

Meeting Date: Thursday 8 November 2018
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 5.00pm

NOTICE OF BUSINESS

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1	DECLARATIONS OF INTEREST	
2	1 WOODBINE CRESCENT, RYDE - SECTION 4.55(1A) TO MODIFY DEVELOPMENT CONSENT FOR A DUAL OCCUPANCY. THE MODIFICATIONS INCLUDE EXTENSION OF THE LENGTH OF THE PATIO OF DWELLING 1, CHANGES TO THE DIMENTIONS OF A NUMBER OF WINDOWS, DELETION OF THE SWIMMING POOL OF DWELLING 1A AND INTERNAL RECONFIGURATION OF ROOMS - MOD2018/0228	3

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- 2 1 WOODBINE CRESCENT, RYDE - SECTION 4.55(1A) TO MODIFY DEVELOPMENT CONSENT FOR A DUAL OCCUPANCY. THE MODIFICATIONS INCLUDE EXTENSION OF THE LENGTH OF THE PATIO OF DWELLING 1, CHANGES TO THE DIMENSIONS OF A NUMBER OF WINDOWS, DELETION OF THE SWIMMING POOL OF DWELLING 1A AND INTERNAL RECONFIGURATION OF ROOMS - MOD2018/0228**

Report prepared by: Senior Town Planner

Report approved by: Manager - Development Assessment; Director - City Planning and Environment

File Number: GRP/09/6/12/1/2 - BP18/1214

**City of Ryde
Local Planning Panel Report**

DA Number	MOD2018/0228
Site Address & Ward	1 Woodbine Crescent, Ryde Central Ward
Zoning	R2 Low Density Residential
Original proposal	Demolition, new dual occupancy (attached) and swimming pool.
Proposal	Section 4.55(1A) application to modify development consent for a dual occupancy. The modifications include extension of the length of the patio of Dwelling 1, changes to the dimensions of a number of windows, deletion of the swimming pool of Dwelling 1A, and internal reconfiguration of rooms.
Property Owner	Adib Obeid & Rony Obeid
Applicant	R Obeid
Report Author	Rebecca Lockart Senior Town Planner
Lodgement Date	10 September 2018
No. of Submission	7 submissions
Cost of Works	Section 4.55 application – Not applicable

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Reason for Referral to IHAP	Contentious development – 7 submissions
Recommendation	Approval
Attachments	<ol style="list-style-type: none"> 1. Recommended amended conditions 2. Ryde DCP 2014 Assessment Table 3. Original approved plans and consent LDA2015/0466 4. Proposed amended plans

1. Executive Summary

The following report is an assessment of the proposed modification of Local Development Application No. LDA2015/0466, approved by Council at its meeting held on 28 June 2016, for demolition, new dual occupancy (attached) and swimming pool.

The application as approved under LDA2015/0466 included the following:

- a) Demolition of the existing single dwelling,
- b) Construction of a new dual occupancy (attached), with each dwelling comprising:
 - 4 bedrooms (1 with an ensuite);
 - 2 bathrooms;
 - 1 study;
 - Kitchen, dining and separate living room;
 - Internal laundry;
 - Covered patio accessed off living areas;
 - Courtyard; and
 - Single garage with separate driveway access from Woodbine Crescent and internal access.
- c) Dwelling 1A also included a 4.2m x 2.5m in-ground swimming pool.

The modification application seeks to make the following minor changes to the approved development:

Dwelling 1

- a) Windows off the previous study to be reduced in size to 0.6m(w) x 1.4m(h);
- b) Deletion of the internal wall between the study and living room; and
- c) The patio and roof along the north-eastern elevation is to be increased from 4.4m in length to 7.37m.

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Dwelling 1A

- d) The internal laundry entrance door location amended;
- e) The internal entrance door to the ground floor study has been relocated;
- f) Swimming pool deleted; and
- g) The height of Window SEW12 on the ground floor study, has decreased from 1.5m to 0.595m (increasing the sill height to 1.805m above floor level).

The application was notified from 12 September 2018 to 28 September 2018. In response seven (7) submissions were received from surrounding neighbours, objecting to the proposed modifications. Key issues raised include:

- Questioning the ability to retrospectively approve works
- Privacy and noise impacts from the proposed modifications
- Additional unauthorised works at the site
- Traffic and parking concerns
- Use of the dwelling – noise impacts
- Landscaping not completed

Amended plans were received during the assessment of the application, however as they were minor and insignificant to the overall development, were not notified in accordance with Part 2.1 of Ryde DCP 2014,

The development has been assessed against the provisions of Section 4.15 and 4.55(1A), and the proposal is considered to be of minimal environmental impact and substantially the same as that originally approved under LDA2015/0466. In respect of the assessment against relevant planning instruments, no non-compliances will result from the proposed changes.

This report recommends approval be granted to this application, in accordance with amended conditions provided at **Attachment 1**.

2. SITE & LOCALITY

The development site is legally described as Lot 57 in DP 10373. The site is a 'corner lot' that presents to the curve of Woodbine Crescent, and has unique site dimensions with no distinct 'rear' boundary. The site has a street frontage of 51.135m to Woodbine Crescent, boundary to 3 Woodbine Crescent of 39.625m and boundary to 6 and 8 Greene Avenue of 28.20m. The aerial photo at **Figure 1** shows the site within its context.

Surrounding development is characterised by one and two-storey single dwellings and dual occupancy developments. The site is within 700m walking distance to Top Ryde Shopping Centre, which is to the south-west of the site.

The subject site has a fall of approximately 2.89m from the rear corner of site to the southern corner of the front boundary. This occurs over a distance of around 28.2m,

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the average gradient across the site has been calculated at approximately 10.2% or 1:9.76. The approved development ground level finished floor level sits higher than the street level, at RL46.4, while the street kerb in front of the dual occupancy sits at RL44.9 in front of Dwelling 1 and RL43.75 in front of Dwelling 1A.



Figure 1. Aerial image of site

The site is currently under construction, with the approved dual occupancy near completion as shown at **Figure 2 - 4**.

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Figure 2. Photograph of subject site under construction – Looking north-east



Figure 3. Photograph of subject site under construction – Looking east

ITEM 2 (continued)



Figure 4. Photograph of subject site under construction – Looking north

3. PROPOSAL

Proposed modification to the approved development

The Section 4.55(1A) application involves the modification of Local Development Application No. LDA2015/0466 issued on 30 June 2016 for *Demolition, new dual occupancy (attached) and swimming pool*.

The proposed modifications are outlined below and shown at **Figure 5**.

Dwelling 1

- a) Windows off the previous study to be reduced in size to 0.6m(w) x 1.4m(h);
- b) Deletion of the internal wall between the study and living room*;
- c) The patio and roof along the north-eastern elevation is to be increased from 4.4m in length to 7.37m.

***NB:** *The deletion of the wall between the study and living room will expand the size of the living room and essentially delete the study. While the architectural plans note this space as still being a 'study', based on the documentation submitted with the application and inspection of the premises, it is not considered that this space will be*

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used for the purpose of a study, but rather an enlarged living room. The assessment in this report is based on this understanding of the proposal.

Dwelling 1A

- d) The internal laundry entrance door location amended;
- e) The internal entrance door to the ground floor study has been relocated;
- f) Swimming pool deleted; and
- g) The height of Window SEW12 on the ground floor study, has decreased from 1.5m to 0.595m (increasing the sill height to 1.805m above floor level).

These modifications have already been made to the building, and this Section 4.55 seeks retrospective consent for the works.

The application as originally lodged only included items (b), (c), (e), (f) and (g), however following a council inspection of the site on 8 October 2018, additional works, items (a) and (d) were identified to have occurred which were not in accordance with the plans. These have subsequently been included in the application.

As these changes, including the window on the south-east elevation (a) and location of the laundry door (d) are minor in nature and have no impact to the overall development, the application was not renotified.

This application relates only to the amendment of Condition 1, deletion of any conditions relating to the installation of a swimming pool (as the pool is to be deleted), and amendment of Condition 89 to remove reference to Dwelling 1 study (as the study is to be deleted). No other conditions are to be amended, particularly in relation to landscaping, fencing, materials, reflectivity or driveways which are to remain as originally approved under LDA2015/0466 (copy included at Appendix 3). Many of the conditions existing on the consent were recommended to address many of the issues that have been raised in the submissions to this modification as detailed later in this report.

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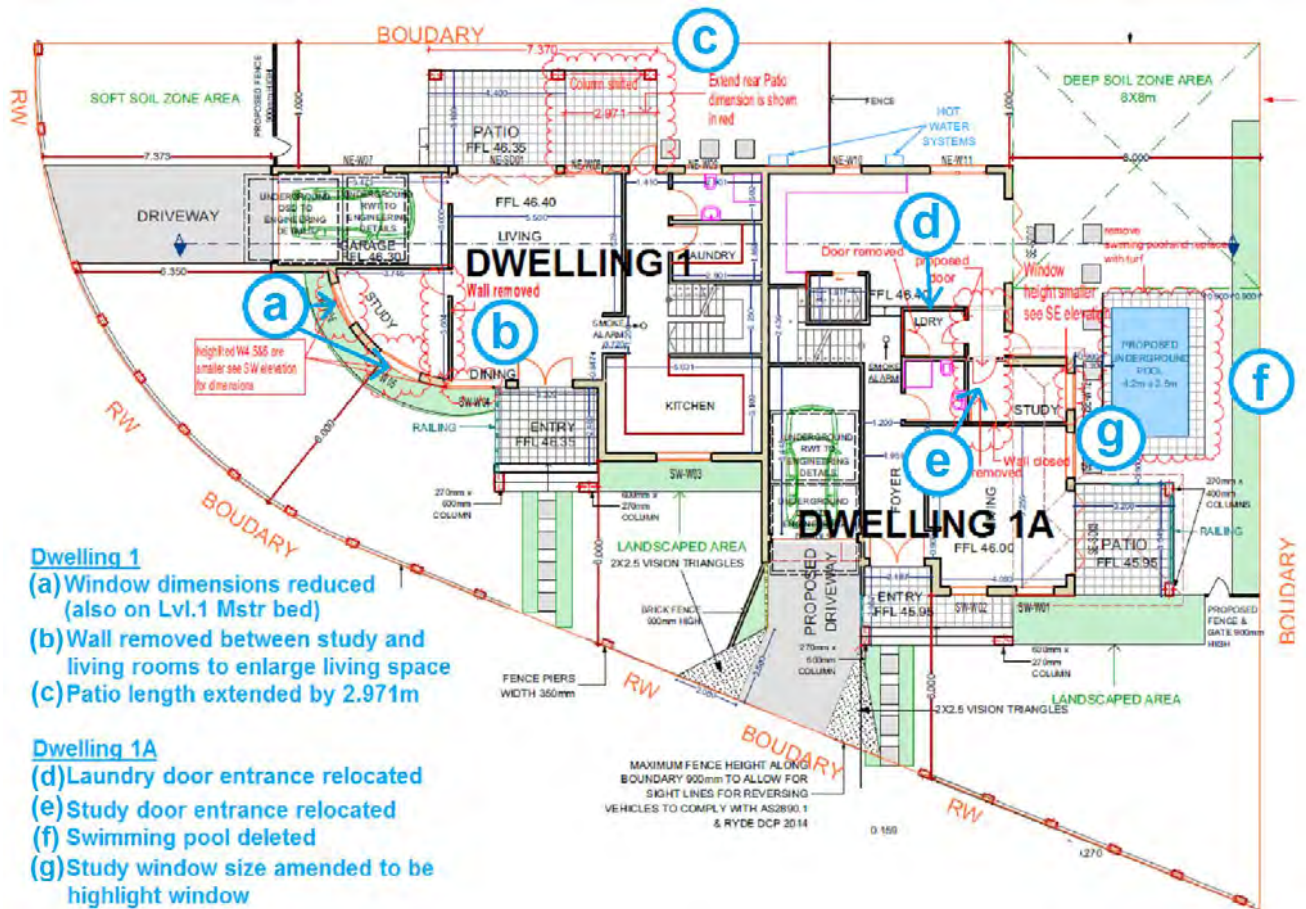


Figure 5. Ground floor plan showing proposed amendments

Conditions to be modified

The Section 4.55(1A) application requests the modification of the following conditions as a result of the modifications to the approved development:

- Condition 1: Amendments to the approved plans
- Conditions 3 and 73: To reflect the updated BASIX certificates
- Conditions 12 - 15, 41 & 87: To delete conditions relating to the installation of a swimming pool
- Condition 89: To delete reference to a Dwelling 1 study as this is to be deleted under this modification.

No other conditions are sought to be changed under this proposed modification.

ITEM 2 (continued)**4. BACKGROUND**

Planning and Environment Committee Meeting 5/16 held on 14 June 2016 resolved that the determination of LDA2015/0466 be considered by Council.

Subsequently, at the Council Meeting No. 7/16 on 28 June 2016 approval for LDA2015/0466 was granted subject the conditions of consent as included at Appendix 3.

On 18 July 2017 Council received a copy of the Construction Certificate for the subject development (PCA2017/0244), issued 12 July 2017 by a Private Certifier.

During construction, objections from neighbours have intermittently been received by Council regarding a range of issues - one of which brought to Council's attention that works had been carried out which differed to the approved development application plans under LDA2015/0466.

This subsequently led to the lodgement of the subject Section 4.55 application MOD2018/0228 on 10 September 2018 to legitimise the unauthorised works.

The application was notified for a period of 14 days from 12 September 2018 to 28 September 2018, in response seven (7) submissions were received from surrounding neighbours objecting to the proposed modifications.

The applicant has been contacted by Council's Assessment Officer on the following occasions to request additional information or for access to the site as follows:

- 3 October 2018: requesting an amended BASIX Certificate for the Dwelling 1A to reflect the deletion of the swimming pool. This was received on 4 October 2018.
- 4 October 2018: asking that the applicant respond to the question from the neighbour at 8 Greene Avenue regarding the boundary fence. A response to this was received on 8 October 2018.
- 8 October 2018: requesting access to undertake a site visit, this was undertaken that same day.
- 9 October 2018: requesting that the additional unauthorised works as identified at Council's inspection relating to the window dimensions and layout of the laundry, be shown on the Section 4.55 plans. Additionally, as the window dimensions had changed that the Dwelling 1 BASIX Certificate also be updated. These were received on the same day.
- 10 October 2018: seeking confirmation of the height of the privacy screening on the first floor bedroom balcony to address the objections of neighbours. A response of which was received the same day.

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- 11 October 2018: asking that the BASIX Certificate commitments for Dwelling 1 be shown on the proposed plans, a copy of which was received from the applicant the same day.

The changes under the amended plans received during the assessment period do not significantly differ from the original development application and do not increase the impact on adjoining or neighbouring land or cause material impact on the environment. Accordingly, in accordance with Council's DCP Part 2.1, Section 2.9, the application was not required to be renotified.

5. Planning Assessment

An assessment of the development under the relevant provisions of the Environmental Planning and Assessment Act is detailed below.

5.1 Section 4.55 (1A) Modifications involving minimal environmental impact

In accordance with Section 4.55(1A), Council may consider a modification of development consent provided:

- a) The proposed modification is of minimal environmental impact.
- b) The proposed development is substantially the same as the approved.
- c) The application for modification has been notified in accordance with the regulations; and
- d) Council has considered any submissions regarding the proposed modification

The proposed modifications as outlined earlier in this report are minor in nature and do not change the overall scale of the development with regards to the built form. The changes comply with Council's DCP controls for dual occupancy development and are not considered to cause greater impact than that of the originally approved development.

The following provides an assessment against the provisions of Section 4.55(1A) of the Act:

a) Minimal environmental impact

The assessment of 'impact', in the instance of this proposal relates predominantly to impacts on neighbouring properties. *Davies v Penrith City Council* [2013] NSWLEC 1141 at [121] established the revised planning principle for the assessment of impact on neighbouring properties when making a planning decision and is considered appropriate in the circumstances of the application to determine whether the impact of the proposed changes are 'minimal'. This planning principle is outlined below.

ITEM 2 (continued)***Revised planning principle: criteria for assessing impact on neighbouring properties***

The following questions are relevant to the assessment of impacts on neighbouring properties:

- *How does the impact change the amenity of the affected property? How much sunlight, view or privacy is lost as well as how much is retained?*
- *How reasonable is the proposal causing the impact?*
- *How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?*
- *Does the impact arise out of poor design? Could the same amount of floor space and amenity be achieved for the proponent while reducing the impact on neighbours?*
- *Does the proposal comply with the planning controls? If not, how much of the impact is due to the non-complying elements of the proposal?*

Assessment of the proposed changes against this planning principle is below. For the purpose of this assessment, 'affected properties' are the neighbouring properties surrounding the development site.

How does the impact change the amenity of the affected property? How much sunlight, view or privacy is lost as well as how much is retained?

- The proposed internal amendments and changing window dimensions will have no impact on the affected properties. The window dimensions in all instances are smaller than the original proposal, thus providing less opportunity for an outlook from these windows, and reducing the emission of noise from the premises.
- Deleting the swimming pool, and replacing this outdoor area with turf is considered to have less impact on the south-eastern properties than would be experienced from a swimming pool, and as such will have no detrimental impacts.
- The enlargement of the Dwelling 1 patio is adjacent to the garage of 3 Woodbine Crescent which has no openings facing the site. The increase in the size of the patio will have no material change in the use of the space and is adjacent to the garage of the neighbouring dwelling, accordingly no additional privacy or acoustic impacts will be caused.
- With regard to sunlight loss, the proposed changes will not result in any impacts to solar access to neighbouring properties, with the additional length of patio roof overshadowing the subject property, rather than neighbouring properties due to the orientation of the site.
- The property and neighbouring properties do not currently have any views.

How reasonable is the proposal causing the impact?

- As established above, the impacts caused by the proposal are negligible or in the case of the increased sill height, window dimensions and deletion of the swimming pool, considered an improvement for affected properties.
- The amendments have been made to improve the functionality of the dwellings, and are not considered to be unreasonable in the context of the overall scale of the development and typical floor plans and styles of comparative dual occupancies in Ryde.

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How vulnerable to the impact is the property receiving the impact? Would it require the loss of reasonable development potential to avoid the impact?

- The assessment contained in the original proposal outlined that the development has a separation distance of some 18.95m to the dwelling at 8 Greene Avenue, and approximately 1.93m to the garage at 3 Woodbine Crescent (see **Figure 6**). Photos at **Figure 7 and 8** below identify the visibility of the neighbouring dwellings from the patio and living room of Dwelling 1 (which received multiple submissions raising concern with privacy impacts).
- The proposed development modifies an approved dual occupancy development, which complies with the relevant planning controls for bulk and scale under Ryde LEP 2014, and the setbacks of the development have been approved as being satisfactory under the original approval of the development. Setbacks will not be changed under this application.
- The proposed changes will not cause any impact to the development potential of affected properties.

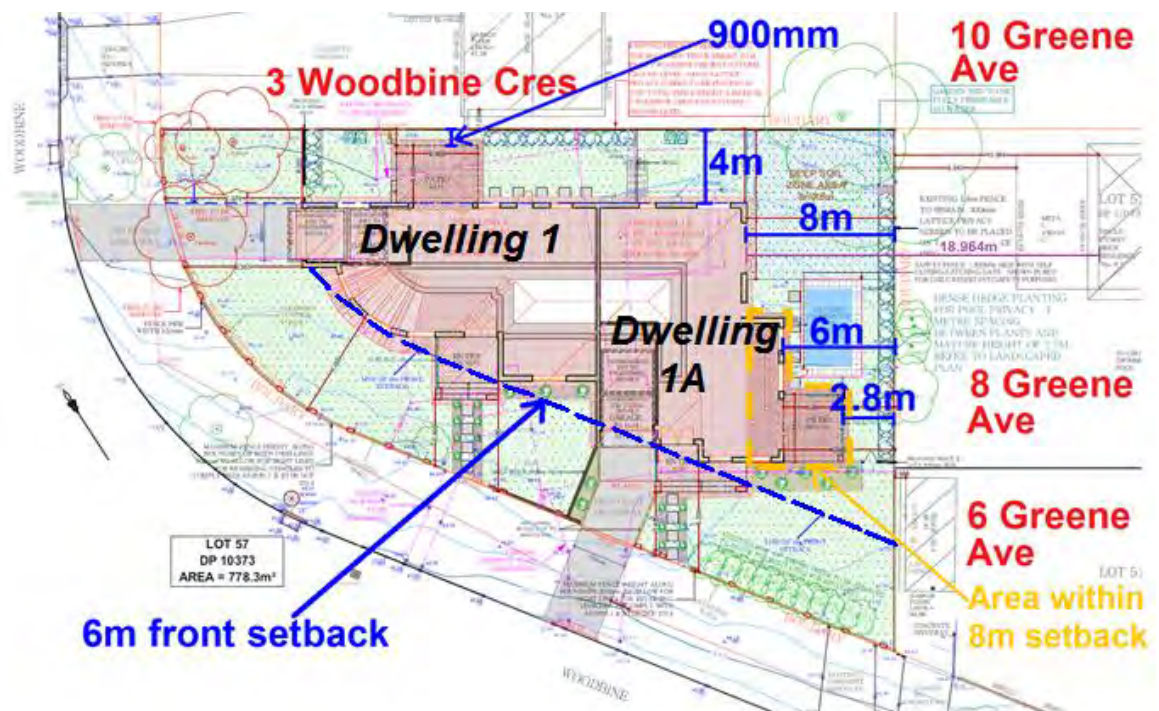


Figure 6. Site Plan from LDA2015/0466 Assessment Report identifying building setbacks and distance to neighbouring dwellings

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Figure 7. Photograph from Dwelling 1 patio looking east



Figure 8. Photograph from Dwelling 1 living room windows facing Woodbine Crescent

ITEM 2 (continued)**Does the impact arise out of poor design? Could the same amount of floor space and amenity be achieved for the proponent while reducing the impact on neighbours?**

- The amendments arise out of construction of the development not being undertaken in accordance with the approved DA plans. Regardless of the reason for the unauthorised works, retrospective approval is lawful under Section 4.55 and as demonstrated above, the proposed amendments will not result in detrimental impacts to affected properties.
- The amendments comply with the planning controls under Ryde LEP 2014 and Ryde DCP 2014 and are not unreasonable.
- No additional floor space will be created by the amendments.

Does the proposal comply with the planning controls? If not, how much of the impact is due to the non-complying elements of the proposal?

- Yes, the proposed amendments comply with the planning controls under Ryde LEP 2014 and Ryde DCP 2014.

In this regard, it is considered that the proposed changes under this Section 4.55(1A) are modest in light of the overall existing approved development, and any impacts of the development are of minimal environmental impact.

b) Substantially the same development

The proposed development will quantitatively and qualitatively will remain substantially the same as the originally approved development.

The power to modify a consent is a power "*to alter without radical transformation*": *North Sydney Council v Michael Standley & Associates Pty Ltd* (1998) 43 NSWLR 468 at 474.

Additionally, *Moto Projects (No 2) Pty Ltd v North Sydney Council* (1999) 106 LGERA 298, Bignold J held that a qualitative and quantitative comparison between the development as modified and the development as originally granted is required, and the result of that comparison must be a finding that the modified development is "essentially" or "materially" the same as the approved development

In making a comparison between the development as proposed to be modified and the development as originally approved questions of fact and degree are raised in ascertaining whether the development before and after modification can be said to be "substantially the same".

In this regard the approved development included:

- a) Demolition of the existing single dwelling,
- b) Construction of a new dual occupancy (attached), with each dwelling comprising:
 - 4 bedrooms (1 with an ensuite);

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- 2 bathrooms;
 - 1 study;
 - Kitchen, dining and separate living room;
 - Internal laundry;
 - Covered patio accessed off living areas;
 - Courtyard; and
 - Single garage with separate driveway access from Woodbine Crescent and internal access.
- c) Dwelling 1A also included a 4.2m x 2.5m in-ground swimming pool.

The modification application will result in the following development:

- a) Demolition of the existing single dwelling,
- b) Construction of a new dual occupancy (attached), with each dwelling comprising:
 - 4 bedrooms (1 with an ensuite);
 - 2 bathrooms;
 - Kitchen, dining and separate living room;
 - Internal laundry;
 - Covered patio accessed off living areas;
 - Courtyard; and
 - Single garage with separate driveway access from Woodbine Crescent and internal access.
- c) Dwelling 1A also includes a study.

The overall height, floor space, number of dwellings and bedrooms in each dwelling, setbacks and use of the development will not change as a result of the proposal. Accordingly it is agreed that the modified development will “*alter*” the approved dual occupancy development “*without radical transformation*”, and when compared both quantitatively and qualitatively the development is essentially the same as the original approval and therefore the application can be considered on its merits.

c) and d) Notification and consideration of the submissions

The application has been notified, and in accordance with Section 4.55(1A)(c) and (d) the consideration of the submissions received is outlined later in this report.

Accordingly the proposal is considered to be satisfactory when assessed against the provisions of Section 4.55(1A).

5.2 Section 4.55(3)

In determining an application for modification of a consent the consent authority must take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

The application as original approved under LDA2015/0466 was approved as:

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- The proposed development was assessed using the heads of consideration listed in (previous) Section 79 of the EP&A Act and was generally considered to be satisfactory for approval.
- The proposed development complied with the maximum height and FSR controls under Ryde LEP 2014.
- The non-compliances or variations to the numerical standards of Ryde DCP 2014 Part 3.3, regarding Section 2.9 (setbacks) and Section 2.9.1 and 2.11.1 (garage setbacks), were either considered to be justifiable given the circumstances of the subject site and the nature of the dual occupancy development proposed, or alternatively addressed via imposition of consent conditions.
- The design of the proposed development was considered to be consistent with the desired future character of the low density residential areas, and consistent with the nature of modern development in the Ryde and wider local government area.

The proposed modification will not affect the reasons of approval of the original development application.

Section 4.55(3) also requires the consent authority to consider relevant matters referred to in Section 4.15(1) in assessing and application for modification of development consent. These matters are discussed below.

5.3 Relevant SEPPs**State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

A new BASIX Certificate was submitted for Dwellings 1 and 1A (No. 966906S, dated 4 October 2018 and No. 968279S, dated 9 October 2018) as a result of the change to window sizes and the deletion of the swimming pool. The development satisfies the commitments listed in the schedule.

5.4 Local Environmental Plans**Ryde Local Environmental Plan 2014***Zoning*

The dual occupancy is permissible within the R2 Low Density Residential zone subject to the approval of Council.

The objectives of the R2 Low Density Residential zone are:

- To provide for the housing needs of the community within a low density residential environment.

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- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a variety of housing types.

The proposed changes will not cause the development to be inconsistent with the objectives of the zone, and will meet the housing needs of the community through delivering new housing in Ryde.

Mandatory Requirements

The following is a summary of the clauses under Ryde LEP 2014 applicable to the development.

Ryde LEP 2014	Approved development	Proposed amendment	Compliance
4.3(2) Height			
9.5m	9.296m	9.296m	Yes – no change
4.4(2) & 4.4A(1) FSR			
0.5:1	0.43:1	0.43:1	Yes – no change
4.5A(2) Allotment Size- Dual Occupancy (attached) in Zone R2			
Min size - 580m ²	Survey: 778.3m ² DP: 777.787m ² Council records: 779.13m ²	No change	Yes
Min Site frontage 20m	51.135m	No change	Yes

5.5 Draft Environmental Planning Instruments

There are no draft environmental planning instruments that affect the site.

5.6 Development Control Plans
Ryde Development Control Plan 2014

Attachment 2 outlines the proposed amendments as compared with the original approval and assessed against Ryde DCP 2014.

The original approval under LDA2015/0466 had two non-compliance's with Ryde DCP 2014, being:

- Section 2.9 Setbacks – the unique dimensions of the site required a merit based assessment against the controls of this section.
- Section 2.9.1 and Section 2.11.1 – Ryde DCP 2014 requires that garages are setback a minimum 1m behind the front façade of the dwelling. The proposed garage of Dwelling 1 protrudes 1.873m in front of the adjacent façade.

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The changes under this Section 4.55 application:

- do not cause any significant change to the assessment of the original approved DA under Ryde DCP 2014;
- do not cause any additional non-compliance's; and
- do not affect any of the existing non-compliance's approved under the original approval.

The proposal is accordingly considered satisfactory when assessed against Ryde DCP 2014.

5.7 Planning Agreements or Draft Planning Agreements

None applicable

5.8 Section 7.11 Development Contributions Plan 2007 (Amendment 2010)

The original approval of the dual occupancy included development contributions for the increase in residential density (Condition 28). This condition will not be affected by this modification.

5.9 Any matters prescribed by the regulations

None applicable.

6. The likely impacts of the development

Most of the impacts associated with the proposed development have already been addressed in the report under the Section 4.15 assessment or are addressed in Section 9 regarding the submissions received to the proposal.

The proposal is considered a minor modification to the approved dual occupancy development and is not considered to cause any material impacts

7. Suitability of the site for the development

The proposed development is considered to be a suitable development for the site, being permissible in the zone and consistent with the built form controls of Ryde DCP 2014. As detailed earlier in this report, the proposed modifications are considered to be minor in the context of the approved development, and result in characteristics of a dual occupancy development that are not dissimilar to other dual occupancy developments in the Ryde area.

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8. The Public Interest

The development is considered to be in the public interest as it is consistent with the relevant planning controls and will not have any potential impact to adjoining properties as a result of the modifications. The development complies with the objectives of the planning controls and approval of the development will further facilitate the delivery of housing within the Ryde local government area.

9. Submissions

In accordance with DCP 2014 Part 2.1 Notice of Development Applications, adjoining property owners were notified of the application. The application was notified from 12 September 2018 to 28 September 2018, in response seven (7) submissions were received from surrounding neighbours objecting to the proposed modifications.

Figure 9 demonstrates the location of the properties who lodged submissions in relation to the site.

These submissions generally raised 13 separate issues in relation to the development which are further reviewed below.



Figure 9. Location of submissions

1. The submission of the Section 4.55 application presumes Council approval as the work has already been carried out.

Comment: The works proposed under this application seek retrospective approval of the changes via the submission of a Section 4.55 application.

Decisions in the Land and Environment Court have consistently held that the provisions of Section 4.55 (previously Section 96) can be used to modify a

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development consent where the works subject to the modification have already been carried out (*Windy Dropdown Pty Ltd v Warringah Council* [2000] NSWLEC 240 and *Willoughby City Council v Dasco Design and Construction Pty Ltd and Another* [2000] 111 LGERA 422). These two cases considered the power of Section 4.55 to retrospectively approve development that has already been carried out, concluding that it can be used, and subsequently the development can be considered on its merits.

Accordingly for the purpose of this application, the power under Section 4.55 of the EP&A Act to modify an approved development is capable of being used to approve the development works, even in the case where the relevant works have already been carried out. With that power established, the application can then be considered on its merits. This report provides that detailed merit assessment.

2. The increased length of the patio of Dwelling 1 will cause privacy impacts – noise and visual overlooking.

Comment: The patio has been increased in length by 2.971m as shown in **Figure 10** below. No other changes with regard to the height, materials or landscaping will change from that originally approved under LDA2015/0466.

The neighbour at 12 Woodbine Crescent has raised that the patio of Dwelling 1 has direct line of sight to their dwelling's windows, causing privacy concerns. Other objections also raise that the patio will not only have privacy impacts with users of the patio able to overlook Woodbine Crescent, but the roof line is also dominant and overlooks the street.

The objections raise concerns that the increased area of the patio will have direct visual lines of sight into adjoining and neighbouring properties along Woodbine Crescent. This is because currently the patio that has been constructed is directly visible from the street (see **Figure 12**) as at present the soft and hard landscaping around the site has not yet been completed.

The approved landscape plans under the original approval includes a 900mm return fence along the front of Dwelling 1, in addition to 3 x Grey Myrtle (up to 4m) along the inside of the return fence, and 8 x Grey Myrtle along the boundary fence adjacent to the patio and 3 Woodbine Crescent. Additionally the front setback area has 2 x NSW Christmas Bush and 1 x Lilly Pilly (trimmed to 2m per Condition 1(d)) along the northern side boundary of the site as shown in the excerpt at **Figure 12**.

This amount of landscaping and boundary fencing will mean the use of the patio will remain largely imperceptible from the street or from properties on Woodbine Crescent on the opposite side of the street.

While the patio roof may be visible above this extent of landscaping, this is not proposed to be amended in height under this modification, and as the addition is to

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the length of the patio to the rear, it will not cause further impact to that which would already be observed from the existing approved roof over the patio (see **Figure 11**).

In relation to impacts to 3 Woodbine Crescent to the north of the site, the additional length of the patio is located directly adjacent to the garage wall of the dwelling, which has no openings or windows along this elevation, as shown below at **Figure 13**. Accordingly, in consideration of the fact Condition 39 also requires fencing and lattice screening of 2.4m high along the boundary fence, it is not considered that there will be any additional impact to the neighbouring property with regard to noise or privacy than that caused by the existing approved patio.

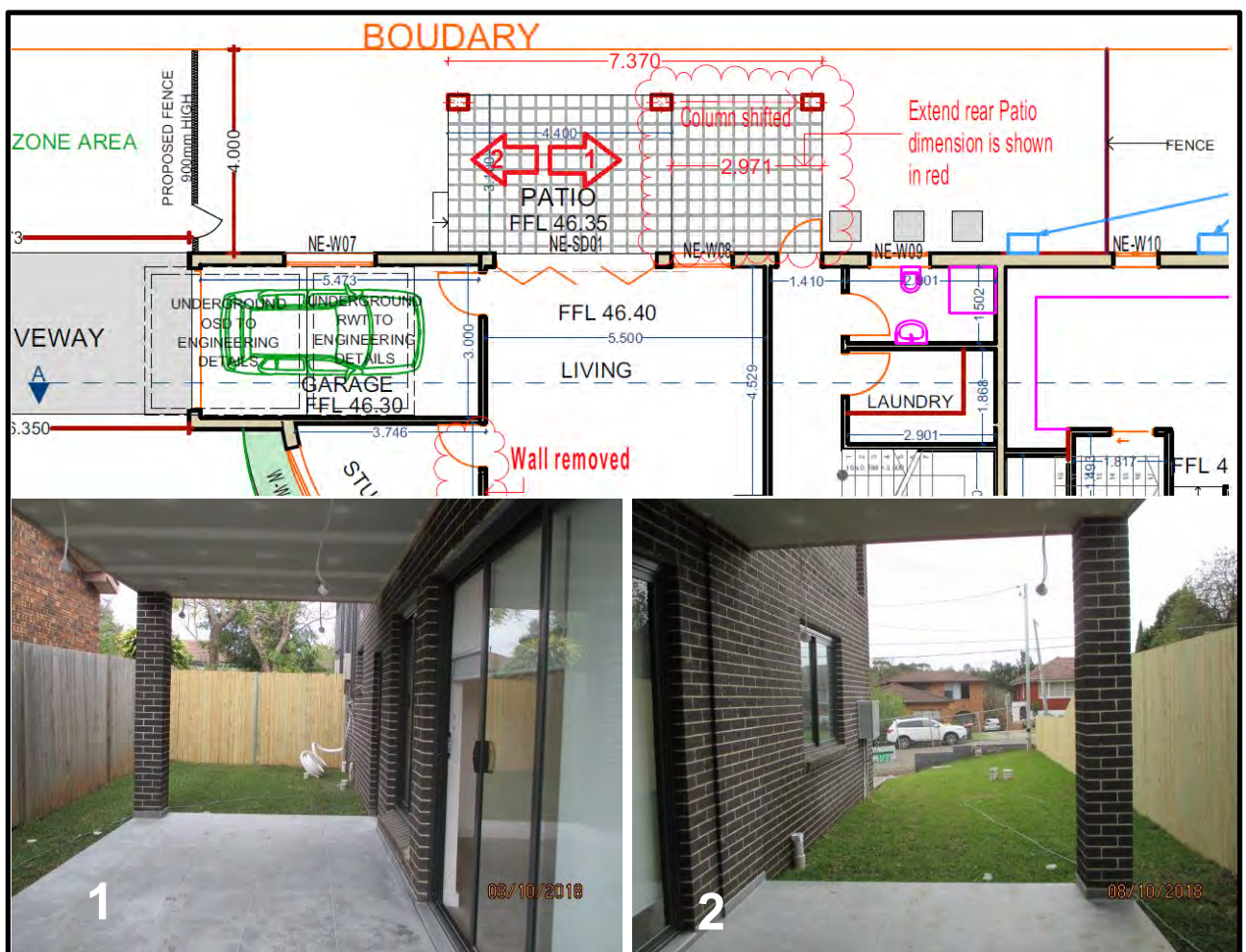


Figure 10. Photograph of the patio of Dwelling 1 looking west (1) and east (2)

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Figure 11. Patio of Dwelling 1 from the opposite side of Woodbine Crescent

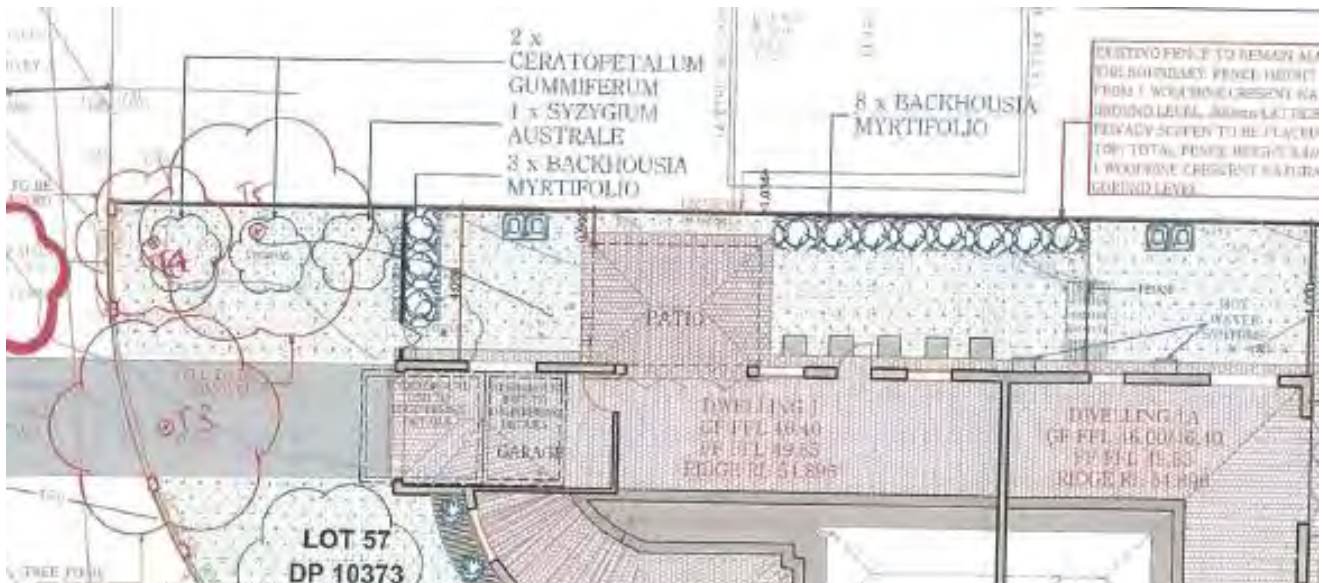


Figure 12. Excerpt of approved Landscape Plan under LDA2015/0466

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Figure 13. Dwelling 1 patio with increased length adjacent to the garage at 3 Woodbine Crescent

- 3. The deletion of the study of Dwelling 1 will cause the living area to increase in size, causing additional noise and privacy impacts on neighbouring properties.**

Comment: The deletion of the study and enlarging the living room is not considered to cause additional impacts from the private use of the dwelling's living room. The living room faces towards the street, and is physically separated by the street, verge and future landscaping from any direct line of site to neighbouring dwellings. The size of the living room is not uncommon for comparable dual occupancy developments in Ryde.

The windows off the living room (i.e. the previous study) have reduced in size, with a width of 0.6m and height of 1.4m. Accordingly any outlook to Woodbine Crescent will be fleeting at most, with the curvature of the wall and narrow windows making any view to neighbouring properties difficult (see **Figure 14**).

The deletion of the wall between the study and living room of Dwelling 1 is not considered to cause any impact to neighbouring dwellings, with the amendment internal within the dwelling.

ITEM 2 (continued)



Figure 14. Dwelling 1 study removed and included in living space

- 4. Council should undertake an inspection of the property to ensure that the study of Dwelling 1A is to be used as a study.**

Comment: Council has undertaken an inspection of the study in Dwelling 1A. Photographs of the study are included below at **Figures 15 - 17**. The design and layout of the room is equivalent to a room that would be used for a study, being too small to be used as a bedroom or for entertainment purposes. Condition 89 of the existing consent would regardless remain on the consent identifying that the study in Dwelling 1A is not to be used for the purpose of a home business or home occupation.



Figure 15. Dwelling 1A door to the study, showing laundry door to the right



Figure 16. Dwelling 1A study highlight window from the exterior

ITEM 2 (continued)



Figure 17. Dwelling 1A study

- 5. There is no information provided regarding what will be in the location of the swimming pool which is to be deleted. Submissions are generally supportive of the deletion of the swimming pool.**

Comment: The plans as lodged for this application identify that the location of the swimming pool will be turfed. This is considered suitable for a rear yard.

- 6. The materials of the dwelling are causing glare onto neighbouring properties. The lighting used around the development is shining into the living areas of neighbouring dwellings.**

Comment: The proposed modification does not seek to amend the external materials of the dwelling which was approved with dark grey brick with white cement render, and with Boral slate grey roof. The glass as installed at present on the balconies is as approved under the original development application and is not dissimilar to other glazed balconies seen elsewhere in Ryde.

ITEM 2 (continued)

- 7. Concern is raised that the height of the boundary fences is not in accordance with the approved development consent. There is also a lack of landscaping around the boundary fences.**

Comment: The applicant was requested to respond to this submission regarding the existing and final height of the boundary fences. The subject property is currently under construction (with no occupation certificate issued at the time of drafting this report) and work still being undertaken at present. The applicant has responded that, "In regards to the fence I haven't finish building it, I will install the lattice screen to achieve the 2.4m height as per the DA consent letter. The current timber fence height varies between 2.1 to 2.3m".

Existing Condition 39 requires the applicant to submit details to the PCA that the lattice screening will be constructed at the Construction Certificate stage with no specification of the stage of construction it must be provided. Additoinally, landscaping as currently required under the consent is also be required to be completed prior to the issue of the 'final' Occupation Certificate.

To ensure privacy protection measures including landscaping, privacy screening (see submission 10 below) and the lattice screening is installed prior to any occupation of the dwelling, Condition 74 is recommended to be amended as follows:

~~74. Landscaping. All landscaping works approved by condition 1 are to be completed prior to the issue of the final Occupation Certificate.~~

74. Landscaping, **balcony screen and boundary fence**. All landscaping **and balcony screen** works approved by condition 1, and **the fencing and lattice screening required by condition 39** are to be completed prior to the issue of **any** Occupation Certificate.

- 8. The location of the Dwelling 1 driveway continues to raise concerns for traffic impacts and the safety of vehicles entering and exiting the property.**

Comment: The proposed Section 4.55(1A) application does not include any amendments to the existing driveways. These were reviewed at that time by Council's Development Engineers and Traffic Section and were assessed as being acceptable at the time of the original DA approval.

- 9. The landscaping is not in accordance with the approved development consent and additional planting should be required within the front setback of the development to provide screening.**

Comment: The development is still under construction and landscaping has not yet completed at the site.

ITEM 2 (continued)

10. The balcony screening on the Dwelling 1A balcony is not in accordance with the development consent.

Comment: The applicant was asked to respond to this matter, to which he stated, “It’s not been installed yet, but it will be 1.8m in height as requested. I should have it installed towards end of next week”. Per the recommended amended Condition 74 (see above), the privacy screening will be required to be completed prior to the issue of any Occupation Certificate, thus ensuring privacy protection is provided from initial occupation of the premises.

11. The levels of the rear yard of Dwelling 1A is not consistent with the neighbouring levels at 8 Greene Avenue and the objection raises concern that stormwater runoff will cause impacts on their property.

Comment: The proposed amendment does not make any changes to the stormwater as approved under the original application. At the time of the original approval, stormwater drainage was assessed as being satisfactory by Council’s Development Engineers subject to conditions. The deletion of the swimming pool of Dwelling 1A will not affect these arrangements.

12. Objections raise concern that the Dwelling 1 garage will be used for entertaining as it has a tiled floor.

Comment: Council staff inspected the subject property and garage. Photographs are included at **Figures 18 and 19**. The space is constructed as a garage and to a different level to the central living space of the property. Given the patio and large living area at the dwelling, it not considered that the garage will be used for entertaining, with it for all intents and purposes appearing as a garage.



Figure 18. Dwelling 1 garage



Figure 19. Dwelling 1A garage

ITEM 2 (continued)**13. Parking along Woodbine Crescent is unsafe.**

Comment: The proposed development does not include any amendments to the existing driveways or on street parking arrangements on Woodbine Crescent.

10. Referrals

None required

CONCLUSION

After consideration of the development against Section 4.15(1A) of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is considered to be of minimal environmental impact and substantially the same development as that which was approved. The modification is also considered to result in a development that is suitable for the site and is in the public interest.

The site is zoned R2 Low Density Residential under Ryde LEP 2014 and the modifications proposed will result in a dual occupancy development that continues to meet the relevant objectives of the zone, and will not cause any inconsistency of the development with the built form controls of Ryde DCP 2014 and Ryde LEP 2014.

The proposal provides for acceptable amenity for the occupants of the dwellings and will not cause any additional impacts to neighbouring dwellings as result of the proposed modifications under this proposal.

The issues raised in the submissions have been carefully considered and have been adequately addressed throughout the assessment process. Refusal of the application is not warranted based on the reasons contained in the submissions.

11. Reasons for Approval.

In light of the above, the development application is recommended for approval subject to conditions for the following reasons:

- 1) Section 4.55 of the *Environmental Planning and Assessment Act 1979* permits retrospective approval of works through the modification of a development consent where the works subject to the application have already been carried out.
- 2) The proposed development is consistent with the objectives of the R2 Low Density Residential zone under Ryde LEP 2014. The development is also consistent with the development standards in Ryde LEP 2014 and Ryde DCP 2014.

ITEM 2 (continued)

- 3) The proposed modification is of minimal environmental impact and is substantially the same as the development as approved under LDA2015/0466.
- 4) The proposed modifications will not result in any impacts to neighbouring properties, with the amendments to windows and deletion of the swimming pool resulting in less impacts than the approved development, and existing approved landscaping and screening adjacent to the patio sufficient to provide protection of privacy to neighbouring dwellings.

12. Recommendation

Pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, the following is recommended:

- a. That the Ryde Local Planning Panel grant consent to MOD2018/0228 for a Section 4.55(1A) application to modify Local Development Application No. LDA2015/0466 for a dual occupancy subject to the conditions of consent in Attachment 1 of this report.
- b. That the persons who made submissions be advised of this decision.
- c. That the matter be referred to the Building Compliance Team to organise the submission of a Building Information Certificate Application.

ATTACHMENTS

- 1 Recommended modification of conditions
- 2 Ryde DCP 2014 Assessment
- 3 Existing development consent & approved plans
- 4 A3 Modification plans - Subject to copyright provisions - CIRCULATED UNDER SEPARATE COVER

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ITEM 1 (continued)

ATTACHMENT 1

Attachment 1 RECOMMENDED MODIFICATION OF CONDITIONS

That the application for modification of Local Development Application No. LDA2015/0466 be modified as follows:

- Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Site Plan (For Demolition)	15/03/2016	Dwg No A00 Rev C
Site Plan	15/03/2016 04.09.2018	Dwg No A01 Rev C D
Sediment Control Plan	15/03/2016	Dwg No A02 Rev C
Ground Floor Plan	15/03/2016 04.09.2018	Dwg No A03(1) Rev C D
First Floor Plan	15/03/2016 04.09.2018	Dwg No A03(2) Rev B D
North East Elevation	23/01/2016 04.09.2018	Dwg No A04(1) Rev B C
South West Elevation	23/01/2016 04.09.2018	Dwg No A04(2) Rev B C
North West Elevation	23/01/2016	Dwg No A04(3) Rev B
South East Elevation	23/01/2016 04.09.2018	Dwg No A04(4) Rev B C
Section AA	23/01/2016	Dwg No A05(1) Rev B
Landscape Plan	15/03/2016	Dwg No A06(1) Rev C
Landscaping Notes	23/01/2016	Dwg No A06(2) Rev B
Schedule of Finishes (1)	20/09/2015	Dwg No A08(1)
Windows Schedule	23/01/2016	Dwg No A09 Rev A
Sediment Control Plan	15/03/2016	Dwg No A11 Rev C
Driveway Profile Dwelling 1	21/11/2015	Dwg No A14(1)
Driveway Profile Dwelling 1A	21/11/2015	Dwg No A14(2)
Stormwater Concept Plan	01/02/2016	Dwg No. 229 S01
Stormwater Concept Plan – Below Ground Tank Section AA Detail OSD 1	18/02/2016	Dwg No. 229 S02
Stormwater Concept Plan – Below Ground Tank Section AA Detail OSD 2	18/02/2016	Dwg No. 229 S03
BASIX Commitments (Dwelling 1)	04.09.2018	Dwg No A13(1) Rev B
BASIX Commitments (Dwelling 1A)	04.09.2018	Dwg No A13(2) Rev B

Prior to the issue of a Construction Certificate, the following amendments shall be made (as marked in red on the approved plans):

ITEM 1 (continued)

ATTACHMENT 1

- a) **Balcony Screening.** The balcony privacy screen on the balcony of the First Floor Master Bedroom of Dwelling 1A – is to be raised to a height of at least 1.8m above the finished floor level of the first floor.
- b) **Dwelling 1A Garage.** The door on the Dwelling 1A garage to the foyer is to be deleted.
- c) **Street tree planting.** The Landscape Plan to be amended to show the following tree species to be planted in the nature strip along Woodbine Crescent in the following locations:
 - Two(2) narrow leaf apple myrtle (*Angophora bakerii*) trees to be planted to the east of the driveway of Dwelling 1A;
 - Three (3) Snow-in-summer (*Melaleuca linariifolia*) trees to be planted to the west of the driveway of Dwelling 1A and to the east of the existing electricity power pole;
 - All trees are to have a minimum pot size of 45L at the time of planting;
 - All trees are to be planted 2.5m from the street kerb;
 - All trees are to be planted no less than 3m from the edge of any driveway; and
 - All trees are to be spaced equidistant along the nature strip.
- d) **Screen planting.** Landscape Plan (Dwg No. A06 (2) Revision B dated 23/1/16) is to be amended to replace the “*Syzygium Australe* / Lilly Pilly / up to 18 metre” within the Plant/Tree Schedule with “*Syzygium Australe* – Select Form / Lilly Pilly / trimmed to 2m”

The Development must be carried out in accordance with the amended plans approved under this condition.

3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered ~~668636S_02, dated 19 February 2016 and 668552S_03, dated 19 February 2016~~ **966906S, dated 4 October 2018 and 968279S, dated 9 October 2018.**
- ~~12. **Pool filter – noise.** The pool/spa pump/filter must be enclosed in a suitable ventilated acoustic enclosure to ensure the noise emitted therefrom does not exceed 5dB(A) above the background noise level when measured at any affected residence.~~
- ~~13. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.~~
- ~~14. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.~~

ITEM 1 (continued)

ATTACHMENT 1

15. ~~**Resuscitation Chart.** A resuscitation chart containing warning “YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL” must be provided in the immediate vicinity of the pool area so as to be visible from all areas of the pool.~~
41. ~~**Pool fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*. Details of compliance are to be reflected on the plans submitted with the **Construction Certificate**.~~
73. ~~**BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 668636S_02, dated 19 February 2016 and 668552S_03, dated 19 February 2016 **966906S, dated 4 October 2018 and 968279S, dated 9 October 2018.**~~
74. **Landscaping, balcony screen and boundary fence.** All landscaping *and balcony screen* works approved by condition 1, *and the fencing and lattice screening required by condition 39*, are to be completed prior to the issue of the final *any* Occupation Certificate.
87. ~~**Pool fencing.** The pool fence is to be maintained in accordance with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*.~~
88. **Use of study in Dwelling 1 and Dwelling 1A.** The study within Dwelling 1 and Dwelling 1A of the development is not to be used for the purpose of a home business or home occupation.

ITEM 1 (continued)
Attachment 2 – RYDE DCP 2014 ASSESSMENT

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
Part 3.3 - Dwelling Houses and Dual Occupancy (attached)			
Desired Future Character			
Development is to be consistent with the desired future character of the low density residential areas.	The proposed development is consistent with the desired future character of the low density residential area as detailed further in this table and within the report. The proposed design responds to the unique site dimensions and presents to the site's curved street frontage.	No change	Yes
Dwelling Houses			
<ul style="list-style-type: none"> - To have a landscaped setting which includes significant deep soil areas at front and rear. - Maximum 2 storeys. - Dwellings to address street - Garage/carports not visually prominent features. 	Front and rear gardens proposed. Maximum two storeys Dwelling presents to Woodbine Cres. Garage not prominent feature as setback in front elevation of building.	No change	Yes Yes Yes Yes
Public Domain Amenity			
Streetscape			
<ul style="list-style-type: none"> - Front doors and windows are to face the street. Side entries to be clearly apparent. - Single storey entrance porticos. 	Front doors and windows face street. Single entrance portico.	No change	

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
- Articulated street facades.	Articulated street façade.		Yes
<p>Public Views and Vistas A view corridor is to be provided along at least one side allotment boundary where there is an existing or potential view to the water from the street. Landscaping is not to restrict views. Garages/carports and outbuildings are not to be located within view corridor if they obstruct view. Fence 70% open where height is >900mm.</p>	<p>No views to be blocked by the proposed development.</p> <p>Garage built into main building and not within a view corridor</p>	No change	<p>Yes</p> <p>Yes</p>
<p>Pedestrian & Vehicle Safety - Car parking located to accommodate sightlines to footpath & road in accordance with relevant Australian Standard. - Fencing that blocks sight lines is to be splayed.</p>	<p>Location of the new garages will accommodate sightlines to footpath and road in accordance with relevant Australian Standard. Fencing only 900mm to allow for sightlines</p>	No change	<p>Yes</p> <p>Yes</p>
Site Configuration			
<p>Deep Soil Areas - 35% of site area min. - Min 8x8m deep soil area in backyard. - Front yard to have deep soil area (only hard paved area to be driveway, pedestrian</p>	<p>Permeable (deep soil) area: 417m² approx (54% of site area).</p> <p>Rear DSA dimensions: 8m x 8m provided</p>	<p>Permeable (deep soil) area: 408m² approx (52.8% of site area).</p> <p>Rear DSA dimensions: 8m x 8m provided – No change</p>	<p>Yes</p> <p>Yes</p>

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
path and garden walls). - Dual occupancy developments only need 1 of 8 x 8m area (doesn't have to be shared equally).	Front DSA: 100% permeable area in front yard= 299.4m ² (85% approx.). Hard surface areas have been kept to a minimum in the front yard.	Front DSA: – No change 100% permeable area in front yard= 299.4m ² (85% approx.). Hard surface areas have been kept to a minimum in the front yard.	Yes
Topography & Excavation Within building footprint: - Max cut: 1.2m - Max fill: 900mm Outside building footprint: - Max cut: 900mm - Max fill: 500mm - No fill between side of building and boundary or close to rear boundary - Max ht retaining wall 900mm	Within BF Max cut: 410mm Max fill: 750mm Outside BF Max cut: <0.5m Max fill: <0.5m 300mm retaining wall – existing along boundary with No. 3 Woodbine	No change.	Yes Yes Yes
Floor Space Ratio			
Ground floor	207.48m ²		
First floor	166.59m ²		
Detached car parking structures	0m ²		
Outbuildings (incl covered pergolas, sheds etc)	0m ²		
Total (Gross Floor Area)	374.07m ²		
Less 36m ² (double) or 18m ² (single) allowance for parking	338.07m²		
FSR (max 0.5:1) Note: Excludes wall thicknesses; lifts/stairs;	0.43:1	No change.	Yes

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
basement storage/vehicle access/garbage area; terraces/balconies with walls <1.4m; void areas.			
Height			
- 2 storeys maximum (storey incl basement elevated greater than 1.2m above EGL).	Maximum two (2) storey attached dual occupancy	No change.	Yes
- 1 storey maximum above attached garage incl semi-basement or at-grade garages.	Maximum 1 storey above attached garage has been proposed.	No change	Yes
Wall plate (Ceiling Height) - 7.5m max above FGL or - 8m max to top of parapet <i>NB: TOW = Top of Wall EGL = Existing Ground Level FGL = Finished Ground Level</i>	TOW RL: 52.65 FGL below (lowest point): RL:46.40 TOW Height (max)= 6.178m	No change	Yes
9.5m Overall Height <i>NB: EGL = Existing Ground Level</i>	Max point of dwelling RL: 54.896 EGL below ridge (lowest point): RL: 45.6 EGL below ridge (highest point): RL: 46.0 Overall Height (min)= 8.896 Overall Height (max)=	No change	Yes

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
	9.296		
Habitable rooms to have 2.4m floor to ceiling height (min).	2.8m min room height.	No change	Yes
Setbacks – See discussion in report.			
SIDE One storey dwelling - 900mm to wall - Includes balconies etc	<u>North boundary</u> <ul style="list-style-type: none"> • 900mm to patio. • 4m to building façade <u>East Boundary:</u> <ul style="list-style-type: none"> • 2.8m to patio • 6m to building facade 	No change	Yes
SIDE Two storey dwelling - 1500mm to wall - Includes balconies etc	<u>North boundary</u> <ul style="list-style-type: none"> • 4m to building façade <u>East Boundary:</u> <ul style="list-style-type: none"> • 8m to building facade 		Yes
Side setback to secondary frontage (cnr allotments): 2m to façade and garage/carports façade.	The site is a corner allotment with a single street frontage	No change	
Front - 6m to façade (generally) - Garage setback 1m from the dwelling façade - Wall above is to align with outside face of garage below. - Front setback free of ancillary elements eg RWT, A/C	- Front setback is generally setback by 6m with minor encroachments of patio and corner of garages, and similar areas of greater than 6m setback. - Garage setback 1m from front façade. - Balcony above	No change	Yes Yes

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
	garage aligns with garage. - Front setback free from ancillary elements.		
Rear - 8m to rear of dwelling OR 25% of the length of the site, whichever is greater. Note: 9.15625 m is 25% of site length.	2.8m to 8m Refer discussion in main report.	No change	No – variation supported under original application
Car Parking & Access			
General - Dwelling: 2 spaces max, 1 space min. - Dual Occupancy (attached): 1 space max per dwelling. - Where possible access off secondary street frontages or laneways is preferable. - Max 6m wide or 50% of frontage, whichever is less. - Behind building façade.	Number/location of car spaces: 2 (1 per unit.) Access from: Woodbine Cres External width: 2.8 each Located in front of building façade.	No change	Yes Yes Yes Yes No – variation supported under original application.
Garages - Garages setback 1m from façade. - Total width of garage doors visible from public space must not exceed 5.7m and be setback not more than 300mm behind the outside face of the building element immediately above. - Garage windows	Setback from façade: 1: in front of façade 1A: 1.873m Width of openings: 2.8m each Door setback: 230m Windows: Dwelling 1 - 4m setback to side boundary. Dwelling 1A - no	No change	No – variation supported under original application Yes Yes Yes

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
<p>are to be at least 900mm away from boundary.</p> <ul style="list-style-type: none"> - Free standing garages are to have a max GFA of 36m² - Materials in keeping or complimentary to dwelling. 	<p>windows.</p> <p>Materials: consistent with new dwelling.</p>		
<p>Parking Space Sizes (AS)</p> <ul style="list-style-type: none"> o Double garage: 5.4m wide (min) o Single garage: 3m w(min) o Internal length: 5.4m (min) 	<p>Internal measurements: each 5.499 x 3.23m</p>	<p>No change</p>	<p>Yes</p>
<p>Driveways</p> <ul style="list-style-type: none"> - Extent of driveways minimised 	<p>Extent of driveway minimised</p>	<p>No change</p>	<p>Yes</p>
Swimming Pools & Spas			
<ul style="list-style-type: none"> - Must comply with all relevant Acts, Regulations and Australian Standards. - Must at all times be surrounded by a child resistant barrier and located to separate pool from any residential building and/or outbuildings (excl cabanas) and from adjoining land. - No openable windows, doors or other openings in a wall that forms part of barrier. - Spa to have 	<p>Does fence isolate pool area from dwelling and outbuildings? Yes</p> <p>Is gate location/swing shown? Yes shown on floor, site and landscaping plans.</p> <p>Are there any windows/doors within pool area? No.</p> <p>Pool in rear of property.</p>	<p>Swimming pool deleted</p>	<p>No longer applicable.</p>

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
lockable lid. - Pools not to be in front setback.			
Pool coping height - 500mm maximum above existing ground level <i>(only if no impact on privacy)</i>	Pool coping RL: 46.2 EGL (lowest point below coping): RL:45.95 EGL (highest point below coping): RL: 46.00 Coping Height (min)= 200mm Coping Height (max)=205mm	Swimming pool deleted	No longer applicable.
Pool Setback - 900mm min from outside edge of pool coping, deck or surrounds . - Screen planting required for pools located within 1500mm, min bed width of 900mm for the length of the pool. Min ht 2m, min spacing 1m - Pool setback 3m+ from tree >5m height on subject or adjacent property - Pool filter located away from neighbouring dwellings, and in an acoustic enclosure	Setback (min):1.8m to surrounding fence. Screen planting along site boundary and 900mm from edge of fencing. Pool equipment filter etc. around side of house and away from neighbouring dwelling. No information provided – condition to comply with DCP.	Swimming pool deleted	No longer applicable.
Landscaping			
Trees & Landscaping - Major trees retained where practicable	Three trees to be removed and replaced with native trees in	No change to tree removal.	Yes

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
<ul style="list-style-type: none"> - Physical connection to be provided between dwelling and outdoor spaces where the ground floor is elevated above NGL eg. stairs, terraces. - Obstruction-free pathway on one side of dwelling (excl cnr allotments or rear lane access) - Front yard to have at least 1 tree with mature ht of 10m min and a spreading canopy. - Back yard to have at least 1 tree with mature ht of 15m min and a spreading canopy. - Hedging or screen planting on boundary mature plants reaching no more than 2.7m. - OSD generally not to be located in front setback unless under driveway. 	<p>appropriate position in front yard.</p> <p>Rear patios form connection between dwelling and rear yard.</p> <p>Obstruction free path down eastern boundary</p> <p>Front yard has 2 x Cheese Tree – up to 10m</p> <p>Back yard has existing Blue Jacaranda of 8-9m Proposed Eucalyptus Paniculata – 15m - 30m</p> <p>Hedges are 2-4m high to allow for additional privacy screening.</p> <p>OSD in front setback due to site figuration.</p>	<p>Rear patios continue to form connection between dwelling and rear yard.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p> <p>No change.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>See Engineer Referral</p>
<ul style="list-style-type: none"> - Landscaped front garden, with max 40% hard paving 	<p>Hard Paving: 14.5%</p>	<p>No change.</p>	<p>Yes</p>
Dwelling Amenity			
Daylight and Sunlight Access			
<ul style="list-style-type: none"> - Living areas to face north where orientation makes this possible. - 4m side setback for side living areas where 	<p>Living areas face patio and/or outdoor pool area.</p> <p>Building setback 4m</p>	<p>No change.</p> <p>No change.</p>	<p>Yes</p> <p>Yes</p>

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
<p>north is to the side allotment boundary.</p> <p><u>Subject Dwelling:</u></p> <ul style="list-style-type: none"> - Subject dwelling north facing windows are to receive at least 3hrs of sunlight to a portion of their surface between 9am and 3pm on June 21. - Private Open space of subject dwelling is to receive at least 2 hours sunlight between 9am and 3pm on June 21. <p><u>Neighbouring properties are to receive:</u></p> <ul style="list-style-type: none"> - 2 hours sunlight to at least 50% of adjoining principal ground level open space between 9am and 3pm on June 21. - At least 3 hours sunlight to a portion of the surface of north facing adjoining living area windows between 9am and 3pm on June 21. 	<p>from north boundary.</p> <p>N facing windows on first floor: will receive more than 3 hours of sunlight. Ground floor will be shadowed by neighbouring dwelling.</p> <p>POS: no impacts from neighbouring dwellings as north facing and sufficient setback from neighbouring dwellings.</p> <p>No impact on neighbouring properties. North facing and will continue to receive more than 2 hours of sunlight to adjoining principal open space:</p> <p>Hours of sunlight to adjoining living area windows will not be significantly impacted. Minor overshadowing onto no. 6 Greene though will still receive more than 3 hours between 9 and 12.</p>	<p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>Visual Privacy</p> <ul style="list-style-type: none"> - Orientate windows of living areas, balconies 	<p>Living room windows that face to side</p>		<p>Yes</p>

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
<p>and outdoor living areas to the front and rear of dwelling.</p> <ul style="list-style-type: none"> - Windows of living, dining, family etc placed so there are no close or direct views to adjoining dwelling or open space. - Side windows offset from adjoining windows. - Terraces, balconies etc are not to overlook neighbouring dwellings/private open space. 	<p>boundaries face neighbouring garage and rear of adjoining property. No amenity issues.</p> <p>No direct viewing opportunities of neighbouring POS or windows.</p> <p>Balconies face to the street.</p>	<p>No change</p>	<p>Yes</p> <p>Yes</p>
<p>Acoustic Privacy Layout of rooms in dual occupancies (attached) are to minimise noise impacts between dwellings eg: place adjoining living areas near each other and adjoining bedrooms near each other.</p>	<p>Layout of rooms in the proposed dual occupancy will minimise noise impacts between dwellings.</p>	<p>No change</p>	<p>Yes</p>
<p>View Sharing - The siting of development is to provide for view sharing.</p>	<p>The siting of the development will not alter the existing view corridors.</p>	<p>No change</p>	<p>Yes</p>
<p>Cross Ventilation - Plan layout is to optimise access to prevailing breezes and to provide for cross ventilation.</p>	<p>First and ground floor plan will optimise and provide for cross ventilation.</p>	<p>No change</p>	<p>Yes</p>
External Building Elements			
<p>Roof - Articulated. - 450mm eaves overhang minimum. - Not to be trafficable</p>	<p>Roof lines are articulated Eaves 450mm.</p>	<p>No change</p>	<p>Yes</p>

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
terrace. - Skylights to be minimised and placed symmetrically. - Front roof plane is not to have both dormer windows and skylights.	No trafficable terrace, no skylights and no dormers.		
Fencing			
Front/return: - To reflect design of dwelling. - To reflect character & height of neighbouring fences. - Max 900mm high for solid (picket can be 1m). - Max 1.8m high if 50% open (any solid base max 900mm). - Retaining walls on front bdy max 900mm. - No colorbond or paling Max width of piers 350mm.	Front fence proposed is 900mm solid fence. Boundary fences to remain and have 300mm high lattice screening atop. Reflects design of proposed development. Retaining walls match existing ground level.	No change	Yes Yes Yes
Side/rear fencing: - 1.8m max o/a height.	Existing side and rear fencing to remain. 300mm lattice privacy fence to be erected atop the fence to a height of 2.1m.	No change	Yes
Part 7.2- Waste Minimisation & Management			
Submission of a Waste Management Plan in accordance with Part 7.2 of DCP 2014.	The applicant has submitted a Waste Management Plan in accordance with Part 7.2 of DCP 2014.	No change	Yes
Part 8.2 - Stormwater Management			

ITEM 1 (continued)

ATTACHMENT 2

DCP 2014	Approved Development Assessment	Proposed Modification Assessment	Compliance
Stormwater			
Drainage is to be piped in accordance with Part 8.2 - Stormwater Management.	Drainage is to be in accordance with Part 8.2 - Stormwater Management and the conditions of the development consent.	No change	Referred to Dev Eng under original application and supported.
Part 9.2- Access for People with Disabilities			
Accessible path required from the street to the front door, where the level of land permits.	Access via driveway.	No change	Yes
Part 9.4 – Fencing			
Front & return fences			
Front and return fences that exceed 1m in height are to be 50% open	Fence proposed is 90mm solid fence.	No change	Yes
Part 9.6 – Tree Preservation			
Where the removal of tree(s) is associated with the redevelopment of a site, or a neighbouring site, the applicant is required to demonstrate that an alternative design(s) is not feasible and retaining the tree(s) is not possible in order to provide adequate clearance between the tree(s) and the proposed building and the driveway.	Are trees (including neighbouring trees) addressed in SEE or in a report prepared by a suitably qualified person (where necessary)? Tree to be removed will be replaced with suitable tree.	No change	Yes

ITEM 1 (continued)

ATTACHMENT 3



Lifestyle and opportunity @ your doorstep

R Obeid
5/125 Great North Road
FIVE DOCK NSW 2046

4 July 2016

Dear Rony

Address: 1 Woodbine Cr Ryde
Local Development Application No: LDA2015/0466

Please find attached your approved Development Consent No: LDA2015/0466.

Development Consent is not approval to commence building work.

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

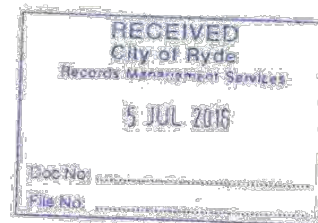
It is the responsibility of the applicant to carefully read all conditions of Development Consent prior to making application for a Construction Certificate.

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

Yours faithfully



Rebecca Lockart
Assessment Officer - Town Planner



COPY

Civic Centre 1 Deslin Street, Ryde NSW
Ryde Planning and Business Centre
1 Pepp Street, Ryde (Below Ryde Library)

Post Locked Bag 2069, North Ryde NSW 1670
Email cityofryde@rydenew.gov.au
www.rydenew.gov.au

Customer Service (02) 9952 8222
TTY (02) 9952 8470 Fax (02) 9952 8070
Translating and Interpreting Service 131 450

ITEM 1 (continued)

ATTACHMENT 3

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



Development Consent

Applicant: R Obeid
5/125 Great North Road
FIVE DOCK NSW 2046

Consent No: LDA2015/0466

Consent Date: 28 June 2016

Valid until: 28 June 2021

The City of Ryde, as the consent authority under the provisions of the Environmental Planning and Assessment Act, 1979 hereby consents to the development as follows:

Property: 1 Woodbine Cr Ryde Lot 57 DP 10373

Development: Demolition, new dual occupancy (attached) and swimming pool for Dwelling 1A.

subject to the conditions 1 to 89 specified in this consent.

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

This Consent does not guarantee compliance with the Disability Discrimination Act and you should, therefore, investigate your liability under the Act.

You are advised of your right of appeal to the Land and Environment Court under Section 97 of the Environmental Planning & Assessment Act and your right to request a review of the determination to Council under Section 82A of the Environmental Planning & Assessment Act within 6 months after you have received the Consent.



Rebecca Lockart
Assessment Officer

COPY

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

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans: (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Site Plan (For Demolition)	15/03/2016	Dwg No A00 Rev C
Site Plan	15/03/2016	Dwg No A01 Rev C
Sediment Control Plan	15/03/2016	Dwg No A02 Rev C
Ground Floor Plan	15/03/2016	Dwg No A03(1) Rev C
First Floor Plan	15/03/2016	Dwg No A03(2) Rev B
North East Elevation	23/01/2016	Dwg No A04(1) Rev B
South West Elevation	23/01/2016	Dwg No A04(2) Rev B
North West Elevation	23/01/2016	Dwg No A04(3) Rev B
South East Elevation	23/01/2016	Dwg No A04(4) Rev B
Section AA	23/01/2016	Dwg No A05(1) Rev C
Landscape Plan	15/03/2016	Dwg No A06(1) Rev C
Landscaping Notes	23/01/2016	Dwg No A06(2) Rev B
Schedule of Finishes (1)	20/09/2015	Dwg No A08(1)
Windows Schedule	23/01/2016	Dwg No A09 Rev A
Sediment Control Plan	15/03/2016	Dwg No A11 Rev C
Driveway Profile Dwelling 1	21/11/2015	Dwg No A14(1)
Driveway Profile Dwelling 1A	21/11/2015	Dwg No A14(2)
Stormwater Concept Plan	01/02/2016	Dwg No. 229 S01
Stormwater Concept Plan – Below Ground Tank Section AA Detail OSD 1	18/02/2016	Dwg No. 229 S02
Stormwater Concept Plan – Below Ground Tank Section AA Detail OSD 2	18/02/2016	Dwg No. 229 S03

Prior to the issue of a Construction Certificate, the following amendments shall be made (as marked in red on the approved plans):

- a) **Balcony Screening.** The balcony privacy screen on the balcony of the First Floor Master Bedroom of Dwelling 1A – is to be raised to a height of at least 1.8m above the finished floor level of the first floor.
- b) **Dwelling 1A Garage.** The door on the Dwelling 1A garage to the foyer is to be deleted.
- c) **Street tree planting.** The Landscape Plan to be amended to show the following tree species to be planted in the nature strip along Woodbine Crescent in the following locations:
 - Two(2) narrow leaf apple myrtle (*Angophora bakerii*) trees to be planted to the east of the driveway of Dwelling 1A;
 - Three (3) Snow-in-summer (*Melaleuca linariifolia*) trees to be planted to the west of the driveway of Dwelling 1A and to the east of the existing electricity power pole;

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

- All trees are to have a minimum pot size of 45L at the time of planting;
 - All trees are to be planted 2.5m from the street kerb;
 - All trees are to be planted no less than 3m from the edge of any driveway; and
 - All trees are to be spaced equidistant along the nature strip.
- d) **Screen planting.** Landscape Plan (Dwg No. A06 (2) Revision: B dated 23/1/16) is to be amended to replace the "Syzygium Australe / Lilly Pilly / up to 18 metre" within the Plant/Tree Schedule with "Syzygium Australe – Select Form / Lilly Pilly / trimmed to 2m"

The Development must be carried out in accordance with the amended plans approved under this condition.

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 668636S_02, dated 19 February 2016 and 668552S_03, dated 19 February 2016.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
5. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
6. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
7. **Illumination of public place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
8. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
9. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

10. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
11. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.
12. **Pool filter – noise.** The pool/spa pump/filter must be enclosed in a suitable ventilated acoustic enclosure to ensure the noise emitted therefrom does not exceed 5dB(A) above the background noise level when measured at any affected residence.
13. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.
14. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.
15. **Resuscitation Chart.** A resuscitation chart containing warning "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL" must be provided in the immediate vicinity of the pool area so as to be visible from all areas of the pool.
16. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the relevant Australian Standard and City of Ryde Development Control Plan 2014 Section 8 except as amended by other conditions.
17. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
18. **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. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
19. **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.

DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

A Construction Certificate is not required for Demolition.

20. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
- (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
21. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
22. **Excavation**
- (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
 - (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.
23. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.
24. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
25. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
26. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.
27. **Imported fill – type.** All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

PRIOR TO CONSTRUCTION CERTIFICATE

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

28. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate**:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$4,227.74
Open Space & Recreation Facilities	\$10,407.85
Civic & Urban Improvements	\$3,539.91
Roads & Traffic Management Facilities	\$482.86
Cycleways	\$301.62
Stormwater Management Facilities	\$958.70
Plan Administration	\$81.32
The total contribution is	\$20,000

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 Interim Update (2014), effective from 10 December 2014.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

29. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

30. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
31. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. ~~(category: dwelling houses with delivery of bricks or concrete or machine)~~
32. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
33. **Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels by Council prior to the issue of the **Construction Certificate**.
34. **Long Service Levy.** 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 submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
35. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely 3 Woodbine Crescent, Ryde. A copy of the survey is to be submitted to the PCA (and Council, if Council is not the PCA) prior to the release of the **Construction Certificate**.
36. **Sydney Water Tap in™.** The approved plans must be submitted to the Sydney Water Tap in™ on-line service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Sydney Water Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, eg relocating or moving an asset

Sydney Water's Tap in™ online service is available at:
<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

37. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
38. **Fencing.** Fencing is to be in accordance with Council's DCP 2014: Part 3.3 – Dwelling Houses and Dual Occupancy (attached) – Section 2.16 – Fences, unless otherwise specified in this consent. Installation of boundary fencing is to be at the full cost of the developer. Details of compliance are to be provided in the plans for the **Construction Certificate**.
39. **Fencing and Lattice Screening.** Existing boundary fencing is to remain unless otherwise agreed to by the neighbouring property owners.

Lattice privacy screening is to be installed above the existing boundary fences with 3 Woodbine Crescent and 8 Greene Avenue, Ryde to a total fence height of 2.4m high measured from the finished ground level of 1 Woodbine Crescent. Installation of privacy fencing is to be at the full cost of the developer. Details of compliance are to be provided in the plans submitted with the **Construction Certificate**.
40. **Tree planting – location.** The trees required to be planted under this consent must be planted a minimum of 3m from any property boundary. Details are to be submitted to and approved by the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
41. **Pool fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*. Details of compliance are to be reflected on the plans submitted with the **Construction Certificate**.
42. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.
43. **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 manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.
44. **Provision of Pedestrian Sight Lines.** Clear pedestrian sight lines in accordance with Figure 3.3 of AS2890.1 :2004 Off Street Carparking are to be provided at the driveway entry to each dwelling.

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

This requires that there be no retaining/boundary wall or fence including landscaping higher than 900mm within 2.5m of the driveway entry at the boundary and to a distance of 2.0m within the site. Any walls, landscaping etc are to be adjusted in order to also comply with this. Full details are to be shown on the architectural and landscaping plans submitted for approval with the Construction Certificate.

45. **External Engineering Works.** To facilitate satisfactory and safe access to and from the proposed development, the following public infrastructure works shall be constructed at no cost to Council along the entire public road frontage of the site.
- Standard concrete footpath paving along the frontage of the property in Woodbine Crescent.
 - Any other associated works required within the footpath/street due to the proposal.
 - Replacement of any damaged kerb and gutter within the property frontage and at the pipe outlet.

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

46. **On-Site Stormwater Detention.** Stormwater runoff from the development site shall be collected and piped by gravity flow to a suitable onsite detention(OSD) system designed in accordance with the City of Ryde, Development Control Plan 2014: - Part 8.2; Stormwater & Floodplain Management. The concept drainage design prepared by RCO Engineering Pty Ltd Dwg 229 S01 Rev 2 dated 1/2/16 shall be amended to incorporate but not be limited to the following:
- Provision of minimum 5.4m³ of OSD volume at a discharge rate of 3.0 L/s for each OSD tank. Orifice diameter to be revised to achieve this.
 - Provision of pits to collect surface runoff from the rear yards of Dwelling 1
 - Provision of external cleaning eyes for each pipe directed under the building.
 - All gutters, downpipes and pipeline conveying stormwater runoff to the BASIX tank are to be designed for the 1 in 100 year, 5 minute duration storm event.

Detailed engineering plans including certification from a chartered civil engineer with NPER registration with Engineers Australia indicating compliance with this condition are to be submitted for approval with the Construction Certificate application.(Note the owner/Builder should not be the certifying engineer)

47. **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.
48. **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 Landcom. 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*
- Existing and final contours
 - The location of all earthworks, including roads, areas of cut and fill

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

- 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
 - m. Details and procedures for dust control.
49. **Tree Planting on Council's verge.** Five (5) trees are to be planted equidistant along the nature strip along Woodbine Crescent in the following locations:
- a. Two(2) narrow leaf apple myrtle (*Angophora bakerii*) trees to be planted to the east of the driveway of Dwelling 1A;
 - b. Three (3) Snow-in-summer (*Melaleuca linariifolia*) trees to be planted to the west of the driveway of Dwelling 1A and to the east of the existing electricity power pole;
 - c. All trees are to have a minimum pot size of 45L at the time of planting;
 - d. All trees are to be planted 2.5m from the street kerb;
 - e. All trees are to be planted no less than 3m from the edge of any driveway;
 - f. Trees to be planted in accordance with Section 6 of Councils Urban Forest Technical Manual.
 - g. A \$1,500 bond shall be paid to Council prior to issue of the Construction Certificate. Details of payment are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
 - h. The trees shall be maintained by the applicant or owner of the site for a minimum period of 12 months after the Occupation Certificate has been issued.

Note: An inspection by a Council Tree Management shall be undertaken to ensure that this condition has been met and the tree is of good health and vigour prior to release of the bond. Should the tree fail to survive and thrive it will be at the cost of the applicant to replace the tree and the bond time period of 12 months shall recommence.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

50. **Site Sign**
- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

(b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

51. **Residential building work – insurance.** In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

52. **Residential building work – provision of information.** Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor; and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder; and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

53. **Excavation adjacent to adjoining land**

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An 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 condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

54. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

55. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan prior to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

56. **Compliance Certificate.** A Compliance Certificate should be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities.
57. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained within the subject site and on neighbouring allotments. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised throughout construction. Details of the Project Arborist are to be submitted to Council **prior to the commencement of construction.**
58. **Street trees.** Prior to the street trees being planted, the location of existing electrical services and underground services shall be determined so as not to plant the tree in such a location that it will in the future affect the any services running into the subject site or adjoining properties.

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

59. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
60. **Hold points and certification.** The Tree Protection Schedule provides a logical sequence of hold points for the various development stages including pre construction, construction and post construction. It also provides a checklist of various hold points that are to be signed and dated by the Project Arborist. **This is to be completed progressively and included as part of the final certification.** A copy of the final certification is to be made available to the City of Ryde Council on completion of the project.

Tree Protection Schedule

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1	Indicate clearly (with spray paint on trunks) trees approved for removal only	Principal Contractor	Project Arborist	Prior to demolition and site establishment
2	Establishment of tree protection fencing and additional root, trunk and/or branch protection	Principal Contractor	Project Arborist	Prior to demolition and site establishment
3	Supervise all excavation works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the works proceeding adjacent to the tree

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

Hold Point	Task	Responsibility	Certification	Timing of Inspection
4	Inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Bi-monthly during construction period
5	Final inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Prior to issue of Occupation Certificate

61. **Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
62. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
63. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
 (a) Fill is allowed under this consent;
 (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 (c) the material is reused only to the extent that fill is allowed by the consent.
64. **Construction materials.** All materials associated with construction must be retained within the site.
65. **Site Facilities**
 The following facilities must be provided on the site:
 (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
66. **Site maintenance**
 The applicant must ensure that:
 (a) approved sediment and erosion control measures are installed and maintained during the construction period;
 (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 (c) the site is clear of waste and debris at the completion of the works.
67. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
68. **Tree removal.** This consent does not authorise the removal of trees unless specifically authorised by a condition of this consent. This consent authorises the removal of the following trees:

Street trees

Tree 1 – Scribbly Gum (*Eucalyptus haemastoma*)

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

Tree 2 – Butterfly Tree (*Bauhinia prupurea*)

Site trees

Tree 3 – Flowering Ash (*Fraxinus griffithii*)

Tree 4 – False Cyprus (*Cuppressus sp.*)

Tree 5 – Peach Tree (*Prunius persica*)

All tree removal work is to be carried out in accordance NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 3 qualifications.

69. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.

Trees to be retained and protected

Tree 6 and 7 – Blue Jacaranda (*Jacaranda mimosifolia*)

70. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.
71. **Tree works – Australian Standards.** Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.
72. **Drop-edge beams.** Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

73. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 668636s_02, dated 19 February 2016 and 668552S_03, dated 19 February 2016.
74. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
75. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

relation to works approved by this consent, prior to the issue of any **Occupation Certificate**.

76. **Sydney Water – Section 73.** 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 Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site 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 Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

77. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of any **Occupation Certificate**.
78. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
79. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
80. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's City Works and Infrastructure. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.
81. **Footpath Paving Construction.** The applicant shall, at no cost to Council, construct standard concrete footpath paving across the frontage of the property in Woodbine Crescent adjacent to the front property boundary. Levels of the footpath paving shall conform with plans approved by Council's City Works and Infrastructure.
82. **On-Site Stormwater Detention System - Marker Plate.** Each on-site detention system basin shall be indicated on the site by fixing a marker plate. This plate is to be of minimum size: 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in City of Ryde, Development Control Plan 2014; - Part 8.2; Stormwater & Floodplain Management. An approved plate may be purchased from Council's

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

Customer Service Centre on presentation of a completed City of Ryde OSD certification form.

83. **Work-as-Executed Plan.** A Work-as-Executed plan signed by a Registered Surveyor clearly showing the surveyor's name and the date, the stormwater drainage, including the on-site stormwater detention system if one has been constructed and finished ground levels is to be submitted to the Principal Certifying Authority (PCA) and to Ryde City Council if Council is not the nominated PCA.
84. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Dwg 229 S01 Rev 2 dated 1/2/16 and S02 & S03 Rev 2 dated 18/2/16 prepared by RCO Engineering Pty Ltd and as amended in red by Council and conditions of this consent.
- Compliance Certificates – Engineering. Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and submitted to the PCA:
 - Confirming that all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and Ryde City Council's Development Control Plan 2014: - Part 8.3; Driveways
 - Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Development Control Plan 2014: - Part 8.3; Driveways.
 - Confirmation from Council that concrete footpath paving along Woodbine Crescent has been constructed and satisfactory.
 - 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 2014: - Part 8.2; Stormwater & Floodplain Management
 - Confirming 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.
 - Confirming that the vehicular crossing has been removed and the kerb and gutter have been constructed in accordance with Council's Development Control Plan 2014: - Part 8.3 Driveways
85. **Positive Covenant, OSD.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the stormwater detention system on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for Maintenance of Stormwater Detention Systems and to the satisfaction of Council.

The applicant shall submit the works as executed drawing and the compliance certificate for drainage from the hydraulic engineer to Council with the documents for the Positive Covenant.

OPERATIONAL CONDITIONS

ITEM 1 (continued)

ATTACHMENT 3

Conditions of Consent for LDA2015/0466 :-

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

86. **Dual occupancy only.** The dual occupancy is not to be used or adapted for use as a boarding house.

87. **Pool fencing.** The pool fence is to be maintained in accordance with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*.

88. **Tree maintenance.** The owner of the property is to water and maintain the five (5) street trees required under Conditions 1(c) and 49 on the nature strip in front of the property for first 12 months after planting has been completed.

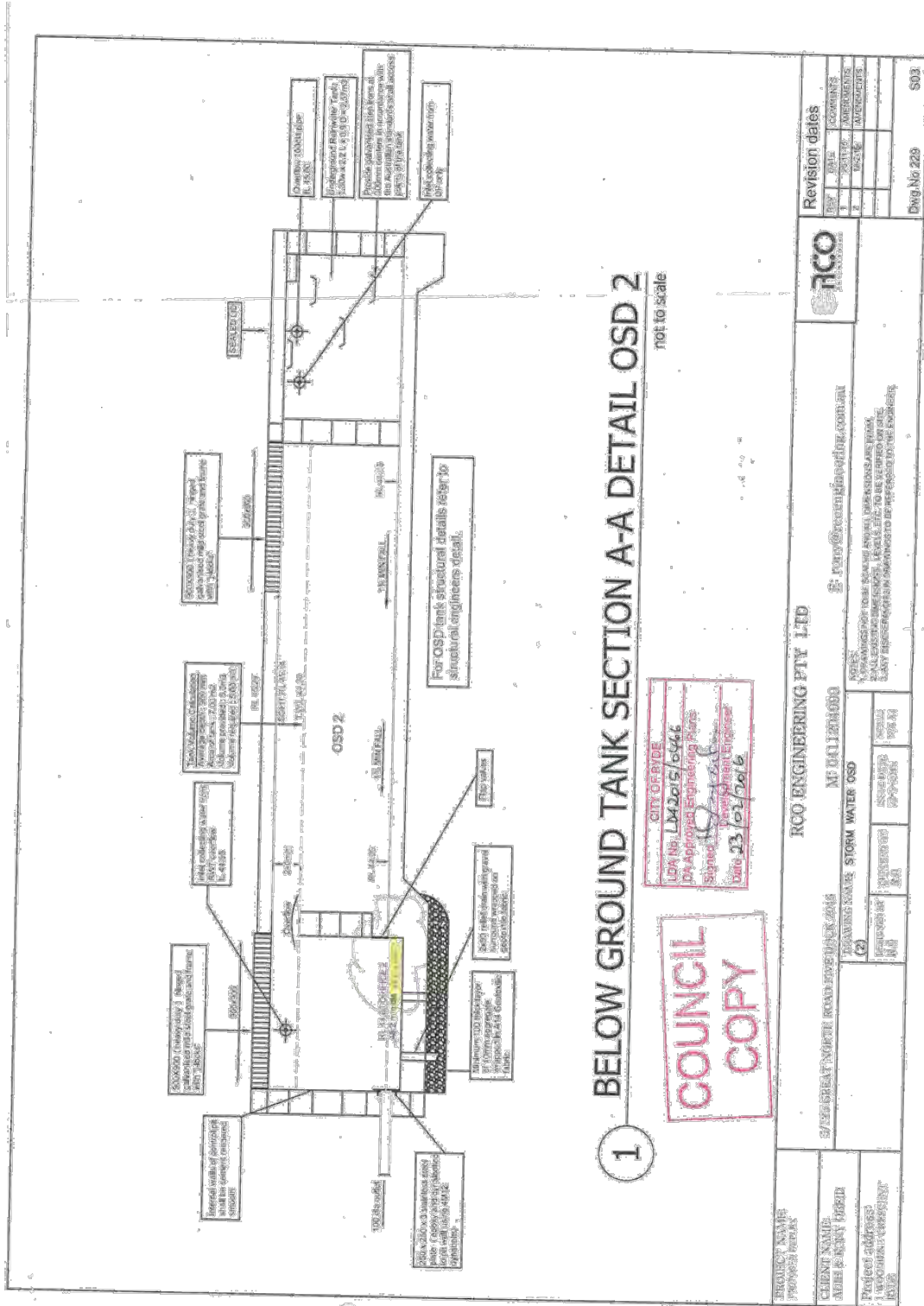
Note: The tree bond is redeemable no sooner than 12 months after the Occupation Certificate has been issued. Council Tree Management Officer is to inspect the trees prior to the bond being released. The tree shall be in good health and vigour upon inspection. Should the tree fail to survive and thrive it will be at the cost of the applicant to replace the tree and the bond time period of 12 months shall recommence.

89. **Use of study in Dwelling 1 and Dwelling 1A.** The study within Dwelling 1 and Dwelling 1A of the development is not to be used for the purpose of a home business or home occupation.

End of consent.

ITEM 1 (continued)

ATTACHMENT 3



1 **BELOW GROUND TANK SECTION A-A DETAIL OSD 2**
not to scale

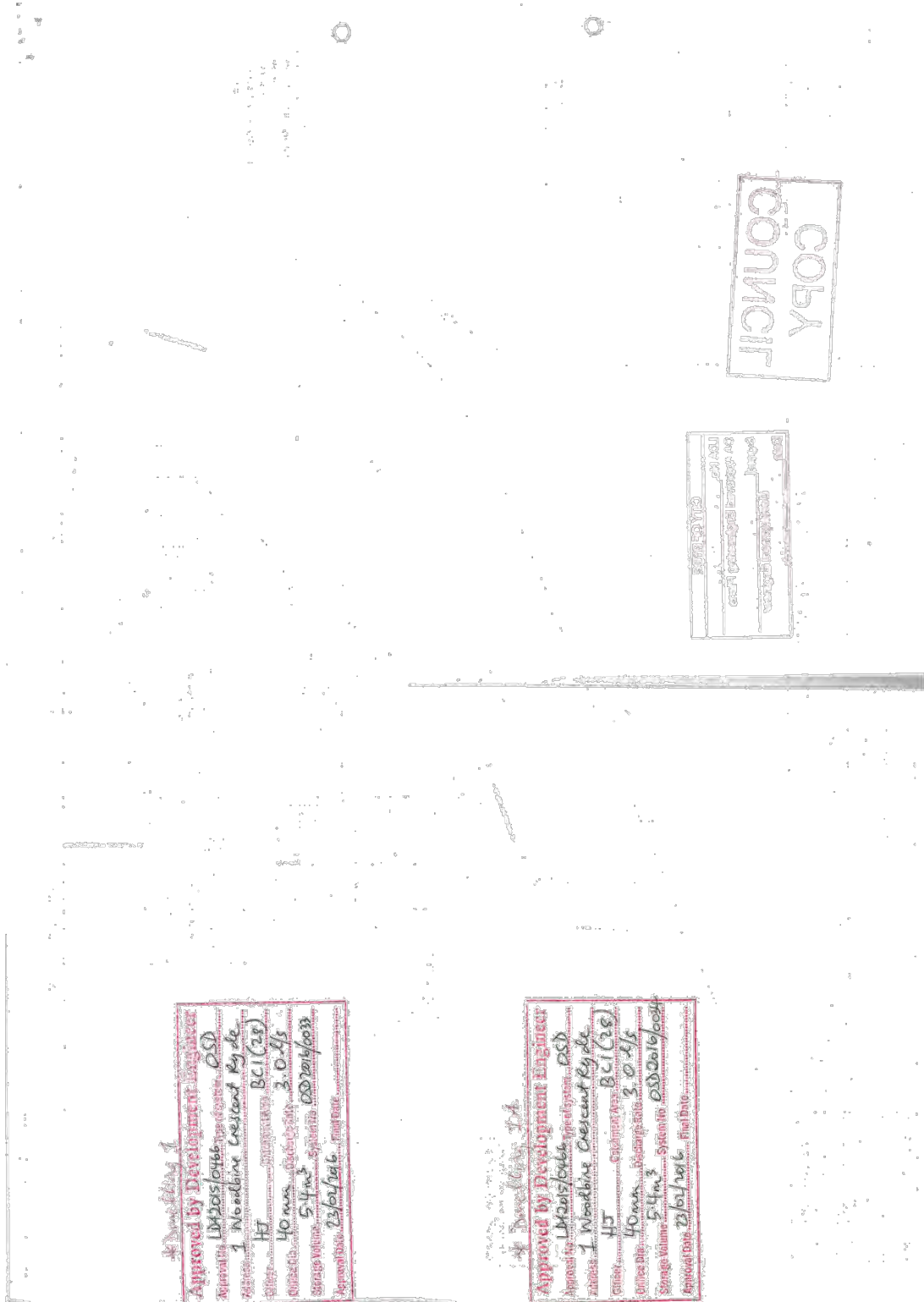
CITY OF RYDE
LPA No. LM2015/6046
The Approved Engineering Plans
Signed: [Signature]
Date: 23/03/2016

COUNCIL COPY

PROJECT NAME: POWER 2016		PROJECT NO.: 27/2016/TP/111/ROAD/RESERVE/2016		PROJECT DATE: 17/11/2016		PROJECT NO. / Dwg.No: 229 / S03	
CLIENT NAME: ADEL & JENI PERDI		DRAWING NAME: STORM WATER OSD		DRAWING NO. / SHEET NO. / TOTAL SHEETS: 02 / 01 / 02		REVISION DATES:	
PROJECT ADDRESS: 1 WOODGATE CRESCENT RYDE		ISSUED DATE: 22/03/2016		ISSUED BY: E. Perry		REVISION DATES:	
		APPROVED BY: [Signature]		CHECKED BY: [Signature]		REVISION DATES:	
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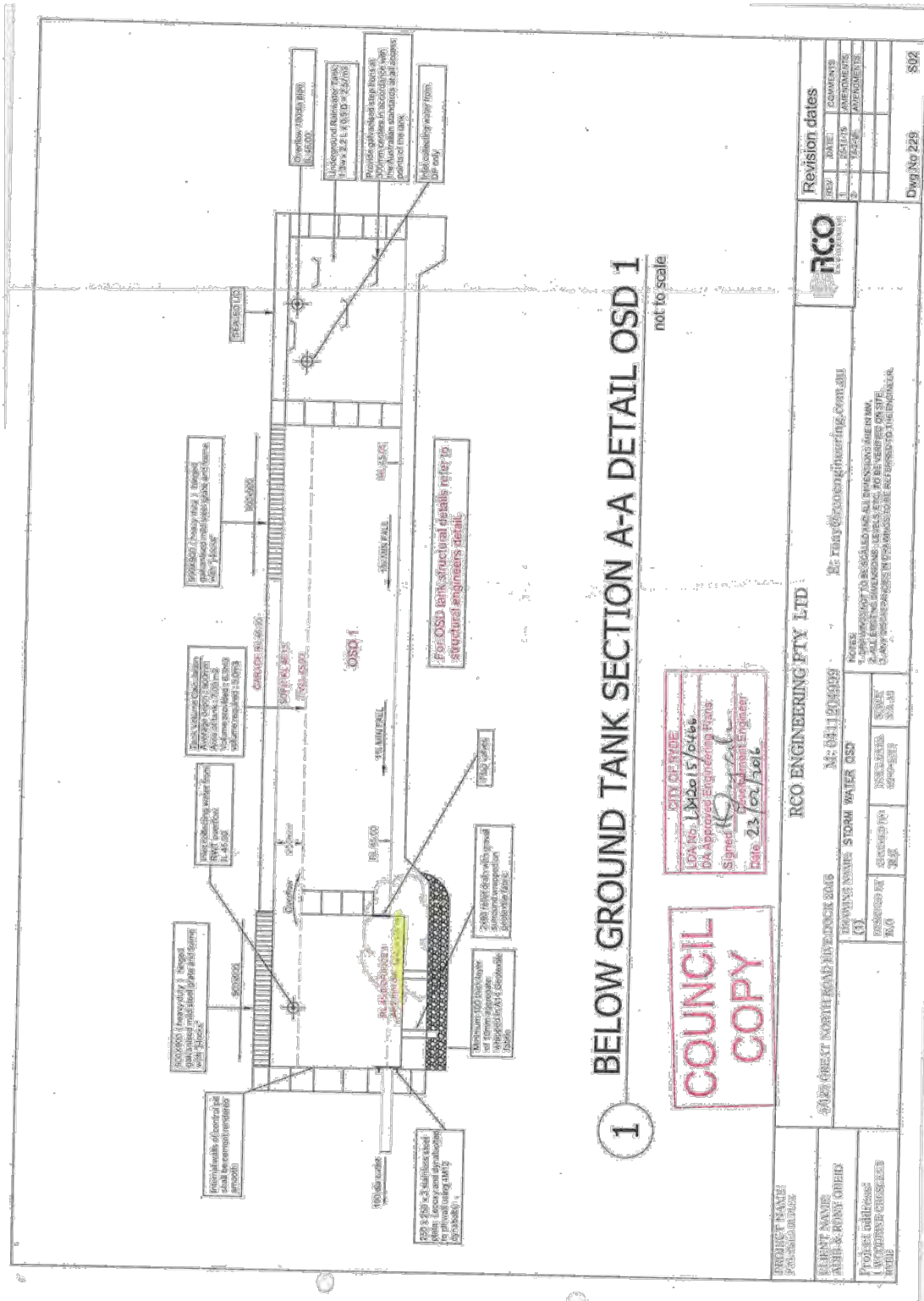
ITEM 1 (continued)

ATTACHMENT 3



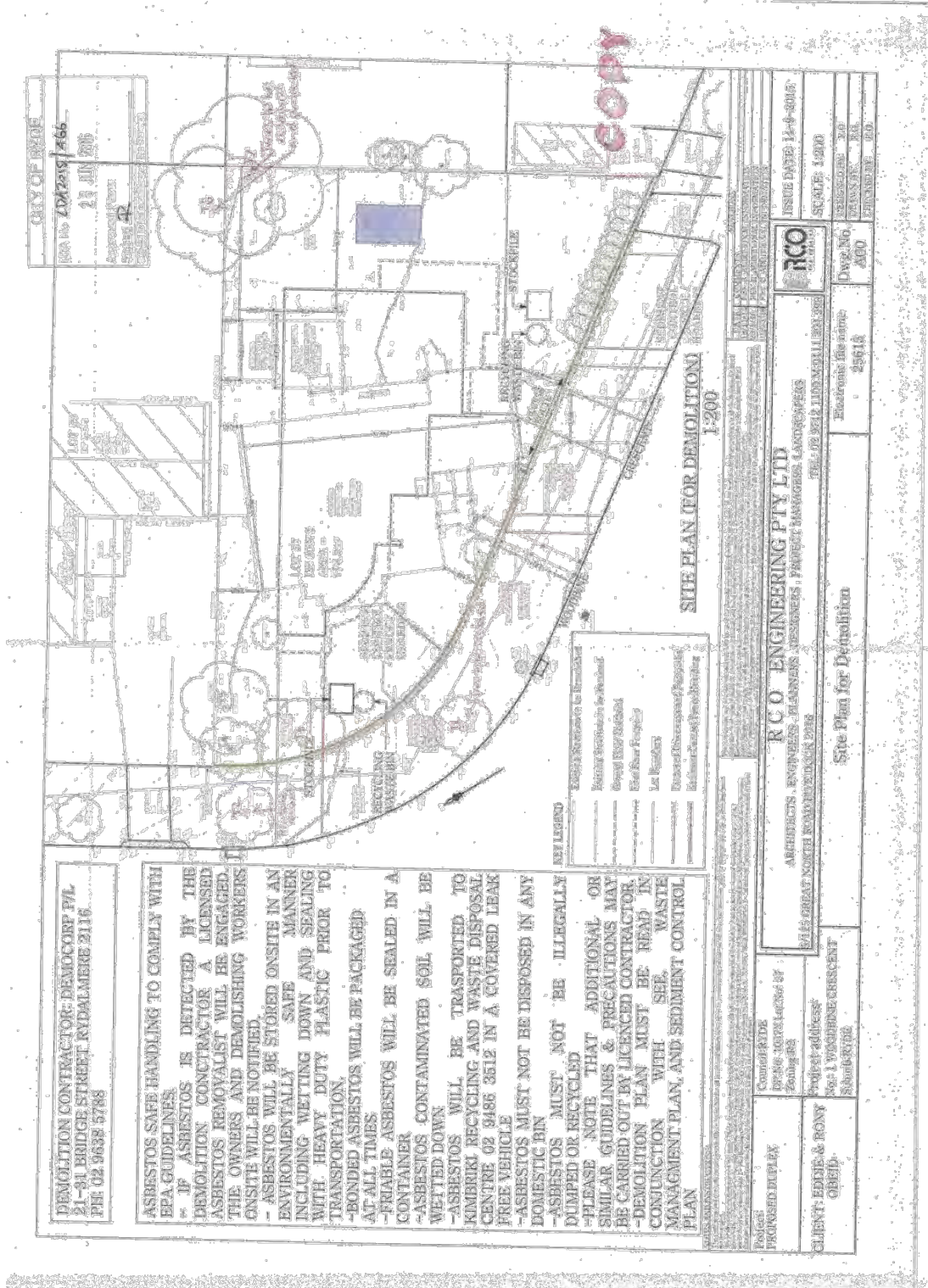
ITEM 1 (continued)

ATTACHMENT 3



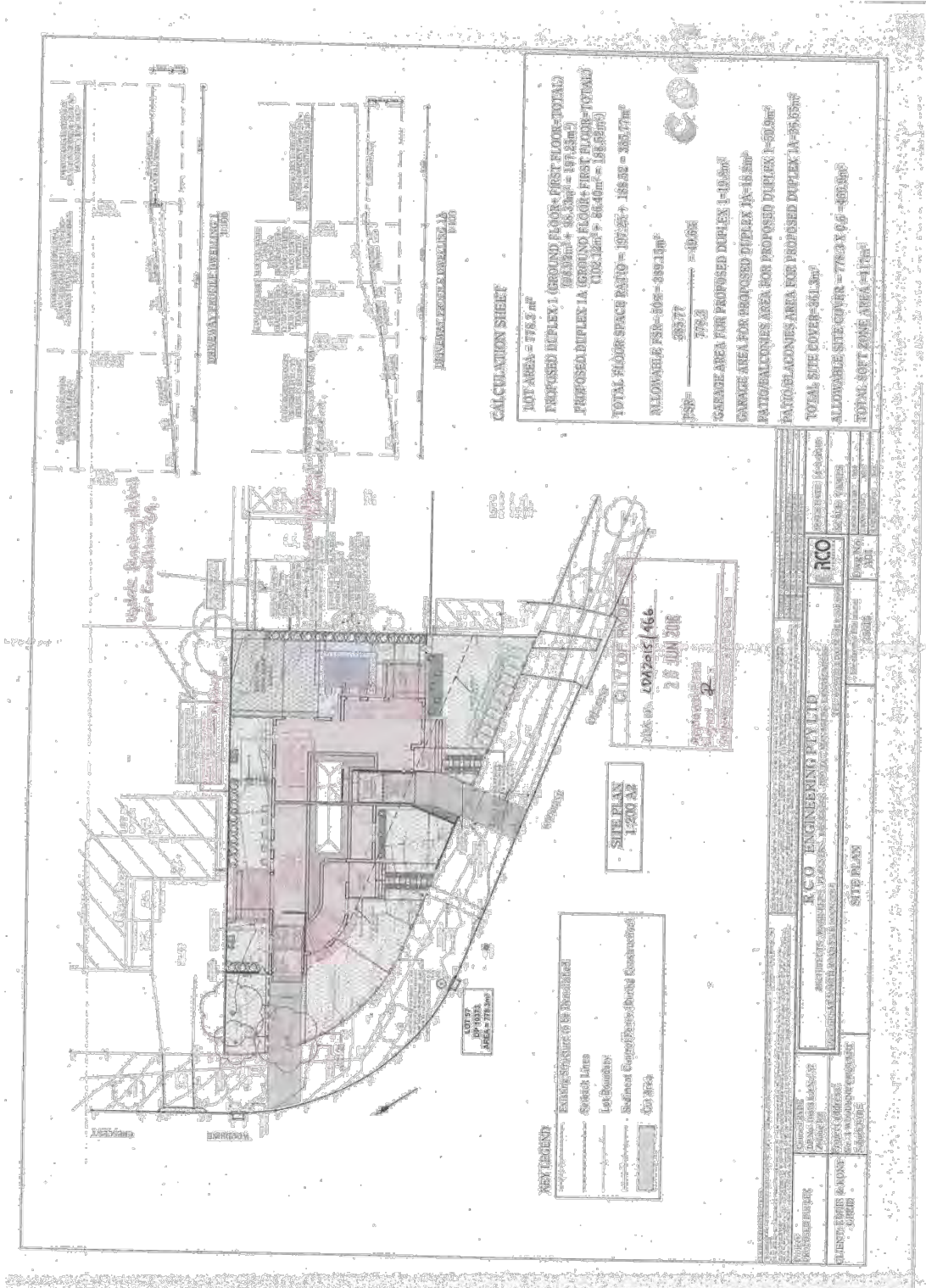
ITEM 1 (continued)

ATTACHMENT 3



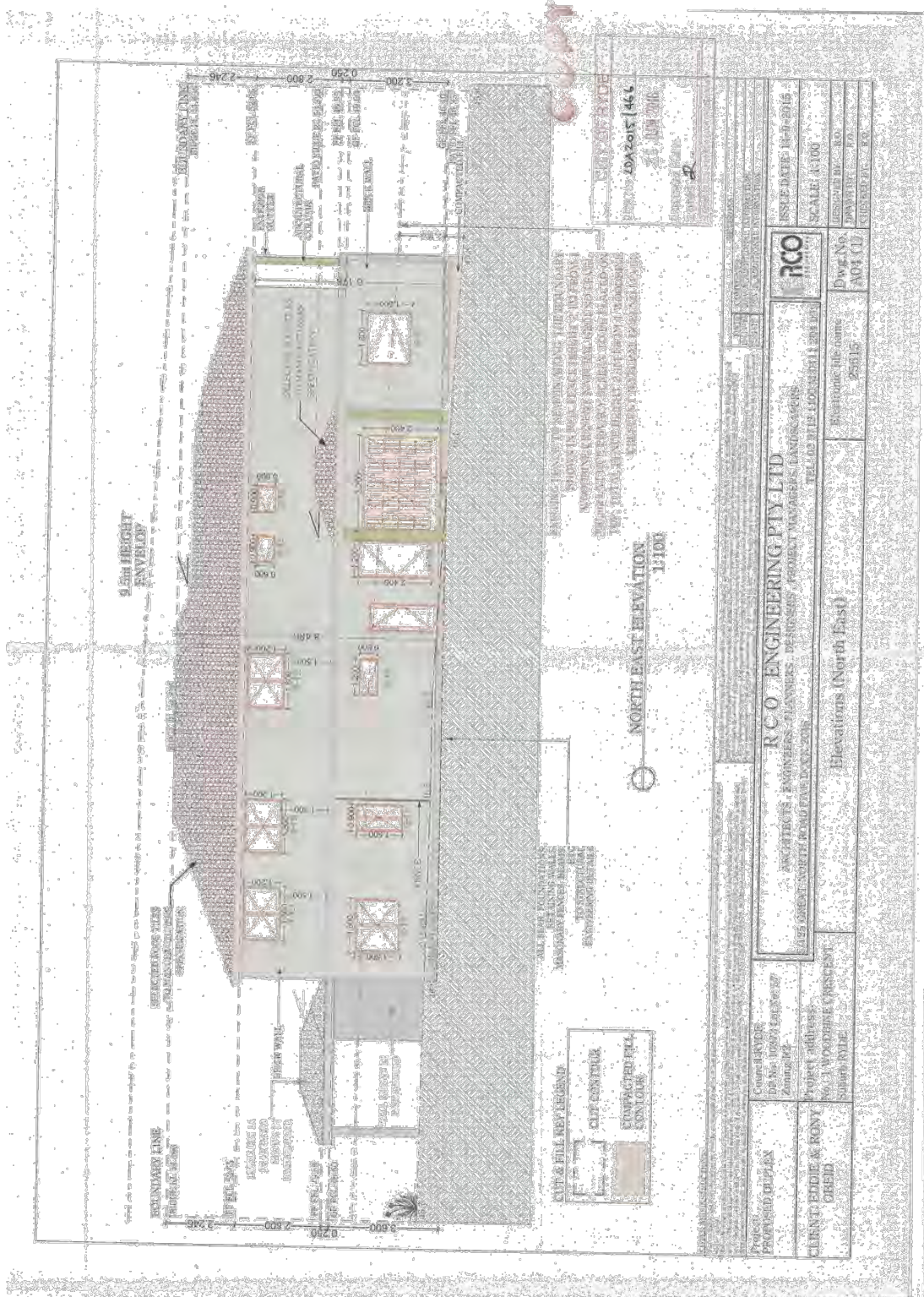
ITEM 1 (continued)

ATTACHMENT 3



ITEM 1 (continued)

ATTACHMENT 3



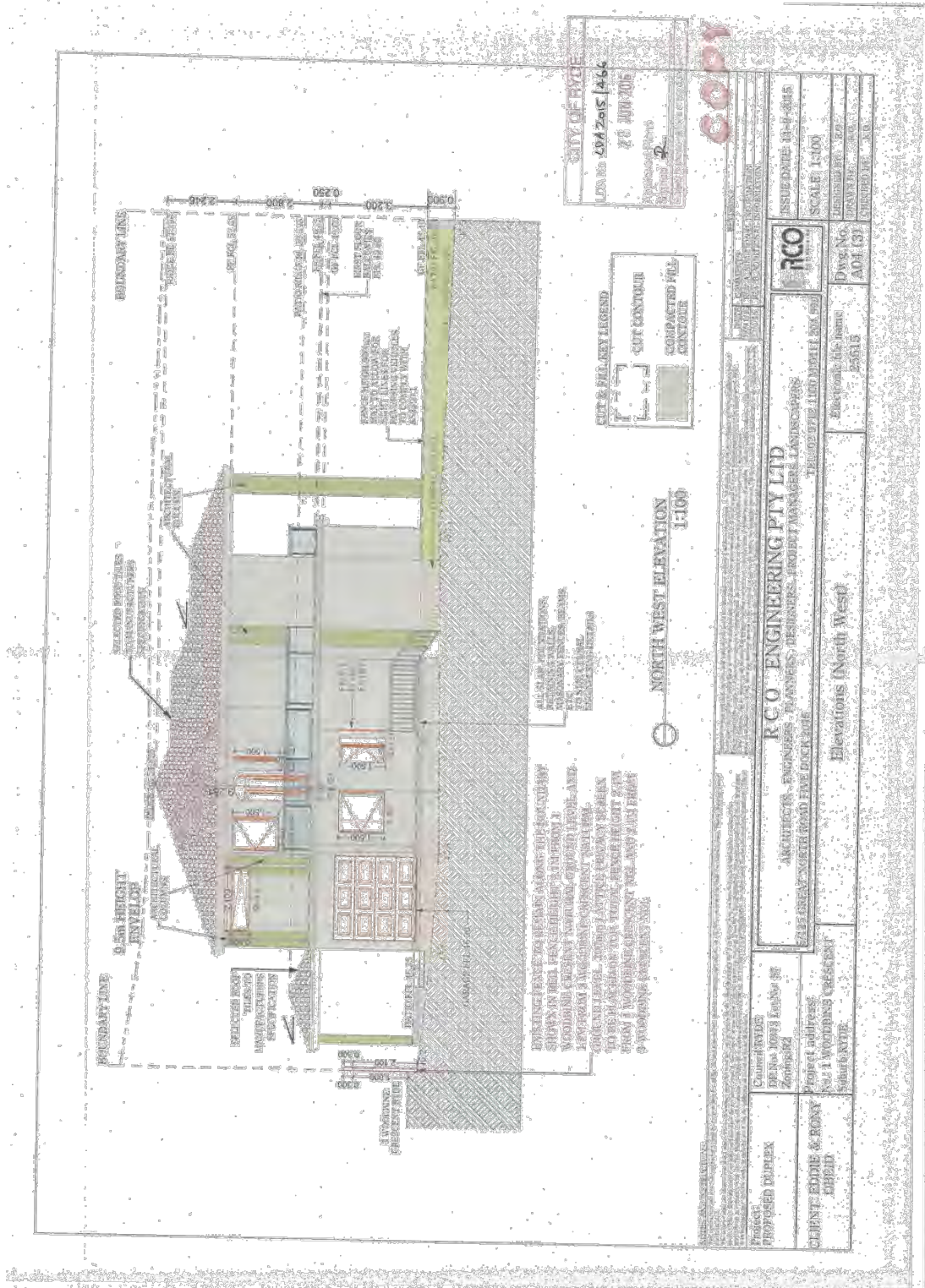
ITEM 1 (continued)

ATTACHMENT 3



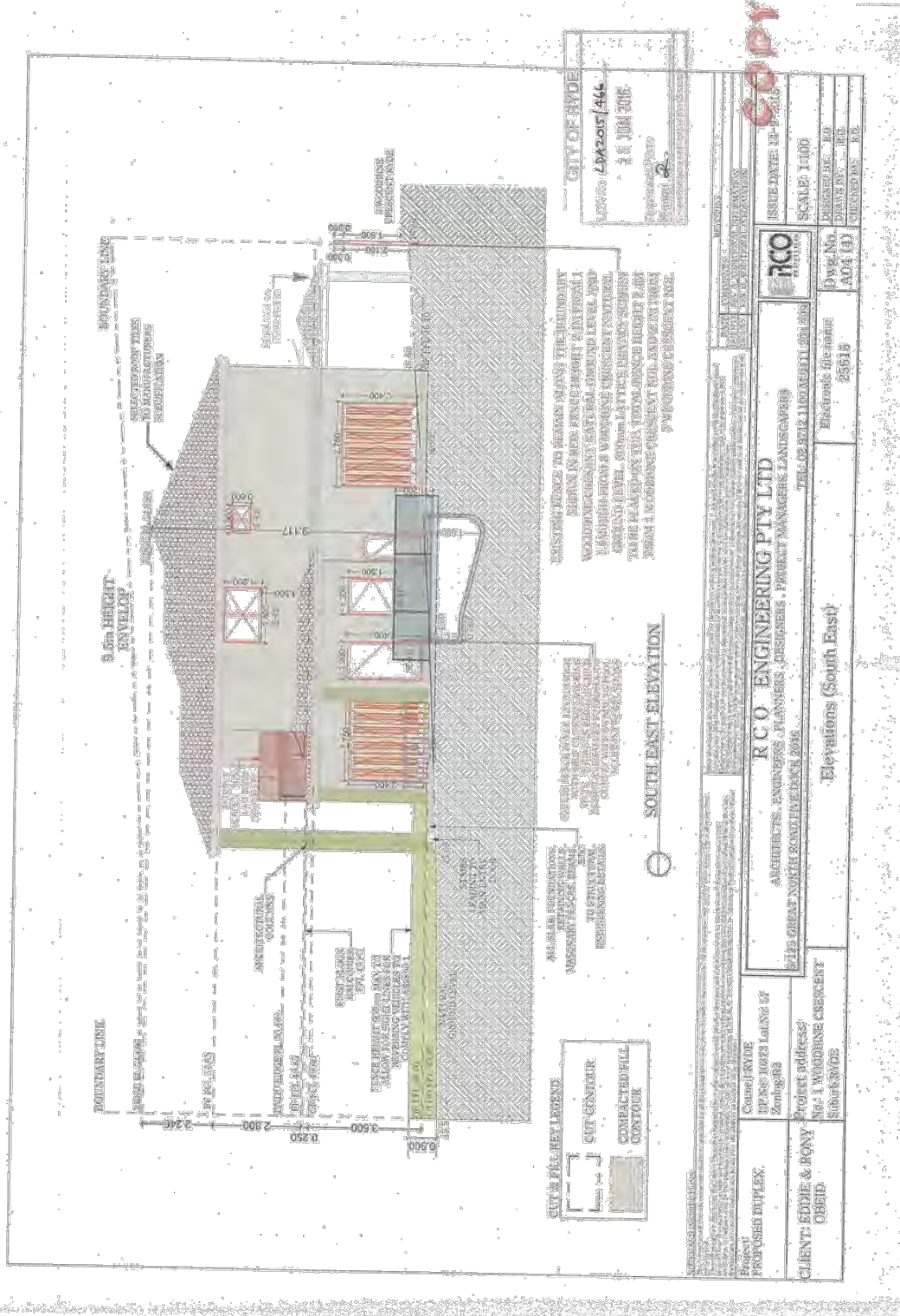
ITEM 1 (continued)

ATTACHMENT 3



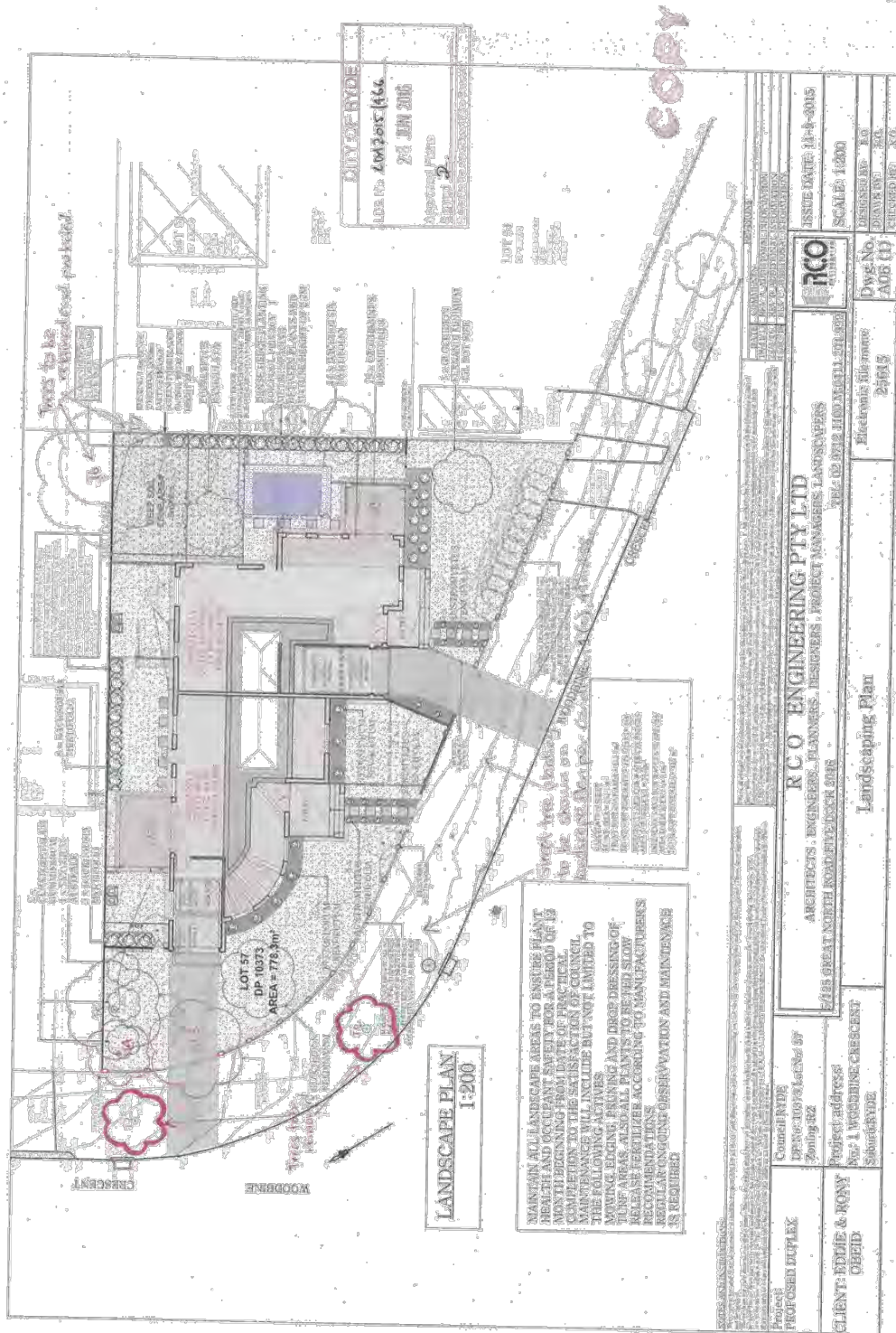
ITEM 1 (continued)

ATTACHMENT 3



ITEM 1 (continued)

ATTACHMENT 3



ITEM 1 (continued)

ATTACHMENT 3

DATE: 25 JUN 2018

SCALE: 1:50

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CLIENT: RCO ENGINEERING PTY LTD

ARCHITECT: ARCHITECTS + ENGINEERS + PLANNERS + PROJECT MANAGERS

PROJECT: 1/50 GREAT NORTH ROAD FINE DUNE 2018

SCALE: 1:50

DATE: 25 JUN 2018

PROJECT NO.: 2018/18

SCALE: 1:50

DATE: 25 JUN 2018

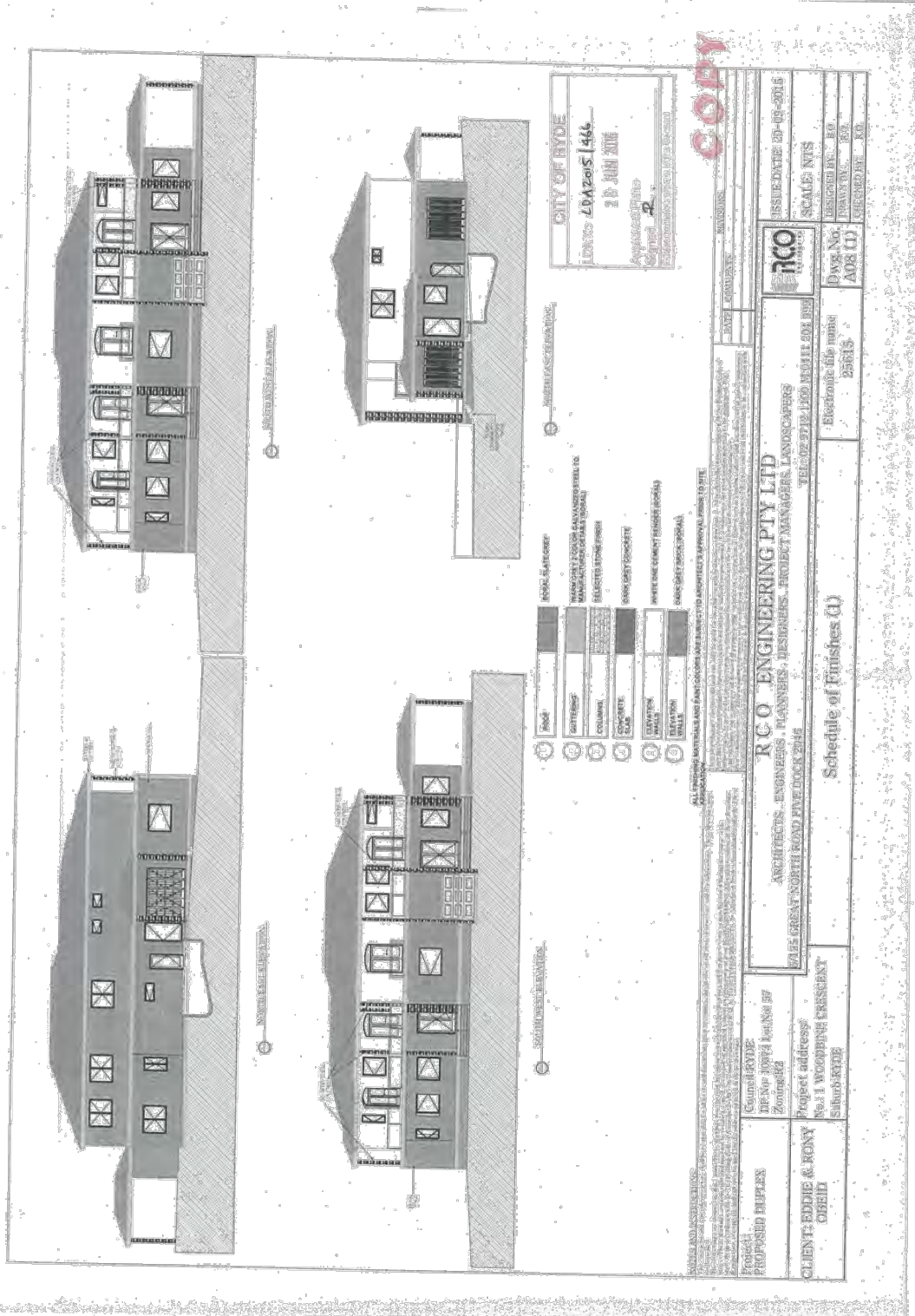
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PR PITTOSPORIUM REVOLUTUM	ROUGH FRUIT FITTOSTEROLIUM	UP TO 2.0 METRE	500	NO	5	SHRUB
BA BACCHISUS VITIFOLIO	GREY HARTLE	UP TO 4.0 METRE	200	NO	25	SHRUB
AT AUSTROBOUUS TENUICLUA	NARROW LEAF IVY	UP TO 1.5 METRE	500	NO	18	SHRUB
OD OXOTHALPUS DISSEMIOLUS	EVERLASTING	UP TO 2.0 METRE	500	NO	10	SHRUB
RI RIKU	THUR AREA					GRASS
EP EUCALYPTUS PANICOLATA	GREY ROEBARK	FROM 1.0 UP TO 3.0 METRE	NO	1	1	TREE
GF GLOCHIDIAN FERDINANDI	CHIEF BEECH	UP TO 1.0 METRE	NO	1	1	TREE
SA SYZYGIUM AUSTRALE - COALA	LUXY PALM	UP TO 3.0 METRE	NO	1	1	TREE
CO CENOTOPETALUM EUDUMERUM	NSW WIMSBURG	FROM 1.0 UP TO 1.0 METRE	NO	1	1	TREE

PLANTTREE SCHEDULE

(Note: This is a simplified representation of the table content. The actual image contains a full table with botanical and common names, heights, counts, stackers, quantities, and types.)

ITEM 1 (continued)

ATTACHMENT 3



ITEM 1 (continued)

ATTACHMENT 3

**WINDOWS SCHEDULE
DUPEX**

WINDOWS SLIDING DOOR ID	WINDOW SIZE WIDTH (mm)	HEIGHT (mm)	FRAME MATERIAL	WINDOW AREA (m ²)	WINDOW TYPE	DIRECTION
SW-W01	1200	1800	ALUMINIUM	2.16	SLIDING	SOUTH/EAST
SW-W02	1200	1700	ALUMINIUM	2.04	SLIDING	SOUTH/WEST
SW-W03	1800	1500	ALUMINIUM	2.70	SLIDING	SOUTH/WEST
SW-W04	1800	1500	ALUMINIUM	2.70	SLIDING	SOUTH/WEST
SW-W05	1500	1500	ALUMINIUM	2.25	SLIDING	SOUTH/WEST
SW-W06	1500	1500	ALUMINIUM	2.25	SLIDING	WEST
NE-W07	1800	1500	ALUMINIUM	2.70	SLIDING	NORTH/EAST
NE-W08	1200	2400	ALUMINIUM	2.88	SLIDING	NORTH/EAST
NE-W09	1200	800	ALUMINIUM	0.96	SLIDING	NORTH/EAST
NE-W10	900	1500	ALUMINIUM	1.35	SLIDING	NORTH/EAST
NE-W11	1800	1500	ALUMINIUM	2.70	SLIDING	NORTH/EAST
SE-W12	1500	1500	ALUMINIUM	2.25	SLIDING	NORTH/EAST
SE-W13	1200	2400	ALUMINIUM	2.88	SLIDING	SOUTH/EAST
SE-W14	1500	500	ALUMINIUM	0.75	SLIDING	SOUTH/EAST
SW-W15	1200	1500	ALUMINIUM	1.80	SLIDING	SOUTH/WEST
SW-W16	1200	1500	ALUMINIUM	1.80	SLIDING	SOUTH/WEST
SW-W17	1500	1500	ALUMINIUM	2.25	SLIDING	SOUTH/WEST
SW-W18	1200	1500	ALUMINIUM	1.80	SLIDING	SOUTH/WEST
NE-W19	1200	1500	ALUMINIUM	1.80	SLIDING	NORTH/WEST
NE-W20	900	1500	ALUMINIUM	1.35	SLIDING	NORTH/WEST
NE-W21	1200	1500	ALUMINIUM	1.80	SLIDING	NORTH/WEST
NE-W22	1500	1500	ALUMINIUM	2.25	SLIDING	NORTH/WEST
NE-W23	1800	1500	ALUMINIUM	2.70	SLIDING	NORTH/WEST
SE-W24	1200	1500	ALUMINIUM	1.80	SLIDING	NORTH/EAST
SE-W25	1800	1500	ALUMINIUM	2.70	SLIDING	SOUTH/EAST

**SLIDING DOOR SCHEDULE
DUPEX**

WINDOWS SLIDING DOOR ID	WINDOW SIZE WIDTH (mm)	HEIGHT (mm)	FRAME MATERIAL	WINDOW AREA (m ²)	WINDOW TYPE	DIRECTION
SE-S01	2200	2400	ALUMINIUM	5.28	SLIDING	NORTH/EAST
SE-S02	2750	2400	ALUMINIUM	6.60	SLIDING	SOUTH/EAST
SE-S03	2750	2400	ALUMINIUM	6.60	SLIDING	SOUTH/EAST
SW-S04	1500	2400	ALUMINIUM	3.60	SLIDING	SOUTH/WEST
SW-S05	1800	2400	ALUMINIUM	4.32	SLIDING	SOUTH/WEST
SW-S06	1500	2400	ALUMINIUM	3.60	SLIDING	SOUTH/WEST
SW-S07	1500	2400	ALUMINIUM	3.60	SLIDING	WEST

R C O ENGINEERING PTY LTD
ARCHITECTS - ENGINEERS - PLANNERS - DESIGNERS - PROJECT MANAGERS - LANDSCAPERS
1/123 GREAT NORTH ROAD FIVE DOCK 5015

R C O ENGINEERING PTY LTD
1/123 GREAT NORTH ROAD FIVE DOCK 5015

Windows Schedule

CLIENT EDDIE & RONY OBEID

Project address: 36, LYDDONNE CRESCENT, SPRINGBROOK

Consultant: DR. RAY HIGGINS, 1/123 GREAT NORTH ROAD, FIVE DOCK, 5015

Scale: N/A

Issue Date: 21 JUN 2018

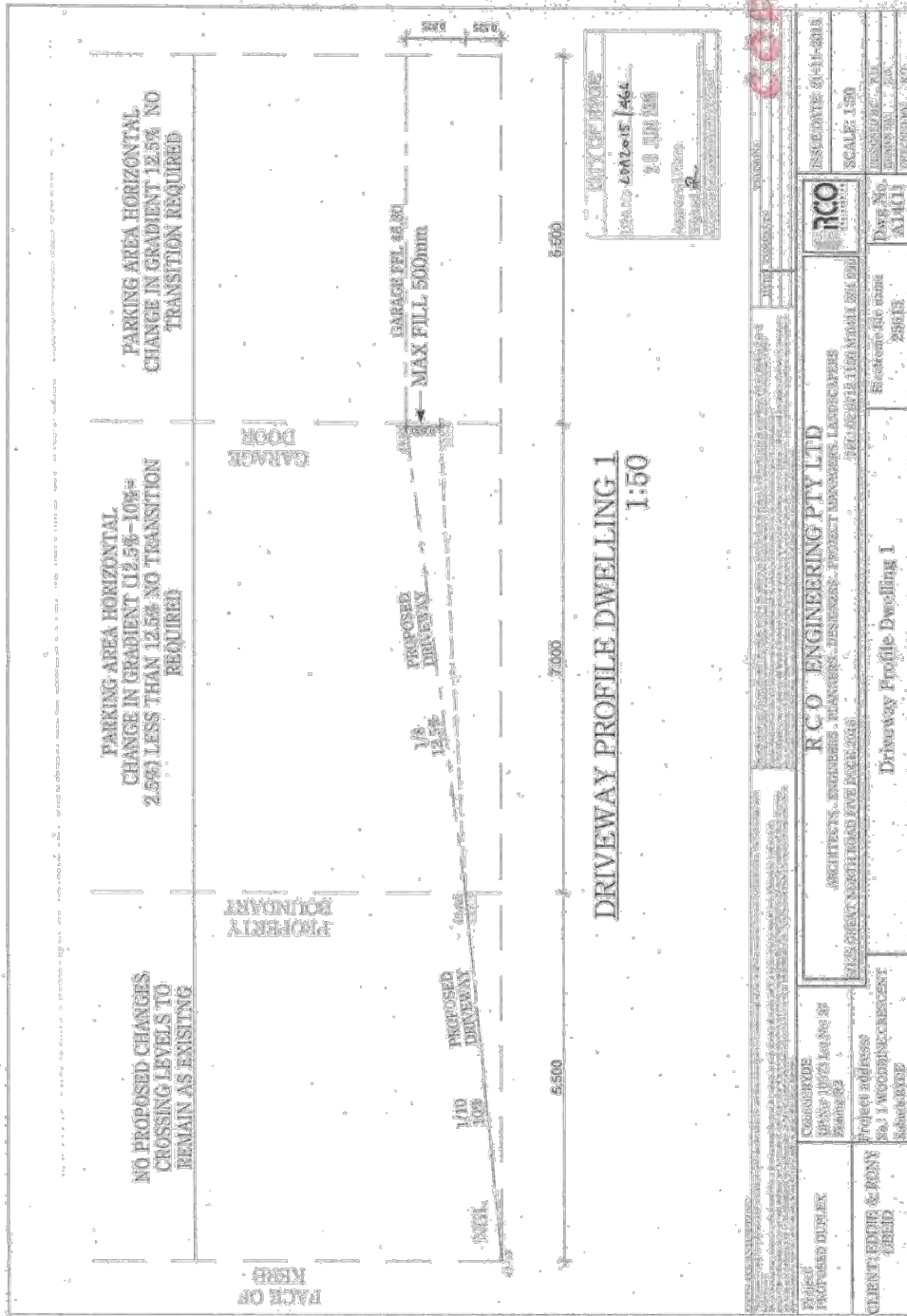
Issue No: 409

Issue By: Electronic/Edwards

Issue For: 25/15

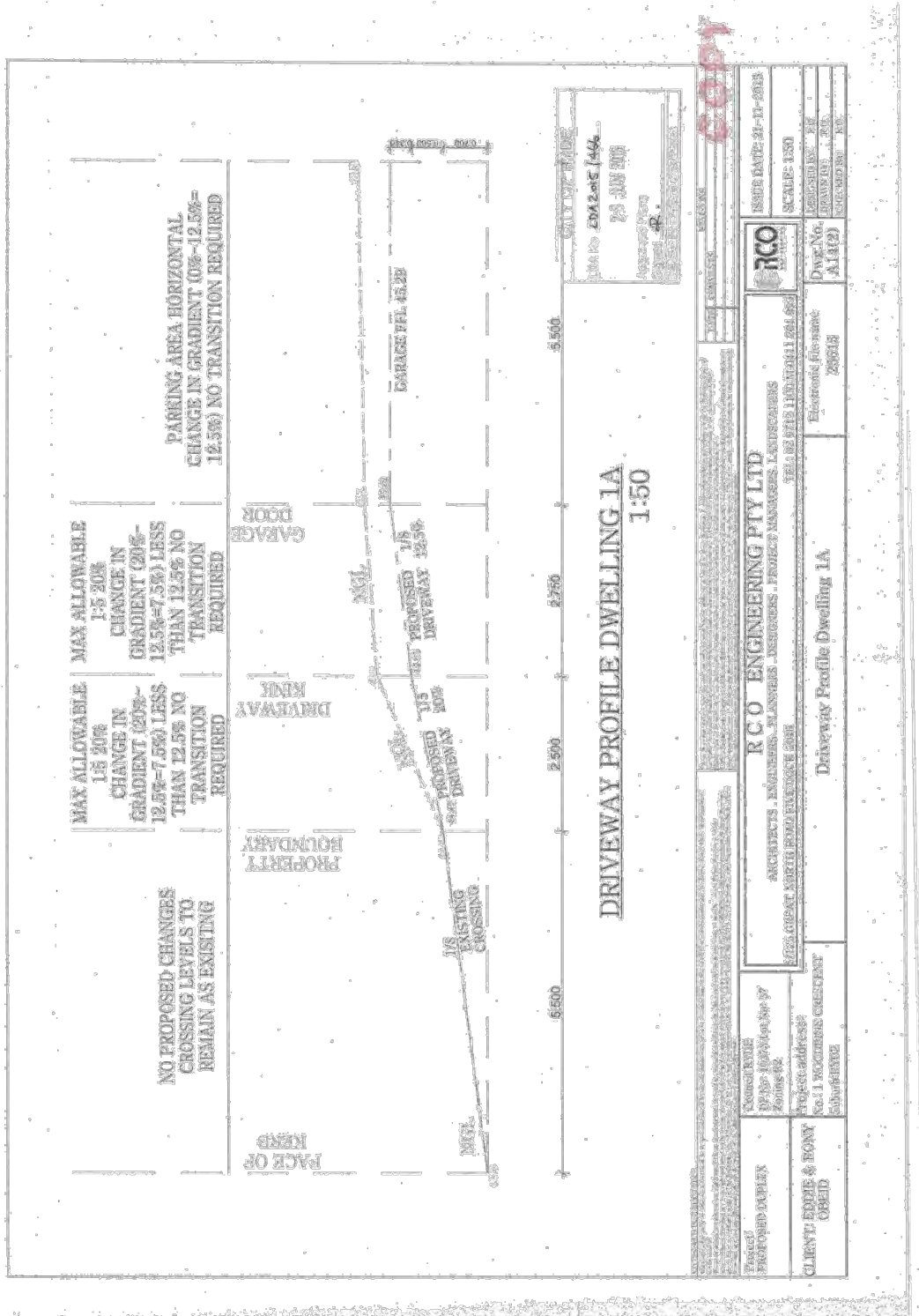
ITEM 1 (continued)

ATTACHMENT 3



ITEM 1 (continued)

ATTACHMENT 3



ITEM 1 (continued)

ATTACHMENT 3

