,11</td>
</tr>
<tr>
<td>Ken Coles Excavinations Pty. Ltd.</td>
<td>4</td>
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</tbody>
</table>
ITEM 7 (continued)

Kennards Hire Pty. Ltd.  13, 15
L G S Plant Hire  4
National Hire Group Trading Pty. Ltd.  13
Ozzie Pools & Concrete Pty. Ltd.  4, 7
Raygal Pty. Ltd.  3, 5, 6, 7, 8, 9, 10
Rocktown Pty. Ltd.  4
S R S Roads Pty. Ltd.  6
Sherrin Hire Pty. Ltd.  15
Universal Mobile Tower  15
V M C Truck & Plant Hire  7, 8

Category B: Non-Conforming Tender

Tenderer
B. Murtagh Bobcat Hire
Brian’s Earthworks
United Equipment Pty. Ltd.

Category C: Late Tender
W & D Elliott Earth Moving Pty. Ltd.

Works awarded to Contractors under this contract are carried out on an “as required” basis, following consideration at the time of the following factors:

- Type of Work
- Price
- Availability
- Previous Workmanship
- Relevant Expertise
- Previous Service provided to residents
- Previous compliance to safety requirements

Management Plan Budget / Linkages
Contractors will be used on a number of Capital works project and Maintenance programs as identified in the Management Plan 2007 - 2010.

Relationship to Key Outcome Areas
People
This matter has no direct relationship to this key outcome area.

Assets
This project meets the following key outcomes for Assets (set out on page 34-35 of the Management Plan 2007-2010):

- Delivery of Capital Works Program on time and budgetary requirements
- Delivery of Maintenance programs in accordance with agreed service levels
ITEM 7 (continued)

Environment
This project meets the following **key outcomes** for Environment (set out on pages 36-38 of the Management Plan 2007-2010):
- All contractors are required to abide by Council’s environmental policies and procedures

Governance
This project meets the following **key outcomes** for Governance (set out on page 39-41 of the Management Plan 2007-2010):
- Open tender process with best financial outcome to the Council.

Consultation – Internal and External
Internal Council business units consulted included:
- Operations unit, Public Works.

External public consultation included:
- Not applicable

Policy Implications
There are no policy implications through adoption of the recommendation.

Critical Dates
There are no critical dates or deadlines to be met.

Financial Impact
Each engagement of a contractor from the Contractor list will be funded from approved Capital works projects or Maintenance programs.

Other Options
The current system of inviting annual tenders provides an open and transparent process of engaging contractors on an “as required “ basis. This ensures competitive rates and better financial outcome.

Conclusion
The tendered rates for hiring of plant are considered competitive and that the preferred list of contractors satisfy Council’s selection criteria.
ITEM 7 (continued)

RECOMMENDATION:

(a) That the tenders for hiring of plant until 30 September 2008 from the following tenderers be accepted on an “as required” basis for the indicated category of plant:

<table>
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<td>V M C Truck &amp; Plant Hire</td>
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</tbody>
</table>

(b) That the preferred contractors be advised that the work will be allocated to them on an “as required” basis, following consideration at the time of the following factors: type of work, price, availability, previous workmanship, relevant expertise, previous service provided to the residents and previous compliance to safety requirements.

(c) That the unsuccessful and late tenderers be advised of Council’s decision.

Paul Chandrakumar  
Coordinator – Plant & Fleet Management

George Dedes  
Manager – Waste & Fleet

Kim Woodbury  
Group Manager – Public Works