

Meeting Date: Tuesday 6 August 2013
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 5.00pm

NOTICE OF BUSINESS

Item	Page
1 CONFIRMATION OF MINUTES - Meeting held on 16 July 2013.....	1
2 260-274 VICTORIA RD, GLADESVILLE. LOT 62 to LOT 67 DP 10598. Local Development Application for demolition and construction of a mixed use building containing 26 residential apartments and 3 retail tenancies. LDA2012/0360. <i>INTERVIEW 5.00PM</i>	6

1 CONFIRMATION OF MINUTES - Meeting held on 16 July 2013

Report prepared by: Section Manager - Governance
File No.: CLM/13/1/3/2 - BP13/96

REPORT SUMMARY

In accordance with Council's Code of Meeting Practice, a motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

RECOMMENDATION:

That the Minutes of the Planning and Environment Committee 11/13, held on Tuesday 16 July 2013, be confirmed.

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee - 16 July 2013

ITEM 1 (continued)

ATTACHMENT 1

Planning and Environment Committee
MINUTES OF MEETING NO. 11/13

Meeting Date: Tuesday 16 July 2013

Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 5.00pm

Councillors Present: Councillors Simon (Chairperson), Chung, Maggio and Pendleton.

Apologies: Councillor Yedelian OAM.

Absent: Councillor Salvestro-Martin.

Staff Present: Group Manager – Environment and Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health and Building, Business Support Coordinator – Environment and Planning, and Manager – Customer Service and Governance.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 18 June 2013

RESOLUTION: (Moved by Councillors Pendleton and Chung)

That the Minutes of the Planning and Environment Committee 10/13, held on Tuesday 18 June 2013, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

2 4 MAXIM STREET, WEST RYDE. LOT 5 SEC 3 DP 3646. Local Development Application for alterations and additions to the existing church. LDA2013/0096.

Note: Mr Simon Loria (applicant) and Mr Adams Byrnes - (Planner for the applicant) addressed the Committee in relation to this Item.

ITEM 1 (continued)

ATTACHMENT 1

Note: Correspondence from West Ryde Family Church was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Maggio and Chung)

- (a) That Local Development Application No. 2013/96 for alterations and additions to the existing church at 4 Maxim Street, Ryde be approved subject to the **ATTACHED** conditions.
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

3 461-495 VICTORIA ROAD, GLADESVILLE. Local Development Application for the construction of a new vehicular crossing at the intersection of Victoria Road & Tennyson Road, demolition of an industrial building & construction of a new ramp. LDA2012/0412.

Note: Mr David Tompkins, Ryde Toyota/West Ryde Chamber of Commerce (objector), Mr Chris Kearney (objector) and Mr Matt Toohey (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Chung and Pendleton)

- (a) That Local Development Application No. 2012/0412 at 461-495 Victoria Road, Gladesville being LOT 1 DP739556 and LOT 3 DP388518 be deferred subject to an independent traffic study being undertaken. The traffic study, managed by Council, is to examine the following:
- the future traffic loads generated by the site, as envisaged by the Planning Proposal and impacting on local streets.
 - recommended infrastructure improvements on the surrounding road network and protecting the amenity of the surrounding neighbourhood,
 - pedestrian access and safety (in relation to the proposed ramp egress and ingress).
- (b) That following completion and public exhibition of the traffic study a further report be provided to a Council Meeting in conjunction with the Planning Proposal.
- (c) That Council invite Bunnings to negotiate payment for the study as set out in part (a) above.

ITEM 1 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **23 JULY 2013** as substantive changes were made to the published recommendation

4 52 DARVALL ROAD, EASTWOOD. LOT 10 DP 13514. Local Development Application for the use of existing building as a secondary dwelling and outbuilding. LDA2013/100.

Note: Mr PC Pan (objector on behalf of Mr Dan Yu), Mr David Zhao (objector) and Ms Wendy You (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Correspondence from Mr David Zhao was tabled in relation to this matter and a copy is ON FILE. Correspondence from Wilshire Webb Staunton Beattie Lawyers on behalf of the application was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Pendleton and Chung)

- (a) That LDA2013/0100 at 52 Darvall Road Eastwood, being LOT 10 DP 13514 be approved subject to the **ATTACHED** conditions (Attachment 3) with the following amendments:
1. Delete condition 1(b) and replace with:
 - (b) The three (3) privacy screens required to the bedroom windows of the secondary dwelling are to be in accordance with privacy screen detail on Drawing No. DA-06 and as amended in red and meet the following minimum standards. A privacy screen means a screen that
 - (i) Faces the boundary
 - (ii) Is ~~1.5m~~ 1.8m in height above floor level
 - (iii) Has no individual opening more than 30mm wide
 - (iv) The total area of all openings is less than 30 per cent of the surface area of the screen when viewed in elevation.
 2. Insert new condition 1(c):
 - (c) That one window - window 3 - to the storage area on the northern boundary of the outbuilding be blocked up (ie: remove window and replace with bricks to match the existing bricks) and that window 1 have a privacy screen the same as the privacy screen in (b) above
 3. Insert new condition 1(e):
 - (e) The bathroom window of the secondary dwelling and the bathroom window of the outbuilding be opaque glass.

ITEM 1 (continued)

ATTACHMENT 1

(b) That Council's Health & Building Enforcement Team inspect the property on at least two (2) occasions over 24 months to ensure compliance with the consent.

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

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

The meeting closed at 6.23pm.

CONFIRMED THIS 6TH DAY OF AUGUST 2013.

Chairperson

- 2 260-274 VICTORIA RD, GLADESVILLE. LOT 62 to LOT 67 DP 10598. Local Development Application for demolition and construction of a mixed use building containing 26 residential apartments and 3 retail tenancies. LDA2012/0360.**

INTERVIEW: 5.00pm

Report prepared by: Senior Town Planner

Report approved by: Manager Assessment; Group Manager - Environment & Planning

Report dated: 23/07/2013

File Number: grp/09/5/6/2 - BP13/1059

1. Report Summary

Applicant: D Benson.

Owner: Prime Quarters Pty Limited.

Date lodged: 27 September 2012.

This report considers a proposal for demolition and construction of a part 2 part 5 and part 6 storey mixed use building containing 26 residential apartments and 3 retail units with two levels of basement parking. Currently the site is used as a car wash and mechanical repair workshop.

The Development Application (DA) was publicly exhibited between 17 October 2012 and 7 November 2012. During this time, 52 submissions were received from 37 individual addresses in the locality objecting to the development.

As part of the assessment process the applicant was requested to address the issues raised by Council Officers and the concerns raised in the submissions. The applicant submitted amended plans and supporting information on 20 April 2013. The amended plans were notified again from 2 May 2013 to 20 May 2013. During this period a total of 32 submissions were received from 24 individual addresses. The concerns raised by the residents mainly related to impact on privacy, overshadowing, building height, traffic and congestion.

The amended proposal generally complies with Council's requirements except for minor variation to number of storeys, deep soil zone, communal open space and solar access. However, these non-compliances are considered to be minor in the context of the development as discussed in the body of the report. The development fully complies with the more substantive controls under the Ryde Local Environmental Plan (Gladesville Town Centre and Victoria Road Corridor) 2010 (Gladesville LEP 2010) including maximum height provision, floor space ratio (FSR) and controls under the (Ryde DCP 2010) such as overshadowing and amenity requirements.

It is recommended that the proposed development be approved, subject to conditions of consent.

ITEM 2 (continued)

Reason for Referral to Planning and Environment Committee: Requested by Councillor Maggio and Councillor Petch.

Public Submissions:

- 52 submissions (from 37 individual addresses) to original application.
- 32 submissions (from 24 individual addresses) to the amended proposal.

Clause 4.6 RLEP 2010 objection required? No.

Value of works? \$5,607,994.00

A full set of the plans is **CIRCULATED UNDER SEPARATE COVER** as additional information provided to Councillors - subject to copyright provisions.

RECOMMENDATION:

- (a) That Local Development Application No. 2012/0360 at 260 – 274 Victoria Road be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.
- (c) That a copy of the Consent be forwarded to the Roads and Maritime Services for their records.

ATTACHMENTS

- 1 Proposed Conditions
- 2 LEP Process
- 3 Map
- 4 A4 Plans
- 5 A3 Plans - subject to copyright provisions - **CIRCULATED UNDER SEPARATE COVER**

Report Prepared By:

Sanju Reddy
Senior Town Planner

Report Approved By:

Liz Coad
Manager Assessment

Dominic Johnson
Group Manager - Environment & Planning

ITEM 2 (continued)

2. Site (Refer to attached map.)



Address : 260-274 Victoria Rd Gladesville

Site Area : 1,294m² (comprising six allotments)
Frontage 36.57 metres
Depth 36.57 metres

Topography and Vegetation : The site has a steep slope to the rear lane with a fall of approximately 4.6m from Victoria Road to Gerard Lane. There is no vegetation on the site.

Existing Buildings : At present the site is occupied by a car wash (Star Car Wash – accessed from Victoria Road) and auto repair mechanical repair shop (Quick Fit – accessed from Gerard Lane).

Planning Controls
Zoning : Mixed Use – B4

Other : Ryde Local Environmental Plan (Gladesville Town Centre and Victoria Road Corridor) 2010 (Gladesville LEP 2010).
Ryde Development Control Plan 2010 (Ryde DCP 2010).
Draft LEP2011
State Environmental Planning Policy No 55 –

ITEM 2 (continued)

Remediation of Land (SEPP 55);
State Environmental Planning Policy No 65 – Design
Quality of Residential Flat Buildings (SEPP 65);
State Environmental Planning Policy (Building
Sustainability Index: BASIX) 2004 (BASIX SEPP);
Deemed SEPP – Sydney Regional Environmental Plan
(Sydney Harbour Catchment) 2005
State Environmental Planning Policy (Infrastructure)
2007 (Infrastructure SEPP);

3. Councillor Representations

Name of Councillor: Councillor Maggio.

Nature of the representation: Call-up to Planning & Environment Committee.

Date: 25 October 2012.

Form of the representation (e.g. via email, meeting, phone call): Email to Councillor Help Desk.

On behalf of applicant or objectors? Not known

Any other persons (e.g. consultants) involved in or part of the representation: None.

Name of Councillor: Councillor Petch.

Nature of the representation: Call-up to Planning & Environment Committee.

Date: 7 May 2013.

Form of the representation (e.g. via email, meeting, phone call): Email to Councillor Help Desk.

On behalf of applicant or objectors? Not known

Any other persons (e.g. consultants) involved in or part of the representation: None.

4. Political Donations or Gifts

Any political donations or gifts disclosed? None disclosed.

ITEM 2 (continued)

5. Proposal

Demolition and construction of a part 2, part 5 and part 6 storey mixed use building containing 26 residential units and 3 retail units with basement parking.

The details of the proposal include the following:

- The development comprises three retail tenancies (325m²) at the ground floor level facing Victoria Road;
- Construction of 26 residential apartments over five levels on upper floors;
 - The 26 residential units will consist of 12 x 1 bedroom apartments, 10 x 2 bedroom apartments and 4 x 3 bedroom apartments. Level 5 will contain a mezzanine level associated with three residential units on Level 4.
- The retail area will be directly accessible to pedestrians from street level via Victoria Road or from the basement levels via the central lifts. The retail area will be serviced via the loading dock located on the ground floor level.
- Vehicular access to the site will be provided from the Gerard Lane located at the rear of the site. Pedestrian access to the residential apartments will be via both Victoria Road and Gerard Lane.
- A total of 41 car parking spaces will be provided on the site.

6. Background

- Prior to the lodgement of the DA, on 23 March 2012, the proposal was reviewed by Council's Urban Design Review Panel.
- The development application was submitted to Council on 28 September 2012.
- The application was notified and advertised for fourteen days ending on 7 November 2012. During this time, 52 submissions were received from 37 individual addresses;
- On 15 February 2013 a letter was sent to the applicant outlining various issues with the proposal. Copies of all the submissions were also forwarded to the applicant for further consideration.
- A revised proposal was received on 20 April 2013 with various changes to the design including change to the building height as requested by Council Officers. Additional information was also received in relation to overshadowing on adjoining properties. The plans were amended in the following regard:
 - Submission of a revised survey plan incorporating additional spot levels;
 - Changes to building height;
 - Removal of void space from upper level;
 - Re-calculated floor space;
 - Revised detail in relation to waste storage and disposal arrangements;
 - Revised shadow diagrams;
 - Height transition changed to reflect DCP requirement;
 - Widening of the Gerard Lane incorporated on the plan;

ITEM 2 (continued)

- The amended proposal was re-notified to the local residents and previous submitters for a period of 14 days ending on 20 May 2013.
- On 13 May 2013, the submission period was extended to 27 May 2013 for some residents who sought extended time to make a submission to Council;
- During this time a total of 32 submissions were received from 24 properties.

7. Submissions

The proposal was advertised and notified in accordance with Development Control Plan 2010 - Part 2.1, Notification of Development Applications. The application was advertised and notified between 17 October 2012 and 7 November 2012.

During this time, 52 submissions were received from 37 properties objecting to the development, mainly in relation to the impact on their privacy, traffic, overshadowing and height non-compliances. It is noted that in some cases multiple submissions were received from individual addresses.

The proposal was subsequently amended by the applicant. The amended plans were notified from 3 May 2013 to 20 May 2013. During this time a total of 32 submissions were received from 24 properties.

The issues raised in the submissions are discussed below:

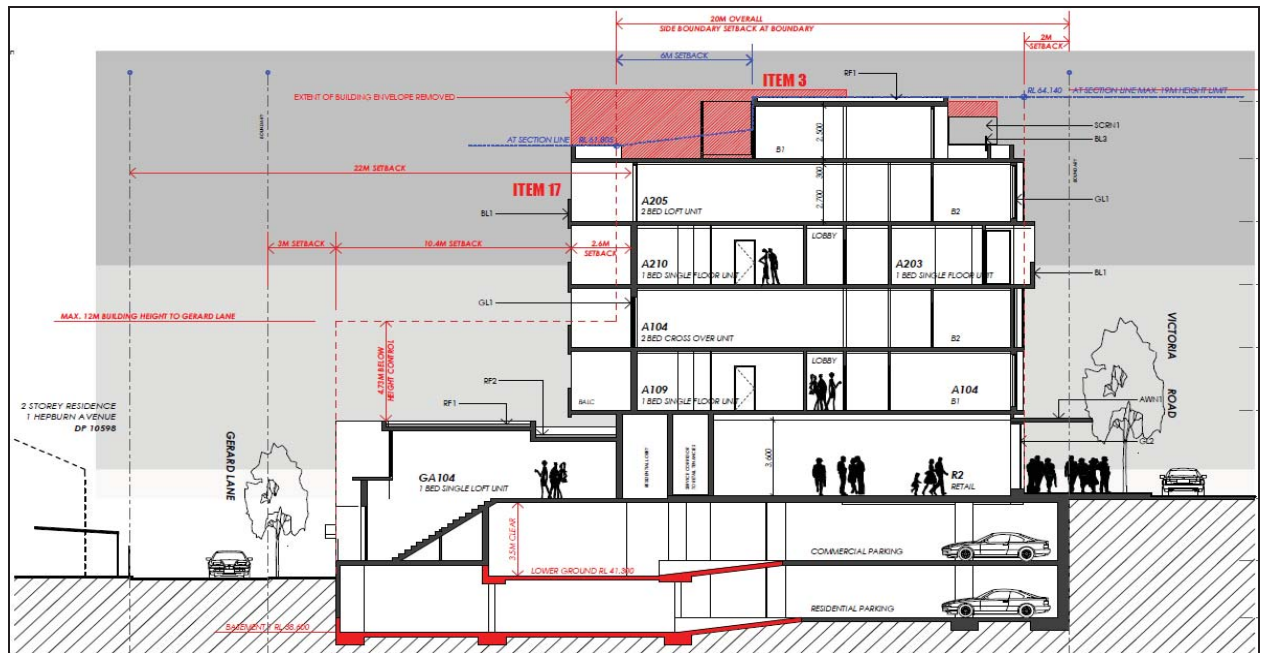
- a) The proposed 7 storey height of the building is too high. This will set an irreversible precedent for developments along Victoria Road that will ruin the Gladesville ridge.*

Assessment Officer's Comments:

The proposed development does not constitute a 7 storey building.

The development comprises a part 2, part 5 and part 6 storey building generally reflecting the maximum height and building envelope determined by the height, building articulation and transition controls applicable to the site as contained under the LEP and the DCP2010. The section of the building referred to in the submission is predominantly 5 storeys with a small section (loft level) which projects out as the sixth storey over a small middle section of the building as shown in the following section.

ITEM 2 (continued)



The LEP specifies two height controls for the site, that is, 12m and 19m. The proposal complies with the numerical height provision under the LEP. Compliance with LEP height restriction has been discussed in detail later in this report.

As a general guide, the DCP recommends a five storey development in this locality. Even though the DCP recommends a 5 storey development in this locality, the “pop up” sixth level does not breach the maximum 19m height prescribed under LEP2010. In addition the floor space ratio is under the maximum permitted on the site. The bulk and scale of the proposal is also acceptable as discussed in detail later in this report.

The recent changes to the EP& A Act which were reported to Council, requires the consent authority to be 'flexible' and allow 'reasonable alternative solutions' in applying the DCP provisions. In this instance, the DCP control (based on storey) conflicts with the height provision of the LEP2010 (based on metres) and therefore the DCP provision has no effect to the extent that it is 'inconsistent or incompatible with' Council's LEP2010 pursuant to Clause 74C(5) of the EP&A Act, 1979. This is particularly important as the development complies with the LEP2010 provisions pertaining to the maximum FSR and maximum height.

The new zoning and density provisions under the draft LEP2011 maintain the maximum height on the site similar to the existing.

- b) *The adjacent streets (Gerard Street & Hepburn Avenue) are narrow and presently carry considerable traffic, both through and for parking. The overflow from the proposed development would create increased parking problems where parking is already in high demand.*

ITEM 2 (continued)Assessment Officer's Comments:

It is noted that current street parking is mostly attributed to there being insufficient parking on sites along Victoria Road, that is, the existing commercial uses in this area do not have on site car parking. Thus street parking is utilised by the general public.

Given that the site has been zoned to Mixed Use (B4) and the existing building is in a dilapidated state, it is reasonable that the site is redeveloped to its potential for economic viability. This is consistent with Clause 5 of the Environmental Planning and Assessment Act. The proposal is for a new building in place of the existing with a better car parking and loading/ unloading facility, all to be contained within the subject site.

Adequate car parking for customers, residents and visitors will be provided on the site. It is unlikely that the car parking demand will change significantly as a result of the proposed development as it provides the required car parking in accordance with Council's car parking controls and therefore contains all required parking on site. The projected increase in traffic as a consequence of the development will be minimal and will not have any unacceptable traffic implication on the capacity of the existing road network. The application has been reviewed by Council's Traffic Engineer and no objections have been raised in relation to this matter.

- c) *The overshadowing diagram does not show the full extent of the effect on properties. Loss of sunlight to the adjoining residents.*

Assessment Officer's Comments:

This applicant has provided the following response to this issue:

The development does not result in any significant adverse impact upon neighbouring residential properties. We acknowledge that from 9am to around 11am on June 21 (winter solstice) the proposed development will overshadow the low density residential uses immediately west and southwest of the subject site. Despite the minor increase in overshadowing to these neighbours, we were mindful of this issue and at an early stage of the design phase of the development, made a conscious decision to limit the height of the development to the Gerard Lane frontage to two storeys. In doing so, we were able to reduce the overshadowing impact to our neighbours. It should be pointed out that under Council's controls, a maximum height limit of 12 metres is permissible to the Gerard Lane frontage. The current proposal presents a maximum height of 8.1 metres to Gerard Lane. This maximum height is 600mm lower than the current condition of Gerard Lane. It is noted that from 11am onwards the two dwellings affected immediately west and southwest of the site of Gerard Lane begin to receive ample sunlight throughout the remainder of the day which meets the required three (3) hours of solar access.

ITEM 2 (continued)

The development is unlikely to result in any significant increase in overshadowing on any surrounding residential building or open spaces. The subject site has an east west orientation, thus majority of the overshadowing will occur on the southern side on the wall of the adjoining commercial building and on Gerard Lane. An analysis of the shadow diagrams indicate that the proposal will not cast any shadows on the residential properties located along Gerard Lane (western side) from 12:00noon. The proposal does not impact on the minimum 3 hours of sunlight that the adjoining residents will receive on winter solstice.

d) *Loss of privacy. Screening would be required preferably tree planting.*

Assessment Officer's Comments:

The mixed use development proposes a landscaped setback to Gerard Lane, which will allow for deep soil planting and will provide improved separation to the properties directly west of the site. The landscaping will also provide for a level of privacy between the properties that will in turn result in higher levels of amenity for existing neighbouring properties and future occupants of the development.

The nearest residential property is located on the western side of the site opposite Gerard Lane. The Lane is 6m wide. A 3m setback has been provided along Gerard Lane with a further 10.4m setback for upper level balconies. These setbacks add up to over 22m separation distance.

The proposed development will be built to the side boundaries thus has only two elevations for placement of balconies. The proposal achieves reasonable privacy to surrounding residential properties in the context of suburban living. The balconies on the western side of the building are setback over 20 metres from the nearest adjoining residential building. Privacy screens and solid balustrades have been incorporated on the western elevation to ensure abatement of any privacy impact emanating from the upper level balconies as shown in the western elevation below:



ITEM 2 (continued)

WEST ELEVATION (Showing PRIVACY SCREENS TO LIVING AREA BALCONIES)

It is further recommended that additional sets of privacy screens be provided such that it covers all the balconies proposed on upper levels (see Condition 41). This is considered reasonable given the visual separation of the units from the side boundary of the adjoining dwelling.

The terraced units facing Gerard Lane are two storey in height with small balconies. As this is similar height to a two dwelling house and is separated from the nearest dwelling house from the west by Gerard Lane, no privacy impact is envisaged. In addition to the above, the mixed use development proposes a landscaped setback to Gerard Lane, which will allow for deep soil planting and will provide improved screening to the properties directly west of the site.

The communal terrace located above the basement entrance level will be adequately screened with suitable species planted on deep planter box as demonstrated in the plan below:



e) *Overdevelopment of the site.*

Assessment Officer's Comments:

The proposal complies with Council's planning controls in relation to the maximum floor space ratio, setbacks, and height provisions under the LEP2010 and building height transition requirement under the DCP2010.

The proposed development is not considered an overdevelopment of the site.

ITEM 2 (continued)

- f) *Loss of value of the adjoining properties.*

Assessment Officer's Comments:

The applicants have a right, under the Act, to the orderly and economic use and development of land, and that possible decreases in surrounding property values do not constitute a reasonable ground for refusal.

- g) *Amended plans are not clear and longer time frame is required for community to make submissions.*

Assessment Officer's Comments:

The amended plans included additional marked up details in red to demonstrate the changes (that is, modifications carried out based on Council Officer's request and to address concerns of the residents). Each of the amendments was also explained in an accompanying notification letter (the second notification period). A copy has been placed on file.

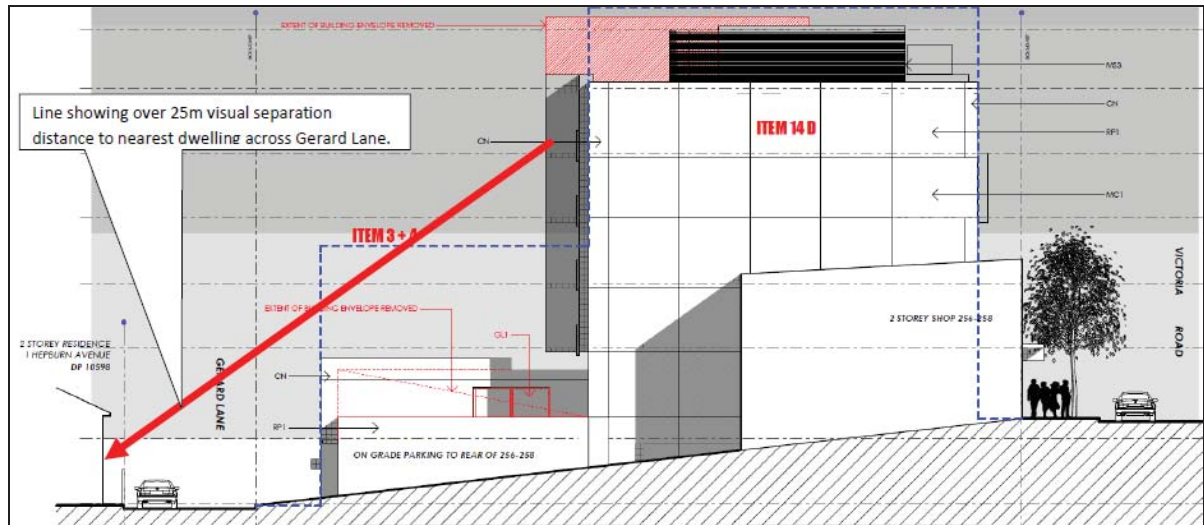
In addition, the submission period was also extended by one week to 27 May 2013 for those residents who sought an extension of time to make a submission.

- h) *No. 1 Hepburn Avenue is directly behind the proposed development. The development will result in the following impact on 1 Hepburn Avenue. The development (balconies) will result in direct viewing into the backyard swimming pool located in the backyard of No. 1 Hepburn Avenue.*

Assessment Officer's Comments:

The roof terrace is located above the basement entrance level and is adequately screened with shrubs and a wide planter bed. The balconies to the upper levels will have permanent privacy screens as discussed earlier. The nearest proposed balcony is set back over 20m from the objectors backyard at No 1 Hepburn Avenue. This is demonstrated in the following plan. The setback distance and screening as provided (also subject to a condition of consent requiring additional screening – Condition 41) exceed the building separation requirements in the Residential Flat Design Code and will ensure acceptable distances to maintain privacy.

ITEM 2 (continued)



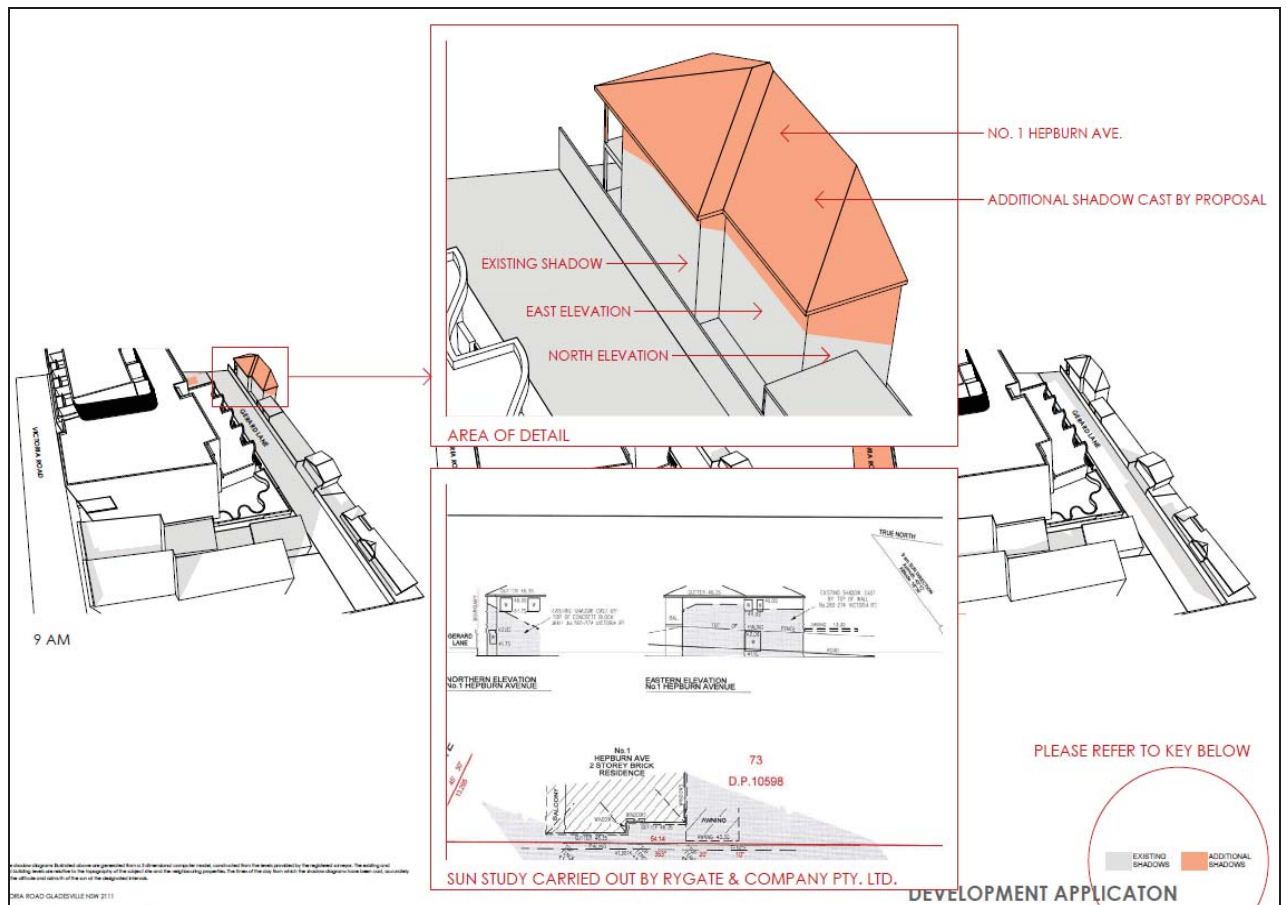
- i) *The Shadow diagrams are incorrect as has been reviewed by Rygate & Associates Registered Surveyors which shows existing sunlight access is available to the top of the top floor windows as shown on the two elevations. This is contrary to the shadow diagrams created by A.A.Stephens and Associates which show complete shadowing. Attached pictures taken on 11.5.13 and 16.5.13 at 9:00am which still shows sunlight upon the side of the submitters building as opposed to the shadow submitted with no sunlight at all.*

Assessment Officer's Comments:

The applicant has provided the following response to this issue:

In response to the submission received from Emilio and Maria Vinci, with specific reference to the issue raised concerning overshadowing, we submit drawing number A-1211 Rev B. We have included on this document the shadow analysis prepared on behalf of the Vinci's by Rygate & Company. What this document shows is that both the documentation prepared by this office and that prepared by Rygate & Company is consistent and accurate. Perhaps a misinterpretation of the documentation submitted. The existing shadow is clearly shown in grey tone, whilst the additional overshadowing is shown in orange tone. This is exactly the same as that prepared by both the surveyors.

ITEM 2 (continued)



The top square in the above diagram shows the shadows cast (on 21 June at 9am) by the existing building on the adjoining dwelling at No. 1 Hepburn Avenue. This is shown as grey shading as submitted by the applicant's surveyor. The bottom square in the above diagram has been provided by the submitter's surveyor (Rygate & Company) which also shows the shadowing on the eastern elevation of the adjoining dwelling. The extent of affectation is the same on both of the shadow diagrams.

The shadow diagrams have been analysed and is considered to accurately reflect the shadow lengths on winter solstice and ensures compliance with Council's requirements.

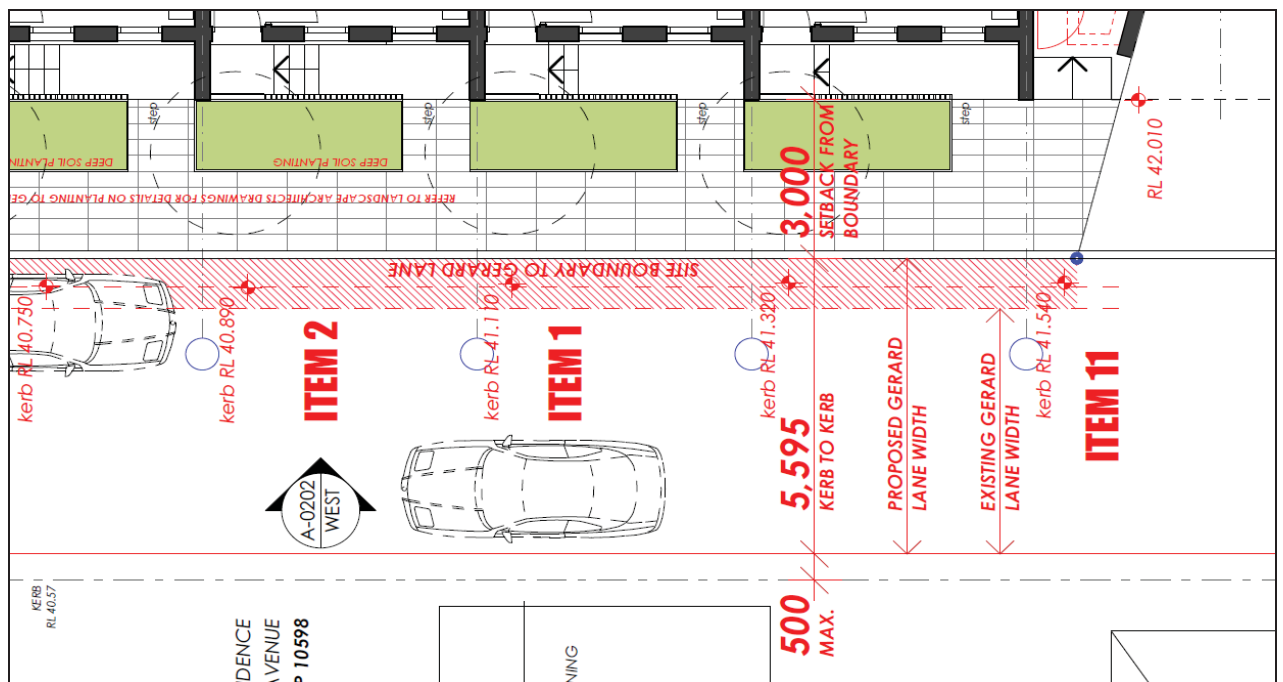
The subject site has an east west orientation, thus majority of the overshadowing will occur to the south on the wall of an existing commercial building, open car parking area and on the Gerard Lane. An analysis of the shadow diagrams indicate that the proposal will not cast any shadows on the residential properties located along Gerard Lane including the property at No. 1 Hepburn Avenue from 12:00noon. The proposal does not impact on the minimum 3 hours of sunlight that the adjoining residents will receive on winter solstice.

ITEM 2 (continued)

- j) *The width of the rear lane for access too narrow to handle the increased traffic. The inadequacy of the lane to accommodate even small increases in traffic would create road safety dangers for existing residents and also for vehicles and pedestrians.*

Assessment Officer's Comments:

The Roads and Maritime Services has advised that no access will be permitted from Victoria Road, hence, the only vehicular access available to the site is from Gerard Lane (similar to existing access to the motor repair workshop on the site). The potential traffic impacts from the proposed development have been thoroughly reviewed by Council's Traffic Engineer. The Traffic Engineer is seeking a 1.5m road widening and has recommended various other conditions to ensure any potential impacts are minimised (see Conditions 54 & 55). The plan below shows the road widening to the road boundary and construction of footpath.



In doing so the applicant, has tried to minimise potential traffic impact by adopting the following measures:

- Full compliance with the density and height restrictions placed on the land by virtue of the Local Environment Plan 2010 affecting the site.
- Provision of the required car parking and loading bay on the site;
- Vehicles will enter and exit the site in a forward direction.
- Provision of a 3m setback along Gerard Lane frontage;

ITEM 2 (continued)

- The Gerard Lane will be widened along the site frontage to allow for access, improved traffic flow and vehicles to pass. The widening will achieve a minimum carriageway width of 5.5m measured between the face of kerb in Gerard Lane with any necessary transition to the southern and northern sides of the existing Laneway along the property frontage.
- Construction of a 1.5m wide footpath within the 3.0m setback area on the subject site along the Gerard Lane. This will be paved, landscaped a Right of Way created in favour of Council for public access.
- The footpath must be constructed to Council's standards. Details will be submitted for Council's approval with the public domain and landscaping plan.
- Improved street lighting will also be provided along the rear of the development site.

*k) Increased pollution and noise.*Assessment Officer's Comments:

The development is suitably located within the B4 Mixed Use zone and the development has been designed to respond to the opportunity to provide a prominent and high quality development at the site.

The assessment of the development application has been carried out in accordance with the requirements under the EP& A Act, 1979. The details of the assessment included in this report indicate that the development is unlikely to result in any unacceptable level of impact in terms of traffic, noise or air pollution and the proposal will have minimal adverse environmental impacts. Conditions of consent have also been imposed to reduce any potential environmental impacts on the locality (Conditions 84, 86, 118, 123 and 128).

*l) The Gladesville LEP is illegitimate and undemocratic and the LEP and the DCP were made without the support of the community by the previous Council.*Assessment Officer's Comments:

The Draft Gladesville DCP/LEP was prepared and was publicly exhibited from 28 November 2008 to 27 February 2009. The Gladesville LEP and DCP 2010 – Part 4.6 Gladesville Town Centre and Victoria Road Corridor was publicly exhibited, adopted by Council and gazetted as per process provided under the Environmental Planning & Assessment Act. The controls for Gladesville have been developed through extensive consultation and analysis with the preparation of a Master Plan, DCP and LEP. A chronology of the LEP and DCP process has been attached for Councillor's information.

ITEM 2 (continued)

m) *A poor urban design form and finishes.*

Assessment Officer's Comments:

The design has been reviewed by Council's Urban Design Review Panel and Council's City Urban Designer and found to be acceptable.

n) *Ill-conceived traffic management as vehicular access is proposed via suburban streets and the laneway.*

Assessment Officer's Comments:

This matter has been discussed earlier in this report, the RMS does not permit vehicular access from Victoria Road, thus only available option is to provide access from the Gerard Lane.

o) *The proposal does not provide sufficient parking and will add to congestion.*

Assessment Officer's Comments:

The application proposes the number of parking spaces required under Council's DCP. This matter has been reviewed by Council's Traffic Engineer and no objection is raised in relation to this matter.

p) *There is no provision of cycle facilities.*

Assessment Officer's Comments:

Sufficient area for storage of 11 bicycles has been provided on the site within the lower ground level (entrance level) (see Condition 64).

q) *Caltex Australia operates a service station at 287-289 Victoria Road (opposite side of Victoria Road) and suggest that applicant consider the compatibility of land use and matters associated with road noise, noise and light associated with operation of a service station that may impact on the subject development and necessary measures be incorporated to address it including the measure required under Clause 101 & 102 of the SEPP (Infrastructure) 2007.*

Assessment Officer's Comments:

The application will comply with the noise criteria for developments adjacent to main roads (see Condition 39).

ITEM 2 (continued)

r) *Excavation and Construction impact.*

Assessment Officer's Comments:

Similar to any major redevelopment work, some level of inconvenience may result once the construction commences. However, to address the issue and to minimise traffic impact, a Demolition and Construction Traffic Management Plan will be required (see Condition 57).

s) *Impact resulting from post development garbage collection truck.*

Assessment Officer's Comments:

This matter has been reviewed by Council's Traffic Engineer and the Waste Management Coordinator. No objection has been raised subject to Conditions 121 & 119.

8. SEPP1 (or clause 4.6 RLEP 2010) objection required? No.

9. Policy Implications**Relevant Provisions of Environmental Planning Instruments etc:**

(a) Ryde Local Environmental Plan (Gladesville Town Centre and Victoria Road Corridor) 2010

Clause 2.3 Zone Objectives and Land Use Table

The site is zoned B4 Mixed Use under the provisions of the above LEP. The development is permitted in this zoning.

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within that zone. The objectives for the B4 Mixed Use zone are as follows:

- *To provide a mixture of compatible land uses.*

The development proposes to provide 26 residential apartments as well as three retail/ commercial tenancies. These uses are considered compatible land uses. The development satisfies this objective.

- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximize public transport patronage and encourage walking and cycling.*

ITEM 2 (continued)

The site is an accessible location given that it fronts on to Victoria Road and is located within a close proximity of bus stops and Gladesville Town centre. The mix of retail, commercial and residential uses as well as the development providing car parking in accordance with Council's requirements should encourage the use of public transport, cycling and walking. The development propose bicycle parking facility within the building. The development satisfies this requirement.

- *To create vibrant, active and safe communities and economically sound employment centres.*

The increased setback along Victoria Road will create wider public footpath and improve pedestrian safety. The addition of the residential apartments and commercial tenancies will add to the town centre being developed as a vibrant, active, safe and economically sound employment centre.

- *To create safe and attractive environments for pedestrians.*

The development has proposed an active street frontage by the provision of the retail tenancies as well as the development providing an awning over the footpath. In addition any approval would be required to upgrade the public domain along the front of the site. Additional lighting and street trees will be provided. This will ensure a safe and attractive environment for pedestrians.

The proposal also proposes widening of the Gerard Lane and provision of a footpath along the site frontage. This will create a safer and attractive pedestrian environment as currently there is no footpath and road shoulder on the eastern side of the lane.

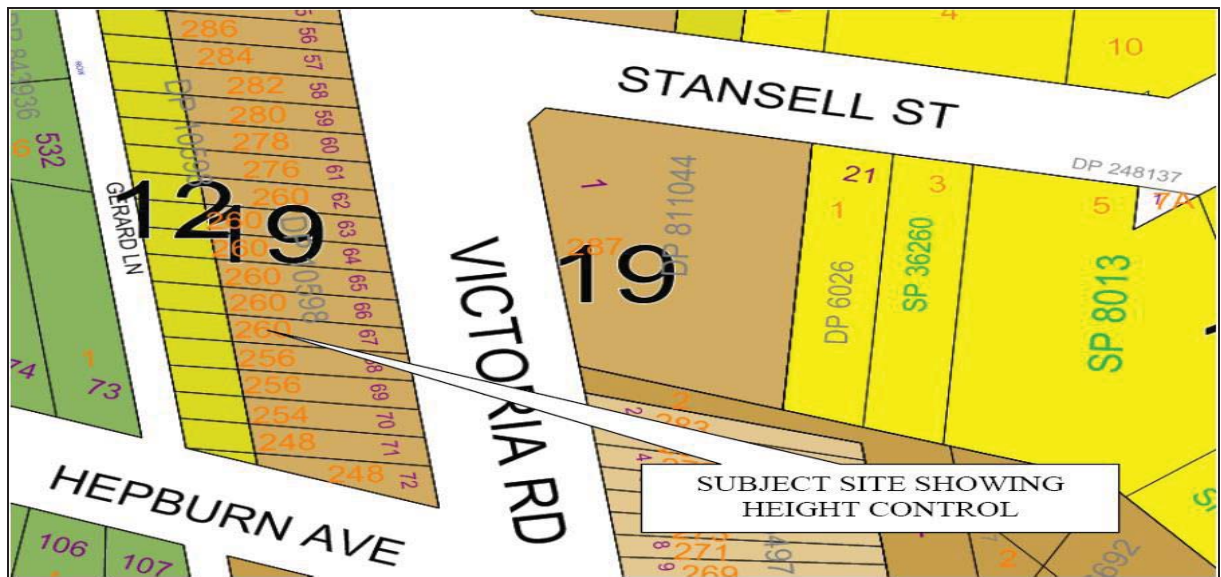
- *To recognize topography, landscape setting and unique location in design and land use.*

The topography and landscape setting of the site has been recognised by the development with the building height stepping down to the rear. Landscaping is proposed within planter boxes as part of the rear roof terrace. The planning controls allow built to boundary and therefore there is not much scope for deep soil landscaping similar to the existing situation on the site. Additional trees will be planted along the Victoria Road and rear terrace. The proposal is considered satisfactory in this regard.

Clause 4.3 Height

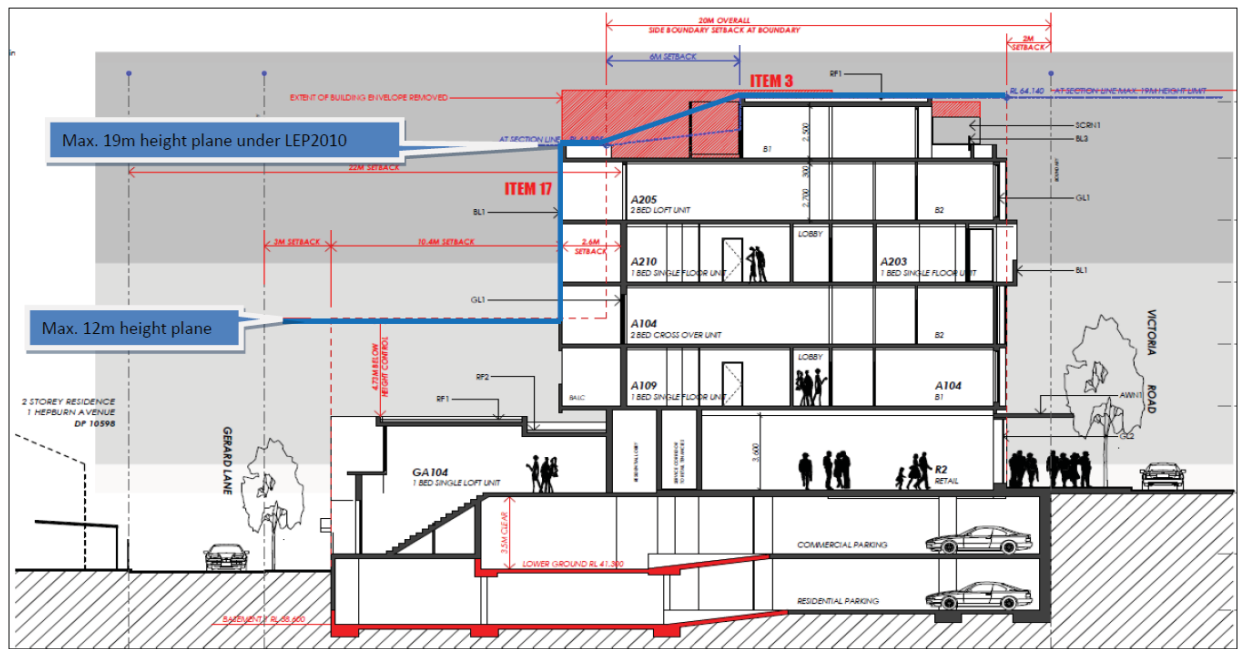
The site is affected by two height zones being 12m and 19m. This is demonstrated on the following map.

ITEM 2 (continued)



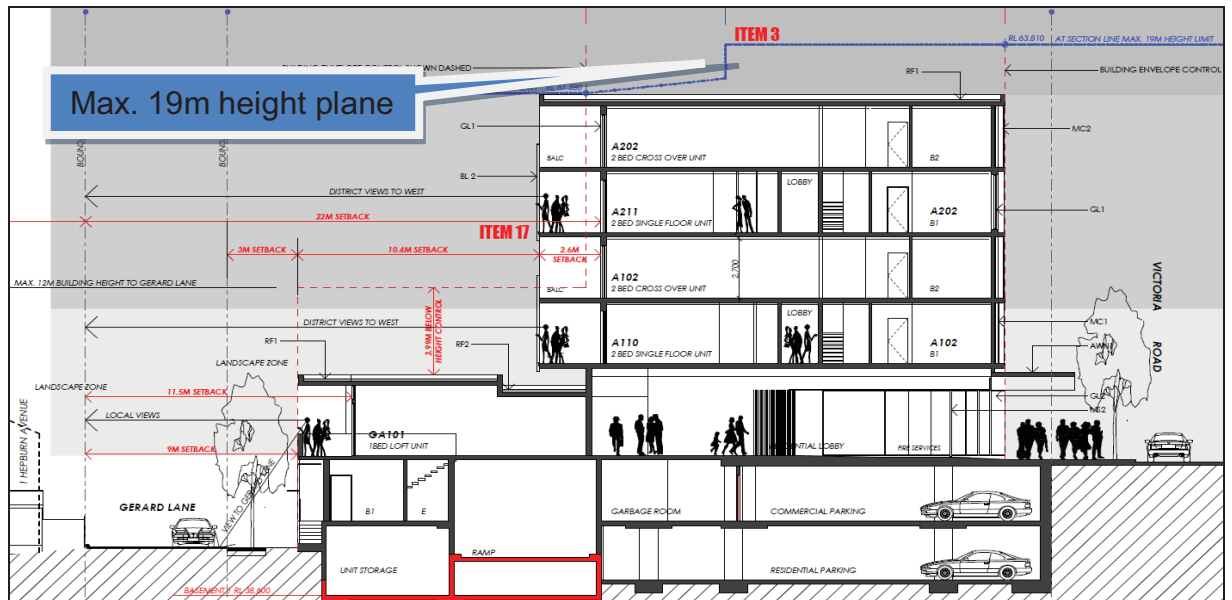
The proposed development complies with the maximum height provisions under Council’s LEP2010. The following diagram illustrates the height of the building represented in the long section:

SECTION AA (Showing maximum height limits of 19m and 12m)



ITEM 2 (continued)

SECTION BB (Showing maximum height at other areas well below the 19m height limit)



Clause 4.4 Floor Space Ratio

The floor space ratio of a building is not to exceed the maximum permitted floor space ratio as specified on the Floor Space Ratio Map. The Floor Space Ratio Map identifies the site as having a 2.3:1 floor space ratio.

The site area is 1,294.5m². This would permit a maximum of 2,977m² of floor space on the site. The development proposes a total floor area of 2,971m² which is 6m² below the maximum allowable floor space for the development. The development complies with this control.

Clause 5.9 Preservation of Trees or Vegetation

Clause 5.9 requires either development consent or a permit granted by Council for the removal of any trees.

No significant trees occur on the site and therefore no issues are raised in relation to this matter.

Clause 5.10 Heritage Conservation

The site does not contain any heritage items nor is it located in a Heritage Conservation Area.

No issues are raised in relation to this matter.

ITEM 2 (continued)**Clause 6.1 Earthworks**

Development consent is required for the earthworks associated with the development. Before granting consent for earthworks the consent authority must consider the following matters:

- The likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality.
- The effect of the proposed development on the likely future use or redevelopment of the land.
- The quality of the fill or the soil to be excavated, or both.
- The effect of the proposed development on the existing and likely amenity of adjoining properties.
- The source of any fill material and the destination of any excavated material.
- The likelihood of disturbing relics.
- Proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.

The proposed development includes excavation for a two level basement car park. Council's Development Engineer requires that a number of conditions be included in the consent to address engineering issues such as a sediment and erosion control plan to be submitted prior to the issue of a Construction Certificate.

The site is not known to contain any relics or any other item of heritage significance. The development is considered satisfactory in respect of this clause.

(b) Relevant SEPPsState and Sydney Regional Environmental Planning Policies**State Environmental Planning Policy No. 55 – Remediation of Land**

The requirements of State Environmental Planning Policy No. 55 – Remediation of Land apply to the subject site. In accordance with Clause 7 of SEPP 55, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediate to a standard such that it will be made suitable for the proposed use.

The existing structures are to be demolished and site excavated for two levels of basement car parking.

ITEM 2 (continued)

The proposal has been reviewed by Council's Environmental Health Officer, and the following comment was provided:

The site history indicates a history of a commercial/retail nature. Prior to the current car wash use being carried out, the site was remediated around mid-2004. As part of this remediation the underground storage tanks were successfully removed from the site and tests showed that the presence of the former underground fuel storage tank has not resulted in either significant or gross contamination of the soil.

However, the original report prepared by Environmental Audits Australia states that "as the UST tank-pits were found to have been excavated some 1.5 meters into the shale substrate thus providing a potential contamination pathway to groundwater, an independent assessment of groundwater quality underlying the site is recommended."

Therefore it would be prudent to include the following condition:

- **Ground water assessment** - *The proponent must submit an assessment report of the groundwater quality underlying the site prepared by an appropriately qualified and experienced environmental consultant. The report is to be submitted to Council prior to commencement of the demolition.*

No objection is raised to the proposal subject to the above condition (see Condition 19).

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The development is defined as 'BASIX Affected Development' under the *Environmental Planning and Assessment Regulation 2000*.

The applicant has provided Assessor Certificates and BASIX Certificate:
- BASIX No. 436122M dated 20 August 2012.

The Certificate indicates that the development will achieve the required target scores for water efficiency, thermal comfort and energy efficiency.

A condition has been recommended in accordance with the *Environmental Planning & Assessment Regulation, 2000* requiring compliance with the *Schedule of BASIX Commitments* made in the Certificates (See Condition No. 97).

ITEM 2 (continued)**Deemed SEPP Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

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

The site is located within the designated hydrological catchment of Sydney Harbour and therefore is subject to the provisions of the above planning instrument. However, the site is not located on the foreshore or adjacent to the waterway and therefore, with the exception of the objective of improved water quality, the objectives of the planning instrument are not applicable to the proposed development. The objective of improved water quality is satisfied through compliance with the provisions of Part 8.2 of DCP 2010. The proposed development raises no other issues and otherwise satisfies the aims and objectives of the planning instrument.

State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development (SEPP 65.)

SEPP 65 came into force on 26 July 2002 and applies to the proposed development.

The Policy aims to improve the design quality of residential flat development in New South Wales. This Policy recognises that the design quality of residential flat development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.

The proposal has been assessed against the following matters for consideration:

- a) the advice of Council's Design Review Panel,
- b) the 10 design quality principles outlined in SEPP 65, and
- c) the Residential Flat Design Code published by Department of Planning and the NSW Government Architect (September 2002).

Design Review Panel Comments:

Prior to lodgement of the Application, the development application was considered by the Council's Design Review Panel on 23 March 2012.

The Panel generally made the following comments:

- *The Panel was concerned that the setbacks required in the DCP may not deliver the best outcome for this particular site and therefore recommended some leniency in the application of the controls to this proposal. On balance they recommend that the (side) setbacks could be relaxed for this site.*

ITEM 2 (continued)Assessment Officer's Comments:

The proposal has been designed to generally reflect the setbacks required under the DCP.

- *The panel supports the proposed envelope for the development on the basis of its location and relationship to the adjoining properties that are also liable to develop over time. The setback control in this instance would not deliver the best outcome and therefore the panel recommend that it can be relaxed for this site.*

Assessment Officer's Comments:

Noted.

- *The panel supports the concept of a lower terrace type development form adjacent to Gerard Lane with the apartment building setback towards Victoria Road. This design approach reduces the bulk and scale of the proposal to the finer grain lane and to the adjoining residential properties that abut the laneway to the west.*

Assessment Officer's Comments:

Noted.

- *The panel notes that the proposed basement arrangement may cause conflicts with vehicles exiting and entering given the junction between the two ramps occurs close to the entry and it is quite constrained. There does not appear to be any provision for loading for the retail uses within the basement or for removalist trucks for the residential uses. The panel suggested that the basement layout be reconsidered to allow for van unloading and a goods lift on the first level providing access to the retail uses.*

Assessment Officer's Comments:

A loading area has been provided in the revised proposal. The basement design and provision of loading area has been reviewed by Council's Development Engineer. The proposal is considered acceptable subject to conditions.

- *The storage areas in the lower basement should be indicated as cage storage and allocated to each unit to ensure the provision meets the requirements of the Residential Flat Design Code.*

ITEM 2 (continued)Assessment Officer's Comments:

Storage areas have been provided as per this advice.

- *The panel recommends that the design of the terrace style apartments to the laneway be amended to provide direct access into the terraces from the lane. This should be combined with providing as a minimum a 1.2m footpath along the side of the laneway to allow for pedestrian access and improved amenity for the lane.*

Assessment Officer's Comments:

The revised proposal complies with this advice.

- *The location of the lift core and stairs is not ideal. It creates a very heavy element in the facade and its location results in a much longer corridor than would be required with a central location. The light and ventilation provided by the end core does not contribute to the main area of circulation as it is a dog leg form. A central location would allow light to penetrate to the main corridor and would also reduce the length of corridor required.*

Assessment Officer's Comments:

In response to this matter, the proposal has been redesigned with respect to the lift core and the internal corridor. The lift core has been relocated from the southern wall to the central part of the building. This has almost halved the length of the corridor serviced by the lift. This aspect of the application has been reviewed by Council's City Urban Designer and found to be satisfactory .

- *Care will need to be taken in the design of the balconies and windows to the apartment building in proximity to the terrace style apartments to avoid privacy issues from overlooking for the courtyards. The panel is also concerned about the single aspect units facing towards Victoria Road given the likely noise impacts. It is suggested as part of considering 2 storey units for the ground floor apartments that perhaps the single aspect units might be flipped over so they are oriented to look towards the lane. This will improve their amenity and the potential use of the balconies.*

Assessment Officer's Comments:

The proposal has been redesigned with cross over units and loft levels. The setback between the terrace units and the upper level units have been increased.

- *The proposal lacks communal open space. The panel recommends that the applicant consider roof gardens if appropriately located to allow residents a usable area given there appears to be additional height available above the proposal.*

ITEM 2 (continued)

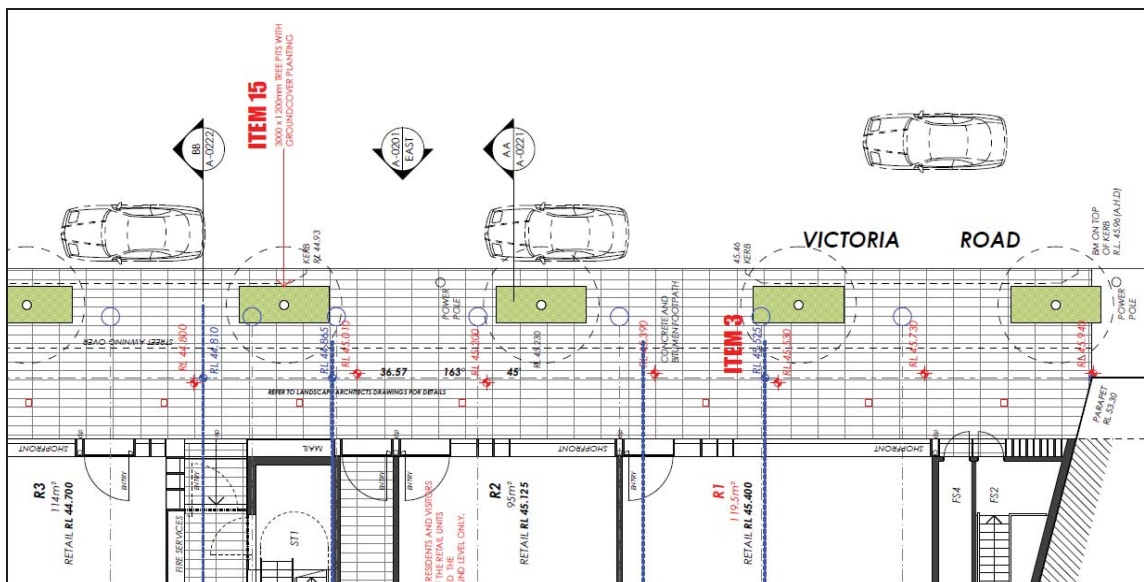
Assessment Officer's Comments:

A roof garden has been provided as communal open space.

- *The panel encourages a reduction in the awning depth from 5m to 3m and that street trees should be provided as part of the proposal to Victoria Road.*

Assessment Officer's Comments:

The proposed awning is 3m wide and street trees are proposed along both the street frontages as shown in the plan below. The proposal complies with Council's DCP and is considered acceptable.



Design Quality Principles under SEPP 65.

The proposal has been assessed against the 10 design quality principles identified under SEPP 65. Comments in relation each principle is provided below:

Design Quality Principle 1: Context

Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a locations current character or, in the case of precincts undergoing a transition the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

ITEM 2 (continued)**Assessment Officer's Comment:**

The surrounding area consists of residential, commercial and retail developments. The site is within close proximity of the Gladesville town centre. The site is zoned for higher density mixed use development. The redevelopment will provide additional housing needed in the area to make the locality more vibrant. The proposed development will contribute positively to the development of the area within the regional context.

Design Quality Principle 2: Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired character of the area.

Assessment Officer's Comment:

The proposed design is considered suitable for the site. The proposal complies with the desired future character of the locality and the density and height provisions applicable to the site under Council's LEP2010.

Design Quality Principle 3: Built Form

Good design achieves an appropriate form for a site and the building's purpose, building type and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Assessment Officer's Comment:

The design is acceptable in terms of its built form and function. The level of articulation provides satisfactory visual relief. The building form is contemporary and respects the types of building recently approved in Gladesville. The design reflects the geometry of the site and Council's planning controls and addresses the street through appropriate design elements and built form transition required under Council's planning controls. The building is setback generally in accordance with the advice provided by Council's Urban Design Review Panel. Paving and landscaping is also proposed along the street frontage to enhance the built form. The building height complies with the maximum permitted under the LEP2010. The development will result in a high quality built form.

Design Quality Principle 4: Density

Good design has a density appropriate for a site and its context; in terms of floor space yields (or number of units or residents). Appropriate densities are sustainable and consistent with the existing density in an area, or in precincts undergoing a transition, and are consistent with the stated desired future character. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

ITEM 2 (continued)**Assessment Officer's Comment:**

The proposed development fully complies with the FSR applicable to the site. The density, height, bulk and scale is consistent with the building envelope parameters provided under Council's DCP. The proposal generally complies with the street setback requirement to both frontages. The density and built form is appropriate for the site and is consistent with the desired future character of the locality.

Design Quality Principle 5: Resource, Energy & Water Efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction. Sustainability is integral to the design process. The proposed architectural details and external finishes are consistent and comparable with that of the already approved development.

Assessment Officer's Comment:

The development is able to achieve cross ventilation throughout the development. All units will achieve natural light during winter months. All fixtures will be in accordance with BASIX to achieve energy efficiency. The proposal is considered acceptable in this regard.

Design Quality Principle 6: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Assessment Officer's Comment:

The development is considered to be appropriate in terms of on-site amenity for the future occupants. A common landscaped area is provided with a landscaped footpath along the rear lane. The site is generally built up to the boundary except along the rear boundary which will be landscaped to provide an acceptable aesthetic quality for both the residents and the public.

Design Quality Principle 7: Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development. Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

Assessment Officer's Comment:

The development will provide a satisfactory level of amenity for the future occupants without significantly impacting on the amenity for the existing residents in the locality. The development ensures a reasonable level of sunlight access within each apartment. The design also ensures internal privacy.

ITEM 2 (continued)

The following are also noted which are consistent with the above principle:

- Reasonable size rooms are proposed for all units.
- All apartments have reasonable sized balcony and also ensures reasonable cross ventilation for majority of the development.
- Acoustic privacy considered and incorporated in design.
- On-site parking and storage areas
- Comprehensive landscaping and public domain improvement proposed.
- Provision of a centralised lift & accessibility.

Design Quality Principle 8: Safety and Security

Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate for the location and desired activities, and clear definition between public and private spaces.

Assessment Officer's Comment:

The design ensures that the internal space, access to the basement, storage areas and parking is secure and safe. The proposal also maximises casual surveillance by locating the balconies and lobbies facing the street. Public and private space is clearly defined by design elements. Lights in the common areas within the development will be automatically controlled. Various conditions have been recommended to further improve and ensure safety and security (see Condition 70 & 71).

Design Quality Principle 9: Social Dimensions

Good design responds to the social context and needs of the community in terms of lifestyles, affordability, and access to social facilities. New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

Assessment Officer's Comment:

A mix of housing types has been provided. This mix should attract single, couples & family occupants alike into an area which is highly accessible to the public transport and the regional shopping centre (Ryde & Gladesville). The NSW Centre for Affordable Housing suggests that 1 and 2 bedroom apartments contribute towards achieving housing affordability. The development is consistent with this principle.

ITEM 2 (continued)
Design Quality Principle 10: Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

Assessment Officer's Comment:

The development proposes use of architectural elements, textures and colours to produce a built form that would be aesthetically pleasing and produce a high quality residential accommodation. The landscaping elements will further enhance the character of the precinct.

Residential Flat Design Code (RFDC)

The SEPP also requires the Council to take into consideration the requirements of the Residential Flat Design Code. The development generally complies with the rule of thumb specified under this document with the exception of the communal open space and deep soil zone. Notwithstanding, the application demonstrates that an acceptable level of amenity will still be achieved and depicts an improvement in the amenity for the overall number of individual apartments compared to the other buildings previously approved on the site

As demonstrated below, the development comply with the general intent of these controls and are considered satisfactory

Primary Guidelines	Comments	Comply
Part 01 – Local Context		
Building Height Where there is an existing floor space ratio (FSR), test height controls against it to ensure a good fit.	The application complies with the maximum FSR and complies with the 19m and 12m height limit prescribed under Council's LEP2010.	Yes
Building Depth In general, an apartment building depth of 10-18 metres is appropriate.	The building depth ranges from 6m to 17m. At no point in the building does the plan depth exceed 18m. The building will provide satisfactory daylight and natural ventilation. The depth of the building will ensure adequate amenity for future occupants as well as not adversely impacting on the amenity of the adjoining properties.	Yes

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
<p>Building Separation Building separation for buildings up to four storeys/ 12m height: -12m between habitable rooms/ balconies -9m between habitable / balconies and non-habitable rooms -6m between non-habitable rooms.</p> <p>Building separation for buildings up to five to eight storeys: -18m between habitable rooms/ balconies -13m between habitable / balconies and non-habitable rooms -9m between non-habitable rooms.</p> <p>Developments that propose less distance must demonstrate that adequate daylight access, urban form and visual and acoustic privacy has been achieved.</p>	<p>There are no building separation requirements along Victoria Road except for the 2m wide ground floor setback. A 2m setback is provided.</p> <p>The development does not propose any setbacks to the side boundaries. The development is consistent with the setback provisions under the DCP.</p> <p>A 12m building separation of floors above ground level is provided on the western side that faces the lower density residential area. The total separation exceeds 20m.</p> <p>The urban form of this building is consistent with Council's requirements. In addition visual and acoustic privacy to the adjoining properties will be retained. The development will not result in unacceptable overshadowing impact on the adjoining properties.</p>	<p>Yes</p>
<p>Street Setbacks Identify the desired streetscape character. Comply with setback control drawing.</p>	<p>Council's DCP require: 2m along Victoria Road and 3m setback along rear Lane. Both the setbacks have been provided as per the DCP.</p>	<p>Yes</p>
<p>Side and Rear Setbacks Relate side setbacks to existing streetscape patterns. These controls should be developed in conjunction with building separation, open space and deep soil zone controls</p>	<p>Side setback is not required as the DCP allows built to boundary. This relates to other building setbacks within the street block and is supported by the Urban Design Review Panel.</p>	<p>Yes</p>
<p>Part 02 – Site Design</p>		
<p>Deep Soil Zones (DSZ) A minimum of 25% of the open space area of a site should be deep soil zone. Exceptions may be made in urban areas where</p>	<p>The site has commercial zone and can generally be built to boundary except for minor setback required along the frontages. The only deep</p>	<p>No (support variation)</p>

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
<p>sites are built out and there is no capacity for water infiltration. In these instances, stormwater treatment measures must be integrated with the design of the RFB.</p>	<p>soil area that can be provided on the site is the area within the 3m rear setback along the Gerard Lane frontage. Deep Soil Area cannot be provided anywhere else on this site as the planning controls allow development to the boundary except for the rear setback. A total to 27m² of DSZ has been provided within the rear 3m setback area. An additional soft landscaping is proposed on the roof terrace comprising additional 24m² of tree planting in planter boxes. Street trees are proposed along the Victoria Road as part of the public domain improvement works.</p> <p>Landscaped Area: 129m²</p> <p>DSZ: 27m² $27\text{m}^2/129\text{m}^2 = 20.9\%$</p> <p>The applicant proposes integrated stormwater disposal and rain water storage solution for the site.</p>	
<p>Landscape Design Landscaping is to improve the amenity of open spaces as well as contribute to the streetscape character.</p>	<p>Public domain improvement works including tree planting, smart poles, awning and new paving will be carried out which will contribute to an improvement in the streetscape presentation.</p>	<p>Yes</p>
<p>Open Space The area of communal open space required should generally be at least between 25% and 30% of the site area. Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space and/or in a contribution to public open space.</p>	<p>Landscaped Area: 129m² A 24m² of communal open space is proposed as a roof terrace equating to approximately 2% of the site area. However, all units are provided with balconies as its primary private open space.</p> <p>The variation to communal open space can be supported in this instance as the development</p>	<p>No (support variation)</p>

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
	provides acceptable amenity for the individual units similar to other mixed use developments in urban centres.	
Orientation Optimise solar access to living areas and associated private open spaces by orientating them to the north.	The site has an east west orientation and is built to boundary on the northern side. It is not practical to place the balconies on the northern side. Where possible the development has incorporated the communal open space to the north and west.	Yes
Planting on Structures In terms of soil provision there is no minimum standard that can be applied to all situations as the requirements vary with the size of plants and trees at maturity. Suitable plant species should be incorporated.	Comprehensive landscaping and public domain improvements are proposed in accordance with Council's specification and conditions of consent (see Condition 73).	Yes
Stormwater Management Reduce the volume impact of stormwater on infrastructure by retaining it on site.	Satisfactory subject to conditions. Appropriate conditions have been recommended.	Yes
Safety Optimise the visibility, functionality and safety of building entrances. Improve the opportunities for casual surveillance and minimise opportunities for concealment.	Residential entries from both street frontages are highly defined. These entries are visible, functional and will provide acceptable safety.	Yes
Visual Privacy The building separation requirements should be adopted.	The development complies with the building separation requirements (subject to attenuation measures). Accordingly, visual privacy is considered acceptable.	Yes
Building Entry Ensure equal access to all. Developments are required to provide safe and secure access. The development should achieve clear lines of transition between the public street and shared private, circulation space and the apartment unit.	The design ensures that entries from both frontages are clear and visible. Disabled access is provided. The development will ensure clear lines of transition from the public space to the private shared space.	Yes

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
Vehicle Access To ensure that the potential for pedestrian / vehicle conflicts is minimised. The width of driveways should be limited to 6 metres. Vehicular entries should be located away from main pedestrian entries and on secondary streets.	Conflict will be minimised with a separate pedestrian path from the car park entry. This aspect of the proposal has been reviewed by Council's Development Engineer and the proposal is found to be satisfactory.	Yes
Part 03 – Building Design		
Apartment Layout Single aspect apartments should generally be limited in depth to 8m from a window. The minimum sizes of the apartments should achieve the following; 1 bedroom – 50m ² 2 bedroom – 70m ² 3 bedroom – 95m ²	Single aspect apartments have 7m – 9.6m building depth which is acceptable. 1 bed = 59m ² -93m ² 2 bed = 93m ² -117m ² 3 bed = 124m ² -130m ²	Yes Yes
Apartment Mix The development should provide a variety of types.	Mix of one bed, two bed, three bedroom units are proposed.	Yes
Balconies Where private open space is not provided, primary balconies with a minimum depth of 2 metres should be provided.	Balconies have been provided which achieves the 2m width.	Yes
Ceiling Heights The following recommended dimensions are measured from finished floor level (FFL) to finished ceiling level FCL).	The proposed floor to ceiling height for the residential apartments is 2.7m with 2.4m for loft level (top most level comprising bedrooms only) which is considered satisfactory.	Yes
Ground Floor Apartments Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units. This relates to the desired streetscape and topography of the site.	Apartments 108, 110 and 209 are nominated as adaptable units. These units are on level 1 and level 2 because the ground floor facing Victoria Road comprises retail floor. Appropriate access is provided via street level entry and lift. This complies with the requirement.	Yes

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
Mixed Use The development is to choose a mix of uses that complement and reinforce the character, economics and function of the local area. The development must also have legible circulation systems.	Office and retail tenancies are proposed with the mix of apartment.	Yes
Acoustic Privacy Apartments within a development are to be arranged to minimise noise transitions.	The development will be required to comply with the acoustic provisions of the BCA & Australian Standards.	Yes
Daylight Access Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of three hours direct sunlight between 9.00am and 3.00pm in mid winter. In dense urban areas a minimum of two hours may be acceptable.	A total of 15 apartments will achieve at least 3 hours of sunlight between 9am-3pm which equates to 58% of the units and is thus slightly below the requirement under the SEPP. The rest of the apartments do have access to sunlight but less than the minimum 3 hours. It is noted that the site is built to boundary and has an east –west orientation (as discussed earlier) thus making it difficult to achieve full compliance with this requirement. Given the orientation of the site, high percentage of cross ventilated units and no single aspect south facing units, the level of solar access is considered acceptable.	No (support variation)
Limit the number of single-aspect apartments with a southerly aspect (SWSE) to a maximum of 10% of the total units proposed.	None of the single aspect apartment has a southerly aspect.	Yes
Natural Ventilation Building depths which support natural ventilation typically range from 10 to 18 metres. 60% of residential units should be naturally cross ventilated.	The design ensures sufficient cross natural ventilation.	Yes
25% of kitchens should have	19/26 = 73% of the units are naturally cross ventilated. Over 25% of the kitchens have	Yes Yes

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
access to natural ventilation.	access to natural ventilation.	
Roof Design Roof design is to relate to the desired built form as well as the size and scale of the building.	The development has incorporated a flat roof. The planning controls do not specify a particular form of the roof. Many RFB in Ryde have a flat roof.	Yes
Maintenance The design of the development is to ensure long life and ease of maintenance.	The development can comply with this requirement.	Yes
Waste Management A waste management plan is to be submitted with the development application.	A waste management plan has been submitted with the development application and is considered satisfactory by Council's Environmental Health Officer and the Waste Management Coordinator.	Yes

(c) Relevant REPs

N/A

(d) Any draft LEPs

A Section 65 Certificate enabling the formal exhibition of Draft Local Environmental Plan 2011 was issued by the Department of Planning and Infrastructure on 23 April 2012. The Draft Plan has been placed on public exhibition between 30 May 2012 and 13 July 2012. Under this Draft LEP, the zoning of the property is B4 (Mixed Use).

The proposed development is permissible with consent within this zoning under the Draft LEP, and it is considered that the proposal is not inconsistent with the objectives of the Draft LEP or those of the proposed zoning.

The Draft LEP2011 was adopted by Council on 12 March 2013 and is awaiting gazettal by the Department of Planning and Infrastructure; as such LEP2011 can be considered certain and imminent.

(e) Any DCP (e.g. dwelling house, villa)
Ryde Development Control Plan 2010 (Part 4.6) Gladesville Town Centre and Victoria Road Corridor

The RDCP (Part 4.6) is the primary DCP applicable within the Gladesville Town Centre and Victoria Road Corridor. The relevant provisions of the DCP are outlined below:

ITEM 2 (continued)

Control	Comment	Compliance
	<p>The building is predominantly two and five storeys in height. The sixth storey is restricted to a small section above the 5th storey apartments containing loft levels with single bedrooms associated with the units on the level beneath it. The sixth level appear as a “pop-up”, which is significantly set back from the site boundaries and street frontages and does not result in any significant adverse overshadowing impact to adjoining properties or communal open space. On the contrary, the sixth level on top of the building provides a modulated roof line and is supported in design terms.</p> <p>Even though the DCP recommends a 5 storey development in this locality, the “pop up” sixth level does not breach the maximum 19m height prescribed under the LEP2010. In addition the FSR is below the maximum permitted on the site. The bulk and scale of the proposal is also acceptable as discussed in detail elsewhere in this report.</p> <p>Given the two height controls under the LEP and the DCP have the same outcome, then it can only follow that a building that is compliant in height is the same building when measured against storeys as an increase in the floor to ceiling heights of each level within the building would results in the same bulk and scale. Therefore it's not the number of storeys that determine the</p>	

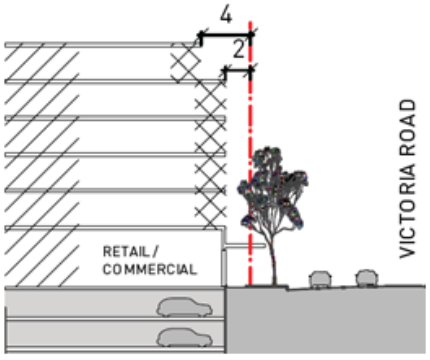
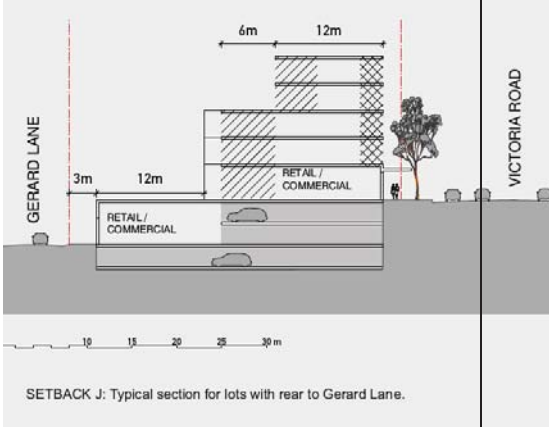
ITEM 2 (continued)

Control	Comment	Compliance
	<p>buildings scale but it is the overall height regardless of the number of storeys (subject to compliance with minimum floor to ceiling height control).</p> <p>The recent changes to the EP& A Act, requires the consent authority to be 'flexible' and allow 'reasonable alternative solutions' in applying the DCP provisions. In this instance, the DCP control (based on storey) conflicts with the height provision of the LEP2010 (based on metres) and therefore the DCP provision has no effect to the extent that it is 'inconsistent or incompatible with' Council's LEP2010 pursuant to Clause 74C(5) of the EP&A Act, 1979. This is particularly important as the development complies with the LEP2010 provisions pertaining to the maximum FSR and maximum height.</p>	
<p>Floor to ceiling heights must be a minimum of 2.7m for residential uses.</p>	<p>Each residential floor has a minimum floor to ceiling height of 2.7m except the loft level which has 2.4m.</p> <p>The proposed floor to ceiling height is acceptable.</p>	<p>Yes</p>
<p>Ground floor levels are to have a floor to ceiling height of a minimum of 3.6m.</p>	<p>The ground floor has a floor to ceiling height of 3.6m and complies with the requirement.</p>	<p>Yes</p>
<p>3.1.2 Active Street frontages Provide ground level active uses where indicated on the map.</p>	<p>The development has provided an active frontage along Victoria Road by proposing two retail/commercial tenancies.</p> <p>No vehicular entrance or substation is proposed on this frontage as they are located to the rear frontage.</p>	<p>Yes</p>

ITEM 2 (continued)

Control	Comment	Compliance
Where required, active uses must comprise the street frontage for a depth of at least 10m.	The commercial uses have a depth of between 12m to 15m. The development complies with this requirement.	Yes
Vehicle access points may be permitted where active street frontage is required if there are no practicable alternatives.	Vehicular access is proposed from rear lane similar to the existing arrangement.	Yes
Security grills can be incorporated to ground floor shops. Blank roller shutter doors are not permitted.	The plans do not propose any security grills. A condition of consent will be imposed to reflect this requirement. (See condition number 6).	Yes
<p>3.1.3 Buildings Abutting the Street Alignment</p> <p>Provide buildings built to the street boundary in the Gladesville Town Centre precinct and in Monash Road precinct except as shown on the appropriate map under Section 4.0.</p> <p>Ground level architectural features, such as recessed doors and windows, are permitted to a maximum of 400mm from the street boundary to design out concealment opportunities and promote personal safety and security.</p>	The site is in North Gladesville precinct and therefore this clause is not applicable.	N/A
<p>3.1.4 Setbacks (front)</p> <p>Setbacks in accordance with Setback Requirements Table and Key Sites Diagram.</p> <p>Front Setback:</p> <p>The table under this section requires the setback as follows:</p> <p>Ground level = 2m</p> <p>Above level 5 = 4m (see DCP</p>	A 2m setback is provided on ground floor level.	Yes

ITEM 2 (continued)

Control	Comment	Compliance
<p>illustration below)</p> 	<p>A 5.2m setback is provided on the level above Level 5.</p> <p>The setback under this clause is complied with as the 6th level (loft) is setback 5.2 which is greater than the DCP requirement.</p>	<p>Yes</p>
<p>3.1.5 Side & Rear Setbacks and Residential Amenity</p> <p>Setback diagrams I and J (Figure 4.61) determines the rear setback which is as shown below:</p>  <p>Requires:</p> <ul style="list-style-type: none"> ▪ 3m rear setback; ▪ Additional 12m separation above ground floor between adjoining residential buildings. Incorporate transition. ▪ Incorporate residential use adjacent to residential development. 	<p>Proposed Section:</p> <p>A 3m clear setback has been provided from the rear boundary.</p> <p>The 13m building separation provided from rear wall with 16m setback from Gerard Lane. The proposed transition is adequate as demonstrated in the plan above.</p> <p>Residential use has been incorporated at the rear of the site opposite the lower density</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

ITEM 2 (continued)

Control	Comment	Compliance
<ul style="list-style-type: none"> ▪ Building may build to the side boundary for depth of 20m then require 12m separation between residential uses. 	<p>residential area as terraced style dwellings. This section of the building is only 2 storeys and is considered acceptable in terms of any impact on the dwelling located on the opposite side of the Gerard Lane.</p> <p>Proposal is built to boundary for the 20m depth and complies with the separation requirement with respect to adjoining residential development as the building is only 2 storeys beyond the 20m depth.</p>	<p>Yes</p>
<p>3.1.6 Conservation Area and Built Form Guidelines</p> <p>All development proposals within the Conservation Area shall be assess for their impact on the heritage significance of the Conservation Area and have regard to the Statement of Significance</p>	<p>The site lies outside of the Conservation Area.</p>	<p>NA</p>
<p>3.1.7 Awnings</p> <p>Provide awnings over footpaths for ground level building frontages as shown on relevant map and setback 600mm from kerb. Provide street trees.</p> <p>Height of awning minimum 3m. The heights of adjoining awnings should be considered.</p> <p>Glazed unit not permitted.</p> <p>Provide lighting, preferably recessed, to the underside of awnings, sufficient to ensure a high level of safety for pedestrians at night.</p>	<p>A 3m wide awning has been proposed along Victoria Road and setback from kerb to allow tree planting.</p> <p>3.2m height clearance provided.</p> <p>The awning will be of solid construction.</p> <p>No details have been provided in respect of the lighting. This can be required as condition of consent (Condition 73).</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

ITEM 2 (continued)

Control	Comment	Compliance
3.2 – Access		
3.2.1 Minimum Street frontage North and South Gladesville Precincts to have a minimum 40m to Victoria Road and have one driveway crossing unless access is possible from a local road.	Access provided from the rear lane with one point of entry.	Yes
3.2.2 Vehicular Access Provide vehicular access from the local roads network in preference to Victoria Road. This will require the development of public laneways within the rear setback of most sites in the North Gladesville and Monash Road Precincts.	The site is located within the North Gladesville Precinct and access is proposed from the rear lane. The applicant will widen the laneway as requested by Council's Traffic Engineer and is considered satisfactory.	Yes
3.2.3 Parking Provide publicly accessible parking in specified locations.	The site does not fall in the area designated for publicly accessible parking.	N/A
Provide secure bicycle parking in every building equal to 1 car space for every 100 car spaces or part thereof.	The development provides 41 car parking spaces. Accordingly an area equivalent to 0.41 car parking space needs to be allocated for bicycle parking (5.3m ² required). A total of 22m ² area is designated in the basement with parking rails for 11 bicycles. This space will accommodate 11 bicycles. The development exceeds Council's requirements. (See Condition No. 64).	Yes
3.3 Public Domain		
3.3.1 Pedestrian Connections Provide street furniture, lighting and generous paved areas along the main pedestrian routes within the retail and commercial core with clear	The site is not required to provide any through-site connections, public domain parks, squares or plazas. However, any approval will include a condition of consent to	N/A

ITEM 2 (continued)

Control	Comment	Compliance
<p>direct sightlines and direct linkages.</p> <p>Provide pedestrian through-site connections and public domain parks, squares and plaza's in accordance with the Pedestrian Connections Control Drawing (Figure 4.6M) and the Public Domain Control Drawing (Figure 4.6N).</p> <p>Courtyards, plazas or squares should be provided to complement and adjoin pedestrian through-site connections.</p>	<p>require the public domain at the front of the site to be upgraded in accordance with the Ryde Public Domain Manual. (See Condition No. 73).</p>	
<p>3.3.2 Public Domain</p> <p>Increase the quantum and diversity of public space in the heart of the town centre as shown on the Public Domain Framework Control Drawing.</p>	<p>Not applicable to the subject site.</p>	<p>N/A</p>
<p>3.3.3 Landscape Character</p> <p>Create a consistent planting theme with a number of species to ensure that the planting provides a visual coherence, Provide street trees as shown on the Landscape Character Control Drawing (Figure 4.60) and in accordance with the Ryde Public Domain Technical Manual and Relevant Street Tree Master Plans.</p>	<p>Street trees will be provided along Victoria Road (See condition No. 73).</p>	<p>Yes</p>
<p>3.3.4 Urban elements</p> <p>Provide paving, seats, benches and bins in accordance with the Ryde Public Domain Technical Manual.</p> <p>Provide seating and shelter (awnings or bus shelter) at all bus stops. Seating shall be in</p>	<p>A condition of consent will be imposed requiring compliance with the Ryde Public Domain Manual. (See condition No. 73).</p>	<p>Yes</p>

ITEM 2 (continued)

Control	Comment	Compliance
<p>accordance with the Ryde Public Domain Technical Manual.</p> <p>Provide new street lighting to primary and secondary streets as selected by Council and underground power cables.</p> <p>Provide pole lighting, lighting from building awnings and structures, in new public spaces, to ensure night time pedestrian safety.</p>		
<p>3.3.7 Victoria Road Section – North Gladesville and South Gladesville Precinct</p> <p>Setback building by 2m to provide a wide 5.5m paving along Victoria Road.</p> <p>Provide street furniture in accordance with the Ryde Public Domain Technical Manual including:</p> <ul style="list-style-type: none"> • Provide seats and bins at 200 metre intervals and at bus stops, OR a minimum one per block, if required by Council. • Provide new street lighting, staggered at 40 metre intervals on both sides of street, or to Council satisfaction. • Provide lighting to the underside of awnings for the safety and security of pedestrians. <p>Power lines are to be underground in locations specified by Council.</p>	<p>This clause requires the public domain to be upgraded in accordance with the Ryde Public Domain Manual. This has been included as a condition of consent. (See Condition No. 73).</p> <p>This clause also requires powerlines to be undergrounded in locations specified by Council. Appropriate conditions have been recommended to ensure compliance with this requirement (See Condition No. 73).</p>	<p>Yes</p>
<p>4.0 Key Sites N/A</p>		

ITEM 2 (continued)**Part 7.1 Energy Smart, Water Wise**

The DA has been reviewed in relation to the relevant standards and policies in Part 7.1 Energy Smart, Water Wise of the Ryde DCP 2010. This part provides a strategic framework for achieving sustainable development and new developments are required to comply with the minimum energy performance standard.

Due to the introduction of the BASIX legislation, any provisions of the Council's DCP that intends to reduce the consumption of mains supplied potable water, or reduce emissions of greenhouse gases or improve the thermal performance of a building have no effect. For this reason, there is no additional requirements that impact on the development.

Part 7.2 Waste Minimisation and Management

The amended Waste Management Plan (WMP) has been reviewed by Council's Environmental Health Officer and the Waste Management Coordinator and is considered satisfactory.

This DCP requires that adequate space be provided for the storage of waste bins.

A central garbage room will be located in the basement with a chute system utilised on each floor of the proposed building except for the 5 ground floor apartments directly facing Gerard Lane.

Three (3) 1100L general waste bins and 14 x 240L recycling bins and 2 x 240L green waste bins will be utilised. The storage space for a 240L recycling bin has been provided in each garbage chute room. A zone dedicated for the storage of kerbside bins ready for collection has been shown on the resubmitted plans.

Appropriate conditions of consent have been recommended to ensure that wastes will be disposed satisfactorily (See Conditions 25, 26, 45-48, 119-122).

No objection is raised to the storage of wastes.

Part 9.2 Access for People with Disabilities

This DCP requires that for residential development it is necessary to provide accessible path of travel from the street to and through the front door to all units on each level of the building. Also 10% of the units are to be adaptable units in terms of AS4299.

A total of 26 apartments are proposed thus requiring 3 units to be adaptable. The development proposes apartments 108, 110 and 209 as adaptable.

ITEM 2 (continued)

An Access Report has been submitted with the application (prepared by Accessible Building Solutions) which confirms that the development is capable of being compliant with the accessibility requirement. Conditions are recommended to ensure details are submitted to show compliance prior to the issue of any Construction Certificate (see Conditions 66, 72).

Part 9.3 Car Parking

The car parking for the development is required at the following rates:

Residential:

Car Parking is required at the rate of:

- 0.6 to 1 resident car space per 1 bedroom unit;
- 0.9 to 1.2 resident car spaces per 2 bedroom unit;
- 1.4 to 1.6 resident car spaces per 3 bedroom unit; and
- 1 visitor car space per 5 units.

The residential component of the building will contain 12 X 1 bedroom apartments, 10 X 2 bedroom apartments and 4 X 3 bedroom apartments.

Retail:

Car parking is required at the following rate:

- 1 space per 25m² of retail space.

This equates to a minimum of:

- 22 spaces for residents;
- 6 spaces for visitor parking;
- 13 spaces for retail parking.

A total of 41 car parking spaces have been proposed in the basement including four (4) accessible parking spaces. The proposal complies with the parking requirement.

Section 94 Development Contributions Plan 2007 (Amendment 2010)

Development Contributions Plan – 2007 (2010 Amendment) allows Council to impose a monetary contribution on developments that will contribute to increased demand for services as a result of increased development density / floor area.

The contributions that are payable with respect to the increased floor area are based on the following figures being outside Macquarie Park:

ITEM 2 (continued)

Contribution Plan	Contributions	Total
Community and Cultural Facilities	\$72,431.43	
Open Space and Recreation Facilities	\$163,364.11	
Civic and Urban Improvements	\$65,221.02	
Roads and Traffic Management Facilities	\$10,300.13	
Cycleways	\$5,557.59	
Stormwater Management Facilities	\$18,808.60	
Plan Administration	\$1,496.64	
Grand Total		\$337,179.54

Condition 32 requiring the payment of a Section 94 contribution has been included in the recommendation of this report which will further be indexed at the time of payment if not paid in the same quarter.

10. Likely impacts of the Development

The likely impacts as a result of this development have been addressed earlier in the report.

(a) Built Environment

The proposal was amended significantly throughout the pre-lodgement and DA assessment process to ensure compliance with Council's planning controls and minimise any potential impact on the locality. The proposal is generally consistent in height and scale with the desired future character of the area as identified in the applicable planning controls.

The proposed development will enhance the North Gladesville Precinct and improve the public domain area including footpath paving, tree planting, street lighting, provision of awning and provision of a widened laneway.

The concerns of the residents particularly in relation to building height, traffic, overlooking and overshadowing has been reasonably addressed either via amended plans or by recommended conditions of consent.

The proposed development is considered generally consistent with Council's planning controls and the desired future character and is unlikely to result in any unacceptable impact within the area.

(b) Natural Environment

The natural environment will not be significantly affected as there is no vegetation on the site.

ITEM 2 (continued)**(c) Economic Impact**

The proposed mixed use development supports the zoning objectives and will attract additional activity and population to the area, making the local area more economically viable and vibrant. The development will also result in improved access to shops, housing and employment in the local area, with consequent positive flow on effects for the locality.

Overall, the proposed development will have a positive economic and social impact on the locality.

(d) Overshadowing

The development is unlikely to result in any significant increase in overshadowing on any surrounding residential building or open spaces. The subject site has an east west orientation, thus majority of the overshadowing will occur on the southern side on wall of the existing commercial building and on the Gerard Lane. An analysis of the shadow diagrams indicate that the proposal will not cast any shadows on the residential properties located along Gerard Lane (western side) from 12:00noon. The proposal does not impact on the minimum 3 hours of sunlight that the adjoining residents will receive on winter solstice.

(e) Noise Impact

The proposed development is adjacent to Victoria Road, a major road which is subject to high volumes of traffic. Accordingly, the proposal will be subjected to potentially high levels of noise as a result of the traffic on Victoria Road.

The application was accompanied by an Acoustic Report recommending measures to be incorporated in the proposal to address the noise issue and comply with the relevant Australian Standards.

The proposal has been reviewed by Council's Environmental Health Officer who has assessed the proposal with respect to its exposure to traffic noise. No issues have been raised subject to conditions that the development must comply with Australian Standards and specific recommendations in relation to noise attenuation measures.

(f) Demolition and Construction Impact

The proposed demolition and construction works will have some degree of noise & traffic impacts within the locality. It is necessary that these impacts be mitigated to ensure minimal nuisance and disturbance to the surrounding area, particularly residents along Gerard Lane.

ITEM 2 (continued)

To maintain an appropriate level of amenity to the locality during the undertaking of works, a number of Conditions of Consent have been imposed, to manage dust control, noise mitigation measures, restricted hours of undertaking of works, traffic and waste management. A Demolition and Construction Traffic Management Plan will also be required (refer to Condition 57).

11. Suitability of the site for the development

The recent adoption of the Gladesville LEP2010 provides the opportunity for the mixed use development on the site. The amalgamated lots provide better opportunity for efficient site planning and development with better amenities in the form of communal open space, site access & traffic management within the locality.

The site is not affected by any natural constraints such as flooding or subsidence. In this regard, the proposal is considered to be suitable for the site in terms of the impact on both the existing natural and built environments.

12. The Public Interest

The proposed development is considered to be in the public interest as it provides an opportunity for amalgamation and more efficient redevelopment of smaller remnant sites occupied by older building stock. The development will also contribute to significant public domain improvements and benefits for the public including the widening of the Gerard Lane. The proposed widening of the lane will provide the precedent for all future development to follow. The proposal will also contribute to the provision of additional housing within an existing and established urban locality with close proximity to the CBD and public transport.

The redevelopment of the subject site will contribute to the growth and change within the City of Ryde by providing an increase in the local population and associated economic activity as envisaged by the local planning controls.

The proposal has taken into account the applicable planning controls and any potential impact on the locality. Issues in relation to increased traffic and increase in demand for infrastructure services have been adequately addressed or will be mitigated as prescribed by the conditions of consent. Accordingly, the proposed development is considered to be in the public interest.

ITEM 2 (continued)**13. Consultation – Internal and External**Internal Referrals**Development Engineer, 11 June 2013:**

The drainage details submitted for the development are satisfactory subject to minor amendments which have been conditioned.

The Gerard Lane is to be widened to 5.5m carriageway width with 1.5m wide footpath. The 1.5m wide footpath is to be dedicated as a ROW to Council for public access. This has been conditioned.

The internal driveway gradients can be achieved to comply with AS 2890.1.

Conditions of RMS and Council's Public Works Department need to be included on the consent (see conditions 15-18, 51-63, 69, 76-81, 108 -114).

Waste Management Coordinator, 7 June 2013: The issues previously raised in relation to this matter have been resolved via submission of amended plans. The following comments were received from the Waste Management Coordinator: *From a waste perspective there are no objections to approval of this application subject to the following conditions:*

- 1. There is space for a recycle bin in the chute room on each floor.*
- 2. The location of where the bins will be placed out in Gerard Lane needs to ensure that they will not block access to the 5 properties facing the laneway.*
- 3. The hard waste storage area needs to be enclosed to prevent material spilling onto the driveway. Access by the contractor to the room is required.*

Note: The above comments have been included in the recommended conditions (Conditions 25, 26, 45-48, 119-122).

Environmental Health Officer, 9 July 2013: The following comment was received:

The site history indicates a history of a commercial/retail nature. Prior to the current car wash use being carried out, the site was remediated around mid-2004. As part of this remediation the underground storage tanks were successfully removed from the site and tests showed that the presence of the former underground fuel storage tank has not resulted in either significant or gross contamination of the soil.

However, the original report prepared by Environmental Audits Australia states that "as the UST tank-pits were found to have been excavated some 1.5 meters into the shale substrate thus providing a potential contamination pathway to groundwater, an independent assessment of groundwater quality underlying the site is recommended.

A condition requiring ground water assessment report of the groundwater quality underlying the site prepared by an appropriately qualified and experienced environmental consultant. The report is to be submitted to Council prior to commencement of the demolition works.

ITEM 2 (continued)

Note: The above condition has been included in the attached conditions (Condition 19, 43-49, 107).

Traffic Engineer, 7 June 2013: Has advised that the applicant has satisfactorily addressed all traffic issues previously raised in Council's letter dated 15th February 2013. No further concerns are raised in terms of traffic efficiency, safety or parking requirements. From a traffic perspective there are no objections to approval of this application subject to the following conditions:

1. A detailed Construction Traffic Management Plan (CTMP) shall be prepared by the proponent and shall comply with Council's DCP 2010 (Part 8.1 – Construction Activities) and shall be submitted to both Council and the Transport Management Centre (TMC) for concurrence (see Condition 57).

Public Domain Section, 7 June 2013: The following comment was received from Council's Senior Engineer:

From a public domain perspective there are no objections to approval of this application subject to the following conditions:

1. *Public Domain improvements (including but not limited to) footpath paving, street furniture, street trees, street lighting, undergrounding of overhead services and signage shall be carried out in accordance with the Development Control Plan 2010 Part 4.6 Gladesville Town Centre and Victoria Road Corridor and the Public Domain Technical Manual – Gladesville. Engineering plans are to be submitted and approved by Council and works constructed prior to the issue of any Occupation Certificate.*
2. *The overhead services (electrical and telecommunication) on the Victoria Road frontage of the property shall be placed underground at the applicants expense and after approval by the responsible Authority.*
3. *The applicant shall provide improved street lighting to Category P2 in Gerard Lane along the rear of the development site.*
4. *The height and width of the building awning along the Victoria Road frontage shall be adequate to provide shelter for passengers waiting for buses. Seating shall be provided under the awning for this purpose.*
5. *All damaged or dilapidated sections of kerb and gutter along Victoria Road shall be replaced at the applicant's cost.*
6. *All redundant vehicular kerb layback crossings on Victoria Road shall be removed and replaced with standard kerb and gutter.*
7. *Standard kerb and gutter with kerb laybacks at vehicle driveways shall be constructed along the property frontage to Gerard Lane in conjunction with widening of the road pavement to 5.5 metres and the construction of a 1.5 metre wide footpath. Engineering Plans shall be submitted and approved by Council prior to any construction. Approved works shall be completed prior to the issue of any Occupation Certificate.*

ITEM 2 (continued)

8. *Under awning lighting shall be provided along the Victoria Road frontage to Australian Standard AS1158.3-1999 Road Lighting Pedestrian Area – Category P2 (see Condition 73).*

Building Surveyor, 1 November 2012: Recommended approval subject to standard conditions of Consent.

City Urban Designer, 3 July 2013: Council's City Urban Designer reviewed the proposal in light of the comments made by the Urban Design Review Panel and advised that the applicant has addressed the majority of issues identified by the Urban Design Review Panel and that the proposal is supported.

Roads and Maritime Services (RMS), 5 November 2012:

In accordance with Clause 101 of SEPP (Infrastructure) 2007 the RMS has reviewed the application and recommends the following conditions of consent:

- a) *All vehicles are to enter and leave the site in a forward direction;*
- b) *The provision for off-street car parking shall be provided to the satisfaction of Council;*
- c) *Provision for building maintenance and removalist vehicles needs to be provided on site.*
- d) *Vegetation and proposed landscaping/ fencing must not hinder sight lines to and from the proposed access driveways to motorists, pedestrians and cyclists;*
- e) *The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) are to be in accordance with the AS29890.1 – 2004 and AS 2890.2 – 2002.*
- f) *The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site and loading area shall be in accordance with AUSTRROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the development complies with these requirements.*
- g) *A Demolition and Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of a Construction Certificate.*
- h) *Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to RMS for approval, prior to the commencement of any works.*

*Details should be forwarded to:
The Sydney Asset Management
Roads and Maritime Services
PO Box 973
Parramatta CBD 2124.*

ITEM 2 (continued)

A plan checking fee will be payable and a performance bond may be required before RMS approval is issued. With regard to the Civil Works requirement please contact the RMS Project Engineer, External Works on (02) 8849 2114 or fax (02) 8849 2766.

- i) The developer is to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to RMS for assessment. The developer is to meet the full cost of the assessment by RMS.*

This report would need to address the following key issues:

- a. The impact of excavation/ rock anchors on the stability of Victoria Road and detailing how the carriageway would be monitored for settlement.*
- b. The impact of the excavation on the structural stability of Victoria Road.*

The report and any enquiries should be forwarded to:

*Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
P O Box 973 Parramatta CBD 2124
Telephone: 8848 2114
Fax: 8849 2766*

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owners of the roadway are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

- j) All demolition and construction vehicles should be contained wholly within the site as a work zone permit will not be approved on Victoria Road.*
- k) Any temporary/ partial road closures will require the applicant to apply for a Road Occupancy License (Form C & D) by contacting the Transport Management Centres Planned Incidents Unit on (02) 8396 1513 during office hours (8am-4pm) or 131 700 after hours.*

The applicant will be required to submit the Road Occupancy License forms/traffic management plan at least 10 working days prior to the start of works. Plans should be forwarded to Rohit Autar, Supervisor Planned Incidents Unit, Transport Operations, Transport Management Centre or on facsimile (02) 8396 1530.

In the event that a Road Opening License is required, details can be obtained from RMS Sydney Projects Services on 8849 2496.

- l) All demolition and construction vehicles are to enter and exit the site via Gerard Lane. A construction zone will not be permitted on Victoria Road.*
- m) The developer shall be responsible for all public utility adjustment/ relocation works necessitated by the proposed development works and as required by the various public utility authorities and/or their agents.*

ITEM 2 (continued)

- n) *All traffic control during construction must be carried out by accredited RMS approved traffic controllers.*
- o) *All works/ regulatory sign posting associated with the proposed development are to be at no costs to RMS.*
- p) *Pedestrian access to comply with AS 1428.1:2000 Design for access and mobility.*
- q) *Any redundant driveways shall be removed and replaced with kerb and gutter to match existing.*
- r) *The access to the site is to be via Gerard Lane. No access will be permitted from Victoria Road.*
- s) *All work associated with the proposed development is to be at no cost to the RMS.*

Note: The above has been included in the recommended conditions (See Conditions 57, 69, 93 - 96).

14. Critical Dates

There are no critical dates or deadlines to be met.

15. Financial Impact

N/A

16. Other Options

N/A

17. Conclusion

The proposal provides an opportunity to redevelop the site with a mixed use building that is considered more responsive to the strategic intentions of the Gladesville LEP2010 and associated planning controls that has been adopted for the locality by the Council.

After consideration of the development against section 79C of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is considered suitable for the site and is in the public interest. The application generally complies with the planning provisions. The issues raised in the submissions have been considered and have been adequately addressed through the assessment process. Therefore, it is recommended that the application be approved.

The development application is therefore recommended for approval subject to conditions.

ITEM 2 (continued)

ATTACHMENT 1

260-274 Victoria Road - LDA2012/0360
DRAFT CONDITIONS OF CONSENT

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:

Plan Title and Number	Description	Date	Issue
A-0101	Basement - B1	12 April	D
A-0102	Lower Ground	12 April	D
A-0103	Ground	12 April	C
A-0104	Level 1	12 April	C
A-0105	Level 2	September 12	B
A-0106	Level 3	12 April	C
A-0107	Level 4	September 12	B
A-0108	Level 4 Mezzanine	12 April	C
A-0109	Roof	12 April	B
A-0201	East Elevation	12 April	B
A-0202	West Elevation	12 April	B
A-0203	Side Elevations	12 April	B
A-0204	Perspective	12 April	B
A-0205	Perspective	12 April	B
A-0221	Section AA	12 April	B
A-0222	Section BB	12 April	B
A-1201	Materials and Finishes - East	April 13	B
A-1202	Material and Finishes - West	April 13	B

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 numbered 436122M dated 20 August 2012.
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

ITEM 2 (continued)

ATTACHMENT 1

- (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
5. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.
 6. **Security Grilles.** This consent does not authorise the erection of any security grilles or barriers on the shopfront. Separate approval must be obtained for any such works.
 7. **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.
 8. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
 9. **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.
 10. **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.
 11. **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.
 12. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
 13. **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.

ITEM 2 (continued)

ATTACHMENT 1

14. **Plant room.** The plant room metal screen must not be higher than RL63.8.
15. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
16. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
17. **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.
18. **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.
19. **Ground water assessment** - The proponent must submit an assessment report of the groundwater quality underlying the site prepared by an appropriately qualified and experienced environmental consultant. The report is to be submitted to Council prior to commencement of the demolition.

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.

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

ITEM 2 (continued)

ATTACHMENT 1

- (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*.
28. **Imported fill – validation.** All imported fill must be supported by a validation from a qualified environmental consultant that the fill constitutes Virgin Excavated Natural Material. Records of the validation must be provided upon request by the Council.
29. **Delivery dockets to be provided.** Each load of imported fill must be accompanied by a delivery docket from the supplier including the description and source of the fill.

ITEM 2 (continued)

ATTACHMENT 1

30. **Delivery docket – receipt and checking on site.** A responsible person must be on site to receive each load of imported fill and must examine the delivery docket and load to ensure that only Virgin Excavated Natural Material that has been validated for use on the site is accepted.
31. **Delivery docket – forward to PCA on demand.** The delivery docket must be forwarded to the Principal Certifying Authority within seven (7) days of receipt of the fill and must be produced to any authorised officer who demands to see them.

PRIOR TO CONSTRUCTION CERTIFICATE

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.

32. **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	\$72,431.43
Open Space & Recreation Facilities	\$163,364.11
Civic & Urban Improvements	\$65,221.02
Roads & Traffic Management Facilities	\$10,300.13
Cycleways	\$5,557.59
Stormwater Management Facilities	\$18,808.60
Plan Administration	\$1,496.64
The total contribution is	\$337,179.54

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 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

ITEM 2 (continued)

ATTACHMENT 1

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>.

33. **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**.
34. **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**.
35. **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: other buildings with delivery of bricks or concrete or machine excavation)
36. **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
37. **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**.
38. **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**.
39. **Road traffic noise and acoustics.** The residential flat building(s) must be designed and constructed so that road traffic noise levels inside the building(s) comply with the satisfactory design sound levels recommended in Australian/New Zealand Standard AS/NZS 2107: 2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*, and AS3671-1989 – Traffic Noise Intrusion, when the windows and

ITEM 2 (continued)

ATTACHMENT 1

doors are closed. If the noise level with windows and doors open exceeds the above noise criteria by more than 10dBA, an approved system of mechanical ventilation must be provided so that the building occupants can leave the windows and doors closed.

A report from a qualified acoustical consultant detailing the measures required to comply with the relevant noise criteria must be submitted with the plans and specifications for the **Construction Certificate**.

40. **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**.
41. **Privacy Screens.** Additional privacy screens are to be provided on the balconies to all residential units on floor levels 1- 4 (western facing balconies). Details of the materials and finishes in respect of the privacy screens must be submitted to and approved by Council prior to the issue of the relevant any Construction Certificate. In this regard one additional screen will be required for every balcony on the western elevation.
42. **Lighting of common areas (driveways etc).** Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
43. **Kitchen exhaust.** Adequate provision must be made for the installation of kitchen exhaust systems to any future food premises.
44. **Grease trap.** Adequate provision must be made for the installation of a grease trap for any future food premises if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted. Details must be provided prior to the issue of Construction Certificate.
45. **Garbage chutes.** The garbage chutes must be designed and constructed in accordance with the following requirements:
 - (a) The chute must be constructed of non-corrosive metal at least 500mm in diameter, with no bends or off-sets and all internal joints and seams finished to a smooth even surface to allow the free flow of garbage through the chute;
 - (b) Chute branches to charging devices must not exceed one (1) metre in length and must be angled to allow the free flow of garbage into the chute;
 - (c) The chute must terminate in the garbage room and discharge the garbage directly into a waste container in such a way that no spillage occurs;

ITEM 2 (continued)

ATTACHMENT 1

- (d) A suitable cut-off device must be provided at or near the base of the chute to effectively close off the chute while the waste containers are being serviced or the compaction equipment is being maintained;
 - (e) The chute must be ventilated so that air does not flow from the chute through any service opening and the flow of air through the chute does not impede the downward movement of garbage; and
 - (f) The vent at the top of the chute must extend above the roof level and be fitted a weather-proof cowl and wire mesh screen to prevent the entry of rainwater and birds;
 - (g) There is space for a recycle bin in the chute room on each floor.
46. **Service compartments.** The service compartments for the garbage chutes must:
- (a) have floors and walls finished with smooth even impervious materials that are coved to a 25mm radius at the floor junctions;
 - (b) be provided with an approved system of mechanical ventilation and adequate artificial lighting; and
 - (c) include adequate space and facilities for the reception of recyclable materials.
47. **Garbage room.** All garbage and recycling rooms must be constructed in accordance with the following requirements:
- (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
 - (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
 - (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
 - (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
 - (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
 - (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
 - (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;

ITEM 2 (continued)

ATTACHMENT 1

- (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (i) The room must be provided with adequate artificial lighting; and
- (j) a hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.

48. Waste Storage and Handling Facilities: Waste Storage and Handling Facilities must be provided as follows:

- (a) A waste and recycling storage room must be provided on the site as shown on the basement layout plan.
- (b) The waste and recycling storage room must be designed to accommodate the number of bins specified in the following Table and comply with Schedule 4.2 of Part 7.2 of Council's Development Control Plan 2010.

Minimum Number of Bins Required
3 X 1100L General Waste Bins
14 X 240L Recycling Bins
2 X 240L Green Waste Bins

- (c) The finishing/ paving from the waste and recycling storage room must be moderately graded so that the bins can be safely and easily manoeuvred to the collection point.
- (d) A separate room or area should be provided in the basement carpark for the storage of bulky wastes such as disused furniture and white goods. Access by contractor to this room is required.

Full details of the proposed waste storage and handling facilities must be submitted for approval with the plans and specifications for the **Construction Certificate**.

49. Mechanical Ventilation: Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted to Council or an accredited private certifier with the application for the **Construction Certificate**. Such details must include:

- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems;
- (b) A site survey plan showing the location of all proposed air intakes exhaust outlets and cooling towers, and any existing cooling towers, air intakes, exhaust outlets and natural ventilation openings in the vicinity; and
- (c) A certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and setting out the basis on which the certificate is given and the extent to which the certifier has relied upon relevant specifications, rules, codes of practice or other publications

ITEM 2 (continued)

ATTACHMENT 1

50. **Design Verification in respect of SEPP 65.** Prior to the relevant Construction Certificate being issued with respect to this development, the Principal Certifying Authority (PCA) is to be provided with a written Design Verification from a qualified designer. The statement must include verification from the designer that the plans and specifications achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 143A of the Environmental Planning and Assessment Regulation 2000.
51. **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.
52. **Car Parking & Access.** All internal driveways, vehicle turning areas, garage opening widths and parking space dimensions, headroom clearances, gradients and safe sight distances etc shall be designed comply with AS 2890 where applicable. Plans and engineering certification from a Traffic Engineer, indicating compliance with this condition are to be submitted with the Construction Certificate application
53. **Excavation** – To ensure the proposed site excavation will not impact on the adjoining property structures foundations and services. The applicant shall submit to the Principal Certifying Authority for approval a geotechnical report prepared and certified by a chartered practicing geotechnical/structural engineer addressing, but not be limited to the following items:
- The likely impacts of the proposed excavations will have on structures and services of adjoining properties;
 - Detail what measures are to be taken to protect the structures and services of adjoining properties from structural damage and undermining during construction; and
 - A copy of the report including geotechnical/structural engineer certification should be submitted to Council.

The above matters shall be completed prior to the issue of the **Construction Certificate** and all recommendations of the Geotechnical Engineer are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

54. **Widening of the Laneway and creation of footpath.** To facilitate satisfactory access to the site, the Gerard Lane shall be widened by the applicant at no cost to Council. The plans demonstrating the widening of the laneway and creation of the footpath shall incorporate but not limited to the following matters:

ITEM 2 (continued)

ATTACHMENT 1

- (a) The Gerard Lane shall be widened to the property boundary on the eastern side to achieve a minimum carriageway width of 5.5m measured between the face of kerb in Gerard Lane with any necessary transition to the southern and northern sides of the existing Laneway along the property frontage.
- (b) Provision of additional 1.5m wide footpath shall be made on the eastern side of the Laneway within the property. A ROW over this 1.5m wide footpath shall be created in favour of Council for public access. The footpath must be constructed to Council's standards. Details shall be submitted for Council's approval with the public domain and landscaping plan.
- (c) Provision of all required widening on the eastern side of Gerard Lane for the full frontage of the property.
- (d) Identifying all utility services within this area and make provision for these to be relocated in accordance with the requirements of the Utility Service Authorities.

55. **Construction of the Laneway.** To facilitate access and stormwater disposal from the subject site, detailed engineering plans for the proposed widening of the eastern side of Gerard Lane for the full frontage of the property and the extension of Council's drainage pipe are to be submitted to Council for approval prior to issue of a Construction Certificate. The plans shall incorporate, but not be limited to the following:

- (a) Construction of road pavement to achieve minimum 5.5m carriageway width, kerb and gutter, 1.5m wide footpath paving with necessary transitions to the existing Laneway on either side of the property and the access driveway
- (b) Design of the road pavement to withstand the passage of heavy vehicles.
- (c) Extension of the existing Council pipe in Gerard Lane to connect stormwater from the development site to the Council's stormwater pit.
- (d) Relocation of existing services within the proposed road pavement area as required
- (e) The works shall be designed by a chartered and experienced Civil Engineer in accordance with City of Ryde Environmental Standards - Development Criteria - 1999 Section 4 – Public Civil works.

Engineering plans assessment and works inspection fees are payable, in accordance with Council's Management Plan prior to written approval being issued by Council.

56. **Maintenance Bond.** To ensure satisfactory performance of the completed external road and drainage works, a maintenance period of six (6) months shall apply to all external engineering works completed in relation to this application. The performance period shall commence from Council's Compliance Certificate

ITEM 2 (continued)

ATTACHMENT 1

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

57. **Demolition and Construction Traffic Management Plan** – To ensure safe construction traffic flow on site a Traffic Management Plan (TMP) and report shall be prepared by an appropriately accredited person and submitted to for approval with the **Construction Certificate** application. The TMP shall be prepared in accordance with Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, the RTA’s Manual – “*Traffic Control at Work Sites*” and City of Ryde, Development Control Plan 2006: - Part 8.1 - Construction Activities where applicable. The TMP is to address but not be limited to the loss of on-street parking, construction vehicles travel routes, safety of the public, materials storage, handling and deliveries including construction traffic parking. Additionally, all traffic controllers on site must be RMS accredited traffic controllers and a minimum of seven (7) days notice shall be given to residents if their access will be affected by proposed construction activities.
58. **Dilapidation Survey of adjoining properties.** A dilapidation survey is to be undertaken that addresses all adjoining properties (including any public place) that may be affected by the construction work. 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.
59. **Dilapidation Report public infrastructure.** Submit a dilapidation report on existing public infrastructure in the vicinity of the proposed development. The report is to include a description of the location and nature of any existing observable defects to the following infrastructure including a photographic record.
- a) Road pavement
 - b) Kerb and gutter
 - c) Constructed footpath.
 - d) Drainage pits.
 - e) Traffic signs
 - f) Any other relevant infrastructure.

The report is also to be submitted to Ryde Council, attention development engineer, prior to the issue of the construction certificate. The report shall be used by council as Roads Authority under the Roads Act to assess whether restoration works are required prior to the issue of the occupation certificate.

A second Dilapidation Report shall be prepared by a suitably qualified person at the completion of the works to ascertain if any structural damage has occurred to the items specified in the earlier report. A copy of the report shall be submitted to Ryde City Council

ITEM 2 (continued)

ATTACHMENT 1

60. **Site stormwater system** - To ensure satisfactory stormwater disposal and minimise downstream stormwater impacts, stormwater runoff from the site shall be collected and piped by gravity flow to Council's existing underground stormwater system located in Gerard Lane via on-site stormwater detention system. Accordingly, the site concept stormwater drainage plans are to be revised by a chartered civil engineer for construction in accordance with City of Ryde, Development Control Plan 2010 - Part 8.2 - Stormwater Management and shall also incorporate but not limited to the following matters:

- (a) Clear unobstructed overland flow paths shall be provided where required to convey surcharge flow from the on-site detention system towards the public road.
- (b) Apart from seepage flows and flows generated from the access driveway under no circumstances shall flows from roof areas of the site be piped to the basement car park drainage system.

Detailed engineering plans, including certification prepared by a chartered civil engineer with NPER registration with Engineers Australia, indicating compliance with this condition are to be submitted with the Construction Certificate application.

61. **Pump System.** The wet well shall be designed and constructed in accordance with section 7.3 of AS 3500.3. The pumps shall be dual submersible and shall be sized and constructed in accordance with section 7.3 of AS 3500.3.

Direct connection of the pumps rising main into the kerb will not be permitted. The rising main is to be connected into the on-site detention tank. Details shall be submitted with the Construction Certificate application.

In the event of pump failure, all runoff that otherwise would have been pumped from the property is to be stored on the site for up to the 100 year Average Recurrence Interval 3 hour storm event. A detailed drainage design by a qualified Civil Engineer is to be submitted with the **Construction Certificate application**. The tank volume is to be determined using the ILSAX drainage program or its equivalent. The rational method is not permitted.

62. **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.

63. **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.

ITEM 2 (continued)

ATTACHMENT 1

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

- (a) Existing and final contours
 - (b) The location of all earthworks, including roads, areas of cut and fill
 - (c) Location of all impervious areas
 - (d) **Location and design criteria of erosion and sediment control structures,**
 - (e) Location and description of existing vegetation
 - (f) Site access point/s and means of limiting material leaving the site
 - (g) Location of proposed vegetated buffer strips
 - (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
 - (i) Location of stockpiles
 - (j) Means of diversion of uncontaminated upper catchment around disturbed areas
 - (k) Procedures for maintenance of erosion and sediment controls
 - (l) Details for any staging of works
 - (m) Details and procedures for dust control.
64. **Bicycle parking.** A designated area shall be provided within the building for bicycle parking. Bicycle parking racks must be provided to house at least eleven (11) bicycles. Details are to be submitted on the Construction Certificate.
65. **Car parking.** A total of forty one (41) car parking spaces are to be provided on the site including 22 spaces allocated for use by residents, six allocated for use by visitors and 13 spaces designated for use by retail tenancies.
66. **Parking for disabled persons.** *Accessible* parking must be provided for both residential and commercial/retail component of the development. At least four (4) accessible parking spaces are to be including four (4) allocated to the residential development. Details are to be submitted on the Construction Certificate plans.
67. **Loading bay.** A loading bay must be provided in the basement level of the proposed building. All vehicles are to enter and leave the site in a forward direction. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site and loading area shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to demonstrating compliance prior to the issue of any Construction Certificate.
68. **Sight lines.** Vegetation and proposed landscaping/ fencing must not hinder sight lines to and from the proposed access driveways to motorists, pedestrians and cyclists;

ITEM 2 (continued)

ATTACHMENT 1

69. Roads and Maritime Conditions to be complied with.

- (a) The developer is to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to RMS for assessment. The developer is to meet the full cost of the assessment by RMS. This report would need to address the following key issues:
- The impact of excavation/ rock anchors on the stability of Victoria Road and detailing how the carriageway would be monitored for settlement.
 - The impact of the excavation on the structural stability of Victoria Road.

The report and any enquiries should be forwarded to:

Project Engineer, External Works Sydney Asset Management, Roads and Maritime Services, P O Box 973 Parramatta CBD 2124

Telephone: 8848 2114

Fax: 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owners of the roadway are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

- (b) Pedestrian access to comply with AS 1428.1:2000 Design for access and mobility.
- (c) Any temporary/ partial road closures will require the applicant to apply for a Road Occupancy License (Form C & D) by contacting the Transport Management Centres Planned Incidents Unit on (02) 8396 1513 during office hours (8am-4pm) or 131 700 after hours.

The applicant will be required to submit the Road Occupancy License forms/traffic management plan at least 10 working days prior to the start of works. Plans should be forwarded to Rohit Autar, Supervisor Planned Incidents Unit, Transport Operations, Transport Management Centre or on facsimile (02) 8396 1530.

In the event that a Road Opening License is required, details can be obtained from RMS Sydney Projects Services on 8849 2496.

- (d) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to RMS for approval, prior to the commencement of any works.

Details should be forwarded to:
The Sydney Asset Management
Roads and Maritime Services
PO Box 973
Parramatta CBD 2124.

ITEM 2 (continued)

ATTACHMENT 1

A plan checking fee will be payable and a performance bond may be required before RMS approval is issued. With regard to the Civil Works requirement please contact the RMS Project Engineer, External Works on (02) 8849 2114 or fax (02) 8849 2766.

70. **Access to resident parking.** Access to residential parking should be restricted to residents and their visitors only. Details demonstrating compliance are to be submitted on the Construction Certificate plans.
71. **Intercom facility.** An intercom facility should be provided at the entry to the basement parking or at location considered appropriate. Details are to be submitted on the Construction Certificate plans.
72. **Disabled Access & Adaptable Units.** Disabled access is to be provided within the development in accordance with the recommendations contained in the Access Review Report prepared by Accessible Building Solutions. Details and certification indicating compliance with the AS1428 & AS4299, Building Code of Australia and the recommendations contained in the above Report are to be submitted to the Principal Certifying Authority (PCA) prior to the Construction Certificate being issued.
73. **Public Domain Works & Landscaping.** Public domain improvement works including (but not limited to) footpath paving, street tree planting, provision of street lighting along the Victoria Road and Gerard Lane fronting the subject site is to be carried out by the applicant (at applicant's/developer's cost). Full engineering details, including plans, sections, finished levels and material schedules are to be submitted and approval sought from Council prior to the issue of any Occupation Certificate. These works are to be completed prior to issue of any Occupation Certificate. All works must be carried out in accordance with the Ryde Public Domain Technical Manual and relevant street tree master plan. The design plan to be submitted to Council are to incorporate the following:
 - (a) Street lighting (multi- function poles) and footpath paving to be constructed in accordance with DCP2010 (Part 4.6) Gladesville Town Centre and Victoria Road Corridor and Ryde Public Domain Technical Manual and specifications provided by Council's Urban landscape Architect.
 - (b) The overhead services (electrical and telecommunication) on the Victoria Road frontage of the property shall be placed underground at the applicants expense and after approval by the responsible Authority.
 - (c) The applicant shall provide improved street lighting to Category P2 in Gerard Lane along the rear of the development site.
 - (d) The height and width of the building awning along the Victoria Road frontage shall be adequate to provide shelter for passengers waiting for buses. In this regard the awning shall have a minimum 3m clearance from the finished level of the footpath. Seating shall be provided under the awning for this purpose.

ITEM 2 (continued)

ATTACHMENT 1

- (e) All damaged or dilapidated sections of kerb and gutter along Victoria Road shall be replaced at the applicant's cost.
- (f) All redundant vehicular kerb layback crossings on Victoria Road shall be removed and replaced with standard kerb and gutter.
- (g) Standard kerb and gutter with kerb laybacks at vehicle driveways shall be constructed along the property frontage to Gerard Lane in conjunction with widening of the road pavement to 5.5 metres and the construction of a 1.5 metre wide footpath. Engineering Plans shall be submitted and approved by Council prior to any construction. Approved works shall be completed prior to the issue of any Occupation Certificate.
- (h) Under awning lighting shall be provided along the Victoria Road frontage to Australian Standard AS1158.3-1999 Road Lighting Pedestrian Area – Category P2.
- (i) The developer /owner must ensure that the health of the street trees is guaranteed for a minimum of 2 years to ensure that the character and appearance of the streetscape is established and maintained. Any species that die within two years of planting must be replaced by the applicant with a specimen of a similar size and maturity.
- (j) The footpath must be constructed in accordance with the site-specific street and footpath alignment levels obtained from Council.

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.

74. 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.
- (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.

75. 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.

ITEM 2 (continued)

ATTACHMENT 1

- (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.
76. **Pre-commencement dilapidation report.** The submission of a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public and private properties. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining private properties, prior to the commencement of construction.
77. **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.
78. **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.
79. **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 2010: - Part 8.1; Construction Activities
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 Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.
81. **Drainage Inspections.** The inspection of road and drainage works in Gerard Lane must be undertaken by a Council's Public Works inspector. Accordingly, a preconstruction meeting shall be organised with Council's inspector prior to commencement of works. Council's Public Works Inspector shall be notified at least 48 hours before the date of any inspection

ITEM 2 (continued)

ATTACHMENT 1

82. **Relocation of bus stop.** To facilitate construction works it may be necessary to temporarily relocate the bus stop on Victoria Road. Prior to this work occurring, the applicant is to consult with and gain approval from the relevant authorities including Council. All costs associated with the relocation and reinstatement are to be covered by the applicant. The bus stop is to be reinstated prior to the issue of any Occupation Certificate.

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.

83. **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*.
84. **Construction noise.** The L₁₀ noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
85. **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.
86. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
87. **Use of fill/excavated material.** Excavated material must not be reused on the property except if:
- (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.
88. **Construction materials.** All materials associated with construction must be stored within the site.
89. **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.

ITEM 2 (continued)

ATTACHMENT 1

90. 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.

91. 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".

92. Drop-edge beams. Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

93. RMS. All demolition and construction vehicles are to enter and exit the site via Gerard Lane. A construction zone will not be permitted on Victoria Road. The access to the site is to be via Gerard Lane. No access will be permitted from Victoria Road.

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

95. RMS. All traffic control during construction must be carried out by accredited RMS approved traffic controllers.

96. RMS. All works/ regulatory sign posting associated with the proposed development are to be at no costs to RMS.

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.

ITEM 2 (continued)

ATTACHMENT 1

97. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 436122M dated 20 August 2012.
98. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
99. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

100. **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 relation to works approved by this consent, prior to the issue of the **Occupation Certificate**.
101. **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 Interim/Final Occupation Certificate.
102. **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 the **Occupation Certificate**.

ITEM 2 (continued)

ATTACHMENT 1

103. **Public domain – work-as-executed plan.** A works as executed plan for works carried out in the public domain must be provided to and endorsed by Council prior to the issue of the **Occupation Certificate**.
104. **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.
105. **Disabled access.** Access for disabled persons shall be provided in the building or portion of the building in accordance with the applicable legislation and the requirements set out in AS 1428.1. Documentary evidence and certification is to be obtained from a suitable qualified person confirming that the development meets these requirements in accordance with this consent, is to be provided to the PCA prior to the issue of any Occupation Certificate.
106. **Design Verification:** Prior to an Occupation Certificate being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with design verification from a qualified designer. The statement must include verification from the qualified designer that the residential flat development achieves the design quality of the development as shown on plans and specifications in respect of the relevant Construction Certificate issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154A of the Environmental Planning and Assessment Regulation 2000.
107. **Mechanical Ventilation:** Where any mechanical ventilation systems have been installed or altered, a certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.
108. **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 2010: - Part 8.2; Stormwater Management. An approved plate may be purchased from Council's Customer Service Centre on presentation of a completed City of Ryde OSD certification form.
109. **Works-as-Executed Plan –** To ensure stormwater drainage works and road works are completed in accordance with approved plans, a Work-as-Executed plan for the site drainage system and the road works carried out in Gerard Lane certified by a registered surveyor is to be submitted to the Principal Certifying

ITEM 2 (continued)

ATTACHMENT 1

Authority and Council (If Council is not the appointed PCA) prior to issue of **Occupation Certificate**. The Work-as-Executed plan is to note all departures clearly in red on a copy of the approved Construction Certificate plans.

110. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Drawing No 1310 sheets S1 to S7 issue D dated 18/4/13 prepared by John Ramanous & Associates and as amended by conditions of the consent.
111. **Compliance Certificates – Engineering** – To ensure the development will be completed in accordance with approved plans, current specifications and applicable Australian and Council's standards the Principal Certifying Authority shall ensure the following will be met:
- Compliance Certificate should be obtained from an accredited certifier confirming that the constructed internal car park and associated drainage complies with AS 2890, the construction plan requirements and Ryde City Council's Environmental Standards Development Criteria - 1999.
 - Compliance Certificate should be obtained from an accredited certifier confirming that the site drainage system (including the on-site detention storage system) servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management
 - Confirmation from Council that all external road, footpath paving and drainage works have been constructed to the satisfaction of Council.
 - Compliance Certificate should be obtained to confirm that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - Compliance Certificate shall be obtained from Council confirming that all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and Ryde City Council's Environmental Standards Development Criteria - 1999.
 - Compliance Certificate shall be obtained from Council confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Council's Environmental Standards Development Criteria – 1999
112. **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.

ITEM 2 (continued)

ATTACHMENT 1

113. **Positive Covenant, Pumps.** The creation of a Positive Covenant under Section 88 of the Conveyancing Act 1919, burdening the property with the requirement to maintain the pump 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 Pump-out 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.

114. **Creation of the Right of Way over 1.5m wide footpath** - To facilitate public access a 1.5m wide Right of Way (ROW) for public access for the full frontage of the property in Gerard Lane shall be created and registered on the titles of the subject property over the 1.5m wide footpath. The terms of the ROW shall be to Council's satisfaction and shall provide for, but not be limited to the following:

- a) Maintenance of the R.O.W to ensure safe, unobstructed access to the public at all times with all costs of maintenance being borne by the registered proprietor of the land.
- b) Any public liability arising from the use of the ROW by the users, including the public are to be fully borne by the registered proprietor of the land.
- c) Allow for future modifications where necessary to facilitate the construction of a public access way upon redevelopment of the adjoining properties to the north and south of the subject site.

The terms of the R.O.W shall be submitted to Council for assessment and approval and will need to be registered at the Lands and Property Management Authority, prior to issue of Occupation Certificate.

115. **Acoustic certification.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.

116. **Mechanical Ventilation.** Where any mechanical ventilation systems have been installed, a certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.

OPERATIONAL CONDITIONS

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.

117. **Hours of operation.** The permitted hours of operation for retail/ commercial tenancies are:

- 7.00am and 9pm Monday to Saturday and 8.00am to 8pm on Sunday.

ITEM 2 (continued)

ATTACHMENT 1

118. **Offensive noise.** The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
119. **Waste storage/disposal – hours of collection.** Waste and recyclable material generated by these premises must not be collected between the hours of 9pm and 8am on any day.
120. **Bin Location prior to collection.** The location of where the bins will be placed out in Gerard Lane needs to ensure that they will not block access to the 5 properties facing the laneway.
121. **Garbage collection:** Arrangements must be made with Council for the provision of garbage services to the premises before **occupation commences**. Staff or contractors must be employed to take the bins from waste and recycling storage room to the kerbside for servicing and to return the bins to the waste storage and recycling room as soon as practicable after servicing.
122. **Waste storage/disposal – containers.** An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
123. **Delivery and loading/unloading – hours.** No deliveries, loading or unloading associated with the premises are to take place between the hours of 9:00pm and 8am on any day.
124. **Delivery and loading/unloading – location.** All loading and unloading in relation to the use of the premises shall take place wholly within the property.
125. **Disabled access.** Access for disabled persons shall be provided in the building or portion of the building in accordance with the applicable legislation and the requirements set out in AS 1428.1. Documentary evidence and certification is to be obtained from a suitable qualified person confirming that the development meets these requirements in accordance with this consent, is to be provided to the PCA prior to the issue of any Occupation Certificate.
126. **Design Verification:** Prior to an Occupation Certificate being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with design verification from a qualified designer. The statement must include verification from the qualified designer that the residential flat development achieves the design quality of the development as shown on plans and specifications in respect of the relevant Construction Certificate issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154A of the Environmental Planning and Assessment Regulation 2000.

ITEM 2 (continued)

ATTACHMENT 1

127. **Mechanical Ventilation:** Where any mechanical ventilation systems have been installed or altered, a certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.
128. **Noise Pollution:** The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*. The operation of any plant or machinery installed on the premises must not cause:
- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at the most affected noise sensitive location in the vicinity. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors, when the windows and doors are closed*.

ITEM 2 (continued)
ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
Dec 2002	Report to Council	Report to Council regarding need to undertake joint master plan for Gladesville	Ryde Council resolved to enter into a partnership with Hunters Hill Council to prepare a Master Plan for Gladesville
March 2003	Appoint urban design consultants, Annand Alcock to prepare a master plan	An urban design based study utilising the principles of <i>New Urbanism</i>	
May June 2003	Community consultation	To establish issues and define the master plan vision	
July 2003	Gladesville Community Reference Group initiation meeting.	The Master Plan preparation was guided by a community reference group, drawing representation from: <ul style="list-style-type: none"> ▪ Roads and Traffic Authority ▪ Gladesville Public School ▪ Chamber of Commerce ▪ Residents for Appropriate Development ▪ Cowell Street Action Group ▪ Heritage groups; and ▪ Councillors. 	
Sep 2003	Gladesville Reference Group Meeting		

ITEM 2 (continued)

ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
Oct 2003	<ul style="list-style-type: none"> • 3 meetings of the Gladesville Reference Group subcommittee/s • Gladesville Reference Group Meeting 	The subcommittee/s considered issues from the perspective of residents and the Chamber of Commerce	
Nov 2003	Joint briefing of Hunters Hill and Ryde Councils	The councils supported the request by the Community Reference Group for a heritage study	
Mar 2004	Report to Ryde Council requesting funding and support to prepare a Heritage Study		<p>RESOLUTION</p> <p>“(t)hat a history study of the Gladesville Town Centre be undertaken in conjunction with Hunters Hill Council ... (and that) a report on the findings of the history study be made to both Councils.”</p>
May 2004	Appoint heritage consultant Paul Davies to prepare heritage study.	Master Plan put on hold while the Heritage Study was undertaken.	
Dec 2004	Gladesville Reference Group Meeting	Reference Group briefed on master plan vision & progress and draft Heritage Study and provided opportunity to comment.	
March 2005	Hunter’s Hill and Ryde Council’s submit application for funding from NSW government	Funding based on preparation of an urban design based DCP	

ITEM 2 (continued)

ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
April 2005	Heritage study reported to Council	Draft Master Plan amended to incorporate recommendations of Draft Heritage Study	<p>RESOLUTION: (Moved by Crs Petch and Butterworth)</p> <p>(a) That <i>The Gladesville Heritage Assessment and Conservation Guidelines, March 2005</i> by Paul Davies Pty Ltd, Architects and Heritage Consultants be received and noted.</p> <p>(b) That a further report regarding the recommendations of <i>The Gladesville Heritage Assessment and Conservation Guidelines, March 2005</i> be provided to Council after exhibition of the Draft Gladesville Master Plan.</p> <p>(c) That the landowner of the former Primrose Hill Sawmill be advised of the Archaeological potential of the site.</p>
Jul 2005	Gladesville Reference Group Meeting	Draft Master Plan presented to Reference group and comments sought.	
Aug 2005	Report to Council	Council resolved to exhibit the Master Plan	<p>RESOLUTION: (Moved by Crs Petch and Butterworth)</p> <p>(a) That the draft Gladesville Town Centre Master Plan prepared by Annand Alcock Urban Design be placed on public exhibition for a period of 28 days.</p> <p>(b) That a report be presented to Council following completion of the formal exhibition and consultation process.</p> <p>(c) That the General Manager write to the members of the Gladesville Reference Group thanking them for their commitment to the future of Gladesville and assistance during preparation of the Draft Gladesville Master Plan.</p> <p>(d) That the Manager Strategic Planning, Meryl Bishop and Senior Strategic Planner, Lexie Macdonald be congratulated on the manner in which they conducted the reference group meetings.</p>

ITEM 2 (continued)
ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
Sept/Oct 2005	Exhibit Draft Gladesville and Victoria Road Master Plan	<ul style="list-style-type: none"> 4 x 4hr drop in sessions at Gladesville Library Well attended community/public meeting held by the councils on 19 Sep 	
Dec 2005	Notice of successful application to Dept of Planning for funding	\$90,000 from Planning Reform Fund was provided to Council to prepare the to prepare Gladesville LEP and DCP	
5 Dec 2005	Report to Council	<ul style="list-style-type: none"> Exhibition outcomes reported to Council Council received 255 submissions 74% were positive 18% gave conditional support subject to change 8% were negative <ul style="list-style-type: none"> Council resolved to prepare planning controls 	RESOLUTION: (Moved by Crs Butterworth and Tagg) (a) That the report on the public exhibition of the draft Gladesville town centre and Victoria Road master plan be received, noted and endorsed. (b) That a further report attaching an amended Gladesville town centre and Victoria road master plan be presented to council in April 2006.
Jan 2006	Hill PDA commenced economic analysis	This study recommended that FSRs would need to be generally around 2.7:1	
Jul 2006	Consultant appointed to prepare DCP & site studies.	The consultants were not at this stage engaged to prepare the LEP as the Dept of Planning had still not released the standard LEP instrument	
Jul 2006	Gladesville Chamber of Commerce briefed		
Aug 2006	Presentation work in progress to joint Council workshop		

ITEM 2 (continued)
ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
Oct 2006	Inaugural meeting of Technical Working Group	Set up to consult and obtain an integrated approach to a range of issues. Draw representation form Dept of Planning, Ryde Council, RTA, Hunters Hill Council and Transport for NSW	
Nov 2006	Presentation work in progress to joint Council workshop.	Presentation provided by consultant team	
Dec 2006	Briefing to Gladesville Chamber of Commerce		
Dec 2006		Council formally resolved to prepare LEP The LEP was not commenced immediately as the LEP template format had not been released at the time.	RESOLUTION: (Moved by Crs Butterworth and Campbell) (a) That a draft Local Environmental Plan be prepared in accordance with the Standard Instrument (Local Environmental Plans) Order 2006, for the Gladesville Town Centre and Victoria Road Corridor. (b) That the NSW Department of Planning be advised of Council's resolution to prepare the draft Local Environmental Plan in accordance with Section 54 of the Environmental Planning and Assessment Act 1979. (c) That a report regarding preparation of the Draft Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan and Draft Development Control Plan be provided to Council in early 2007.
Mar 2007	Technical Working Group meeting	Group provided opportunity to comment on DCP. RTA requested traffic impact study	

ITEM 2 (continued)

ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
May 2007	<ul style="list-style-type: none"> Notify Dept of Planning that council had resolved to prepare an LEP (s54) The GM reported to Council that the RTA required a traffic study in order for the project to proceed to s62 	<p>S62 consultation with state agencies is a prescribed step in the plan making process. Without state agency support the LEP could not proceed.</p> <p>A traffic study was not included in the original project scope as the RTA was a member of the Community Reference Group for the master plan and had not raised the issue prior.</p> <p>Traffic consultant appointed</p>	No RESOLUTION minuted
Jul 2007	<ul style="list-style-type: none"> Ryde Councillor Workshop Council received s55 approval from the Dept of Planning to prepare the LEP. 		
Jul–Aug 2007	S 62 Consultation with state agencies		

ITEM 2 (continued)
ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
4 Dec 2007	<ul style="list-style-type: none"> • Council adopted the DLEP for public exhibition • Briefing to Chamber of Commerce • a s64 report to the Dept of Planning requesting approval to publicly exhibit the plans 	The DDCP and DLEP were complete and presented to Council.	<p>RESOLUTION: (Moved by Crs Ryan and Netterfield)</p> <p><i>(a) That the draft Local Environmental Plan, for the Gladesville Town Centre and Victoria Road Corridor be forwarded to the NSW Department of Planning requesting that a section 65 certificate be issued in accordance with the Environmental Planning and Assessment Act 1979.</i></p> <p><i>(b) That the General Manager be delegated to consult affected landowners regarding the potential heritage listing of their properties to obtain their responses. The outcome of this consultation is to be reported to Council as soon as practicable.</i></p>

ITEM 2 (continued)

ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
15 April 2008	based on owners objections Council resolved to not incorporate heritage items recommended by Heritage Study		<p>RESOLUTION: (Moved by Crs Butterworth and Netterfield)</p> <p><i>(a) That the report of the Senior Strategic Planner, dated 8 April 2008 on the outcomes of the consultation with the land owners of properties subject to a potential heritage listing within the Gladesville Town Centre and Victoria Road Corridor, be received and noted.</i></p> <p><i>(b) That the Draft Ryde Local Environmental Plan 2008: Gladesville and Victoria Road Corridor be amended in accordance with the recommendations of the table within this report entitled Gladesville Town Centre and Victoria Road Corridor DLEP: Submissions from affected landowners to potential heritage listing.</i></p> <p><i>(c) That relevant recommendations of the table within this report entitled Gladesville Town Centre and Victoria Road Corridor DLEP: Submissions from affected landowners to potential heritage listing be incorporated in the Draft Ryde Development Control Plan Gladesville Town Centre and Victoria Road Corridor.</i></p> <p><i>(d) That the Draft Ryde Development Control Plan and Draft Ryde Local Environmental Plan 2008: Gladesville Town Centre and Victoria Road Corridor and supporting studies, be reported to Council upon receipt of the s65 certificate from the Director General of the Department of Planning.</i></p>
Jul 2008	briefing to the Gladesville Chamber of Commerce	Provided by Ryde Council's General Manager	

ITEM 2 (continued)
ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
August 2008	S65 approval to exhibit the plans issued by Dept of Planning	The approval to exhibit was issued during the Council's caretaker period. At the direction of Dept Local Government no major decisions could be undertaken. The exhibition was delayed until the new council could be briefed.	
Oct 2008	Briefing to Council	The newly elected Council was briefed re the Draft LEP and DCP	
Nov 2008 - Feb 2009	Public exhibition of draft LEP and DCP and supporting studies	The Act requires that draft LEPs and DCPs are exhibited for 28 days. The exhibition ran 92 days from November 2008 to February 2009 and submissions were accepted up to 31 March 2009.	
Dec 2008	Public exhibition activities	<ul style="list-style-type: none"> • All day drop in session (10am-7pm) • Public meeting (at Gladesville RSL) briefed by staff from both councils & consultants 	
Jan 2009	Public exhibition activities	<ul style="list-style-type: none"> • Briefing to Gladesville Chamber of Commerce • Public meeting (briefed by Hunters Hill Staff) • Ryde staff met with landowners and stakeholder groups on request 	
May 2009	Councillor briefing	regarding issues raised in submissions	

ITEM 2 (continued)

ATTACHMENT 2

Date	Milestone	Description/comment	Council resolutions
Jun 2009	Report to Council	<p>The report recommended adoption of the plans subject to amendment based on submissions including:</p> <ul style="list-style-type: none"> • LEP Height map • LEP FSR map • Several DCP changes (e.g. rear setbacks) <p>http://www.ryde.nsw.gov.au/Documents/Mtg-COW2009/cow0909_160609a.pdf</p>	<p>RESOLUTION: (Moved by Crs Butterworth and O'Donnell)</p> <p>(a) That the report of the Senior Strategic Planner, dated 19/03/2009 on GLADESVILLE TOWN CENTRE AND VICTORIA ROAD CORRIDOR PLANNING CONTROLS, be received and noted.</p> <p>(b) That the amendments to the Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008 and Development Control Plan as outlined in this report be adopted.</p> <p>(c) That the draft Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008 be forwarded with a s.68 report to the Department of Planning with a request that the Minister make the Plan.</p> <p>(d) That the amendments to the Gladesville Town Centre and Victoria Road Corridor Development Control Plan are made and the plan becomes effective upon the making of the Gladesville Town Centre and Victoria Road Corridor Local Environmental Plan 2008.</p> <p>(e) That draft Heritage Item 141, Our Lady Queen of Peace Church, 329 Victoria Road, Gladesville be deferred from Schedule 5 of the draft Gladesville Town Centre and Victoria Road Local Environmental Plan 2008 and a further report be submitted to Council following discussions with the landowner.</p>

ITEM 2 (continued)

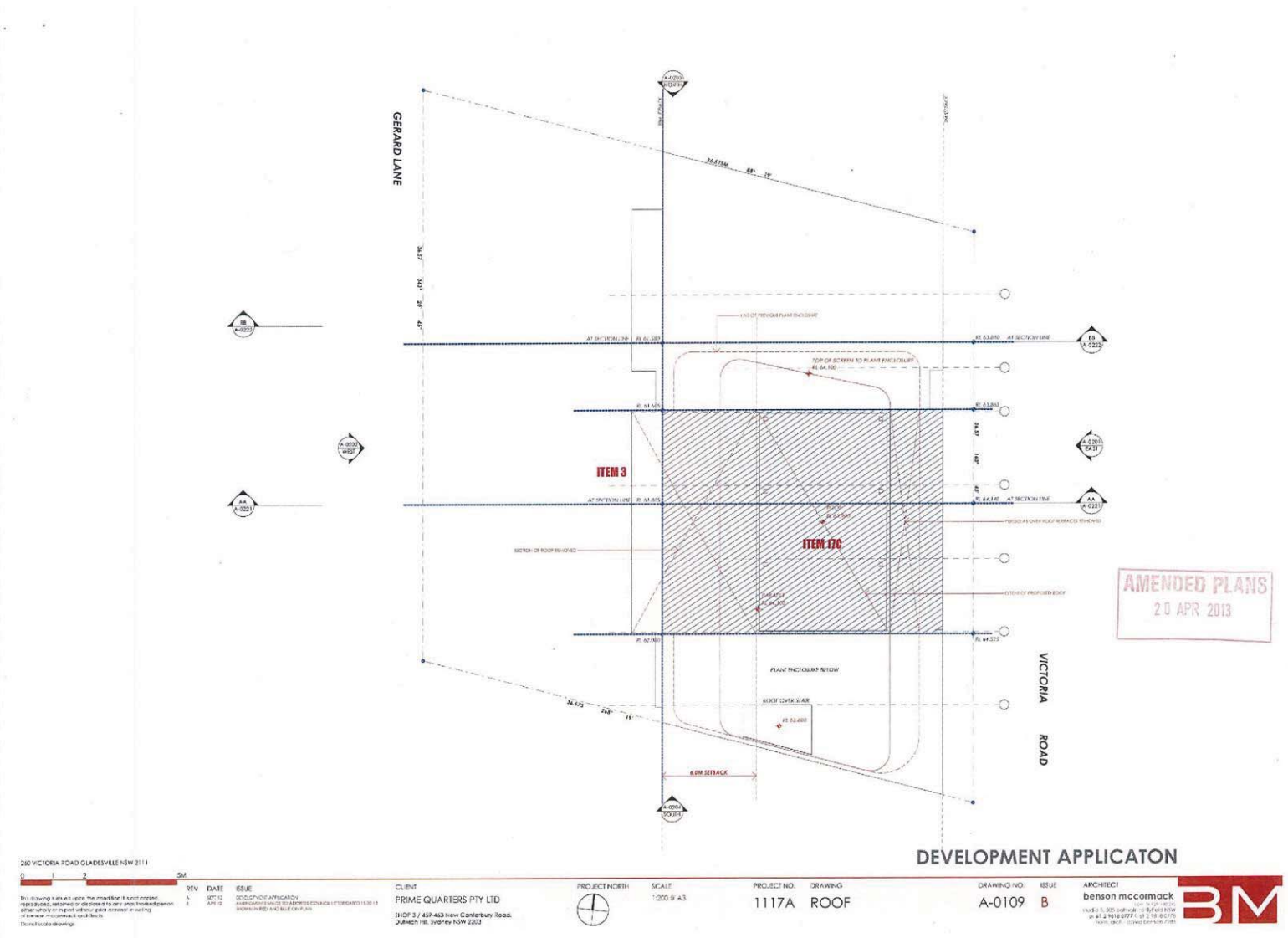
ATTACHMENT 3

- Indicates submissions received to amended plans
(other submissions received outside map area)



ITEM 2 (continued)

ATTACHMENT 4



23E VICTORIA ROAD GLADESVILLE NSW 2111

REV	DATE	ISSUE
A	08/12	DEVELOPMENT APPLICATION
B	09/12	AMENDMENTS TO ADDRESS COUNCIL LETTER DATED 16/08/13
C	09/12	WORKS IN FIELD AND MEASUREMENT PLAN

CLIENT
PRIME QUARTERS PTY LTD
 3/SHOP 3 / 459-463 New Canterbury Road,
 Dulwich Hill, Sydney NSW 2203

PROJECT NORTH


SCALE
1:200 @ A3

PROJECT NO.
1117A ROOF

DRAWING NO.
A-0109 B

ARCHITECT
benson mccormack


ITEM 2 (continued)

ATTACHMENT 4



VICTORIA ROAD MASSING (IMAGES UPDATED)



340 VICTORIA ROAD GLADESHELD NSW 2111

0 1 2
This drawing is issued upon the understanding that it is not to be used for any other purpose without the express written consent of the architect.

REV	DATE	ISSUE
A	10/1/13	FOR DEVELOPER APPROVAL
B	10/1/13	FOR DEVELOPER APPROVAL

CLIENT: PRIME QUARTERS PTY LTD
3-DP 3/7 APR 2013 from Carburbury Road, Dulwich Hill, Sydney NSW 2203

AMENDED PLANS
20 APR 2013

DEVELOPMENT APPLICATOR
PROJECT NO. 1117A DRAWING EAST ELEVATION
DRAWING NO. A-0201 SURF B ARCHITECT benson mccormack
benson mccormack architects
1/1117A VICTORIA ROAD GLADESHELD NSW 2111
PH: 61 2 9888 9999 FAX: 61 2 9888 9978
WWW: WWW.BENSONMCCORMACK.COM



ITEM 2 (continued)

ATTACHMENT 4



MATERIALS/FINISHES ABBREVIATIONS

AWH1	AWH102 - TYPE 1	Concrete framed ceiling with cement wood finish
AWH2	AWH103 - TYPE 2	Steel ceiling colour TBD
B.1	SKULTRADE - TYPE 1	Paint finish TBD
B.2	SKULTRADE - TYPE 2	Shoe
B.3	SKULTRADE - TYPE 3	Frameless glass with stainless steel fixings
CH	CONCRETE	Smooth surfaced off form finish
GL1	GLASS - TYPE 1	Clear glazing in aluminium frame to BASIX requirements
GL2	GLASS - TYPE 2	Clear frameless glazing
M.C1	METAL CLADDING - TYPE 1	Profile and colour TBD
M.C2	METAL CLADDING - TYPE 2	Profile and colour TBD
M.S1	METAL SCREEN - TYPE 1	Profile and colour TBD
M.S2	METAL SCREEN - TYPE 2	Profile and colour TBD
M.S3	METAL SCREEN - TYPE 3	Profile and colour TBD
M.S4	METAL SCREEN - TYPE 4	Profile and colour TBD
PAV.1	PAVING - TYPE 1	Material and colour TBD
PAV.2	PAVING - TYPE 2	Material and colour TBD
PH1	PAINT FINISH - TYPE 1	Colour TBD
PF1	FIBRE FINISH TO ROOF - TYPE 1	Size and colour TBD
PF2	FIBRE FINISH TO ROOF - TYPE 2	Size and colour TBD
RF1	RENDER AND PAINT - TYPE 1	Finish, texture and colour TBD
RF2	RENDER AND PAINT - TYPE 2	Finish, texture and colour TBD
SCRH	GLAZED SCREEN - TYPE 1	Colour TBD
SH1	SICHE FACED - TYPE 1	Finish, texture and colour TBD

GERARD LANE MASSING (IMAGES UPDATED)



200 VICTORIA ROAD GLADESVILLE NSW 2111

0 1 2 5M

THIS DRAWING IS ISSUED UNDER THE CONDITION THAT IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BENSON MCCOMACK ARCHITECTS.

REV	DATE	ISSUE
A	30/1/12	2012 DEVELOPMENT APPLICATION
B	09/12/12	AMENDED DEVELOPMENT APPLICATION FOR SUBMITTED TO LOCAL GOVERNMENT FOR REVIEW
C	09/12/12	AMENDED DEVELOPMENT APPLICATION FOR SUBMITTED TO LOCAL GOVERNMENT FOR REVIEW

CLIENT
PRIME QUARTERS PTY LTD
5/107-3, 455-463 New Canterbury Road,
DUMBOURNE NSW 2202

AMENDED PLANS
20 APR 2013

PROJECT NO. 1117A
DRAWING WEST ELEVATION
SCALE 1:200 @ A3

DEVELOPMENT APPLICANT

DRAWING NO. A-0202
ISSUE B

ARCHITECT
benson mccomack
10/11-13/15, 17/19-21/23
STABLES COURT, WENTWORTH PARK NSW 2145
TEL: 02 9518 8777 FAX: 02 9518 8778
WWW: WWW.BENSONMCCOMACK.COM.AU



ITEM 2 (continued)

ATTACHMENT 4

