

Item 2
28 Eagle Street, Ryde - LDA2022/0399

Demolition of existing structures and construction of a 6 storey mixed use development over basement parking accommodating 10 residential units and a ground floor commercial tenancy.

Report prepared by: Senior Town Planner

Report approved by: Senior Coordinator - Development Assessment
Manager - Development Assessment

**City of Ryde
Local Planning Panel Report**

DA Number	LDA2022/0399
Site Address & Ward	28 Eagle Street, Ryde Lot 61 DP 30343 and Lot 59 DP 30343 Central Ward
Zoning	B6 Enterprise Corridor
Proposal (as amended)	Demolition of existing structures and construction of a 6 storey mixed use development over basement parking accommodating 10 residential units and a ground floor commercial tenancy.
Property Owner	Eagle Ryde Pty Limited
Applicant	Eagle Ryde Pty Limited
Report Author	Niroshini Stephen – Senior Town Planner
Lodgement Date	16 December 2022
Notification - No. of Submissions	Public Exhibition 1: Fifteen (15) submissions objecting to the development. Public Exhibition 2: Three (3) submissions objecting to the development.
Cost of Works	\$9,744,606.00

Reason for Referral to LPP	<p>Contentious Development – More than 10 unique submissions objecting to the proposal have been received as a result of public notification of the application - Schedule 1, Part 2 of Local Planning Panels Direction</p> <p>Sensitive Development – Development to which State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development applies - Schedule 1, Part 4 of Local Planning Panels Direction.</p>
Recommendation	Approval
Attachments	<ol style="list-style-type: none"> 1. Draft Conditions of Consent 2. Proposed plans 3. Clause 4.6 written variation request 4. View Impact Assessment

1. Executive Summary

The subject development application seeks consent for demolition of existing structures (being used as an indoor recreation facility - basketball courts) and construction of a 6 storey mixed use development over basement parking accommodating 10 residential units and a ground floor commercial tenancy. The site is legally described as Lot 61 DP 30343 and Lot 59 DP 30343 and is known as 28 Eagle Street, Ryde.

State Environmental Planning Policy Amendment (Land Use Zones) 2022 commenced on 26 April 2023, after the lodgement of the DA on 16 December 2022. The site was previously zoned B6 Enterprise Corridor and has now been amended to be zoned E3 Productivity Support. Clause 5 of Part 2 of Schedule 1 of the Standard Instrument (Local Environmental Plans) Order 2006 states development that is permitted with development consent on land in a former zone under a local environmental plan, as in force immediately before 26 April 2023, continues to be permitted with development consent on the land until 26 April 2025. This application benefits from savings provisions, and the B6 Enterprise Corridor zone is the applicable zone.

The development contravenes Clause 4.3 of Ryde Local Environmental Plan 2014 (RLEP 2014) Height of Building development standard being a maximum of 15.5 metres. The proposal results in a height of 15.95 metres, representing a 2.90% departure from the standard.

In accordance with DCP 2014 Part 2: Community Participation Plan, the owners of surrounding properties were given notice of the application between 19 December 2022 and 31 January 2023. Fifteen (15) submissions were received objecting to the development from the adjoining property owners. The amended plans received on 19 May 2023 were renotified between 10 October 2023 and 6 November 2023. Three (3) submissions were received objecting to the development from the adjoining property owners. Two (2) of these submissions were from objectors who had made a submission during the first notification period and one (1)

submission was from an objector who only made a submission during the second notification period.

The submissions raised the following key concerns:

- Indoor basketball court should be retained or form part of the proposal;
- Height non compliance and inconsistency with the streetscape;
- Solar access and cross ventilation impacts to the proposal and neighbouring properties;
- Commercial section being out of character with the residential area;
- Traffic, safety and parking concerns;
- Drainage, stormwater runoff and water egress impacts;
- Excessive storage and non compliant communal open space area;
- Overlooking impacts;
- Extent of excavation and damage to neighbouring properties;
- Concerns regarding notification of application;
- Insufficient setbacks;
- View loss impacts; and
- Decrease in value of neighbouring properties.

This application is reported to the Ryde Local Planning Panel (RLPP) for determination in accordance with the *Environmental Planning and Assessment Act 1979 (‘the Act’)*, Section 9.1 - Directions by the Minister for the following reason:

- The proposal is a ‘Contentious development’ to which more than 10 unique submissions objecting to the proposal have been received as a result of public notification of the application; and
- The proposal is a ‘Sensitive Development’ as **State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development is applicable.**

The submitted Clause 4.6 written variation request satisfies the pre-conditions for a consent authority to allow a variation to the standard. The development application is recommended for approval subject to the recommended conditions of consent provided in **Attachment 1** of this report.

2. The Site and Locality

The site is known as No. 28 Eagle Street, Ryde and is legally described as Lot 61 DP 30343 and Lot 59 DP 30343.

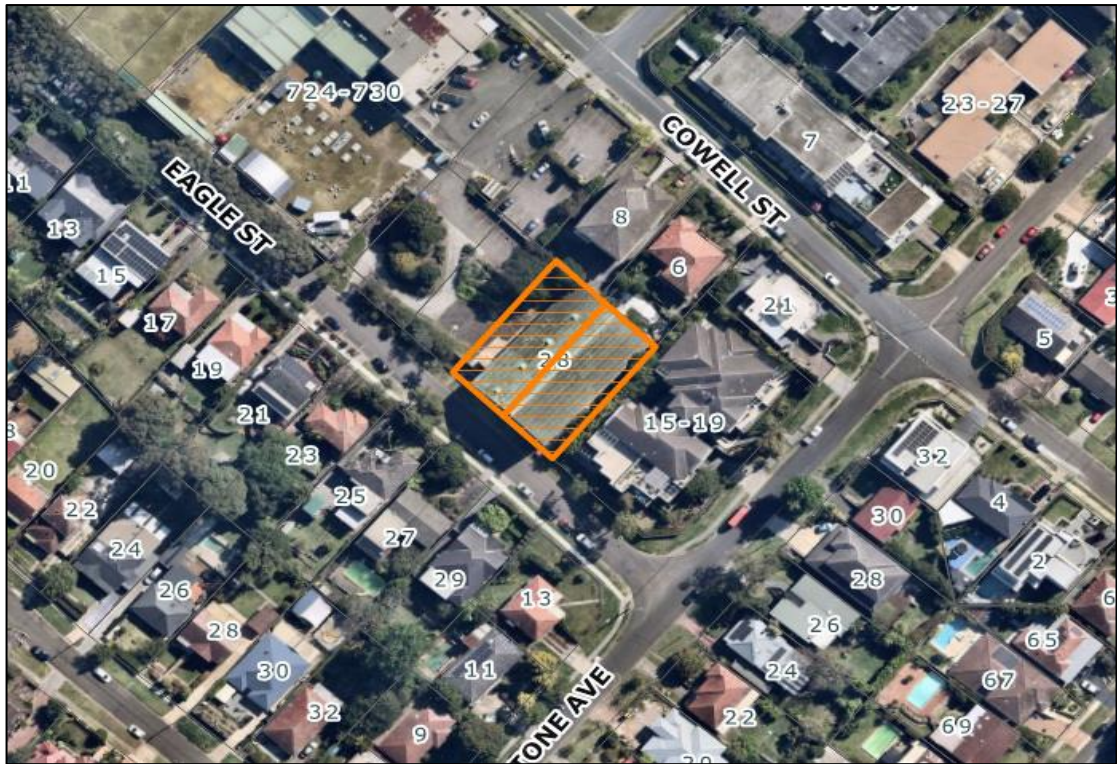


Figure 1 – Aerial photograph of site

The site is rectangular in shape with a frontage of 31.74 metres to Eagle Street. The north western side boundary is 36.575 metres and the south eastern side boundary is 36.575 metres. The north eastern rear boundary width is 31.74 metres. The site has an area of 1158.4m²

The site is located on the high side of the street. The site falls significantly from the northern corner (RL55.50) to the southern corner (RL45.50) by approximately 10 metres.

The site contains an indoor basketball court and is occupied by the Inner West Bulls Basketball Club. Pedestrian access is provided via stairs on the north western side boundary and south eastern side boundary. There is currently no parking provided on site or vehicular access from Eagle Street. There are five (5) trees located within the site. Photographs of the existing site are below (**Figure 2** to **Figure 8**).



Figure 2 – Photo of the existing building taken from Eagle Street



Figure 3 – Photo of the existing building taken from Eagle Street

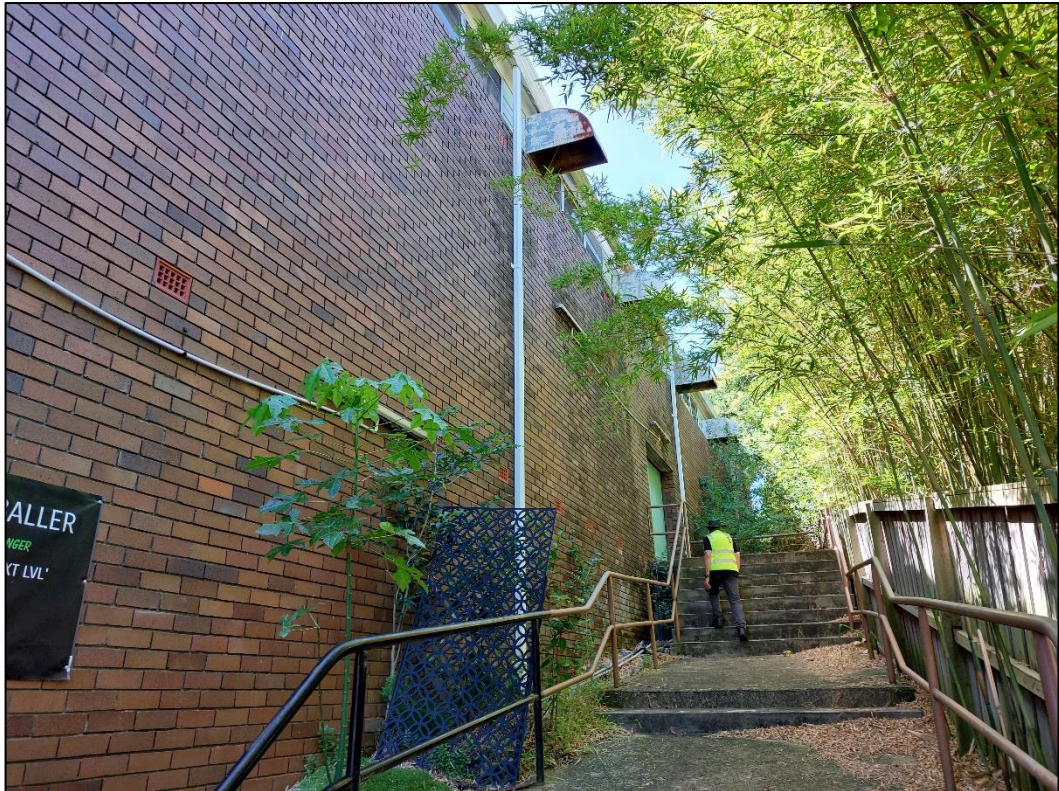


Figure 4 – Photo of the south eastern elevation of the existing building



Figure 5 – Photo of the north western elevation of the existing building



Figure 6 – Photo of existing hard paved area and trees to the north west of the existing building



Figure 7 – Photo of existing pedestrian access to the north west of the building

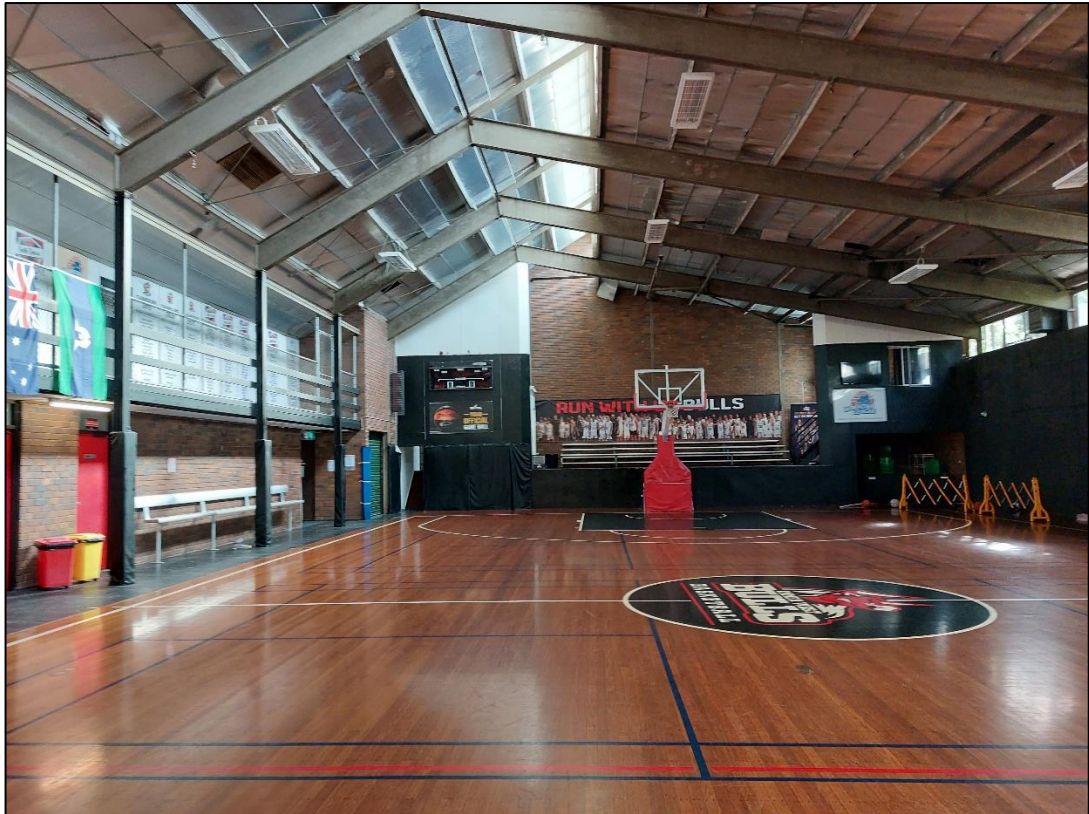


Figure 8 – Photo of existing indoor basketball court

The site is adjoined to the south east by No. 15-19 Gladstone Avenue which contains a three storey residential flat building over two levels of basement parking. The residential flat building contains sixteen (16) units (**Figure 9** and **Figure 10**).



Figure 9 – Photo of No. 15-19 Gladstone Avenue taken from Eagle Street



Figure 10 – Photo of No. 15-19 Gladstone Avenue taken from Gladstone Avenue

The site is adjoined to the north east by No. 6 Cowell Street which contains a part one/part two storey dwelling (**Figure 11**).



Figure 11 – Photo of No. 6 Cowell Street

The site is adjoined to the north east by No. 8 Cowell Street which contains a part three/ part four storey residential flat building consisting of nine (9) units (**Figure 12**).



Figure 12 – Photo of No. 8 Cowell Street

The site is adjoined to the north east by No. 724 – 730 Victoria Road Ryde which contains Club Ryde (**Figure 13** to **Figure 15**). The subject site adjoins a hard stand parking area within the neighbouring site. A covered parking area is located approximately 40 metres from the shared boundary.



Figure 13 – Photo of No. 724 – 730 Victoria Road taken from Eagle Street



Figure 14 – Photo of parking structure at No. 724 – 730 Victoria Road



Figure 15 – Photo of hard paved parking area at No. 724 – 730 Victoria Road taken from the subject site.

Detached dwellings (comprising a mix of single and two storey dwellings) are located opposite the site (**Figure 16** and **Figure 17**).



Figure 16 – Photo of single dwellings opposite the site



3. The Proposal

The proposal seeks consent for demolition of existing structures and construction of a 6 storey mixed use development over basement parking accommodating 10 residential units and a ground floor commercial tenancy.

A secure residential lobby and separate commercial area are located on the ground floor and can be separately accessed directly from Eagle Street. Level 1, Level 4 and Level 5 contain two (2) x 3 bedroom units. Level 2 and Level 3 contain two (2) x 4 bedroom units. A communal open space area is provided at the rear of the building with access from Level 3. The communal open space area to the rear can be accessed from all floors via a lift and stairs.

The proposed building includes a basement car park with a total of nineteen (19) spaces. The basement car park contains fourteen (14) residential spaces (including two (2) adaptable spaces and six (6) spaces in a car stacker arrangement), two (2) residential visitor spaces and three (3) commercial spaces (including one (1) accessible space).

The proposal includes the removal of five (5) trees.

Figures 18 to 21 below are the elevations of the proposed mixed use development.

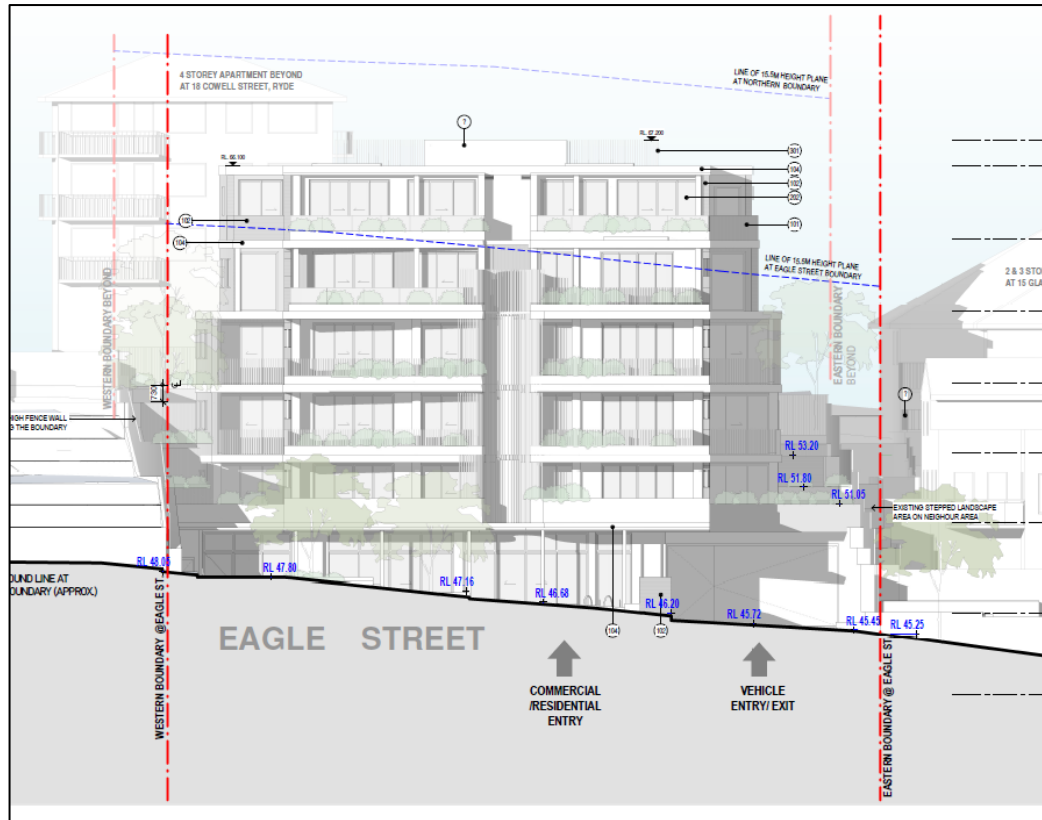


Figure 18 – Proposed south west elevation (front)

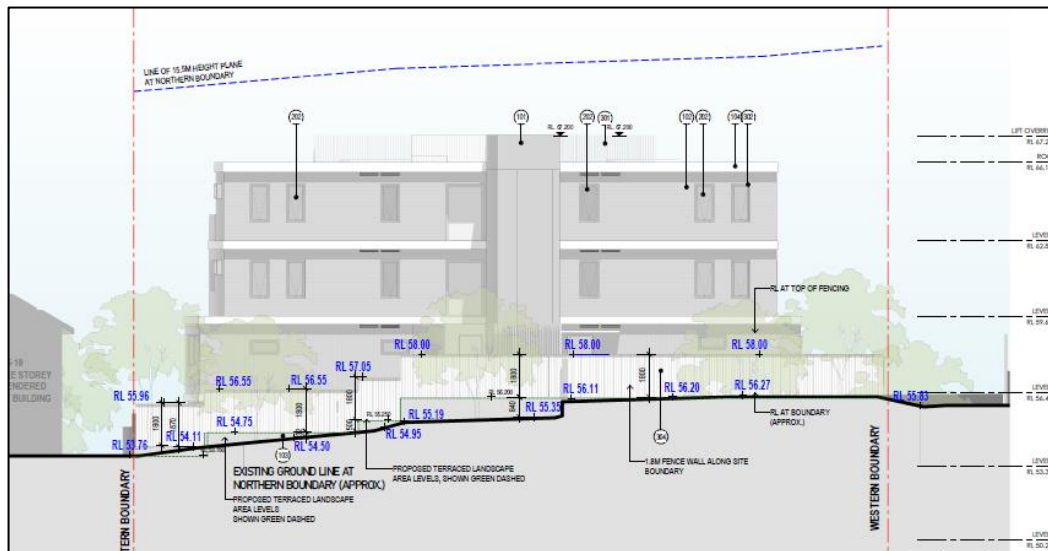
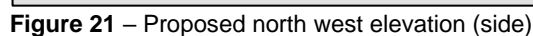
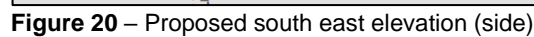


Figure 19 – Proposed north east elevation (rear)



History of the Site

13 October 2022	<p>A pre-lodgement (PRL2022/0032) meeting was held for a mixed-use building comprising 10 residential apartments and one commercial tenancy including demolition works and basement parking with total GFA 2316.8m². The written advice provided to the applicant included following main issues:</p> <ul style="list-style-type: none"> - The ground floor uses are non compliant with Clause 6.7 of RLEP 2014; - The intended loading bay is not supported;
-----------------	--

	<ul style="list-style-type: none"> - View loss impacts; - Concerns with compliance with the Apartment Design Guide (ADG); and - The subterranean communal open space is not supported.
--	---

Application History

16 December 2022	Local Development Application LDA2022/099 was lodged with Council.
19 December 2022 to 31 January 2023	The Application was notified to adjoining property owners. Fifteen (15) submissions were received objecting to the development.
17 February 2023	<p>A meeting with the urban design review panel was held. The written advice included following main issues:</p> <ul style="list-style-type: none"> - Concerns with the subterranean units areas, extent of excavation and lack of deep soil planting; - Concerns with the poor amenity of the residential lobby; - Overlooking impacts from the communal open space area; - Concerns with the reduced side setbacks; - A high level of sustainability to be achieved; and - Concerns with the façade of the side elevations and detailed façade plans to be provided.
23 April 2023	<p>A request for further information was sent to the Applicant. The main issues are below:</p> <ul style="list-style-type: none"> - Statement addressing State Environmental Planning Policy Amendment (Land Use Zones); - Compliance with FSR and Clause 6.7 of RLEP 2014; - Increased deep soil zone to be provided; - Updated shadow diagrams and BASIX Certificate; - Further information regarding cut, fill and retaining walls; - Amended plans addressing visual privacy concerns; - View loss assessment; and - Amended information to address development engineering, geotech, waste, drainage and landscaping matters.
19 May 2023 – 26 May 2023	The applicant submitted amended plans.
19 June 2023	<p>The urban design review panel conducted a desktop review of the amended proposal. The issues raised previously were addressed.</p> <p>The only outstanding matter was the balustrade types could be better described and shown on the elevations. Additional elevation plans and section plans were submitted on 16 October 2023 showing the balustrade details. This issue has been resolved.</p>
16 October 2023	<p>A request for further information was sent to the Applicant. The main issues are below:</p> <ul style="list-style-type: none"> - Additional shadow diagrams; - Updated BASIX Certificate;

	<ul style="list-style-type: none"> - Clarification if the intention is for the units to be two separate occupancies; - Clarification of height calculation; - Further details regarding balustrade types; and - Further information to address drainage matters.
10 October 2023 to 6 November 2023	The amended plans received between 19 May 2023 – 26 May 2023 were renotified to adjoining property owners. Three (3) submissions were received objecting to the development.
16 October 2023 – 19 October 2023	The applicant submitted amended plans.
2 November 2023	The applicant submitted further shadow diagrams.

5. Planning Assessment

The following planning policies and controls are of relevance to the development:

- State Environmental Planning Policy Resilience and Hazards SEPP 2021;
- State Environmental Planning Policy Biodiversity and Conservation SEPP 2021;
- State Environmental Planning Policy Building Sustainability Index: BASIX 2004;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development;
- Ryde Local Environmental Plan 2014; and
- Ryde Development Control Plan 2014:
 - Part 4.4 Ryde Town Centre
 - Part 7.2 Waste Minimisation and Management;
 - Part 9.2 Access People with Disabilities; and
 - Part 9.3 Car Parking.

5.1 Environmental Planning and Assessment Act

Instrument	Proposal	Compliance
State Environmental Planning Policy Resilience and Hazards SEPP 2021		
Chapter 4 Remediation of land		
<p>The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.</p> <p>The aims are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.</p>	<p>A Detailed Site Investigation (DSI) was submitted as part of the Development Application prepared by Reditus Consulting Pty Ltd Version 2 (dated 7 November 2022). The DSI concludes the site can be made suitable for the proposed mixed use commercial and residential land use subject to implementation of the following recommendations:</p> <ul style="list-style-type: none"> - A pre-demolition Hazardous Materials Survey should be completed by a suitably qualified and experienced consultant prior to any demolition works, to 	Yes

	<p>identify hazardous materials that may be present within existing structures onsite.</p> <ul style="list-style-type: none"> - Removal of ACM from surface soils (i.e., the top 100 mm) in the footprint of the building is required to render the site suitable for the proposed development. - Completion of a waste classification assessment for any soils to be disposed offsite is to be obtained from a suitably qualified environmental consultant prior to the disposal of the soil materials. <p>Council's Environmental Health Officer has reviewed the submitted documentation and raised no objections to the proposal subject to conditions of consent.</p>	
State Environmental Planning Policy BASIX 2004		
The certificate demonstrates compliance with the provisions of the SEPP and is consistent with commitments identified in the application documentation.	A BASIX Certificate (see Certificate No. 1355359M_06 and dated 19 October 2023) has been submitted with the application. A standard condition has been included in the Draft Consent requiring compliance with this BASIX certificate.	Yes
State Environmental Planning Policy – Biodiversity and Conservation SEPP 2021		
Chapter 2 Vegetation in non-rural areas		
The objective of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of trees and other vegetation.	<p>The proposal includes the removal of five (5) trees. The trees are not identified as being significant vegetation.</p> <p>The proposal has been supported by an arborist report and landscape plan.</p> <p>The proposal has been considered acceptable by Council's Landscape Architect (Discussed further below under Section 10). It is considered that the proposed development does not unduly impact upon any existing biodiversity or trees or vegetation on the site.</p>	Yes
Chapter 6 Water Catchment		
This Plan applies to the whole of the Ryde Local Government Area as the LGS is within the Sydney Harbour Catchment. Division 2 of Part 6.2 of this SEPP identifies controls on development in respect of water quality and quantity, aquatic ecology,	Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal.	Yes

flooding, recreation and public access and total catchment management.		
--	--	--

5.2 State Environmental Planning Instruments

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

The SEPP aims to improve the design quality of residential apartment development.

This proposal has been assessed against the following matters relevant to the SEPP for consideration:

- Urban Design Review Panel;
- The SEPP 65 Design Quality Principles; and
- The Apartment Design Guide.

(a) Urban Design Review Panel (UDRP)

The UDRP has reviewed this application on two occasions and the issues raised by the UDRP have now been resolved.

(b) Design Quality Principles

The plans submitted with the lodgement of the application on 16 December 2022 were reviewed by the UDRP and comments provided on 17 February 2023. The UDRP review dated 17 February 2023 also incorporated the comments provided at the pre-lodgement (PRL2022/0032).

A desktop review of the amended plans was completed by the UDRP on 19 June 2023.

There are 9 design quality principles identified within SEPP 65. The discussion below provides an assessment of the development proposed against the 9 design principles of the SEPP with comments from the final review by the Panel on 19 June 2023, reflecting on issues raised previously in the Panel's review on 17 February 2023.

Assessment against Design Quality Principles

The UDRP panel reviewed the proposal at the pre-lodgement stage and twice since lodgement. The applicant submitted amended plans and details and the UDRP panel was satisfied with the overall design. The final comments by UDRP noted as under:

- **Subterranean units** - *I'm satisfied that the Level 1 unit plans demonstrate that units 101 and 102 have been reconfigured to orient all deep space toward the street. Bedrooms only address the side boundary on this level with a side setback of 6m or greater, which is adequate to give a sense of outlook. Secondary, highlight windows are proposed where the side setbacks*

are at the minimum proposed 3.2m. This configuration is acceptable. The units overall perform very well in terms of outlook and amenity.

- **Extent of excavation** - this has been rationalised, simplified and reduced to an extent, and resultant levels at site boundaries are acceptable. The earlier disconnect between adjacent site levels is better resolved.
- **Communal open space** - is well-located and receives the best solar access available. The extent of pavement associated with the swimming pool (noted as the communal seating area) could be adjusted slightly to maximise the coincidence of soft landscape over deep soil.
- **Lobby configuration** - this has improved and is adequate in spatial terms. While it's not a threshold issue, there appears to be some un-coordinated structural columns in the residential lobby that don't transfer to the basement level below or to the residential levels above.
- **Site servicing** - is supported from a design and streetscape perspective, particularly the proposed commercial loading arrangement internal to the basement.
- **Height of building** - any residual exceedance of building height appears to be minor and limited in extent, and is supportable from a design perspective.
- **Sustainability** - the south-facing sloping site creates a difficult environment for achieving solar access targets. The scheme - with 2 units per level - performs as well as is possible. Skylights to the upper-most levels assists. The scheme performs well for natural cross ventilation. Commitments for sustainability are acceptable but not ambitious. Targets might be strengthened to "BASIX plus 10%", or could include a commitment to an all-electric building to design out any reliance on fossil fuels including natural gas.
- **Aesthetics** - the overall composition, form and modelling of the proposal has improved in the areas noted by the Panel at the last review, particularly the eastern and western facades, which are now acceptable, organised and better-balanced. The application of two distinct architectural characters - one to the street and one to the side elevations is appropriate.
- **Design intent** - the Applicant has provided the requested 1:50 design intent details in section. Materials and colours are described and are generally acceptable, working together to demonstrate a clear design intent showing integrated balcony drainage and planter beds (for example). Balustrade types could be better described - I can identify possibly three types from the renders (glazed, vertical balustrade and full height screening) but only one type is shown in the 1:50 sections. All should be shown and accompanying elevations would assist.

Assessment Officer Comment: The UDRP have provided the comments above which show that they are generally supportive of the scheme. The matters which the UDRP provided constructive commentary to are matters relating to communal open space, lobby configuration, sustainability and design intent.

The deep soil area complies with the ADG requirements (discussed further below). The extent of landscaping and deep soil area has been reviewed by Council's Landscape Architect and is considered acceptable.

A suitable BASIX Certificate has been submitted with the amended plans and demonstrates compliance with water, thermal comfort and energy targets.

Details of the structural columns will form part of the Construction Certificate plans. Additional elevation plans and section plans were submitted on 16/10/2023 showing the balustrade details. This issue has been resolved.

(c) Apartment Design Guide

The SEPP also requires the Consent Authority to take into consideration the requirements of the ADG regarding the proposed residential apartment building.

The following table addresses the relevant matters.

Clause	Proposal	Compliance
Part 2 – Development Controls		
2E - Building Depth Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line.	<p>The following building depths are proposed:</p> <p>Level 1 – Ranges from 19 to 28.6 metres Level 2 – Ranges from 19 to 25.4 metres Level 3 – Ranges from 19 to 25.5 metres Level 4 – Ranges from 19 to 23.3 metres Level 5 – Ranges from 19 to 23.4 metres</p> <p>The design incorporates a high degree of modulation. The proposed building depth allows for appropriately sized rooms with sufficient solar access (70% of units) and natural ventilation (100% of units). Given the unusual shape of the building and significant slope to the street, which mainly impacts the lower levels' ability to gain access to sun, ventilation at the rear, it is difficult for compliance to be achieved. The non compliance is considered acceptable as it achieves the aims within 2E in that the bulk and scale of the development relates to the scale of the desired future context and the building depths support apartment layouts that largely meet the objectives within the Apartment Design Guide. The proposal meets the aims of Clause 2E and the non compliance is considered acceptable.</p> <p>The UDRP have raised no concerns in this regard and the proposed design is considered reasonable in the circumstances.</p>	No. Variation acceptable.
2F - Building Separation Minimum separation distances for buildings between five to eight storeys should be:	Figure 22 below the table shows the separation from the proposed openings and private open space areas between the subject site and neighbouring property.	

Clause	Proposal	Compliance
Part 2 – Development Controls		
<ul style="list-style-type: none"> • 18m between habitable rooms / balconies • 12m between habitable / balconies and non-habitable rooms • 9m between non-habitable rooms. 	<p>Figure 23 below the table shows the separation from the proposed openings and private open space areas between the subject site and neighbouring property.</p> <p><u>North western (side)</u></p> <p>N/A – The building aligns with a hard paved car parking area and does not result in adverse impacts. The basement and ground floor have a 0m setback. Due to the significant slope these levels are located beneath the existing ground level. These levels do not contain any openings and do not result in visual privacy impacts.</p> <p>Level 1 – Ranges from 1.6 metres – 5.9 metres from the side boundary and contains habitable room/balconies. Due to the significant slope this level is located beneath the existing ground level and will not result in privacy impacts if a future development is on the neighbouring site.</p> <p>Level 2 and Level 3 – Ranges from 3.2 metres – 6.4 metres from the side boundary and contains habitable room/balconies.</p> <p>Level 4 and Level 5 – Ranges from 4.3 metres – 6.4 metres from the side boundary and contains habitable rooms/balconies.</p> <p>Level 1, Level 2, Level 3, Level 4 and Level 5 do not achieve half of the building separation requirements being 9 metres between habitable rooms/balconies and 6 metres between habitable and non/habitable rooms. The non compliance is considered acceptable as the proposal does not restrict development on the neighbouring site. It is noted a future development on the neighbouring site will need to take the building separation requirements into consideration.</p> <p><u>North eastern (rear)</u></p> <p>Basement – Level 2 – 12.3 metres (non habitable to habitable). Due to the significant slope these levels are located beneath the existing ground level. These levels do not contain any openings and do not result in visual privacy impacts.</p> <p>Level 3 – Level 5 – 14.5 metres to the proposed buildings fire stairs (non habitable to habitable); and 16.3 metres to the remainder of the Level. The proposed buildings windows are associated with bedroom (habitable to habitable), bathroom (offset from neighbouring property windows), laundry (offset from neighbouring property windows) and the communal corridor (non habitable to habitable). The windows service lower use rooms and are unlikely to be used for extended periods. The separation is considered to prevent any significant visual privacy impacts.</p>	<p>Yes</p> <p>Yes</p> <p>No Variation acceptable.</p>

Clause	Proposal	Compliance
Part 2 – Development Controls		
	<p><u>South eastern (side)</u></p> <p>Basement and ground level – 0 metres (non habitable to habitable) and is a technical noncompliance, though due to the significant slope these levels are below the existing ground level. These levels are both the access to the basement and the basement levels and do not contain any windows and do not result in visual privacy impacts and therefore are acceptable.</p> <p>Level 1 – Ranges from 2.5 metres to 16 metres and does not comply (habitable to habitable). Level 1 contains 7 windows, 1 terrace and 1 balcony which orientate to the side. The proposed windows and private open space areas orientate to habitable rooms/balconies on the adjoining property. Due to the significant slope, the side boundary fencing and retaining walls restrict overlooking from 5 of the windows and the terrace. One (1) window associated with the primary living area has a sill height of 1.6 metres and does not result in visual privacy impacts. The other primary living area window closer to the rear has a separation of 7.8 metres from the neighbouring property's courtyard. The separation assists in minimising the impacts on privacy and access to sunlight.</p> <p>The depth of the street facing balcony is 2.6 metres and orientates to the street. The frontmost window opening is over a planter box which is proposed along the side boundary of the balcony and assists in ensuring that sightlines are directed to the street.</p> <p>Level 2 – Ranges from 6.2 metres to 17.2 metres and does not comply (habitable to habitable). Level 2 contains 9 windows and 2 balconies which orientate to the side. The proposed windows and private open space areas orientate to habitable rooms/balconies on the adjoining property. One proposed window is associated with a void and does not result in visual privacy impacts. One window aligns with the lift shaft within the neighbouring RFB and does not result in visual privacy impacts as a result. The windows associated with the proposed bedrooms and secondary living area to the rear of the unit have a minimum separation of 9.5 metres from the neighbouring RFB windows. The separation is not considered to result in visual privacy impacts. There is potential for overlooking from the balcony associated with the secondary living area. A condition is recommended requiring a 1.5 metre high privacy screen to be installed to the south eastern side elevation of the secondary living area balcony of Unit 201 to ensure views are directed to the street. The three living area windows and balcony have a minimum separation of 9.7 metres. The separation is not considered to result in visual privacy impacts. A</p>	<p>No Variation acceptable.</p> <p>No Variation acceptable.</p> <p>No Variation acceptable.</p>

Clause	Proposal	Compliance
Part 2 – Development Controls		
	<p>planter box is proposed to the side elevation of the balcony and ensures sightlines are directed to the street.</p> <p>Level 3 – Level 5 – Minimum separation ranges from 6.2 metres – 9.5 metres. A sightline from this level aligns with the neighbouring residential flat buildings roof and does not result in visual privacy impacts. Figure 24 below the table shows these levels align with the roof of the residential flat building.</p> <p>Further it is noted there is existing healthy screen planting located between No. 15 – 19 Gladstone Avenue and the shared boundary which restricts overlooking (Figure 25 and Figure 26).</p> <p>The non compliances above are considered acceptable as the proposal does not result in unacceptable visual privacy impacts. On the basis of the above, the proposed development is considered acceptable in terms of building separation.</p>	No Variation acceptable.
2G – Street Setbacks See discussion under the relevant Development Control Plan. Determine street setback controls relative to the desired streetscape and building forms, for example: <ul style="list-style-type: none"> define a future streetscape with the front building line match existing development step back from special buildings retain significant trees in centres the street setback may need to be consistent to reinforce the street edge consider articulation zones accommodating balconies, landscaping etc. within the street setback use a setback range where the desired character is for variation within overall consistency, or where subdivision is at an angle to the street manage corner sites and secondary road frontages 	Part 4.4 of RDCP 2014 requires a 7 metre front setback. The proposed front setback ranges from 4.2 metres to 11.1 metres. The proposed front setback is considered to be acceptable and this is discussed further below under the heading 'Part 4.4 – Ryde Town Centre'.	No Variation acceptable.
Part 3 - Siting the Development		
3B Orientation Building types and layouts respond to the streetscape and site while optimising solar access and minimising overshadowing of neighbouring properties in winter.	The building layout has been orientated to face Eagle Street and is not out of character with the existing streetscape. The proposal addresses the street frontage and provides for passive surveillance.	No. Variation Acceptable

Clause	Proposal	Compliance
Part 2 – Development Controls		
	<p>The proposal achieves more than 2 hours of solar access to 70% of apartments and complies with the requirements in the ADG.</p> <p>The proposal results in further overshadowing onto the neighbouring residential flat building at No. 15 – 19 Gladstone Avenue. The proposal is largely compliant with the maximum building height requirement. A small section of the roof exceeds the maximum height limit by 450mm. The section of the roof which exceeds the maximum height limit is not considered to contribute to the overshadowing impacts.</p> <p>The proposal does not comply with the setback requirements of Section 3F of the ADG. This is discussed in detail below. Figure 27 to Figure 33 show the shadows onto the neighbouring residential flat building at No. 15 – 19 Gladstone Avenue. The plans show a comparison of the existing shadows (green line), proposed building shadows (red line) and shadow cast from a building complying with the setback requirements of Section 3F of the ADG (blue line). It is noted the grey shadowing represents self shadowing by No. 15 – 19 Gladstone Avenue.</p> <p>The shadow diagrams (Figure 27 to Figure 33 below the table) show the extent of further overshadowing between the proposed development and a compliant development are minor. It is considered the overshadowing impacts are a result of the orientation of the site being south west – north east.</p>	
3C Public domain interface Transition between private & public domain is achieved without compromising safety and security and amenity of the public domain is retained and enhanced.	The building has well defined private and communal open spaces that transition adequately from the public domain.	Yes
3D Communal & public open space Provide communal open space to enhance amenity and opportunities for landscaping & communal activities. 1. Provide communal open space with an area equal to 25% of site; 2. Minimum 50% of usable area of communal open space to receive direct sunlight for a minimum of 2 hours between 9 am and 3 pm on 21 June.	<p>The ADG requires that the site provide 289.6m² as communal open space. The proposed development provides a communal area of 216m² at the rear of Level 3. This results in a shortfall of communal open space of 73.6m².</p> <p>The units contain the following balconies and terraces:</p> <ul style="list-style-type: none"> Unit 101 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.9 metres – 2.6 metres) and terrace associated with the secondary living area (Area of 51m² and depth of 7.4 metres) 	No. Variation Acceptable

Clause	Proposal	Compliance
Part 2 – Development Controls		
	<ul style="list-style-type: none"> Unit 102 – Balcony associated with the primary living area (Area of 19m² and depth of 2.2 metres) and terrace associated with the secondary living area (Area of 52m² and depth of 10.9 metres) Unit 201 – Balcony associated with the primary living area (Area of 17m² and depth ranging from 1.9 metres – 2.6 metres) and balcony associated with the secondary living area (Area of 6m² and depth of 1.7 metres) Unit 202 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.4 metres – 2.7 metres) and balcony associated with the secondary living area (Area of 7m² and depth of 1.8 metres) Unit 301 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.9 metres – 2.6 metres) and balcony associated with the secondary living area (Area of 6m² and depth of 1.8 metres) Unit 302 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.4 metres – 2.6 metres) and balcony associated with the secondary living area (Area of 7m² and depth of 1.8 metres) Unit 401 – Balcony associated with the primary living area (Area of 16m² and depth ranging from 1.8 metres – 2.6 metres) Unit 402 – Balcony associated with the primary living area (Area of 21m² and depth ranging from 1.9 metres – 3.1 metres) Unit 501 – Balcony associated with the primary living area (Area of 18m² and depth of 2.4 metres) and balcony associated with the bedroom (Area of 8m² and depth of 4.4 metres) Unit 502 – Balcony associated with the primary living area (Area of 20m² and depth of 2.4 metres) and balcony associated with the bedroom (Area of 11m² and depth of 4.7 metres) <p>The non compliance is considered acceptable as all the apartments contain balconies and terraces that exceeds the minimum required area for private open spaces.</p> <p>The non compliance with the numerical requirements is considered acceptable as the communal open space area contains a pool, various seating areas and landscaping and is considered to</p>	

Clause	Proposal	Compliance												
Part 2 – Development Controls														
	<p>be of high quality. The communal area receives in excess of 2 hours sunlight between 9am and 3pm on 21 June. The area starts to receive sunlight in different areas of the open space from about 10am and has access to full sun from 1pm.</p> <p>It is noted the communal open space is elevated and results in some potential overlooking to the south east. A condition is recommended requiring a 1.5 metre high privacy screen to be provided to the south eastern elevation of the communal open space area.</p>													
3E Deep Soil Zone Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality. 1. Deep soil zones are to be provided equal to 7% of the site area and with min dimension of 3m.	<p>7% of the site is 81.09m².</p> <p>The development has provided 88.77m² of deep soil zones with minimum dimensions of 3 metres.</p>	Yes												
3F Visual Privacy Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: <table border="1" data-bbox="256 1357 699 1715"> <thead> <tr> <th>Building Height</th><th>Habitable rooms & balconies</th><th>Non habitable rooms</th></tr> </thead> <tbody> <tr> <td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>Over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </tbody> </table>	Building Height	Habitable rooms & balconies	Non habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	<p>Figure 24 below the table shows the front elevation plan showing Level 3, Level 4 and Level 5 aligning with the roof of the neighbouring property to the south east (No. 15-19 Gladstone Avenue).</p> <p>Figure 25 below the table shows the existing screen planting within No. 15-19 Gladstone Avenue along the shared side boundary.</p> <p>Figure 26 below the table shows the existing screen planting within No. 15-19 Gladstone Avenue along the shared side boundary.</p> <p>The building is up to 25m (5-8 storeys). The distance between habitable rooms and balconies is required to be 9 metres and the distance between non habitable rooms is required to be 4.5 metres.</p> <p><u>North western (side)</u></p> <p>Basement and ground level - 0 metres and does not comply. Due to the significant slope these levels are below the existing ground level and do not contain window openings. These levels do not result in visual privacy impacts.</p> <p>Level 1 – Ranges from 1.6 metres to 6 metres Level 2 and Level 3 – Ranges from 3.2 metres to 6 metres Level 4 and Level 5 - Ranges from 4.3 metres to 6 metres</p> <p>The building aligns with a hard paved car parking area and does not result in adverse impacts.</p>	No Variation acceptable
Building Height	Habitable rooms & balconies	Non habitable rooms												
Up to 12m (4 storeys)	6m	3m												
Up to 25m (5-8 storeys)	9m	4.5m												
Over 25m (9+ storeys)	12m	6m												

Clause	Proposal	Compliance
Part 2 – Development Controls		
	<p>The proposal does not restrict development on the neighbouring site. It is noted a future development on the neighbouring site will need to take the building separation requirements into consideration.</p> <p><u>North eastern (rear)</u></p> <p>Basement, ground level, Level 1 and Level 2 offer 3 metres from the rear boundary and does not comply. Due to the significant slope these levels are below the existing ground level and do not contain any openings to the rear. These levels do not result in visual privacy impacts.</p> <p>Level 3 offers 5.1 metres from the rear boundary associated with the fire stairs (non habitable to habitable). The remainder of this level is setback 7 metres (habitable to habitable). Three window openings are proposed with a minimum sill height of 1.6 metres and do not result in visual privacy impacts.</p> <p>Level 4 and 5 provide 5.1 metres from the rear boundary associated with the fire stairs (non habitable to habitable). The remainder of this level is setback 7 metres (habitable to habitable). Bedroom, bathroom, laundry and the communal corridor windows orientate to the rear. A minimum separation of 16.3 metres is achieved to the residential flat building to the north east. A minimum separation of 21.1 metres is achieved to the dwelling. The separation ensures there are no visual privacy impacts.</p> <p><u>South eastern (side)</u></p> <p>Basement and Level 1 – 0 metres and does not comply. Due to the significant slope these levels are below the existing ground level and do not contain window openings. These levels are both the access to the basement and the basement levels and do not contain any windows and do not result in visual privacy impacts and therefore are acceptable.</p> <p>Level 1 – Ranges from 1.5 metres to 7.4 metres and does not comply (habitable to habitable). Level 1 contains 7 windows, 1 terrace and 1 balcony which orientate to the side. The proposed windows and private open space areas orientate to habitable rooms/balconies. Due to the significant slope the side boundary fencing and retaining walls restrict overlooking from 5 of the windows and the terrace. One (1) window associated with the primary living area has a sill height of 1.6 metres and does not result in visual privacy impacts. The other primary living area window has a separation of 7.8 metres from the neighbouring property courtyard. The separation ensures there are no privacy impacts.</p>	<p>No Variation acceptable</p> <p>No Variation acceptable</p> <p>No Variation acceptable</p> <p>No Variation acceptable</p> <p>No Variation acceptable</p> <p>No Variation acceptable</p>

Clause	Proposal	Compliance
Part 2 – Development Controls		
	<p>The depth of the street facing balcony is 2.6 metres and orientates to the street. A planter box is proposed to the side elevation and ensures sightlines are directed to the street.</p> <p>Level 2 – Ranges from 3.2 metres to 7.4 metres and does not comply (habitable to habitable). Level 2 contains 9 windows and 2 balconies which orientate to the side. The proposed windows and private open space areas face habitable rooms/balconies. One proposed window is associated with a void and has a setback of 3.2 metres from the boundary. The void does not result in visual privacy impacts. One window aligns with the lift within the neighbouring RFB and does not result in visual privacy impacts. The windows associated with the bedrooms and secondary living area have a minimum separation of 9.4 metres from the neighbouring RFB. The separation is not considered to result in visual privacy impacts. A condition is recommended requiring a 1.5 metre high privacy screen to be installed to the south eastern side elevation of the secondary living area balcony of Unit 201 to ensure views are directed to the street. The three living area windows and balcony have a minimum separation of 9.6 metres. The separation is not considered to result in visual privacy impacts. A planter box is proposed to the side elevation of the balcony and ensures sightlines are directed to the street.</p> <p>Level 3 - Level 5 – Ranges from 3.2 metres to 7.3 metres. A sightline from this level aligns with the neighbouring residential flat buildings roof and does not result in visual privacy impacts. Figure 24 below the table shows these levels align with the roof of the neighbouring residential flat building.</p> <p>Further it is noted there is existing screen planting located between No. 15 – 19 Gladstone Avenue and the shared boundary which restricts overlooking (Figure 25 and Figure 26).</p> <p>The non compliances above are considered acceptable as the proposal does not result in visual privacy impacts. On the basis of the above, the proposed development is considered acceptable.</p>	<p>No Variation acceptable</p> <p>No Variation acceptable</p>
3G Pedestrian Access & entries Pedestrian access, entries and pathways are accessible and easy to identify.	Two (2) pedestrian entrances to the building from Eagle Street are clearly defined.	Yes
3H Vehicle Access. Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.	A separate vehicle access is provided from Eagle Street and minimizes conflicts between pedestrians and vehicles.	Yes

Clause	Proposal	Compliance
Part 2 – Development Controls		
3J Parking Provisions. <u>Car parking</u> For development in the following locations: • on sites that are within 800 metres of a railway station; or • within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre, The minimum parking for residents and visitors to be as per RMS Guide to Traffic Generating Developments, or Council's car parking requirement, whichever is less. <u>Bicycle Parking</u> Provide adequate motorbike, scooter and bicycle parking space (undercover).	<p>The site is not located within 800m of a railway station. The site and adjacent sites to the north and north west are zoned E3 Productivity Support and MU1 Mixed Use (previously zoned B6 Enterprise Corridor and B4 Mixed Use).</p> <p>The following parking rates are applicable to residential development under Part 9.3 – Parking controls of the RDCP 2014:</p> <ul style="list-style-type: none"> • 1.4 to 1.6 spaces per three bedroom dwelling (Section 2.2) • 1 visitor space per 5 dwellings (Section 2.2) • 1 space per 40 m² office and business premises (Section 2.3(a)) • 1 space per 25m² retail premises (Section 2.3(a)) <p>The proposal is required to provide a minimum of fourteen (14) or maximum of sixteen (16) residential spaces and two (2) visitor spaces.</p> <p>Fourteen (14) residential spaces are proposed and two (2) visitor spaces are provided.</p> <p>Given the use of the commercial ground floor area has not been provided, the rates for an office/business premises and retail premises have both been addressed. A minimum of six (6) spaces are required for an office and business and nine (9) spaces are required for a retail premises.</p> <p>Three (3) commercial spaces are proposed to be located within the basement area. The proposal does not comply with the parking requirements contained within Part 9.3 of RDCP 2014. The parking non compliance is considered acceptable and this is discussed further below under 'Part 9.3 Parking Controls'.</p> <p>The proposal provides two (2) bicycle parking spaces and does not comply with RDCP 2014 which requires three (3) spaces. A condition is recommended requiring the plans to be updated to show three (3) bicycle spaces provided within the basement.</p>	No Variation acceptable
Part 4 - Designing the Building		
4A Solar & daylight access Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter. No more than 15% of apartments in a building receive no direct sunlight	<p>70% of the proposed units (7 units) will receive the required 2 hours of direct sunlight between 9am and 3pm midwinter and therefore this complies with the ADG.</p> <p>30% of the proposed units (3 units being Unit 101, 201 and 301) do not receive direct sunlight between</p>	<p>Yes</p> <p>No</p>

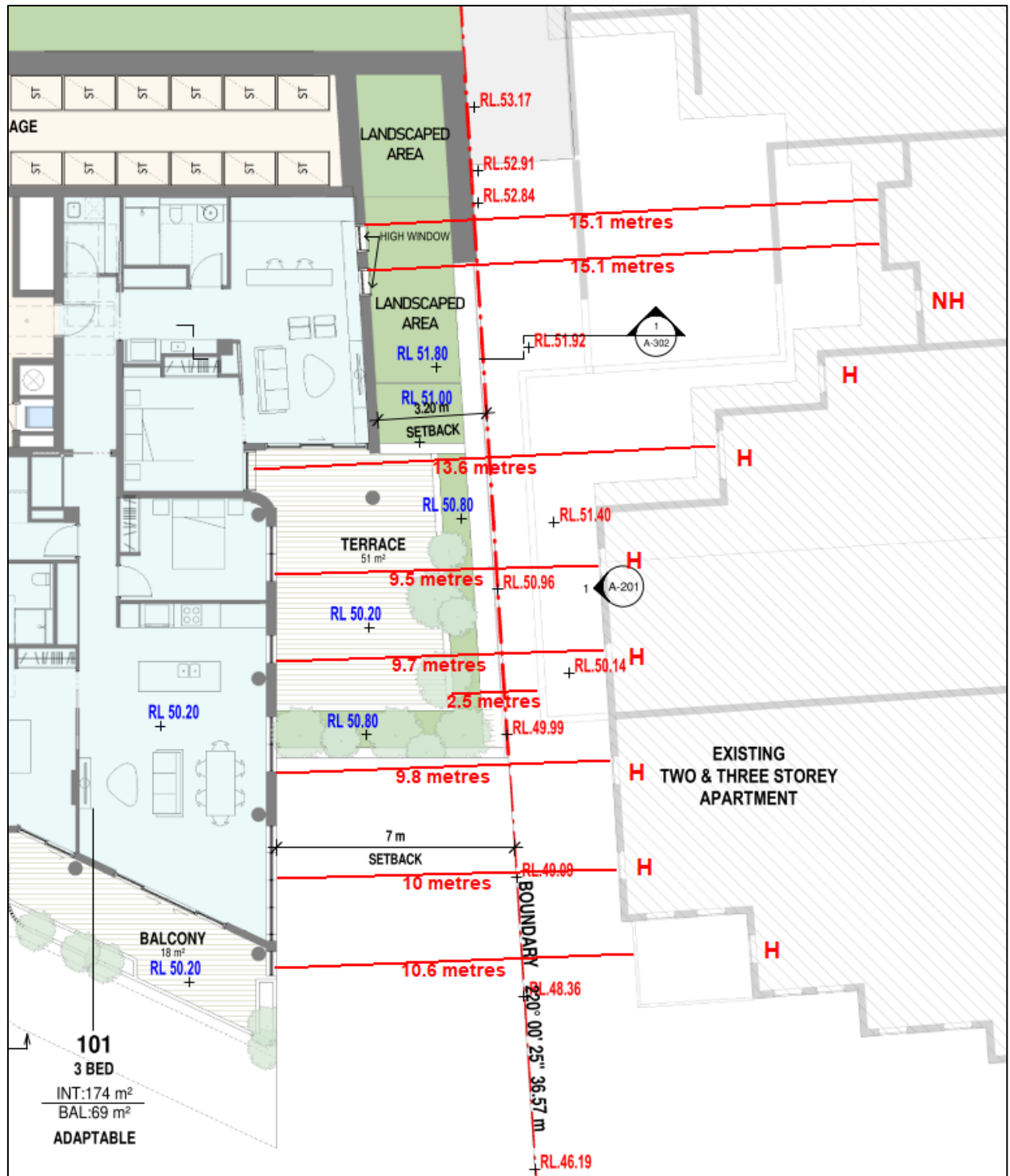
Clause	Proposal	Compliance
Part 2 – Development Controls		
<p>between 9 am and 3 pm at mid-winter.</p> <p>Design should incorporate shading and glare control, particularly for warmer months</p>	<p>9am and 3pm. The living area and balconies are orientated to the south west to minimize privacy impacts to residential properties to the side and rear, increase passive surveillance to Eagle Street and obtain views. The non compliance is considered acceptable as there are no single aspect south facing apartments. Main living areas are facing the street and have dual aspect windows. The orientation of the site, in this instance being south west – north east, results in the three units being overshadowed through out the day.</p> <p>The proposal incorporates shading devices. The proposal satisfactorily achieves thermal comfort and energy efficiency requirements under BASIX.</p>	<p>Variation acceptable</p> <p>Yes</p>
<p>4B Natural Ventilation</p> <p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building.</p> <p>Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p>	<p>100% of apartments are cross ventilated.</p>	<p>Yes</p>
<p>4C Ceiling Heights</p> <p>Ceiling height achieves sufficient natural ventilation and daylight access. The development is required to provide 2.7m minimum ceiling heights. If located in a mixed use area 3.3m for ground and first floor to promote future flexibility of use</p>	<p>Ground floor – 3.7m Level 1 – 2.7m Level 2 – 2.7m Level 3 – 2.8m Level 4 – 2.8m Level 5 – 2.9m</p> <p>The first floor has a floor to ceiling height of 2.7 metres and does not comply with the 3.3 metre requirement. This is considered acceptable as the ground floor has a floor to ceiling height of 3.7 metres and can allow for flexibility of use. The first floor is accessed from the residential lobby and is not suitable for commercial uses. The area of the commercial tenancy on the ground floor is sufficient. In view of the contextual setting of the site, any future demand for commercial use at first floor levels is highly unlikely and inappropriate given that access is via a residential secure lobby.</p>	<p>Yes No Yes Yes Yes Yes</p> <p>Justification to the Variation to Level 1</p>
<p>4D Apartment size and layout</p> <p>Apartments are required to have the following minimum internal areas with one bathroom:</p> <ul style="list-style-type: none"> • Studio = 35m² • 1 bedroom = 50m² • 2 bedroom = 70m² • 3 bedroom = 90m² 	<p>All apartments satisfy minimum internal areas.</p>	<p>Yes</p>

Clause	Proposal	Compliance																		
Part 2 – Development Controls																				
<ul style="list-style-type: none"> 4 bedroom = 102m² <p>Note: Additional bathrooms increase the minimum internal area by 5m²</p> <p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.</p> <p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height. In open plan where the living, dining and kitchen are combined, there is to be a maximum depth of 8m from a window.</p> <p>Master bedrooms – minimum area 10m² and other bedrooms 9m² Excluding wardrobe spaces. Bedrooms have a minimum dimension of 3m (excluding wardrobe space)</p> <p>Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none"> 3.6m for studio and 1 bedroom apartments 4m for 2 and 3 bedroom apartments 	<p>All bedrooms will comply. Further this is a BCA requirement as well which will be enforced through a condition of consent.</p> <p>All units comply with this requirement</p> <p>The bedrooms comply with the area sizes and dimensions</p> <p>The dimensions of the living areas comply</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>																		
<p>4E Private Open Space and balconies</p> <p>All apartments are required to have primary balconies as follows:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Min area</th><th>Min depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4m²</td><td>N/A</td></tr> <tr> <td>1 bedroom</td><td>8m²</td><td>2m</td></tr> <tr> <td>2 bedroom</td><td>10m²</td><td>2m</td></tr> <tr> <td>3+ bedroom</td><td>12m²</td><td>2.4m</td></tr> <tr> <td>Ground or podium</td><td>15m²</td><td>3m</td></tr> </tbody> </table>	Dwelling type	Min area	Min depth	Studio apartments	4m ²	N/A	1 bedroom	8m ²	2m	2 bedroom	10m ²	2m	3+ bedroom	12m ²	2.4m	Ground or podium	15m ²	3m	<p>The units contain the following the following balconies and terraces:</p> <ul style="list-style-type: none"> Unit 101 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.9 metres – 2.6 metres) and terrace associated with the secondary living area (Area of 51m² and depth of 7.4 metres) Unit 102 – Balcony associated with the primary living area (Area of 19m² and depth of 2.2 metres) and terrace associated with the secondary living area (Area of 52m² and depth of 10.9 metres) Unit 201 – Balcony associated with the primary living area (Area of 17m² and depth ranging from 1.9 metres – 2.6 metres) and balcony associated with the secondary living area (Area of 6m² and depth of 1.7 metres) Unit 202 – Balcony associated with the primary living area (Area of 18m² and depth 	<p>No Variation acceptable</p>
Dwelling type	Min area	Min depth																		
Studio apartments	4m ²	N/A																		
1 bedroom	8m ²	2m																		
2 bedroom	10m ²	2m																		
3+ bedroom	12m ²	2.4m																		
Ground or podium	15m ²	3m																		

Clause	Proposal	Compliance
Part 2 – Development Controls		
	<p>ranging from 1.4 metres – 2.7 metres) and balcony associated with the secondary living area (Area of 7m² and depth of 1.8 metres)</p> <ul style="list-style-type: none"> Unit 301 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.9 metres – 2.6 metres) and balcony associated with the secondary living area (Area of 6m² and depth of 1.8 metres) Unit 302 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.4 metres – 2.6 metres) and balcony associated with the secondary living area (Area of 7m² and depth of 1.8 metres) Unit 401 – Balcony associated with the primary living area (Area of 16m² and depth ranging from 1.8 metres – 2.6 metres) Unit 402 – Balcony associated with the primary living area (Area of 21m² and depth ranging from 1.9 metres – 3.1 metres) Unit 501 – Balcony associated with the primary living area (Area of 18m² and depth of 2.4 metres) and balcony associated with the bedroom (Area of 8m² and depth of 4.4 metres) Unit 502 – Balcony associated with the primary living area (Area of 20m² and depth of 2.4 metres) and balcony associated with the bedroom (Area of 11m² and depth of 4.7 metres) <p>The primary private open space area on Level 1, 2, 3 and 4 do not meet the depth requirements, however they exceed the area required (being 12m²) and provide 2 separate balconies for use from Level 1 to Level 3, both accessible from living areas within the Unit.</p> <p>Sufficient area is provided on the primary balconies to accommodate a barbeque and small table and chairs for future occupants. Sufficient useable area is provided which enhances the amenity of residents and the non compliance is considered acceptable. In addition the proposal includes a communal open space to the rear at level 3.</p>	
4F Common circulation and spaces. <p>The maximum number of apartments off a circulation core on a single level is 8.</p>	<p>The development proposes two (2) apartments to be accessed from each circulation space.</p>	<p>Yes</p> <p>No</p>

Clause	Proposal	Compliance										
Part 2 – Development Controls												
Daylight and natural ventilation should be provided to all common circulation space above ground. Windows should be provided at the end wall of the corridor.	Windows have been provided to the common circulation space on Level 4 and Level 5. Windows have not been provided to the common circulation space of Levels 1, 2 and 3. This is considered acceptable for Level 1 and Level 2 as the common circulation space is centrally located within the floor and located beneath the existing ground level. A condition is recommended requiring a highlight window with a sill height of 1.6 metres to be provided to the fire stairs of Level 3, Level 4 and Level 5. The window on Level 3 should not be openable.	Variation acceptable										
4G Storage In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided: <table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio</td><td>4m³</td></tr><tr><td>1 bedroom apt</td><td>6m³</td></tr><tr><td>2 bedroom apt</td><td>8m³</td></tr><tr><td>3 + bedroom apt</td><td>10m³</td></tr></table> At least 50% of the required storage is to be located within the apartment.	Dwelling type	Storage size volume	Studio	4m³	1 bedroom apt	6m³	2 bedroom apt	8m³	3 + bedroom apt	10m³	Sufficient area for storage is provided within each apartment and within the Level 1 storage area. The Level 1 residential storage area has an area of 65m²	Yes
Dwelling type	Storage size volume											
Studio	4m³											
1 bedroom apt	6m³											
2 bedroom apt	8m³											
3 + bedroom apt	10m³											
4H Acoustic privacy Noise transfer is minimised through the siting of buildings, building layout, and acoustic treatments. Plant rooms, services and communal open space and the like to be located at least 3m away from the bedrooms. Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.	An Acoustic Report has been provided. At each level active and passive areas are aligned to prevent adverse noise transmission within the units. Council’s Environmental Health Officer has reviewed this report and the associated recommendations and has raised no issues.	Yes										
4K Apartment mix A range of apartment types with different number of bedrooms (1bed, 2 bed, 3 bed etc) should be provided.	Six (60%) three bedroom units are proposed and four (40%) four bedroom units are proposed. The proposed development provides housing choice which meets the general market needs.	Yes										
4M Facades Building facades to provide visual interest, respect the character of the local area and deliver amenity and safety for residents. Building facades are expressed by the facade.	The facade composition and mix of materials is satisfactory and will respond sympathetically to be character of the surrounding area. The proposal has been reviewed by the UDRP and no issues were raised.	Yes										

Clause	Proposal	Compliance
Part 2 – Development Controls		
4N Roof design Roof treatments are integrated into the building design and positively respond to the street. Opportunities to use the roof space for residential accommodation and open space are maximised. Roof design incorporates sustainability features.	The development has proposed a flat roof which is integrated with the overall development. The lift overrun and plant/services are located centrally on the roof level and will not be visually prominent. Solar panels are provided on the roof level contributing to solar energy reuse within the building.	Yes
4O Landscape design Landscape design contributes to the streetscape and amenity. Landscape design is viable and sustainable	Landscaping is proposed within the front, side and rear setbacks. Council's Landscape Architect has reviewed the proposal and raised no issues.	Yes
4P Planting on structures Appropriate soil profiles are provided.	No issues have been raised by Council's Landscape Architect with respect to the soil profiles for the planters	Yes
4Q Universal design Universal design features are included in apartment design to promote flexible housing for all community members. A variety of apartments with adaptable designs are to be provided. Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guideline's silver level universal design features	Two (2) adaptable units are provided and comply with this requirement	Yes
4U Energy efficiency Development incorporates passive environmental design measures – solar design, natural ventilation etc.	A BASIX certificate is submitted with the application which indicates that the building will meet the energy and water use targets.	Yes



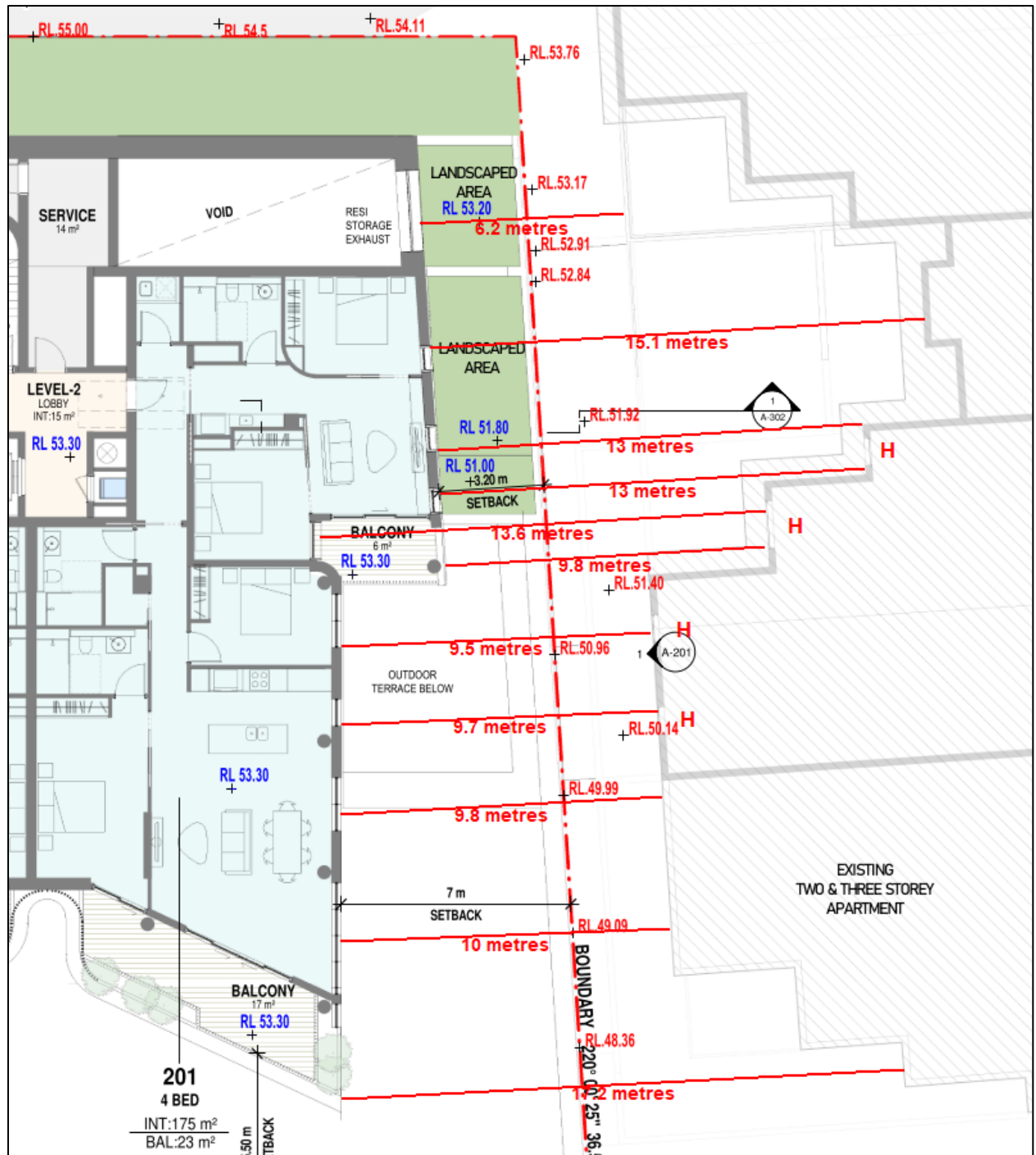


Figure 23 – Building separation distances between Level 2 window openings and private open space areas and neighbouring property to the south east (No. 15-19 Gladstone Avenue). NH represents non habitable rooms and H represents habitable rooms

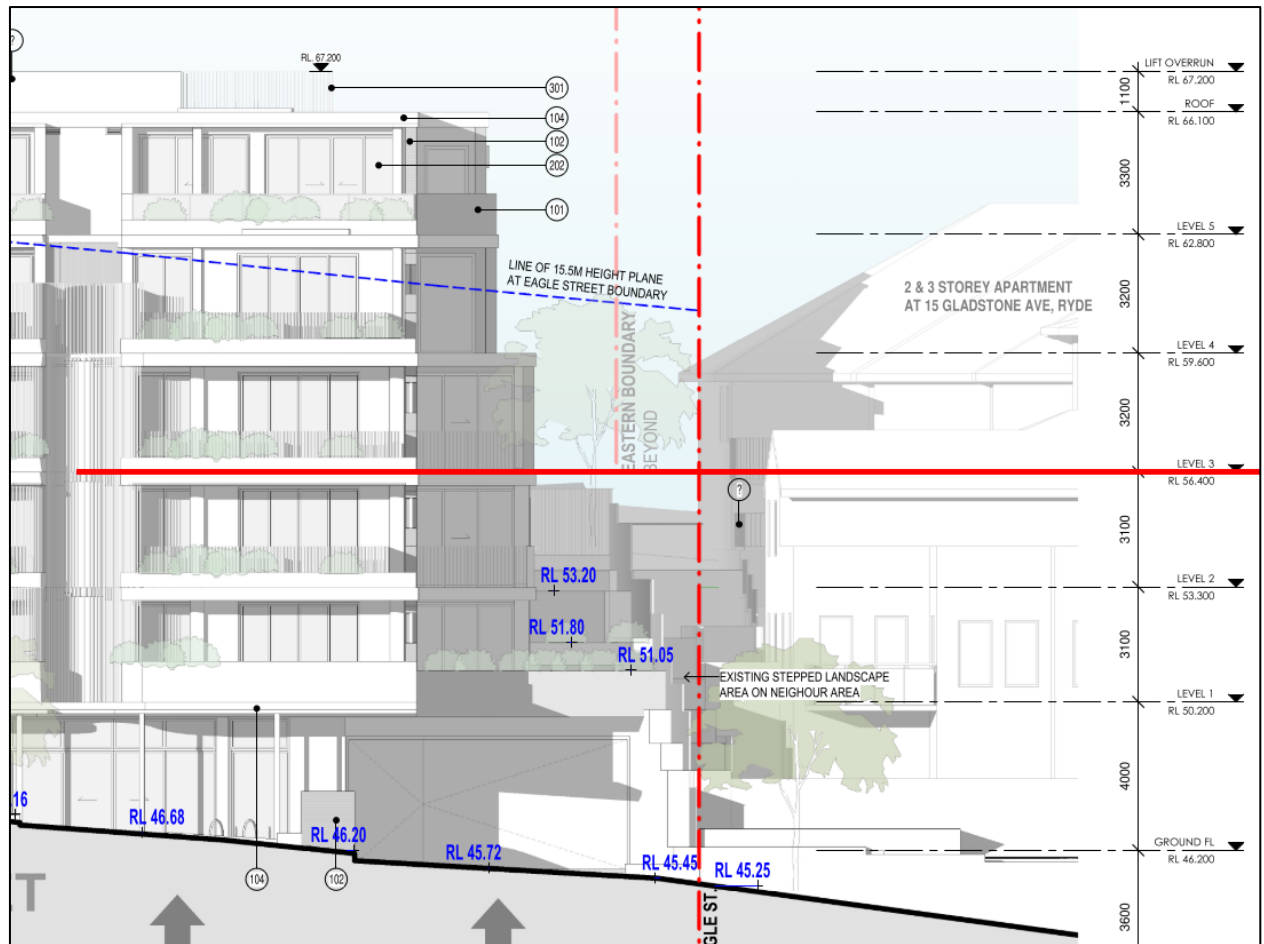


Figure 24 – Front elevation plan showing Level 3, Level 4 and Level 5 aligning with the roof of the neighbouring property to the south east (No. 15-19 Gladstone Avenue)

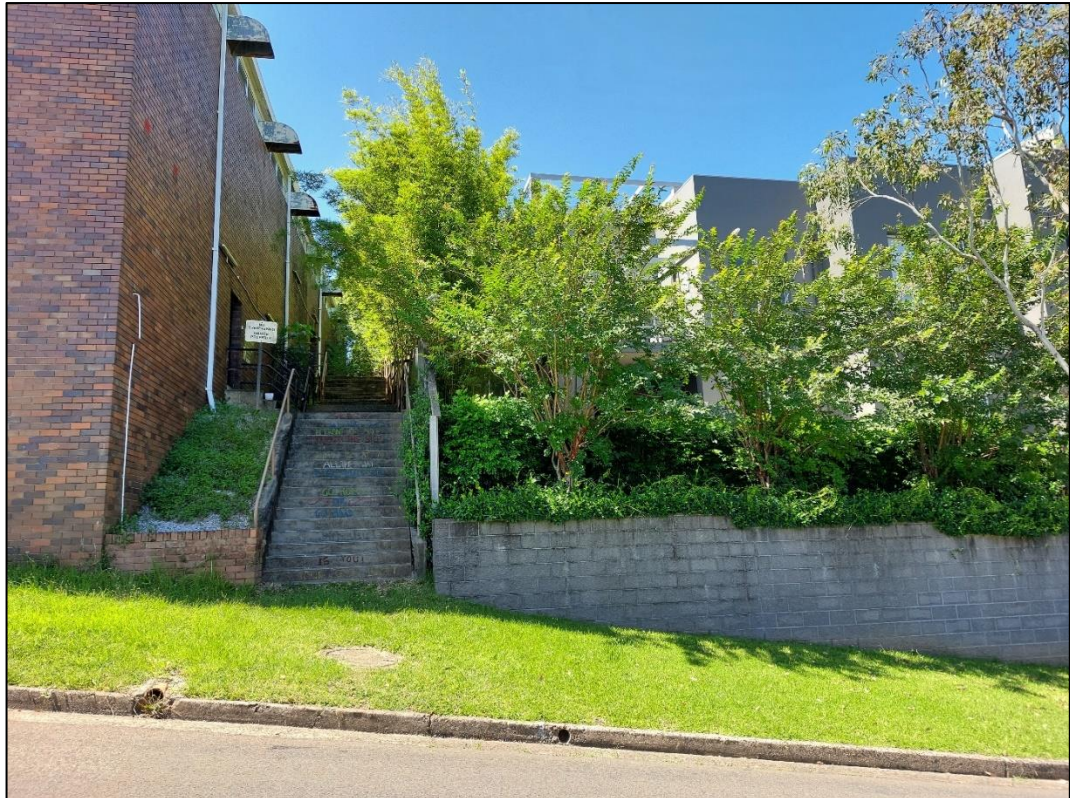


Figure 25 – Existing screen planting within No. 15-19 Gladstone Avenue along the shared side boundary

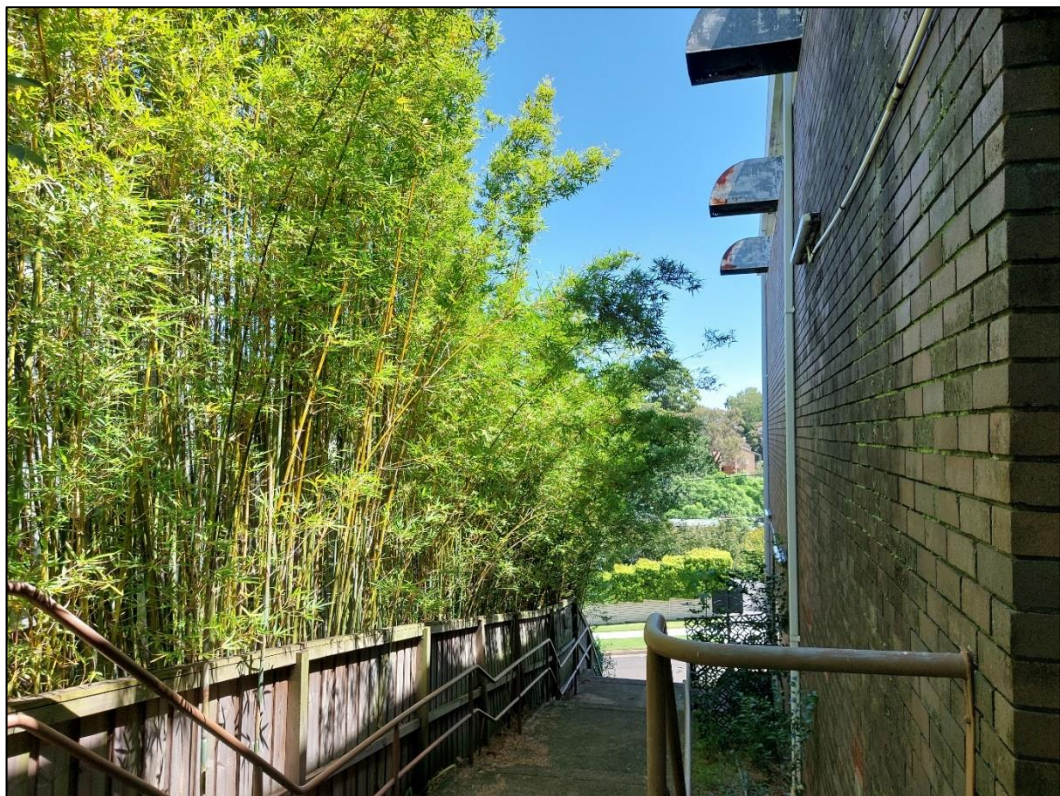


Figure 26 – Existing screen planting within No. 15-19 Gladstone Avenue along the shared side boundary.

Figure 27 to Figure 33 show the shadows onto the neighbouring residential flat building at No. 15 – 19 Gladstone Avenue. The plans show a comparison of the

existing shadows (green line), proposed building shadows (red line) and shadow cast from a building complying with the setback requirements of Section 3F of the ADG (blue line). It is noted the grey shadowing represents self shadowing by No. 15 – 19 Gladstone Avenue.



Figure 27 – 9am shadow diagram showing the proposed development does not overshadow the neighbouring property.

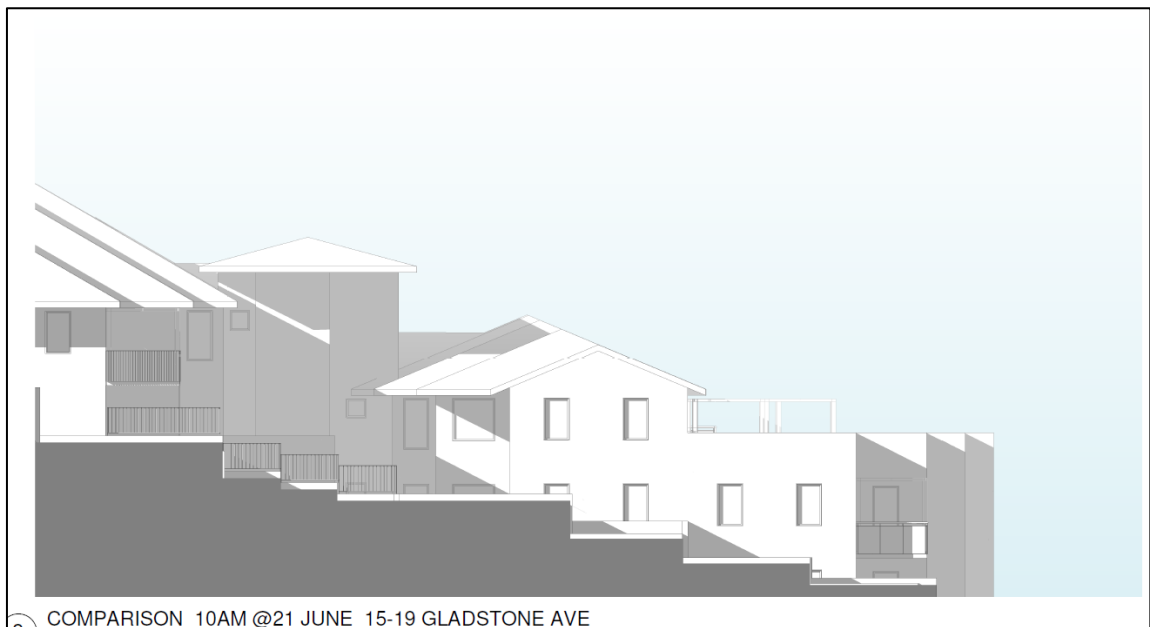


Figure 28 – 10am shadow diagram showing the proposed development does not overshadow the neighbouring property.

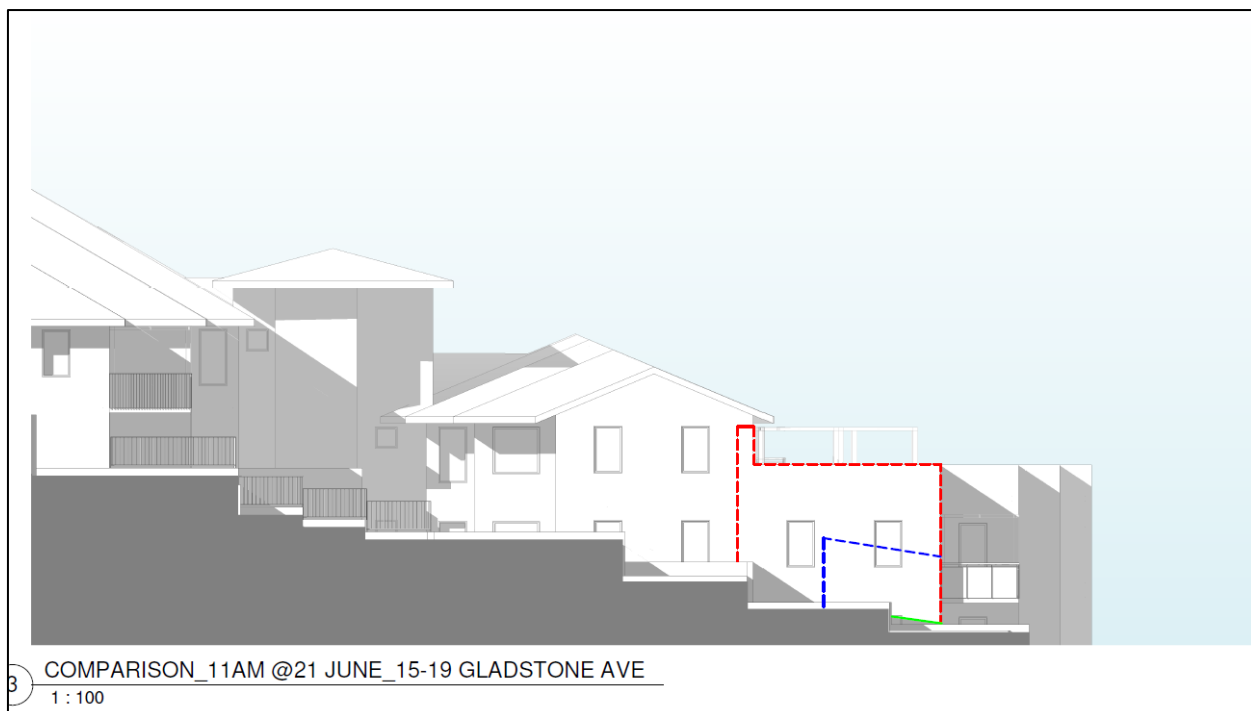


Figure 29 – 11am shadow diagram showing the proposed development overshadows two living area windows. A compliant proposal would result in these two windows receiving solar access to a portion of the windows.

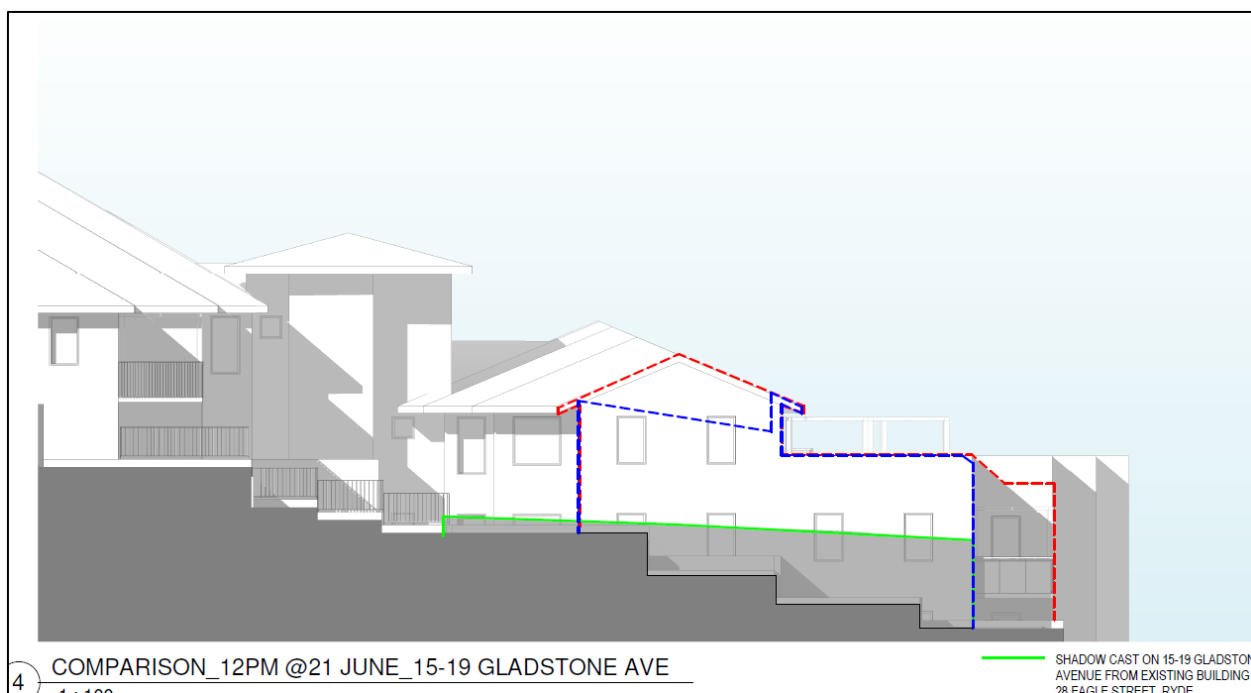


Figure 30 – 12pm shadow diagram showing the proposed development does not overshadow the neighbouring property more than a compliant proposal. The neighbouring balcony self shadows and the proposal does not increase overshadowing.

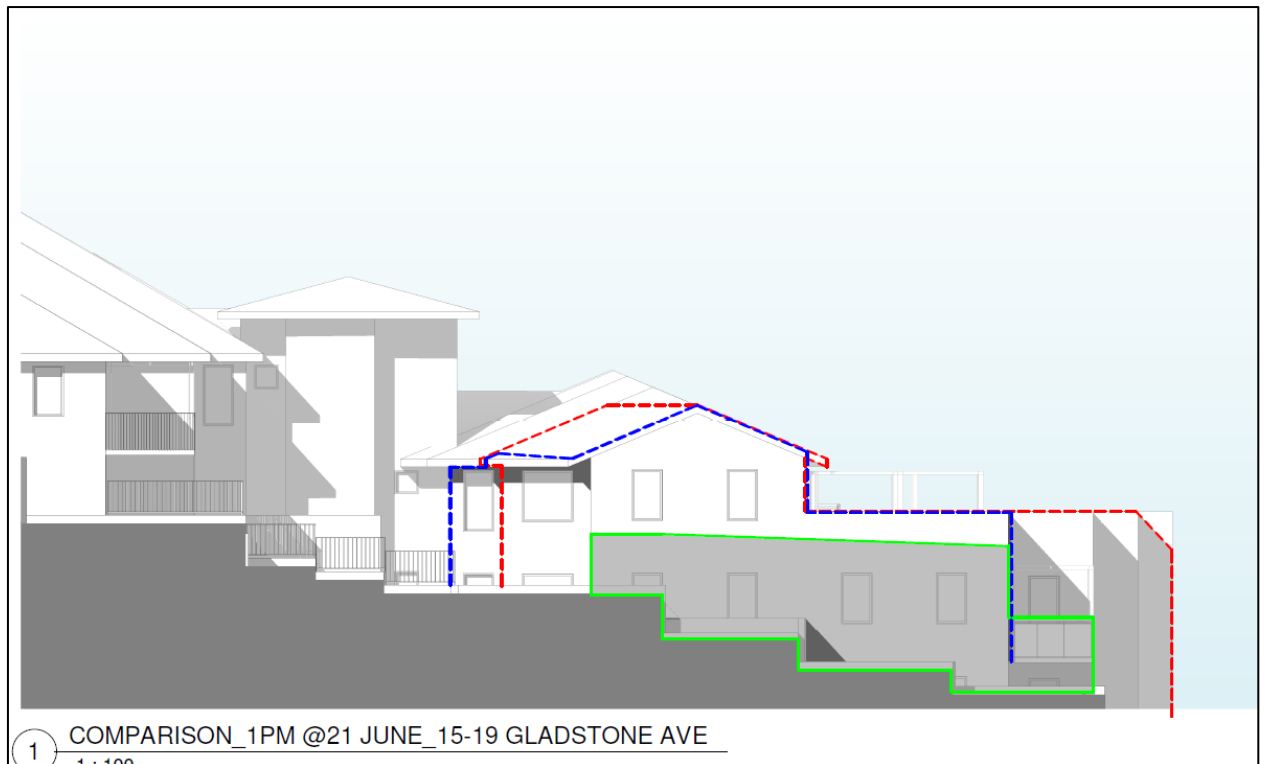


Figure 31 – 1pm shadow diagram showing the proposed development does not overshadow the neighbouring property more than a compliant proposal. The neighbouring balcony self shadows and the proposal does not increase overshadowing.

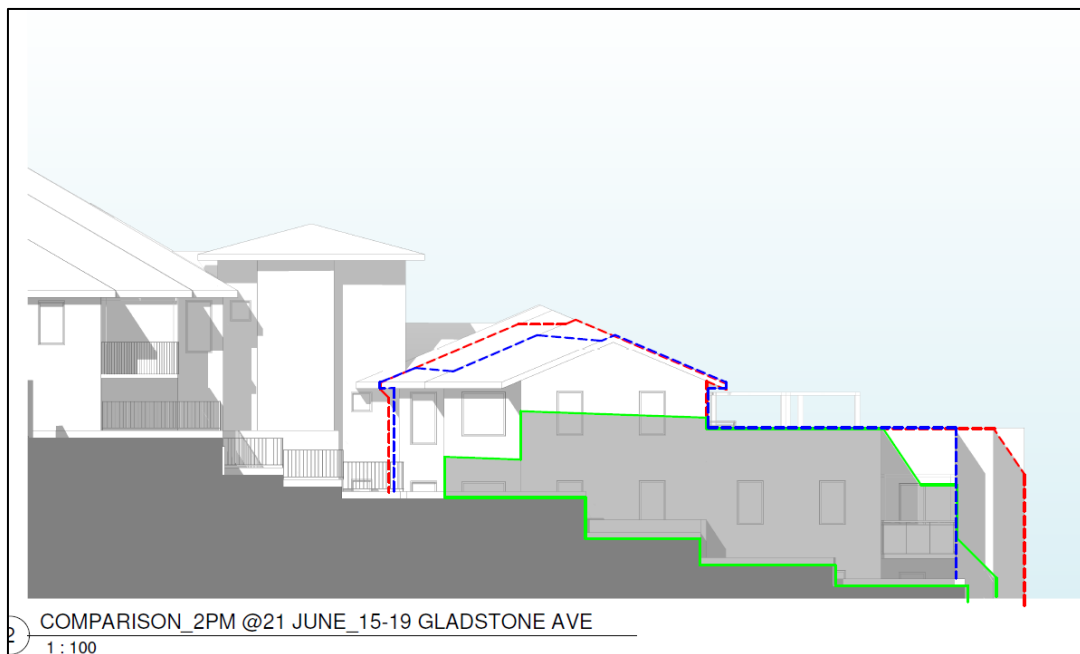


Figure 32 – 2pm shadow diagram showing the proposed development does not overshadow the neighbouring property more than a compliant proposal.

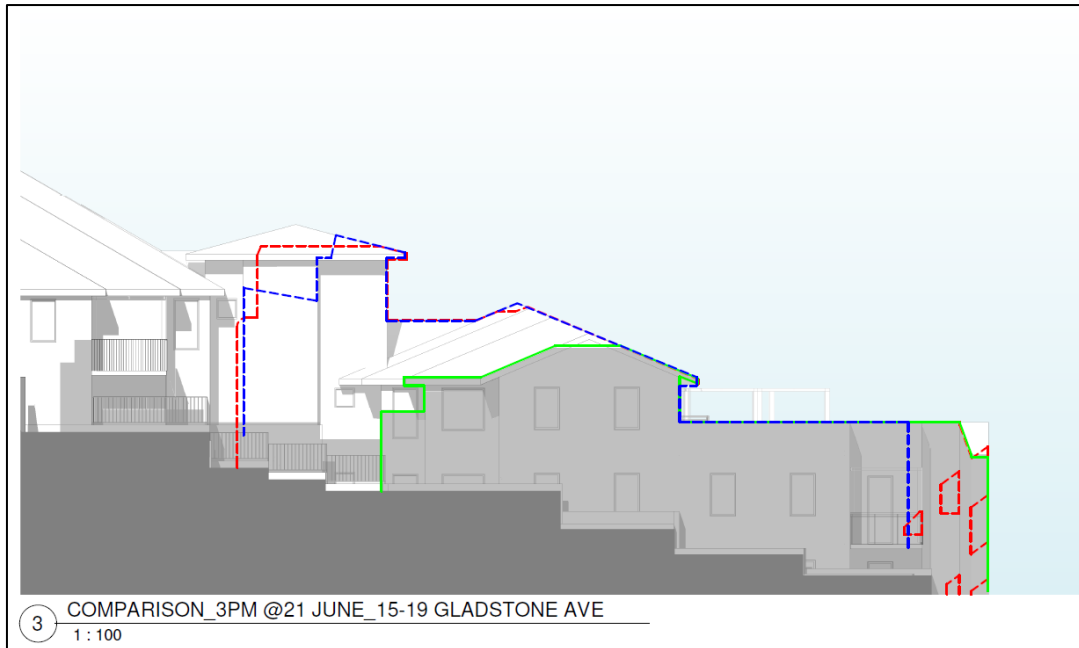


Figure 33 – 3pm shadow diagram showing the proposed development does not overshadow the neighbouring property more than a compliant proposal.

5.3 Ryde Local Environmental Plan 2014

It is noted *State Environmental Planning Policy Amendment (Land Use Zones) 2022* commenced on 26 April 2023, after the lodgement of the DA on 16 December 2022. The site was previously zoned B6 Enterprise Corridor and has now been amended to be zoned E3 Productivity Support.

Clause 5 of Part 2 of Schedule 1 of the Standard Instrument (Local Environmental Plans) Order 2006 states development that is permitted with development consent on land in a former zone under a local environmental plan, as in force immediately before 26 April 2023, continues to be permitted with development consent on the land until 26 April 2025. This application benefits from saving provisions, and the B6 Enterprise Corridor zone is the applicable zone.

The proposed mixed use development consisting of residential units and a ground floor commercial tenancy is permitted in the B6 Enterprise Corridor zone.

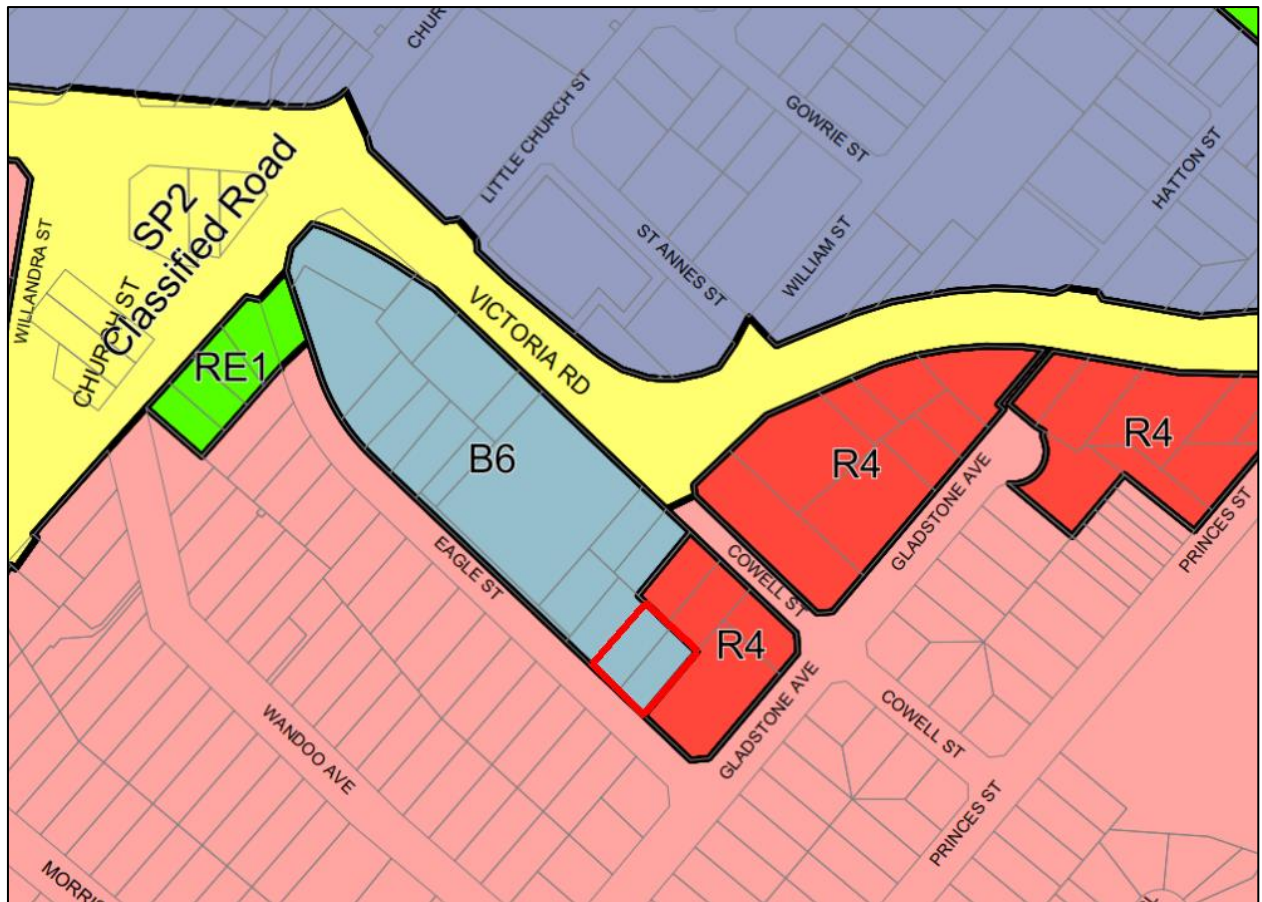


Figure 34 – Zoning map identifying applicable zoning which is now E3 (subject site outlined in red)

The proposal has also been assessed under the E3 Productivity Support zone which was the Draft zone at the time of lodgement. Under the Land Use Table, residential accommodation is not permitted.

It is noted that Schedule 1 Section 21 of RLEP 2014 states the following:

21 Use of certain land in Zone E3

- (1) *This clause applies to land identified as “Area 3” on the [Key Sites Map](#).*
- (2) *Development for the purposes of residential accommodation and food and drink premises is permitted with development consent.*

The site is located within Area 3 of the Key Sites Map. Therefore development for the purposes of residential accommodation is permitted on the site. Consent has not been sought for the specific use of the ground floor commercial premises. Food and drink premises and business premises are permissible and a future application would be required to be lodged for the commercial use. The proposed mixed – use development is permissible with consent under the E3 Productivity Support zone.

The aims and objectives for the B6 Enterprise Corridor zone are as follows:

- *To promote businesses along main roads and to encourage a mix of compatible uses.*

- *To provide a range of employment uses (including business, office, retail and light industrial uses).*
- *To maintain the economic strength of centres by limiting retailing activity.*
- *To provide for residential uses, but only as part of a mixed use development.*
- *To promote sustainable development, including public transport use, living and working environments.*

The development complies with the above objectives. Residential and commercial uses are provided within the mixed use development. The development is consistent with the desired future character of the area by providing a mix of uses within close proximity to Ryde Town Centre.

Clause 4.3 Height of buildings

The height of buildings map specifies the maximum height of any building on the site must not exceed 15.5m. Building height is defined in this instrument as meaning “the vertical distance between **ground level (existing)** at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like”.

The proposal has a height of 15.95 metres (Roof RL 66.1 – Existing ground level 50.15 RL) and does not comply with the development standard and represents a 2.90% or 450mm contravention of the development standard. The applicant has sought variation pursuant to Clause 4.6 of RLEP 2014 and an assessment of the variation request is detailed below.



Figure 35 – Height of Buildings Map. Subject site outlined in red. O2 (brown) shows sites with a maximum building height of 15.5 metres located to the north and north west of the subject site.

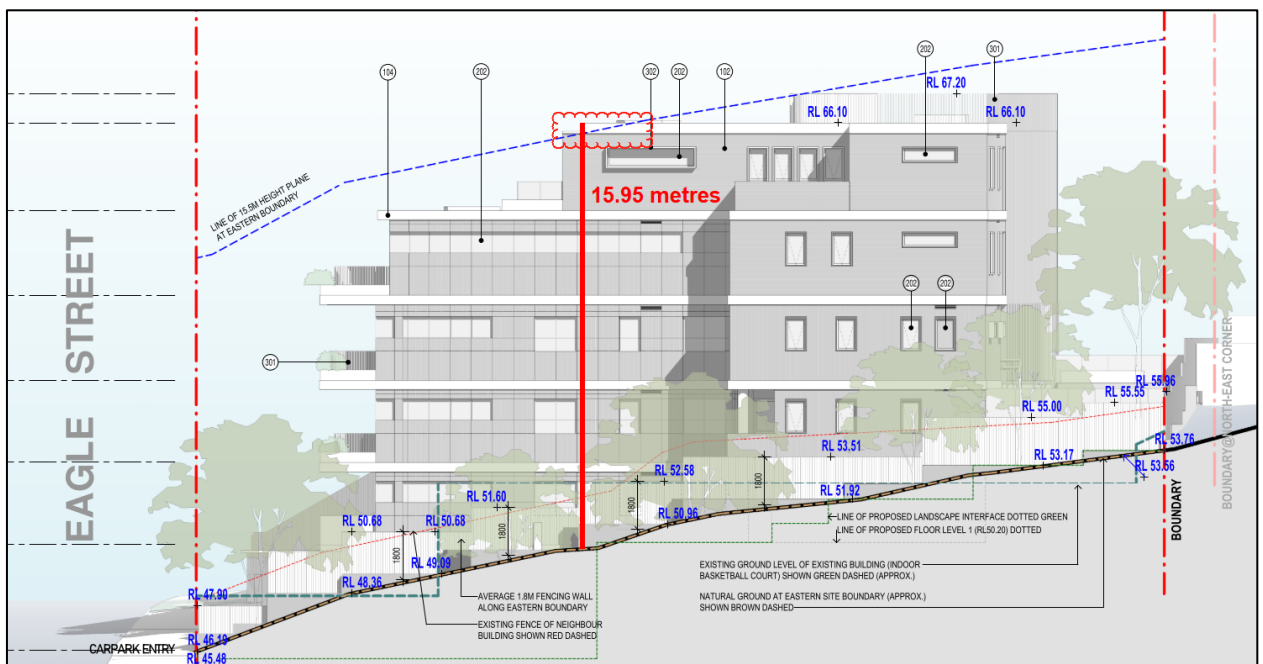


Figure 36 – Building height non-compliance clouded in red



Figure 37 – 15.5 metre height plane plan shown in red

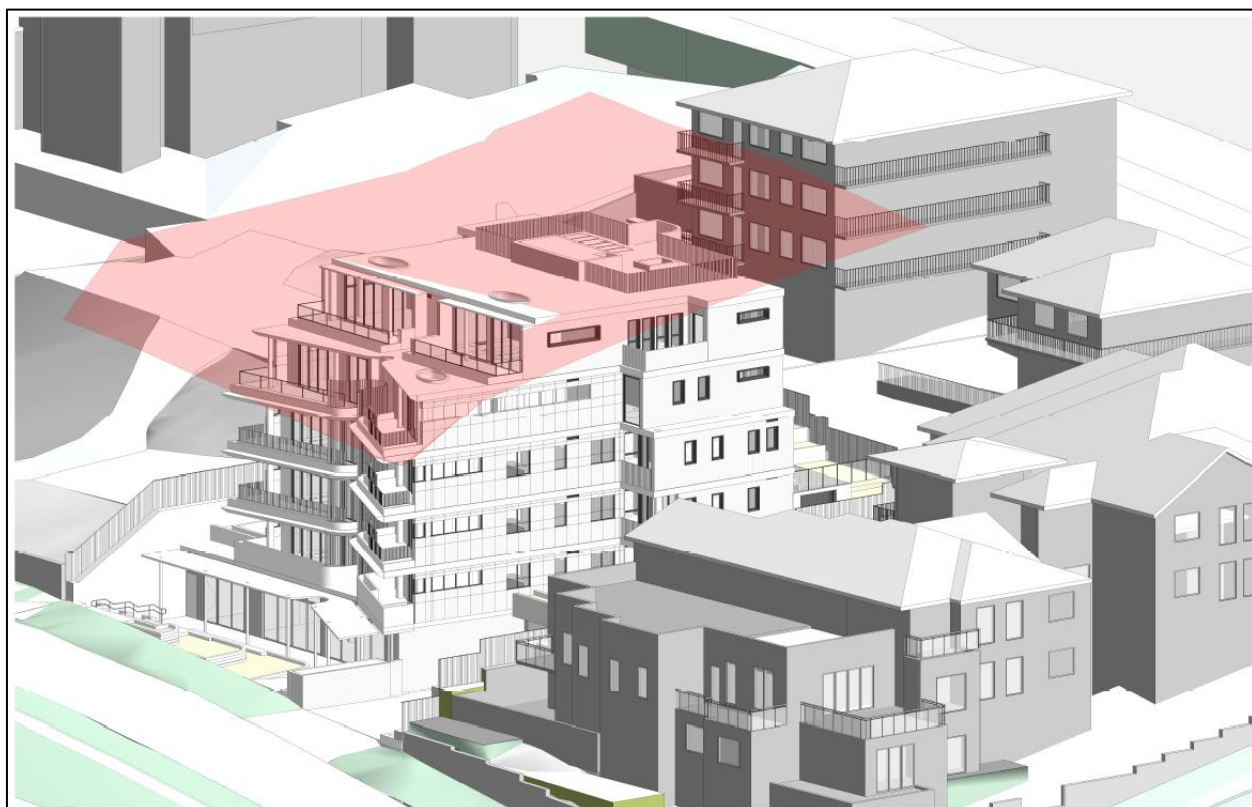


Figure 38 – 15.5 metre height plane plan shown in red

Clause 4.6 Exceptions to development standards

Clause 4.6 of the RLEP 2014 provides flexibility in the application of planning controls by allowing Council to approve a development application that does not comply with a development standard where it can be demonstrated that flexibility in the particular circumstances achieve a better outcome for and from development.

Several key Land and Environment Court (NSW LEC) planning principles and judgements have refined the manner in which variations to development standards are required to be approached. The key findings and directions of each of these matters are outlined in the following discussion.

The decision of Justice Lloyd in *Winten v North Sydney Council* established the basis on which the former Department of Planning and Infrastructure's Guidelines for varying development standards was formulated.

These principles for assessment and determination of applications to vary development standards are relevant and include:

- Is the planning control in question a development standard?
- What is the underlying object or purpose of the standard?
- Is compliance with the development standard consistent with the aims of the Policy, and in particular does compliance with the development standard tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the EP&A Act?
- Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?
- Is a development which complies with the development standard unreasonable or unnecessary in the circumstances of the case? and
- Is the objection well founded?

The decision of Justice Preston in *Wehbe V Pittwater [2007] NSW LEC 827* expanded on the above and established the five part test to determine whether compliance with a development standard is unreasonable or unnecessary considering the following questions:

- Would the proposal, despite numerical non-compliance be consistent with the relevant environmental or planning objectives?
- Is the underlying objective or purpose of the standard not relevant to the development thereby making compliance with any such development standard is unnecessary?
- Would the underlying objective or purpose be defeated or thwarted were compliance required, making compliance with any such development standard unreasonable?
- Has Council by its own actions, abandoned or destroyed the development standard, by granting consent that depart from the standard, making compliance with the development standard by others both unnecessary and unreasonable?
- Is the “*zoning of particular land*” unreasonable or inappropriate so that a development standard appropriate for that zoning was also unreasonable and unnecessary as it applied to that land? Consequently compliance with that development standard is unnecessary and unreasonable.

In the matter of *Four2Five Pty Ltd v Ashfield Council [2015] NSW LEC*, it was found that an application under clause 4.6 to vary a development standard must go beyond the five (5) part test of *Wehbe V Pittwater [2007] NSW LEC 827* and demonstrate the following:

- Compliance with the particular requirements of Clause 4.6, with particular regard to the provisions of subclauses (3) and (4) of the LEP; and
- That there are sufficient environment planning grounds, particular to the circumstances of the proposed development (as opposed to general planning grounds that may apply to any similar development occurring on the site or within its vicinity);
- That maintenance of the development standard is unreasonable and unnecessary on the basis of planning merit that goes beyond the consideration of consistency with the objectives of the development standard and/or the land use zone in which the site occurs.

The applicant has submitted a written request to vary the height control. An assessment of the relevant provisions of Clause 4.6 is as follows:

Whether compliance with the standard is unreasonable and unnecessary in the circumstances of the case

The submission relies upon the common ways to demonstrate compliance with a development standard is unreasonable or unnecessary in accordance with *Wehbe v Pittwater Council (2007)*. The submission relies upon the objectives of the standard being achieved notwithstanding the non-compliance with the standard.

The applicant has provided a Clause 4.6 variation written request which is attached as Attachment 3. Excerpts from the 4.6 statement on Environmental planning grounds are discussed here:

The justification in the applicant's request and Assessment Officer's comments are below:

"The specific objectives of the height of buildings development standards as specified in Clause 4.3 of the LEP are detailed in Table 2 below. An assessment of the consistency of the proposed development with each of the objectives is also provided.

Table 2 Assessment of Consistency with Clause 4.3 Objectives

Objectives	Assessment
(a) to ensure that street frontages of development are in proportion with and in keeping with the character of nearby development,	The proposed design seeks to provide a contemporary built form which will contribute to the immediate urban context of the neighbourhood and the emerging character of the Ryde Centre locality as identified under the Ryde Development Control Plan 2014 (the DCP). The proposed development has

	<p><i>been designed based on a clear knowledge of the spatial and contextual considerations.</i></p> <p><i>The proposed non-compliance relates to the rooftop slab protrusion which is setback from the street frontage ensuring it does not contribute to any perceivable bulk or visual impact when viewed from the street frontages and associated public domain. Further, the proposed design ensures the non-compliant section does not compromise the amenity of surrounding developments.</i></p> <p><i>The site is at the juncture of a change in height control, with sites to the north and east subject to a 9.5m height standard. Council has therefore deliberately sought to achieve a change in development scale in this specific location. As land to the west is developed in accordance with the planning framework the development character will change to align with the 15.5m height standard. Due to land topography, it is reasonable to expect that development to the west will be constructed to a higher overall RL than the subject development such that the minor protrusion beyond the 15.5m height limit in this location will be read in the context of those taller forms.</i></p> <p><i>It is therefore considered that, notwithstanding the minor non-compliance, the proposal is in keeping with the character of nearby development.</i></p>
<p><i>(b) to minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area,</i></p>	<p><i>Sun eye diagrams and shadow diagrams have been prepared for this application in the Architectural Plans and Architectural Design Report by DDA which demonstrates that in comparison to the proposed DCP, the site does not present significant overshadowing impacts as a result of the proposal.</i></p> <p><i>The roof slab where the exceedance is located will not contribute the shadow extent of the building which is a result of the massing of the broader building. The setback of the roof slab therefore reduces any significant overshadowing risks.</i></p> <p><i>The quality of the architectural design responds to the south facing orientation of the site, so to capture solar access to the proposed residential dwellings. The architectural style will contribute to the appearance of the urban form in this street.</i></p>

<p><i>(c) to encourage a consolidation pattern and sustainable integrated land use and transport development around key public transport infrastructure,</i></p>	<p><i>The site involves the consolidation of two allotments. The proposal will redevelop the existing underutilised recreational building to support the growth of the Ryde Local Centre within close proximity to essential services and transport routes. Therefore, this achieves the objective to supporting developments within proximity to key public transport infrastructure.</i></p>
<p><i>(d) to minimise the impact of development on the amenity of surrounding properties,</i></p>	<p><i>The proposed development is 5-storeys in scale which is consistent with the emerging context within Ryde Centre, as envisaged by the planning controls for this site and land to the west. The proposal allows for an appropriate transitional arrangement having regard to the building height of approved buildings in the area, especially in relation to the lower scale residential buildings to the east.</i></p> <p><i>The proposal remains consistent with the neighbouring apartment developments including three and four storey developments along Eagle Street, Gladstone Avenue and Cowell Street. Similarly mixed use residential led developments within the block including 734 Victoria Road, are of a similar scale. The minor height compliance does not materially contribute to building bulk and scale, as it is actually set below a higher building form which complies with the height standard. Nor does the protruding element result in additional overshadowing impacts to neighbouring sites. As such, the minor height non-compliance will in no way impact the amenity of the surrounding developments.</i></p>
<p><i>(e) to emphasise road frontages along road corridors.</i></p>	<p><i>Overall, the development remains compliant with the emerging medium-density form (approx. four to five storeys) to the public domain and ensures that the streets are clearly and physically defined.</i></p> <p><i>The design of the proposed development is consistent with its emerging context and is not overbearing in scale or form that would otherwise be enclosing to the street.</i></p> <p><i>The non-compliant section of the building is recessed to the greatest extent possible from the surrounding street frontages, therefore having no effect on the physical definition of the street network. The roof slab protrusion is minor and not perceivable.</i></p>

	<i>The built form is setback from the street frontage to provide physical separation at street level and to accommodate landscaped setback areas. Overall, the built form clearly delineates the street network and associated public domain areas along the street frontages.</i>
--	--

The submission has demonstrated that the objectives of the development standard Clause 4.3(1) are achieved, despite the non-compliance and the proposal satisfies Clause 4.6(3)(a) and 4.6(4)(a)(i).

Environmental planning grounds to justify contravening the development standard

The submitted request provides the following in response to addressing what the environmental planning grounds are for the variation.

The Land & Environment Court judgment in Initial Action Pty Ltd v Woollahra Council [2018] NSWLEC 2018, assists in considering the sufficient environmental planning grounds. Preston J observed:

*“...in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6, the focus must be on the aspect or element of the development that contravenes the development standard and the environmental planning grounds advanced in the written request must justify contravening the development standard, not simply promote the benefits of carrying out the development as a whole; and
...there is no basis in Clause 4.6 to establish a test that the non-compliant development should have a neutral or beneficial effect relative to a compliant development”*

There is an absence of environmental harm arising from the contravention and positive planning benefits arising from the proposed development as outlined in detail above.

These include:

- *The proposal is consistent with the objectives of the B6 Enterprise Corridor Zone and Height of Buildings standard.*
- *The Statement of Environmental Effects prepared by Urbis demonstrates that any impacts associated with the proposed development are acceptable, particularly with regard to solar access impacts on neighbouring properties or the public domain as a result of the height variation.*
- *The additional building height is confined to rooftop slab protrusion. All floor space is confined within the maximum 15.5 metre height control.*
- *The non-complaint section of the building will not be out of context with the streetscape and surrounding built form and does not contribute to any distinguishable bulk, scale or density of the building given the limited visibility from the public domain.*

- *The element of the variation is actually below the overall height of the building, which increases with the topography as it moves away from the street frontage. The protruding element will not read as the uppermost point of the building form, nor will it noticeably protrude above the otherwise compliant building form.*
- *The planning controls envisage redevelopment of land to the west of the site, also to a height of 15.5m. As the topography increases in height as it moves westward, it is reasonable to consider that future building forms will increase in relative height beyond that contemplated by the subject building. The subject building will therefore, in time, be read in the context of that taller development such that this minor height protrusion will not appear out of scale.*
- *The variation does not result in unreasonable adverse amenity impacts on adjacent land with regards to solar access, view sharing or visual impact and does not diminish the development potential of adjacent land in any way given it provides a suitable transition in height to the future medium-density built forms on neighbouring properties as afforded under the Ryde Local Centre.*
- *The rooftop slab protrusion is well setback from the parapet and will not be clearly visible from the public domain of Eagle Street.*
- *The proposed design scheme has been through a rigorous design process to ensure the overall development architecturally sound.*

Based on the above, it has been demonstrated that there are sufficient environmental planning grounds to justify the proposed height of buildings standard non-compliance in this instance.

Assessment Officer's Comments: The submission has established there are sufficient environmental planning grounds to justify contravening the standard in accordance with (Clause 4.6(3)(b) and 4.6(4)(a)(i). The sufficient environmental planning grounds include:

- The non compliance relates to a minor section of the roof and is setback approximately 14.2 metres from Eagle Street. The non compliant section of the roof does not contribute to any distinguishable bulk and scale impacts and is not readable from the public domain.
- The non compliant building height is associated with the roof. All floor space is confined within the maximum 15.5 metre height control.

Public interest – Development consistent with the zone objectives and objectives of the development standard

Clause 4.6 (4)(a)(ii) requires that the consent authority is satisfied that the development is in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone.

As detailed in the discussion of whether compliance with the standard is unreasonable or unnecessary, the development is consistent with the objectives of the standard and this has been demonstrated in the submitted variation request. Council is satisfied that

the development is consistent with the objective of the development standard Clause 4.3.

The development must also be consistent with the objectives of the zone. As already discussed in this report, the development is consistent with the B6 Enterprise Corridor zone objectives.

Therefore, the proposal is considered to be in the public interest. The development has demonstrated consistency with Clause 4.6(4)(a)(ii).

Matters required to be taken into consideration by the Director-General before granting the concurrence.

Circular PS 18-003 issued on 21 February 2018 informed Council that it may assume the Director-General's concurrence for exceptions to development standards.

Conclusion

The applicant has adequately addressed why compliance with the development standard is unreasonable or unnecessary under Clause 4.6(3)(a) of RLEP 2014. It is considered that the non-compliance with the height development standard can be supported in the circumstance of the case, as there are sufficient environmental planning grounds for contravening the development standard.

Accordingly, development consent may be granted to the proposal, despite the contravention of the height development standard.

Clause 4.4 Floor Space Ratio

The FSR for the site is 2.00:1. The proposal will have a gross floor area of 2,281.7m² (FSR of 1.97:1) which complies with this standard.

Clause 6.7 Ground floor development on land in Zone E3

As discussed above the site was previously zoned B6 Enterprise Corridor and has now been amended to be zoned E3 Productivity Support. Prior to the commencement of *State Environmental Planning Policy Amendment (Land Use Zones) 2022* on 26 April 2023, Clause 6.7 of RLEP2014 required the ground floor development on land in Zone B6 to be used for business and employment activities except for lobbies for any commercial, residential, serviced apartment or hotel component of the development, access for fire services, or vehicular access. The requirements within Clause 6.7 are unchanged between the previous zoning and new zoning.

Clause 6.7 states the following:

(1) The objective of this clause is to restrict certain development at the street level for buildings in Zone E3 Productivity Support.

(2) Development consent must not be granted for development on the ground floor of a building within Zone E3 Productivity Support if the development would result in any part of the ground floor not being used for business or employment activities, other than any part of that floor used for the purposes of—

- (a) lobbies for any commercial, residential, serviced apartment or hotel component of the development, or
(b) access for fire services, or
(c) vehicular access.

(3) In this clause, **commercial activities**, in relation to the use of a building, means using the building for the purposes of business premises, community facilities, hotel or motel accommodation, landscape and garden supplies, light industries, passenger transport facilities, timber and building supplies or warehouse or distribution centres.

The ground floor of the proposed development comprises of:

- 1 x commercial tenancy and associated retail storage area, retail waste area and access
- Residential lobby and lift to apartments on upper levels
- Fire stairs

As such, the ground floor only contains the uses for commercial activities, residential lobby and access for fire services, and therefore complies with this clause.

Other relevant Clauses of RLEP 2014

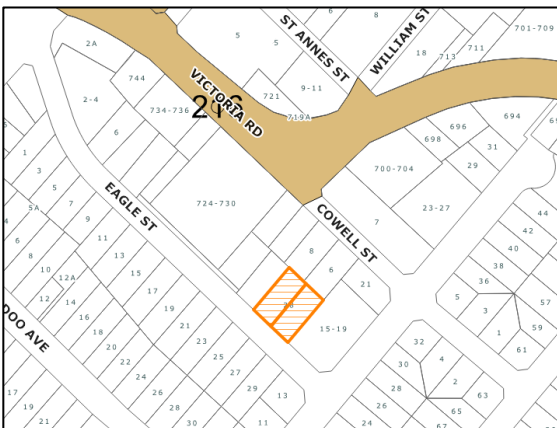
5.10 Heritage Conservation		
<p>(1) Objectives The objectives of this clause are as follows—</p> <p>(a) to conserve the environmental heritage of Ryde,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance</p>	<p>The site is located within 100m of one (1) heritage item being:</p> <ul style="list-style-type: none"> • Item name: Stone marker; Address: Road reserve (outside 724 Victoria Road) <p>The item is of local significance, as outlined in Schedule 5 of RLEP 2014. The location of the subject site from the heritage item is shown in Figure 39 below. Despite being within 100m of the heritage item, the proposal is considered to satisfy the objectives of Clause 5.10 of RLEP 2014 by conserving the heritage significance of the heritage item, including associated fabric, settings and views. The proposal does not result in any significant adverse impacts upon the environmental heritage of Ryde.</p> 	<p>Yes</p>

Figure 39 – Location of the subject site from the heritage item		
6.2 Earthworks		
(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	<p>The proposal includes excavation to a depth of 12.40 metres associated with the basement car park.</p> <p>The proposed excavation is not considered to result in any adverse detrimental impacts upon environmental functions and processes or neighbouring uses.</p> <p>The proposal has been considered acceptable by Council's Consultant Structural Engineer subject to conditions of consent. The proposal does not adversely impact the amenity of adjoining properties and is considered to be consistent with the provisions of Clause 6.2(3).</p>	Yes
6.4 Stormwater Management		
(1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.	Council's Senior Development Engineer has raised no objections to the proposed stormwater management system for the site, subject to conditions of consent.	Yes

5.4 Draft Environmental Planning Instruments

Nil

5.5 Ryde Development Control Plan 2014 (RDCP 2014)

The proposal is subject to the provisions of the following parts of RDCP 2014:

- Part 4.4: Ryde Town Centre
- Part 7.1 – Energy smart, Water Wise
- Part 8.1: Construction Activities.
- Part 8.2: Stormwater Floodplain Management.
- Part 8.3: Driveways.
- Part 9.2: Access for People with Disabilities.
- Part 9.3: Parking Controls.
- Part 9.5: Tree Preservation.

The proposal is generally compliant with Parts 7.1 to 9.2 and 9.5, and suitable conditions have been included in the consent where required. Parts 4.4 and 9.3 are considered below.

Part 4.4 – Ryde Town Centre

Part 4.4 of DCP 2014 is the primary DCP applicable to development within the Ryde Town Centre. The relevant provisions of the DCP are outlined in **Table 3** below. The non compliances are discussed further below the table.

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
3.0 Public Domain		
3.2– Environmental Management and the Public Domain	<p>The proposal does not cast shadows onto school playgrounds, landscaped grounds of heritage items, Ryde Park or public open spaces identified in Figure 4.4.02.</p> <p>The site is not located rear public open spaces. The design will allow for summer breezes to the balconies and terraces of the apartments.</p>	Yes
3.3 Active Frontage a. Provide ground level active uses where indicated on the Active Frontage and Awnings Control Drawing. (Figure 4.4.03)	Site is not indicated as requiring an active frontage. Regardless, the proposal includes a ground level commercial tenancy.	NA
3.5 Access and public domain a. If required by Council, footpath improvements in accordance with the Ryde Town Centre Public Domain Plan are to be implemented by the developer. f. Minimise the size, quantity and visual intrusion of vehicle access points. The preferred width of vehicle access points is 3 m however, up to 6m may be permitted. Greater widths for car parking access may be approved, if it can be demonstrated that the greater width is necessary and that pedestrian safety is not compromised.	<p>A new footpath will be required across the development frontage and conditions have been imposed. Barrier free access is provided to the common areas of all buildings and public domain areas.</p> <p>Two adaptable residential car parking spaces are provided and one accessible retail car parking space is provided. A lift is provided and a ramp to the communal area.</p> <p>One vehicle access point from Eagle Street. The vehicle access width is 7 metres. The width is acceptable due to the need to accommodate turning paths and the relatively narrow road width of Eagle Street. The loading bay is located within the site and the truck can enter and exit in a forward direction. The proposal has been reviewed by Council's City Infrastructure Traffic Engineer, City Infrastructure Public Domain Engineer and Senior Development Engineer and is considered acceptable. Two (2) separate pedestrian entries are provided and pedestrian safety is not compromised.</p>	No (justified)
3.6 Signage All signage is to be in accordance with Part 9.1 Signage of this DCP.	No signage is proposed	N/A

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
3.7 Public Domain Finishes and Elements a. Provide paving in accordance with the Ryde Town Centre Public Domain Plan. b. The safety of pedestrians is to be given priority over vehicular traffic. c. Developers must provide for public domain embellishment, including paving, lighting, signage and street furniture in accordance with Ryde Town Centre Public Domain Plan and relevant Council policies and specifications at their own cost for all new developments and for additions or alterations to an existing development of 500 sqm or greater.	The site is not located within the area Ryde Town Centre Public Domain Plan area. Two (2) separate pedestrian entrances are provided. The site is not located within the Ryde Town Centre Public Domain Plan area.	N/A Yes N/A
3.8 Landscaping and Street Trees a. Street trees and other planting shall be provided in accordance with the Ryde Town Centre Public Domain Plan and their health guaranteed for a minimum of 2 years. b. Ground level entry areas should be well lit and unobstructed by plantings to minimise risk to personal safety.	The proposal has been reviewed by Council's Public Domain Engineer and a condition regarding street tree planting has been provided. The condition requires street trees are to be provided in accordance with Council's Street Tree Masterplan. The designated species are Melaleuca linariifolia (Snow in Summer). Four trees are to be planted in 100 litre size pot. The proposed species will not obstruct entry areas. The proposal has been reviewed by Council's Landscape Architect and no issues were raised.	Yes Yes
3.9 Public Art	Given the proposal has a Capital Investment Value in excess of \$5 million dollars, public art is required to be provided as part of the development. Conditions have been imposed requiring the following: <ul style="list-style-type: none"> - Prior to the issue of a Construction Certificate, a site specific Public Arts Plan is to be submitted for approval by Council. - Prior to the issue of the final Occupation Certificate, the approved works contained in 	Yes


Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
	the Art and Cultural Plan shall be implemented	
3.10 Hoardings	Capable of compliance through condition	Yes
4.0 Architecture and Urban Form		
4.1 Building Height a. Buildings must comply with the maximum heights described in Ryde LEP 2014 - Height of Buildings Map. b. Height Planes A, B, C and D apply where indicated on the Building Height Control Drawing in this plan (Figure 4.4.05). c. Building Height Plane described in Figure 4.4.22 shall apply to the required through site thoroughfare in Precinct 2 and defines the relationship of built form to the public domain. d. Floor to ceiling height must be a minimum of 2.7 m for residential uses. e. To ensure that ground floor levels are adaptable over time for a wide range of uses, the floor to ceiling height shall be a minimum of 3.5 m clear for the ground floor and street levels in all development, regardless of uses, in the B4 Mixed Use – land-use zone except for Precinct 4.	Refer to discussion above under headings 'Clause 4.3 Height of buildings' and 'Clause 4.6 Exceptions to development standards'. Discussion of number of storeys is below the table.	No (Clause 4.6 submitted)
4.2 Setbacks and Build-to Lines a. Building setbacks at the ground level must comply with the Setbacks Control Drawings Figure 4.4.07 and Figure 4.4.17.	The following setbacks are proposed between the building and Eagle street frontage: Basement – 6 metres Ground floor – 6.6 metres Level 1 – 4.2m Level 2 – 4.2m Level 3 – 4.2m Level 4- 4.2m Level 5 – 11.1m	No (justified below)
 <p>Yellow star shows location of subject site. Red dashed line along Eagle Street represents 7m setback</p>		

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
4.4 Architectural and Design Quality	As discussed above, the proposal has been assessed against SEPP 65 and ADG. The proposal demonstrates a good quality design is achieved. The proposal has been reviewed by the UDRP and is considered acceptable.	N/A
5.0 Heritage		
5.1 Understanding Heritage Significance and 5.2 New Development and Heritage	This is discussed above '5.10 Heritage Conservation'	Yes
6.0 Sustainable Development		
6.1 Sustainable Development		
a. Development is to comply with Part 7.1 Energy Smart, Water Wise of Development Control Plan 2010. Development within Precinct 1 is to achieve a minimum 5.0 Greenstar Rating and development in Precinct 2 is to achieve a minimum 4.0 Greenstar Rating.	A BASIX Certificate (see Certificate No. 1355359M_06 and dated 19 October 2023) has been submitted with the application. The BASIX Certificate is considered acceptable.	Yes
b. New development is required to submit an Energy Efficiency Performance Report to indicate overall environmental performance and management in relation to the following matters: i. Solar access that has been achieved for residential living areas, public open space and private open space including clothes drying areas; ii. Solar access for adjoining and nearby development and public domain areas; iii. How energy efficiency is integrated into the orientation and design of buildings and the public domain; iv. Energy efficiency of all appliances including but not limited to hot water systems, clothes dryers, mechanical ventilation, ceiling fans and the like; v. How water usage is minimised and how the quality and quantity of water discharge from the site is managed; and vi. Details of the potential for water recycling.	A BASIX, Thermal Comfort and ESD Report has been submitted. This report includes ESD targets and commitments and is considered acceptable.	Yes
6.2 Water Management		
a. New development is to submit a Water Management Statement for proposals less than 15 residential dwellings or an Integrated Water Cycle	A BASIX, Thermal Comfort and ESD Report and BASIX certificate were submitted with the application. A Water Management Statement has	No (justified)

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
<p>Management Plan for proposals more than 15 dwellings.</p> <p>b. A Water Management Statement and an Integrated Water Cycle Plan must indicate:</p> <ul style="list-style-type: none"> i. How the water usage is minimised and how the quantity of water discharge from the site is managed; ii. Details of the potential for water recycling and rainwater harvesting and re-use options; iii. Installation of appliances and plumbing hardware that have a minimum AAA Australian Standards Water Conservation Rating; iv. Investigation of treatment and reuse options of Grey Water for non-potable uses as part of the development; and v. Potential for any surplus harvested rainwater being piped for irrigation or other reuse possibilities to downstream Ryde Park. 	<p>not been submitted with the development application. The proposal has been reviewed by Council's Development Engineer and no issues were raised subject to conditions of consent.</p>	
<p>6.3 Waste Management</p> <p>a. All applications for demolition and development must be accompanied by a Waste Management Plan that specifies the type of waste to be produced and the proposed arrangements for ongoing waste management, collection and disposal.</p> <p>b. All Waste Management Plans shall be prepared in accordance with the relevant requirements of the Waste Recycling and Processing Service Act 1970, and the Waste Minimisation and Management Act 1995, and the Protection of the Environment Operations Act 1997 and Part 7.2 Waste Minimisation and Management.</p>	<p>A Construction & Demolition Waste Management Plan and an Operational Waste Management Plan were submitted with the application. The proposal was reviewed by Council's City Infrastructure Waste Officer and is considered acceptable.</p>	Yes
<p>6.5 Alternatives to Private Vehicle Transport</p> <p>a. Refer to 2.7 Bicycle Parking within Part 9.3 Parking Controls of this DCP.</p> <p>b. Workplace Travel arrangements are made in every commercial building to encourage greater use of available public transport services by staff. Target 40% of staff to use public</p>	<p>Three (3) bicycle spaces are required. Two (2) bicycle spaces are provided. A condition has been provided by Council's Senior Development Engineer requiring three spaces to be provided.</p> <p>Not considered necessary for proposed size of commercial tenancy</p>	<p>No (justified)</p> <p>N/A</p>

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
transport in each commercial or office premises.		
7.0 Residential Amenity		
7.1 Residential Private Open Space		
Front gardens		
a. Provide front gardens to residential developments where buildings are required to be setback from the street. Refer Setbacks Control Drawing.	Landscaping is provided within the front setback and is considered acceptable by Council's Landscape Architect	Yes
b. Design front gardens to provide a positive setting for the building.	Achieved	Yes
c. Tree species shall be selected from a palette in accordance with the relevant recommendations of the Ryde Town Centre Public Domain Plan 2006. Native plant species are generally encouraged.	The proposal has been reviewed by Council's Landscape Architect and no issues were raised	Yes
d. Minimise the impact of driveways in front gardens by design, materials selection and appropriate screen planting.	One driveway proposed from Eagle Street	Yes
e. All driveways are to be separated from pedestrian pathways and entryways.	Driveway is separate from pedestrian pathways.	Yes
f. Driveways, kerb crossings, parking, paved areas and external structures must be sited to safeguard the root zone of existing street trees.	The proposal has been reviewed by Council's Landscape Architect and no issues were raised	Yes
g. Gardens less than 3 m wide shall have adequate continuous access to allow maintenance.	The front garden is able to be maintained. No issues raised by Council's Landscape Architect.	Yes
h. Design front gardens for security by providing adequate lighting to pedestrian and vehicle entrances.	Conditions regarding street lighting have been imposed	Yes
i. The following are not permitted in front gardens forward of the building alignment: i. Garden structures including gazebos, clotheslines, play equipment; ii. Swimming pools, spa baths and associated plant; iii. Garbage and parking structures; and iv. Air conditioning plant and equipment.	Complies	Yes
Private Gardens		
j. Landscape spaces shall retain existing significant mature trees and contribute to the character and environmental quality of the landscape of Ryde Town Centre.	The proposal includes the removal of five (5) trees. This is considered acceptable by Council's Landscape Architect.	Yes
k. Where possible provide 20% minimum deep soil landscape space.	ADG prevails	NA

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
l. Deep soil landscape areas shall provide some capacity for storage and infiltration of stormwater falling within the total development.	No issues raised by Council's Landscape Architect	Yes
m. Provide one large tree, with a spreading canopy, and mature height of 12 metres minimum, planted in deep soil, for every 100 m ² of landscaped open space. Indigenous species are preferred and should be selected from the palette detailed in the Ryde Town Centre Public Domain Plan 2006.	No issues raised by Council's Landscape Architect regarding proposed tree planting	Yes
n. To the greatest extent possible, locate car parking under the building footprint to maximise deep soil.	Basement parking proposed and is largely under the building footprint	Yes
o. Gardens less than 3 m wide shall have adequate continuous access to allow maintenance.	Landscaped area is able to be maintained	Yes
p. All air conditioning and other plant shall be screened from view and integrated in the architectural design.	Solar panels and plant/services and located on the roof and concealed by a louvre screen	Yes
q. The design of podium landscapes above car parking shall create optimum conditions for the establishment and long term viability of soft garden areas, including:	The proposal has been reviewed by Council's Landscape Architect and no issues were raised	Yes
i. A minimum of 600 mm of soil to allow sustainable planting.		
ii. Provide drainage and irrigation to all planters over structure.		
iii. Ensure that all planters are accessible for maintenance.		
r. All communal garden, swimming pool and outdoor spaces should be designed to enhance the safety and security of residents:	Adequate boundary fencing and pool fencing is provided within the communal area and ensures the safety and security of residents	Yes
Above ground open space		
s. Provide at least one balcony, terrace or deck for each dwelling where direct access to ground level private open space is not available.	A balcony is provided to each unit	Yes
t. Primary above ground open space is to be accessible from a family room, lounge, dining room or kitchen, and be north, east or west facing, in the form of balconies, courtyards, terraces, roof gardens and the like.	The balconies adjoin the living areas. The balconies orientate to the south west which provides some sunlight. This is considered acceptable given the orientation of the site. The balconies orientate to Eagle Street to provide passive surveillance and minimise impacts to neighbouring properties	No (justified)

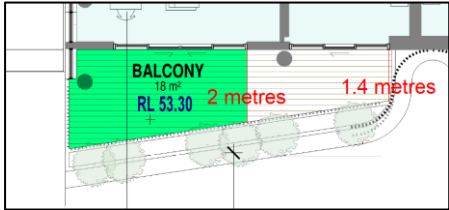
Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
u. The depth of the primary above ground open space is to be in the range of 2 – 4.0 m. The optimal depth is 2.4 – 3.0 m.	<p>The depths of the primary balconies associated with Unit 101, 201, 202, 301, 302, 401 and 402 do not comply with the control. The remainder of the units comply. The non compliance is considered acceptable for the following reasons:</p> <ul style="list-style-type: none"> Unit 101 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.9 metres – 2.6m). The non compliance is minor being 100mm and is considered acceptable. Unit 201 – Balcony associated with the primary living area (Area of 17m² and depth ranging from 1.9 metres – 2.6m). The non compliance is minor being 100mm and is considered acceptable. Unit 202 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.4 metres – 2.7m). Sufficient area (10.8m²) is provided with a depth greater than 2m.  <p>Figure 40 – Area with a depth greater than 2 metres highlighted in green</p> <ul style="list-style-type: none"> Unit 301 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.9 metres – 2.6m). The non compliance is minor being 100mm and is considered acceptable. Unit 302 – Balcony associated with the primary living area (Area of 18m² and depth ranging from 1.4 metres – 2.6m). Sufficient 	No (justified)

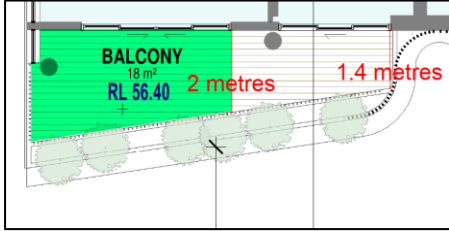
Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
<p>v. Smaller secondary open spaces such as balconies off bedrooms are also encouraged. The depth of the secondary open space should be in the range of 0.9 – 1.5 m.</p>	<p>area (10.8m²) is provided with a depth greater than 2m.</p>  <p>Figure 41 – Area with a depth greater than 2 metres highlighted in green</p> <ul style="list-style-type: none"> Unit 401 – Balcony associated with the primary living area (Area of 16m² and depth ranging from 1.8m – 2.6m). The non compliance is minor being 200mm and is considered acceptable. Unit 402 – Balcony associated with the primary living area (Area of 21m² and depth ranging from 1.9m – 3.1m). The non compliance is minor being 100mm and is considered acceptable. <p>The overall size of the balconies is large and adequate private open space is provided. The proposal meets the objectives of the controls in that each unit has access to useable private open space. The non compliance is considered acceptable.</p>	<p>No (justified)</p>
	<p>A secondary open space off bedrooms has not been provided between Level 1 and Level 4. This is considered acceptable as Level 1 – Level 3 have a secondary balcony off the secondary living areas with the following depths:</p> <ul style="list-style-type: none"> Unit 101 – Terrace with a depth of 7.4m. The retaining wall and boundary fencing ensures there are no visual privacy impacts from the terrace. Unit 102 – Terrace with a depth of 10.9m. The terrace orientates to a car park within 	

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
<p>w. Lightweight pergolas, sunscreens, privacy screens and planters are permitted on roof terraces, provided they do not increase the bulk of building. These elements should not significantly affect the views and privacy available from properties in the immediate vicinity.</p>	<p>the neighbouring property and does not result in visual privacy impacts.</p> <ul style="list-style-type: none"> Unit 201 – Balcony with a depth of 1.7m. A condition is recommended requiring a 1.5m high privacy screen to be provided to the south eastern elevation. Unit 202 – Balcony with a depth of 1.8m. The balcony orientates to the street and does not result in visual privacy impacts. Unit 301 – Balcony with a depth of 1.8m. The balcony orientates to the street and does not result in visual privacy impacts. Unit 302 – Balcony with a depth of 1.8m. The balcony orientates to the street and does not result in visual privacy impacts. <p>The units on Level 4 do not contain a secondary open space. This is considered acceptable as the primary balconies area large and adequate private open space is provided.</p> <p>The depth of the Unit 501 balcony is 4.2 metres. The balcony is 9.8 metres from the neighbouring property at No. 15 – 19 Gladstone Avenue. The separation ensures there are no visual privacy impacts. The depth of the Unit 502 balcony is 4.5 metres. The balcony aligns with a car park associated with Club Ryde and does not result in visual privacy impacts. The non compliance is considered acceptable.</p> <p>A louvred screen is proposed on the roof to conceal the solar panel and plant/services. The louvred screen does not significantly affect the views and privacy from properties in the immediate vicinity</p>	<p>Yes</p>

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
Fences x. Front fencing may only occur in the Precincts 4 and 6 where front setbacks are required.	Front fencing is not proposed	Yes
7.2 Solar Access and Sun Shading a. Optimise solar access to principal living rooms and private open spaces of all dwellings. Mid winter solar access diagrams may be required as part of the energy efficiency Performance Report required by Part 7.1 Energy Smart, Water Wise. b. Provide appropriate sun protection to glazing depending on orientation: i. On north facing facades provide external horizontal shading devices, eaves, awnings, colonnades, balconies, pergolas, planting and the like, to maximise solar access in winter and minimise solar access in summer; and ii. On east and west facing facades provide external vertical shading, sliding screens, adjustable louvres and the like. These may be used in conjunction with awnings, colonnades, balconies, pergolas, and planting. c. Extensive areas of glazing unprotected from sunlight during summer will NOT be permitted. d. Reliance on high performance glazing as the primary element of sun control is NOT permitted.	ADG prevails	N/A
7.3 Visual Privacy a. Ground floor residential development may be permitted subject to Land Use Controls. b. Ground floor residential development is encouraged to be more than one storey in height with split-levels, mezzanines and the like so that bedrooms and other spaces may be located above the street level. c. Direct overlooking of rooms and private outdoor space of on-site or neighbouring housing, including housing within the same development is to be minimised through: i. Building layout. ii. Location and design of windows and balconies. d. The use of tinted glazing that does not prevent overlooking is not	Only the residential lobby is located on the ground floor Residential units located above street level Refer to ADG table. Development results in building separation shortfall which is found to be acceptable. Not proposed.	Yes N/A Yes Yes

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
<p>acceptable as the primary means of achieving privacy.</p> <p>e. This provision gives detailed guidance to the principles of SEPP 65 and promotes appropriate building separation. The preferred minimum distances between opposite windows of neighbouring buildings and dwellings where direct view is not restricted by screening or planting are:</p> <p>i. 6 m between windows of service rooms and/or edges of secondary balconies.</p> <p>ii. 9 m between windows of service rooms and/or edges of secondary balconies to edges of primary balconies.</p> <p>iii. 9 m between windows of service rooms and/or edges of secondary balconies to windows of commercial uses.</p> <p>iv. 12 m between windows of “living” rooms and/or edges of primary balconies. 12 m between windows of “living” rooms to windows of commercial uses.</p>	<p>Refer to ADG table. Development results in building separation shortfall which is found to be acceptable on merit.</p>	<p>Yes</p>
7.4 Acoustic Privacy		
a. Development is to meet or exceed the sound insulation requirements between separating walls and floors of adjoining dwellings of the Building Code of Australia.	An Acoustic Report has been submitted and is considered acceptable by Council's Environmental Health Officer	Yes
b. New development is to meet or exceed the recommendations of Australian Standard 3671- 1987: Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors.	An Acoustic Report has been submitted and is considered acceptable by Council's Environmental Health Officer	Yes
c. Site buildings and design the internal layout of rooms, courtyards, terraces and balconies, the use of openings, screens and blade walls, and choice of materials, to minimise the transmission of noise externally.	An Acoustic Report has been submitted and is considered acceptable by Council's Environmental Health Officer	Yes
d. Design to achieve primary acoustic privacy between adjacent dwellings with appropriate building materials. This may be enhanced using service areas such as circulation, and storage areas, and back-to-back kitchens, laundries, storage and bathrooms to create a noise buffer.	Balconies are oriented to the street to provide acoustic and visual privacy. Storage areas, plant rooms and fire stairs are located at the rear to create a noise buffer.	Yes
e. Balconies and other external building elements are to be located, designed	Balconies are orientated to the street to provide acoustic privacy.	Yes

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
and treated to minimise noise in the building and reflection of noise from the façade.		
f. The use of a premises, and any plant, equipment and building services associated with a premises must not:	An Acoustic Report was submitted. The proposal has been reviewed by Council's Environmental Health Officer and no issues were raised.	Yes
i. Create an offensive noise as defined by the Protection of the Environment Operations Act 1997; and		
ii. Add significantly to the background noise experienced in a locality. Council may require a statement of compliance from a qualified acoustical consultant.	Conditions regarding noise management have been imposed	Yes
g. Machinery and activities, including construction work, that are likely to generate offensive noise must be adequately sound-proofed in accordance with the Protection of the Environment Operations Act 1997 prior to occupation of the premises.		
h. Where retail and commercial development adjoins residential development, the use of mechanical plant equipment and building services will be restricted and must have acoustic insulation.	The proposal has been reviewed by Council's Environmental Health Officer and no issues were raised.	Yes
i. Loading and unloading facilities must not be located immediately adjacent to residential development.	The loading area is internal to the site and does not adjoin residential development	Yes
j. Design restaurants and cafes to diminish the impact of noise associated with late night operation on nearby residents.	The use of the commercial premises has not been specified. The use will be subject to a separate application	NA
7.5 Buildings facing Devlin St, Lane Cove Rd, Blaxland Rd and Victoria Rd	This section does not apply as the site faces Eagle Street	N/A
7.6 Housing Choice		
a. This provision gives detailed guidance to the principles of SEPP 65. Development is to provide a diverse mix of dwelling sizes generally within the following ranges: 3 bedroom 5 – 35% 2 bedroom 40 – 80% 1 bedroom + studio 5 – 35%	100% 0% 0% Six (6) three bedroom units are proposed and four (4) four bedroom units are proposed. The non-compliance is considered acceptable, as the proposed mix of dwelling sizes responds to the current market trends in the area, and is still considered to meet the objectives of both the ADG and the DCP controls.	No (justified)

Table 3: Part 4.4 – Ryde Town Centre Provisions		
Control	Comment	Compliance
Part 4.4 Ryde Town Centre		
b. Developments providing less than 10 units may vary this mix providing a range of dwelling sizes are represented.	Ten units proposed	NA
c. Developments providing less than 5 units are exempt.	More than 5 units proposed.	NA
8.0 Precincts 8.12 Precinct 12 8.12.1 Commercial Edge South	The site is located within Precinct 12. This is discussed further below under the table.	See detailed discussion below

8.0 Precincts

The Ryde Town Centre contains Commercial Edge Precincts. Commercial Edge Precincts will negotiate a transition between the Town Centre and residential areas nearby. The Commercial Edge Precincts are gateways to the Town Centre.

The site is located within Precinct 12. The table below contains an assessment of the proposal against the Precinct 12 controls.

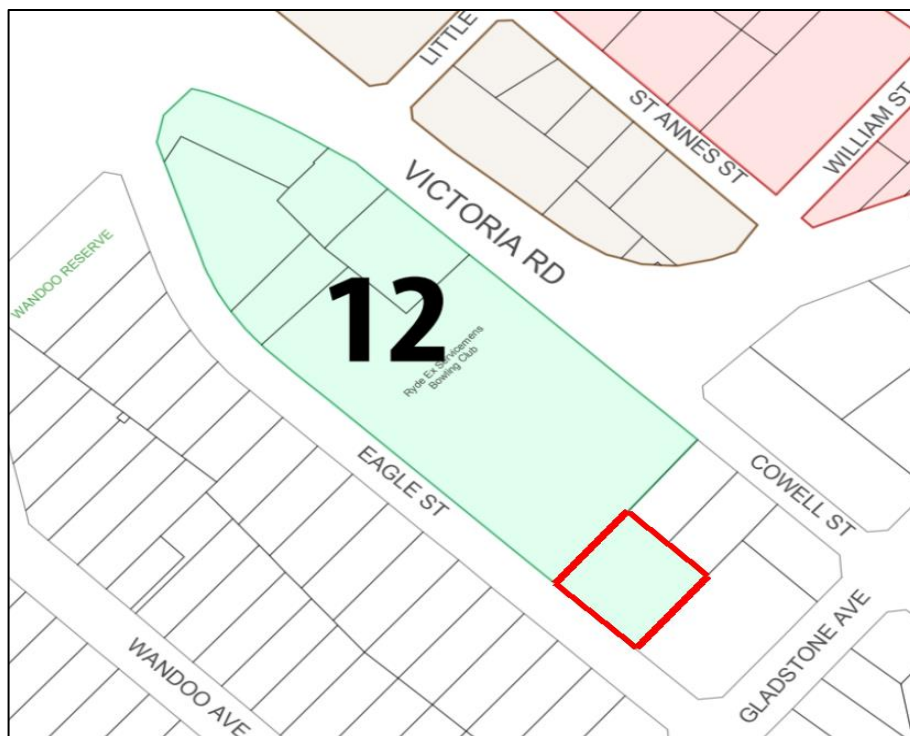


Figure 42 – Green area represents extent of Precinct 12 (subject site outlined in red)

8.12 Precinct 12

8.12.1 Commercial Edge South

This Precinct is known as Precinct 12 - – Commercial Edge South. The controls recognise that the area is transition between the Town Centre and residential areas nearby. The Precinct is a gateway to the Town Centre. The objective is to create a distinctive precinct within the Town Centre with an identity drawn from its history, natural and built features, community needs and expectations.

The relevant controls applicable to the precinct are included below:

Control	Comment	Compliance
8.0 Precincts 8.12 Precinct 12 8.12.1 Commercial Edge South		
a. Residential land uses are permissible but only as part of a mixed use development which may include clubs, entertainment, retail. Where residential development is proposed the design and disposition of uses within the precinct must have regard to the amenity of future residents.	A mixed use development is proposed with ten residential units and a commercial area/tenancy on the ground floor. The proposal achieves reasonable amenity for future residents.	Yes
b. The maximum length of any building is 40 m.	29.3 metres	Yes
c. Notwithstanding the permissible height and FSR under the provisions of the Ryde Local Environmental Plan 2014, built form shall ensure that view lines to and from St Anne's Church and particularly the steeple are protected and that development steps with the topography. Refer to Figure 4.4.41 below.	The proposal will not impact view lines from St Anne's Church.	Yes
d. Provide a pedestrian through-site link a minimum 6 m wide connecting Eagle Street to Victoria Road. The through site link is to have direct line of sight and be accessible for all.	The proposal is not adjacent to the through – site link. This link is located through the club site further north west of the site.	N/A
e. Residential land uses are not permitted at the ground level Victoria Road frontage \	The site does not have a frontage to Victoria Road.	N/A
f. The footpath is to be widened along Victoria Road and public domain designed so as to enhance accessibility and pedestrian safety.	The site does not have a frontage to Victoria Road.	N/A
g. Retail and commercial land uses are not permitted fronting Eagle Street.	A commercial use is proposed on the ground floor fronting Eagle Street. This is considered acceptable as Clause 6.7 of RLEP 2014 prevails and requires development on the ground floor to be used for business or employment	No (justified)

<p>h. On site car parking is not to be visible from Eagle Street.</p> <p>i. Direct street access and entry is required for ground floor apartments in Eagle Street. Terrace style 2 storey apartments with stack ventilation are preferred if residential development is proposed at the ground level in Eagle Street.</p> <p>j. Front gardens should be provided in the Eagle Street setback (Refer Figure 4.4.07).</p>	<p>activities. This is discussed above under the heading "Clause 6.7 Ground floor development on land in Zone E3".</p> <p>The parking is located within a basement and is not visible from the street.</p> <p>Apartments are not provided on the ground floor.</p> <p>A landscaped area is provided within the front setback. No issues raised by Council's Landscape Architect.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p>
--	--	----------------------------------

The specific controls relating to the site are largely encompassed in **Figure 43** below.



Figure 43: Extract of Precinct 12 controls (red dash shows approximate boundaries of subject site)

This section of the DCP also contains a diagram showing a cross section through Precinct 12 (Figure 4.4.43). The cross section is through Eagle Street to Victoria Road. This does not apply to the subject site as Cowell Street is located to the rear and this particular site backs onto property zoned R3 which is not part of this precinct plan.

Figure 43 shows a 7-10 metre front setback, 7 metre side setback to the south east and 7 metre rear setback is required to be provided.

Number of storeys

Figure 43 notates the building to be four storeys and one-two storeys at the rear with a planting buffer to separate the R3 zone to the rear from this precinct. The proposal is six (6) storeys and does not conform to this diagram. The number of storeys is considered acceptable as discussed under '4.1 Building Height' above.

Front setback, Setbacks and Build-to Lines

Control 4.2(a) requires building setbacks at the ground level must comply with the Setbacks Control Drawings Figure 4.4.07 and Figure 4.4.17. A 7 metre front setback is required to be provided. The following setbacks to the Eagle Street frontage are proposed and do not comply with Control 4.2(a):

- Basement – 6 metres
- Ground floor – 6.6 metres
- Level 1 – 4.2m
- Level 2 – 4.2m
- Level 3 – 4.2m
- Level 4- 4.2m
- Level 5 – 11.1m

The basement level is located beneath the existing ground level and will not be visible from the streetscape and does not result in any impacts.

A minor section of the ground floor is non compliant with the control and extends for 0.9 metres. The remainder of the ground floor is setback 7 metres – 8 metres from Eagle Street.

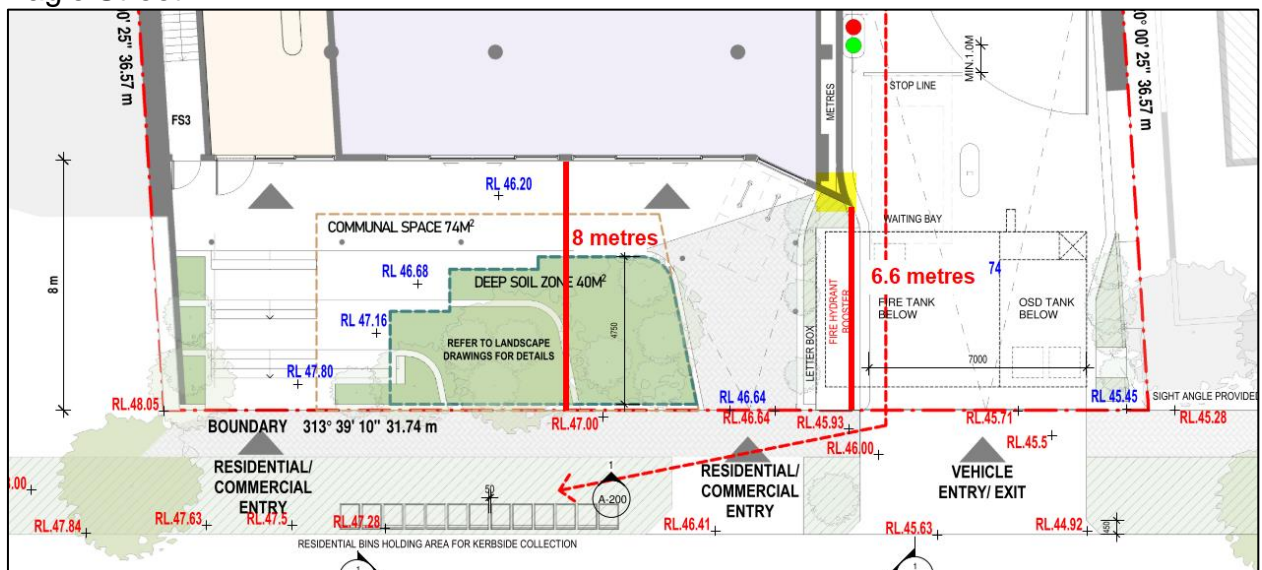


Figure 44 – The section highlighted in yellow shows the non compliant part of the ground floor

The 4.2 metre front setback non compliance is associated with the balcony of the south eastern units on Levels 1 to Level 4. The remainder of the units is setback a minimum 7 metres from Eagle Street. The balconies are permeable structure and do not adversely impact the streetscape. The development provides a staggered setback from the south eastern unit to the north western unit, which is transitions to a setback of 7.7

metres from the street. The adjoining residential flat building to the south east at No. 15-19 Gladstone Avenue has a front setback of 3.7 metres from Eagle Street. The transition in the front setback achieves consistency with the streetscape in regards to the adjoining properties and sets an acceptable transitional setback for any development to the north west of the site in the future.

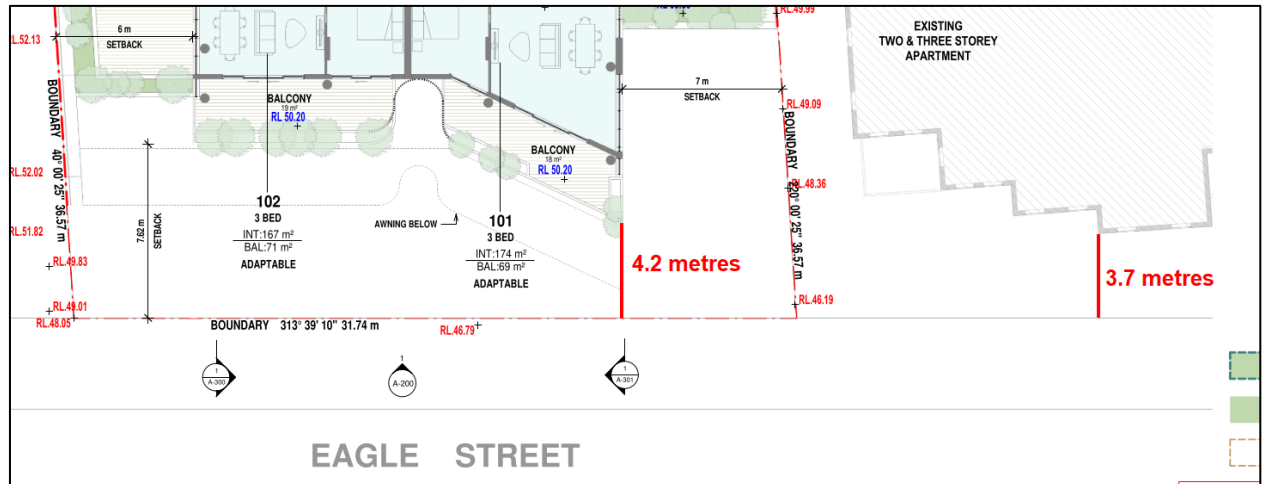


Figure 45 – Level 1 plan showing the transition in setback from No. 15-19 Gladstone Avenue to the proposed building

It is noted the existing indoor basketball court has a 0m setback from the Eagle Street frontage and the setback of the proposed building is considered to be an improvement to the streetscape.

4.1 Building Height

Height Plane F (found under RDCP 2014, Figure 4.4.05 Street Edge Height Control Drawing for Ryde Town Centre and Figure 4.4.06 Height Control Planes within Part 4.4 Ryde Town Centre) applies to the site (**Figure 46**). The diagram shows a building with a basement level and four storeys. The dotted line shows a further two storeys may be provided given the significant slope (and height limit within the LEP). These top levels are likely to be performance based levels which would be reliant on compliant, building performance and amenity outcomes.

A basement level has been provided as per the diagram below. The proposal includes six storeys above the basement and complies with the diagram below. The number of storeys proposed is considered acceptable in this regard.

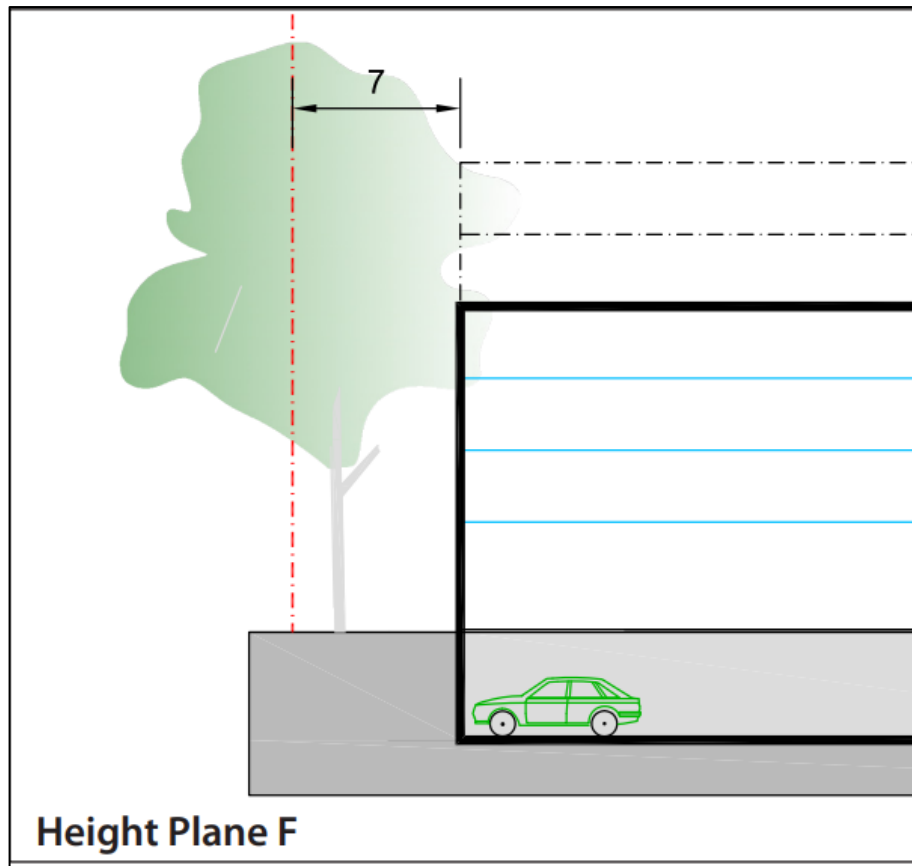


Figure 46 – Height Plane F diagram from the DCP

Side setback (south east)

As per **Figure 46** above, the south eastern side setback is required to be 7 metres.

The basement floor and ground floor have a nil side setback. Due to the significant slope the basement level and ground floor are below the existing ground level and do not result in adverse impacts to the neighbouring properties.

Level 1 has a side setback ranging from 1.5 metres to 7.4 metres. Level 1 contains 7 windows, 1 terrace and 1 balcony which orientate to the side. Due to the significant slope the side boundary fencing and retaining walls restrict overlooking from 5 of the windows and the terrace. One (1) window associated with the primary living area has a sill height of 1.6 metres and does not result in visual privacy impacts. The other primary living area window has a separation of 7.8 metres from the neighbouring property courtyard. The separation ensures there are no privacy impacts. The depth of the street facing balcony is 2.6 metres and orientates to the street. A planter box is proposed to the side elevation and ensures sightlines are directed to the street.

Level 2 has a side setback ranging from 3.2 metres to 7.4 metres. Level 2 contains 9 windows and 2 balconies which orientate to the side. One window is associated with a void and does not result in visual privacy impacts. One window aligns with the lift within the neighbouring RFB and does not result in visual privacy impacts. The windows associated with the bedrooms and secondary living area have a minimum separation of 9.4 metres from the neighbouring RFB. The separation is not considered to result in visual privacy impacts. A condition is recommended requiring a 1.5 metre high privacy

screen to be installed to the south eastern side elevation of the secondary living area balcony to ensure views are directed to the street. The three living area windows and balcony have a minimum separation of 9.6 metres. The separation is not considered to result in visual privacy impacts. A planter box is proposed to the side elevation of the balcony and ensures sightlines are directed to the street.

Level 3 to Level 5 have a setback of ranging from 3.2 metres to 7.3 metres. Level 3, Level 4 and Level 5 align with the roof of the residential flat building at 15-19 Gladstone Avenue and do not result in visual privacy impacts. The non compliance with the side setback requirement is considered acceptable in this regard.

Further it is noted there is existing screen planting located between No. 15 – 19 Gladstone Avenue and the shared boundary which restricts overlooking (**Figure 25** and **Figure 26**).

Rear setback

As per **Figure 43** above, the rear setback is required to be 7 metres. The basement floor, ground floor, Level 1 and Level 2 have a rear setback of 3 metres. These floors are below the existing ground level and do not result in adverse impacts.

Level 3, Level 4 and Level 5 have a rear setback ranging from 5.1 metres – 7 metres. The non compliant section is associated with the fire stairs. The non compliance only extends for 3.1 metres and does not result in visual privacy impacts. The non compliance with the 7 metre rear setback requirement is considered acceptable in this regard.

Part 9.3 – Parking Controls

The following parking rates are applicable to residential development under the RDCP 2014:

- 1.4 to 1.6 spaces per three bedroom dwelling (Section 2.2)
- 1 visitor space per 5 dwellings (Section 2.2)
- 1 space per 40 m² office and business premises (Section 2.3(a))
- 1 space per 25m² retail premises (Section 2.3(a))

It is noted the rate of a three bedroom unit is applied for the four bedroom unit in the absence of a specific parking rate in the RDCP 2014. Given the use of the commercial ground floor area has not been provided, the rates for a retail premises and a office/business premises have been considered. Only the useable commercial area has been included in the calculation. The ancillary areas such as the storage area and waste area have not been included.

An assessment of the above parking rates to the proposed development is below:

Apartment Type	Minimum	Max	Provided	Shortfall	Compliance
----------------	---------	-----	----------	-----------	------------

3 bedroom and 4 bedroom (10)	14	16	14	N/A	Yes
Visitor	2		2 spaces	N/A	Yes
Office and business premises	6		3 spaces	3	No
Or					
Retail premises	9			6	No

If an office/business premises were proposed six (6) spaces would be required resulting in a shortfall of three (3) spaces. If a retail premises was proposed nine (9) spaces would be required resulting in a shortfall of six (6) spaces.

The following comments have been provided by Council's Senior Development Engineer in response to the amended plans:

"The retail/ commercial component has been reduced to only three spaces. A detailed review of this component was presented in the previous report whereby a parking shortfall was noted. This has been exacerbated by the expansion of the retail / commercial floor area (now 214m²) which technically presents an increased parking demand of 9 (8.6) spaces if associated with retail use or 6 (5.35) spaces if utilised as commercial space. With only 3 spaces provided, this presents a parking shortfall of 6 spaces (retail) or 3 spaces (commercial). The applicants supplementary traffic report has presented;

- *A parking occupancy survey between 7-9am and 4-6pm indicate some 12-17 spaces being available in the street. A further midday spot count undertaken midweek indicated 17 spaces available.*
- *The existing use of the site (sports stadium) provides no offstreet parking yet a considerably high parking demand.*
- *The consultant presents the proposal presents an acceptable impact given the level of parking availability in business hours (say, 9am to 4pm) and that the development yields a lower parking demand than the existing use."*

...

To mitigate the impacts of this shortfall, it is advised that the operating hours of the retail / commercial component be limited (say, between the hours of 6am – 6pm) and, further to this there is scope that the loading bay may be managed such to share service vehicles as well as commercial / retail staff parking demand. Service movements will need only accommodate residents moving in/ out services (infrequent) and the commercial waste service collection which also occur infrequently. This arrangement may be addressed in the conditions relating to Parking Allocation and Loading Bay Management."

The proposal has been considered acceptable by Council's Development Engineer subject to conditions of consent.

5.6 Planning Agreements OR Draft Planning Agreements

There are no planning agreements or draft planning agreements for this development.

5.7 City of Ryde Section 7.11 - Development Contributions Plan 2020

Council's current Section 7.11 Development Contributions Plan 2020 effective 1 July 2020 requires a contribution for the provision of various additional services required as a result of increased development density. The contribution is based on the number of additional dwellings there are in the development proposal. The contribution that are payable with respect to the increase housing density on the subject site (being for residential development outside the Macquarie Park Area) are as follows:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$60,618.10
Open Space & Recreation Facilities	\$104,381.50
Roads & Traffic Management Facilities	\$32,044.80
Plan Administration	\$2,955.60
The total contribution is	\$200,000

Condition on the payment of Section 7.11 Contribution of \$200,000 has been included in the draft notice of determination attached to this report.

5.8 Any matters prescribed by the regulation

Environmental Planning and Assessment Regulation 2021

There are no planning agreements or draft planning agreements for this development. The Regulation underpins the day-to-day operation of the NSW planning system. The Regulation guides the processes, plans, public consultation, impact assessment and decisions made by local councils, the Department of Planning and others. Standard conditions are recommended relating to compliance with BCA and AS.

Australian Standard for Demolition - Clause 61(1)

Clause 61(1) of the Environmental Planning & Assessment Regulations 2021 requires the consent authority to consider the provisions of *Australian Standard AS 2601-2001: The demolition of structures*. The demolition of the existing structures will be carried out in accordance with the demolition plan. A condition is included in Attachment 1 requiring the demolition plan to be complied with during demolition.

Building Code of Australia Upgrade – Clause 64

In accordance with Clause 64 of the Regulations 2021, the proposal will be required to provide adequate fire safety in accordance with the BCA. This will be included in the recommendations of this report.

6. The likely impacts of the development

The likely impacts of the proposed development have already been addressed throughout this Assessment report. The additional impacts associated with the development or those requiring further consideration are discussed below.

View loss

Submissions regarding view loss were raised by one (1) objector at 6 Cowell Street (two storey dwelling), two (2) objectors at 7 Cowell Street (residential flat building) and three (3) objectors at 8 Cowell Street.



Figure 47: Aerial photo of subject site and neighbouring properties (objections regarding view loss were received from the properties with a yellow star)

The view impact analysis prepared by the applicant considered existing views from three points (**Figure 48**). The view impact analysis compares the existing building, DCP envelope and 15.5 LEP height line.

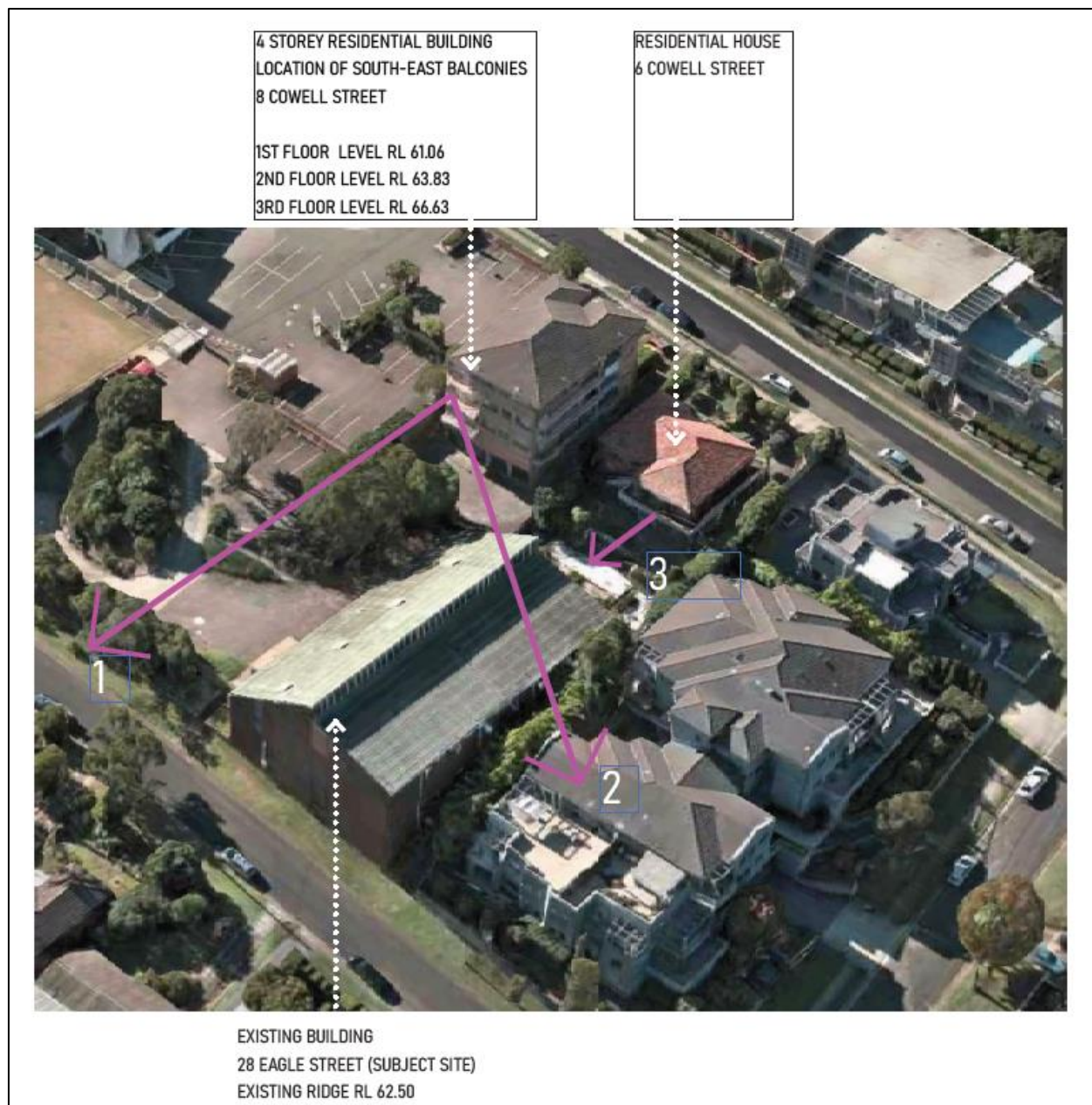


Figure 48: Diagram showing views from three points



Figure 49: Viewpoint 1 assessment. Comparison of existing building (blue line), DCP envelope (red line) and 15.5 LEP height line (yellow line).



Figure 50: Viewpoint 2 assessment. Comparison of existing building (blue line), DCP envelope (red line) and 15.5 LEP height line (yellow line).

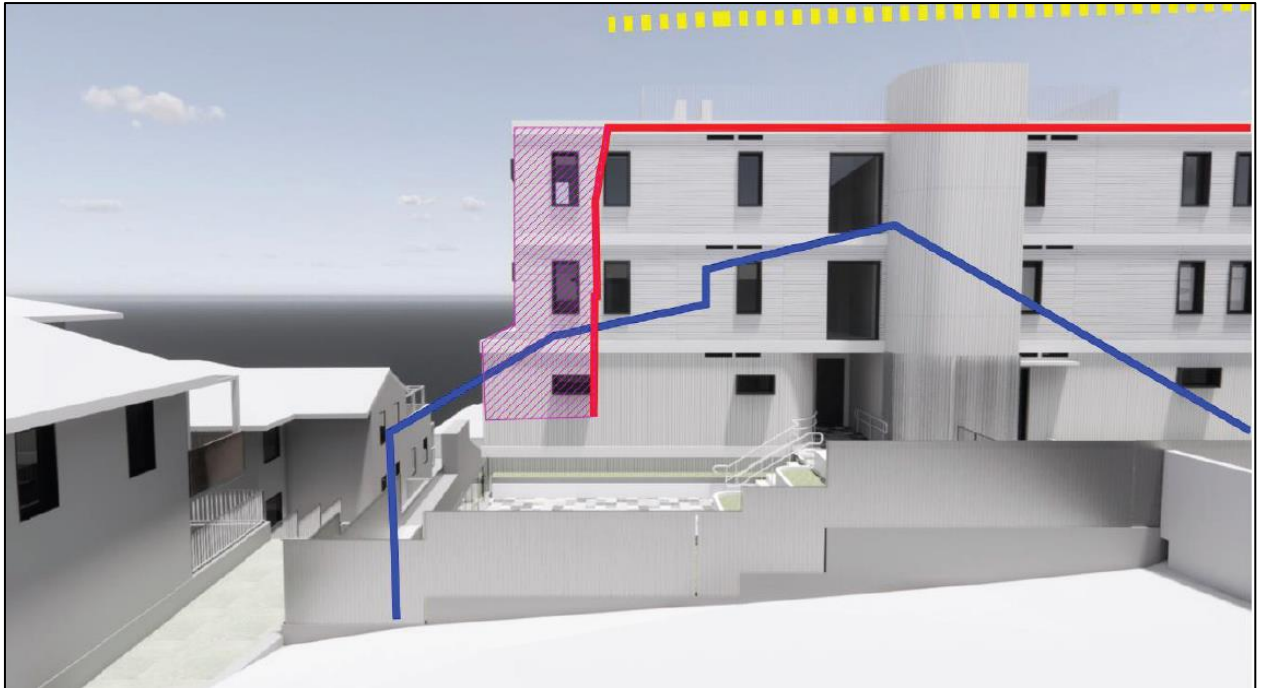


Figure 51: Viewpoint 3 assessment. Comparison of existing building (blue line), DCP envelope (red line) and 15.5 LEP height line (yellow line).

In assessing the view loss impact, consideration has been given to the four-step assessment established in *Tenacity Consulting v Warringah* [2004] NSWLEC 140:

*The **first step** is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.*

Response: The neighbouring properties get distant views of high rise buildings across the river in Rhodes and high rise buildings in Putney. The high rise buildings across the river in Rhodes are approximately 1.2 kilometre away and there are built-up areas with mature trees obscuring the view. The high rise building in Putney are approximately 450 metres away and there are built-up areas with mature trees in the way. It is noted water views or iconic views are not obtained.

*The **second step** is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

Response:

Existing views

6 Cowell Street (single dwelling) – Views are experienced from three (3) living area windows, one (1) bedroom window and a rear facing balcony.



Figure 52: Photo from balcony of 6 Cowell Street

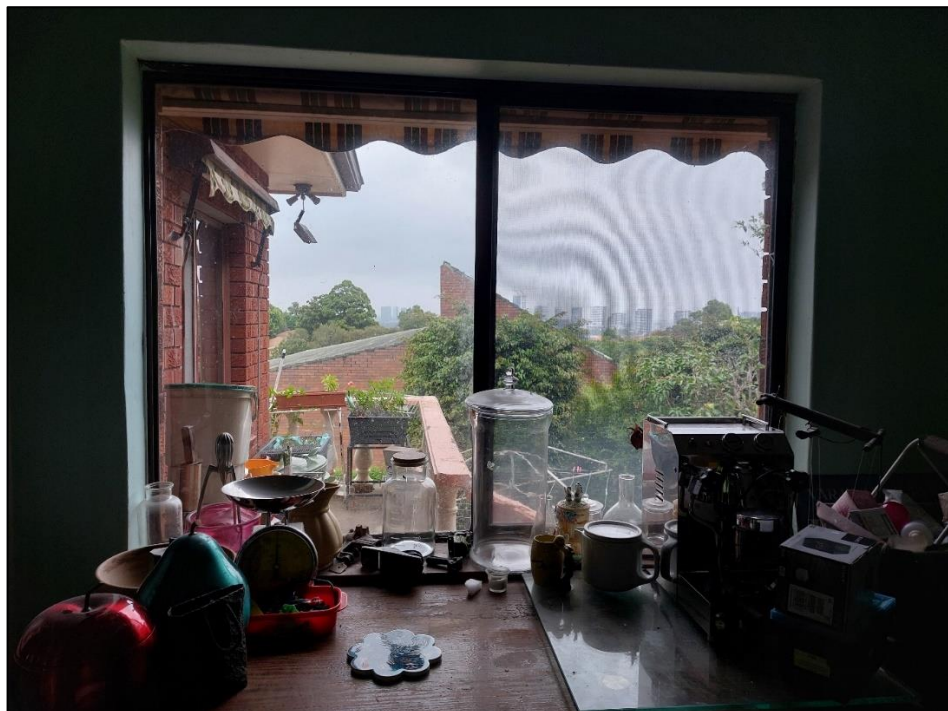


Figure 53: Photo from living area of 6 Cowell Street

7 Cowell Street – Objections were received from two units (Unit 5 and Unit 7) within the residential flat building. Views are experienced from living area windows, bedroom windows and street facing balconies.



Figure 54: Photo from balcony of Unit 7



Figure 55: Photo from balcony of Unit 5

8 Cowell Street – Objections were received from three units (Unit 1, Unit 2 and Unit 5) within the residential flat building. Views are experienced from bedrooms, bathrooms and balconies.



Figure 56: Photo from balcony of Unit 1



Figure 57: Photo from balcony of Unit 2 (photo provided by objector)



Figure 58: Photo from kitchen of Unit 2 (photo provided by objector)



Figure 59: Photo from balcony of Unit 5



Figure 60: Photo from balcony of Unit 5

*The **third step** is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

Response: Considering each of the steps above, the potential view impact from the proposal on the neighbouring properties is considered minor. The neighbouring properties get distant views of high rise buildings across the river in Rhodes and high rise buildings in Putney. The high rise buildings across the river in Rhodes are approximately 1.2 kilometre away and there are built-up areas with mature trees in the way. The high rise building in Putney are approximately 450 metres away and there are built-up areas with mature trees in the way. It is noted water views or iconic views are not obtained.

*The **fourth step** is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

Response: The majority of the proposal complies with the maximum building height except for a section of the roof which exceeds the requirement by 450mm. The section of the roof which exceeds the height limit is not considered to significantly contribute to the view loss impacts. The proposal is considered to be reasonable for this reason.

For these reasons the proposal is considered acceptable regarding view loss and this does not form reason for refusal of the application.

The likely impacts of the development have been considered within this report and the assessment demonstrates that the proposal will not have any significant adverse impacts upon any adjoining properties or the environment in general due to the nature of the development. All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report. The development is considered satisfactory in terms of environmental impacts.

7. Suitability of the site for the development

The proposal seeks consent for demolition of existing structures and construction of a 6 storey mixed use development over basement parking accommodating 10 residential units and a ground floor commercial tenancy. The proposed mixed development consisting of residential units and a ground floor commercial tenancy is permitted in the B6 Enterprise Corridor zone. Although the proposal exceeds the height development standard, the submitted Clause 4.6 variation to Clause 4.3 has met the jurisdiction prerequisites to enable the consent authority to support the proposed departure from the development standard. The proposal is an appropriate development and this has been demonstrated in this report. The proposal is considered to be suitable for the site.

8. The Public Interest

The public interest is best served by the consistent application of the requirements of relevant Environmental Planning Instruments and by Council ensuring that any adverse effects on the surrounding area and the environment is minimised.

The proposal has been assessed against the relevant planning instruments and is considered to be acceptable. The proposal is non-compliant with Clause 4.3 Height of buildings, but has been supported by a satisfactory Clause 4.6 variation request.

The proposal does not result in any unacceptable impacts upon adjoining properties or the streetscape. On this basis, the proposal is not considered to raise any issues that would be contrary to the public interest.

9. Public Notification and Submissions

In accordance with DCP 2014 Part 2: Community Participation Plan and Procedure, the owners of surrounding properties were given notice of the application between 19 December 2022 and 31 January 2022. Fifteen (15) submissions were received objecting to the development from the adjoining properties.

The amended plans received on 19 May 2023 were renotified between 10 October 2023 and 6 November 2023. Three (3) submissions were received objecting to the development from the adjoining properties.

The amended plans received on 16 October 2023, 19 October 2023 and 2 November 2023 were not required to be renotified in accordance with DCP 2014 Part 2: Community Participation Plan and Procedure. The amendments are not considered to increase the impact on adjoining or neighbouring land or cause material impact on the environment.

The issues raised in the submissions and planning comments are provided in the following section:

1. *Indoor basketball court should be retained. If the development is to occur a community indoor basketball court should form part of the build. Many existing apartments have low occupancy rates. The development could offer affordable and senior housing options.*

Assessing Officer comment's: The proposed mixed use development is permissible within the B6 Enterprise Corridor Zone. The suggestions are outside the scope of assessment under Section 4.15 of the EP&A Act.

2. *Concerns regarding height and inconsistency with the streetscape. The proposal seeks deviation from controls, relevant law and regulations. The apartment sizes exceed the ADG requirements. Inadequate Statement of Environmental Effects and key elements missing from plans.*

Assessing Officer comment's: Sufficient information has been provided within the plans and documents to undertake an assessment of the proposal. The proposal is largely compliant with the maximum building height except for a minor section of the roof which exceeds the maximum height limit by 450mm. The proposal has been supported by a satisfactory Clause 4.6 variation request which demonstrates that compliance with Clause 4.3 Height of buildings is unreasonable and unnecessary in the circumstances and there are sufficient environmental planning grounds to justify contravening the development standards. The FSR for the site is 2.00:1. The proposal will have a gross floor area of 2,281.7m² (FSR of 1.97:1) which complies with this control. The ADG does not specify maximum apartment sizes. The proposed unit sizes comply with the minimum requirements contained within the ADG. RLEP 2014 allows the properties to the north and north west to have a maximum building height of 15.5 metres. Given the topography of the land any future development to the north and north west would be sited higher than the proposed building. The subject building will therefore, in time, be read in the context of taller developments to the north and north west and will not appear out of scale. The proposal has been assessed against the relevant planning instruments and is considered to be acceptable.

3. *Overshadowing impacts to neighbouring properties. Insufficient solar access and cross ventilation to proposed building and neighbouring properties.*

Assessing Officer comment's: The proposal does not overshadow the properties opposite the site from 12pm – 3pm and does not result in adverse impacts. The

proposal does not overshadow the neighbouring properties to the north east. The proposal results in some additional overshadowing onto the neighbouring residential flat building at No. 15 – 19 Gladstone Avenue.

The proposal is largely compliant with the maximum building height requirement. A small section of the roof exceeds the maximum height limit by 450mm. The section of the roof which exceeds the maximum height limit is not considered to significantly contribute to the overshadowing impacts. The shadow diagrams (**Figure 27** to **Figure 33**) show the differences between the proposed development and a compliant development are minor. It is considered the overshadowing impacts are a result of the orientation of the site south west – north east.

The proposal will not adversely impact natural ventilation to neighbouring properties. It is noted 100% of apartments are cross ventilated and comply with the requirements of the ADG. The proposal achieves more than 2 hours of solar access to 70% of apartments and complies with the requirements in the ADG.

4. Concerns with the commercial section being out of character with the residential area and remaining vacant

Assessing Officer comment's: The proposal is consistent with the objectives of the B6 Enterprise Corridor zone which are to encourage a mix of compatible uses, to provide a range of employment uses and to provide for residential uses, but only as part of a mixed use development. Clause 6.7 of RLEP 2014 requires the ground floor of a building to be for business or employment activities. The commercial section complies with Clause 6.7 and no issues are raised. It is noted the use of the commercial tenancy requires a future DA.

5. Concerns with traffic, safety and parking congestion. Concerns with the traffic report. Headlights from vehicles using driveway. Concerns with noise pollution and air pollution.

Assessing Officer comment's: Fourteen (14) residential parking spaces and two (2) visitor spaces are provided and comply with Part 9.3 of RDCP 2014. Three (3) commercial car parking spaces are proposed. The commercial component does not comply with the parking requirements contained with Part 9.3 of RDCP 2014. The traffic report identifies that adequate spaces are available in the street and the existing use of the site (indoor basketball court) provides no off-street parking yet a considerably high parking demand. These aspects were considered in the engineering and planning assessment and the non compliance is considered acceptable for the reasons outlined in Section 5.4, Part 9.3 Parking Controls of the report.

Conditions regarding traffic management have been imposed to minimise the effect on adjoining pedestrian and vehicular traffic systems.

The properties opposite the site are approximately 21 metres from the front boundary of the subject site. The headlights are unlikely to have adverse impacts on properties opposite the site given the separation. The proposal is not considered to results in adverse noise pollution and air pollution.

An updated Traffic and Parking Impact Assessment dated May 2023 was submitted. The proposal has been reviewed by Council's City Infrastructure Traffic Engineer and Council's Senior Development Engineer and is considered acceptable.

6. *Concerns regarding drainage, stormwater run off and water egress impacts. The proposed strip drain on the boundary will have accessibility issue. Concerns with impacts to sewer pipes.*

Assessing Officer comment's: The proposal in all aspects relating to both stormwater and drainage has been reviewed by Council's Senior Development Engineer and is considered acceptable. Conditions are imposed requiring a dilapidation report to be prepared.

7. *Excessive storage is proposed and lifts the development excessively above the northern and eastern boundary. Concerns raised with the size, visual privacy and safety issues with the raised communal open space area.*

Assessing Officer comment's: The proposed residential storage area is located beneath the existing ground level and this does not result in adverse impacts. The proposal complies with the storage requirements contained within the ADG. The amended plans show the communal open space has been lowered. A condition is recommended requiring a 1.5 metre high privacy screen to be provided to the south eastern elevation of the communal open space area. The retaining wall and boundary fencing restricts overlooking to the rear. The communal open spare area will not result in visual privacy impacts to the neighbouring properties. The ADG requires that the site provide 289.6m² as communal open space. The proposed development provides a communal area of 216m² at the rear of Level 3. Although this results in a shortfall of communal open space, the balconies provided to each unit and the quality of the open space which was assessed and discussed in this report is considered adequate for this development.

8. *Overlooking impacts*

Assessing Officer comment's:

North eastern elevation

The basement level, ground level, Level 1 and Level 2 are located beneath the existing ground level and do not contain any openings on the north eastern elevation. Level 3, Level 4 and Level 5 have a building separation ranging from 14.5 metres to 16.3 metres to the residential flat building to the north east. The separation ensures there are no visual privacy impacts.

South eastern elevation

The basement level and ground level do not contain any openings on the south eastern elevation and therefore do not result in visual privacy impacts.

Level 1 contains 7 windows, 1 terrace and 1 balcony which orientate to the south eastern side. The side boundary fencing and retaining walls restrict overlooking from 5

of the windows and the terrace. One (1) window associated with the primary living area has a sill height of 1.6 metres and does not result in visual privacy impacts. The other primary living area window has a separation of 7.8 metres from the neighbouring property courtyard. The depth of the street facing balcony is 2.6 metres. A planter box is proposed to the side elevation and ensures sightlines are directed to the street.

Level 2 contains 9 windows and 2 balconies which orientate to the side. One window is associated with a void and does not result in visual privacy impacts. One window aligns with the lift within the neighbouring RFB and does not result in visual privacy impacts. The windows associated with the bedrooms and secondary living area have a minimum separation of 9.4 metres from the neighbouring RFB. The three living area windows and balcony have a minimum separation of 9.6 metres. The separation is not considered to result in visual privacy impacts. A planter box is proposed to the side elevation of the primary balcony and ensures sightlines are directed to the street. A condition is recommended requiring a 1.5-metre-high privacy screen to be installed to the south eastern side elevation of the secondary living area balcony to ensure views are directed to the street.

Direct – straight sightlines from the windows and balconies of Level 3, Level 4 and Level 5 align with the roof of the residential flat building to the south east and do not result in visual privacy impacts.

9. *Concerns with the depth of excavation and ability to maintain a secure boundary fence. Concerns the swimming pool with damage the southern fence. Concerns with swimming pool being adjacent to neighbouring parking area and incidents that may occur. The fence adjoins the neighbouring residential flat buildings driveway, garage and clothesline area and concern is raised with vehicular pollution and incidents with the fence line.*

Assessing Officer comment's: The proposal includes excavation to a depth of 12.4 metres associated with the basement car park. The proposal has been reviewed by Council's Consultant Structural Engineer and is considered acceptable subject to conditions. The conditions require the structural engineering design and construction works shall be carried out in accordance with the recommendations of the geotechnical investigation report, excavations within the zone of influence of ground levels in the adjoining properties shall be supported with retaining walls constructed prior to the commencement of any excavations, excavations shall be progressively inspected by a geotechnical engineer and a dilapidation report of the adjoining properties shall be carried out and submitted to Council prior to the commencement of any works on site.

There are no issues were the location of the pool adjoining the neighbouring parking area.

10. *Concerns regarding the notification period and insufficient consultation time. Concerns a property on Gladstone Avenue was not notified.*

Assessing Officer comment's: The application has been notified in accordance with DCP 2014 Part 2: Community Participation Plan and Procedure. The extended adjoining land properties were notified in accordance with DCP 2014 Part 2: Community Participation Plan and Procedure.

The DA was lodged on 16 December 2022. The notification period was extended and the DA was notified between 19 December 2022 and 31 January 2023 to meet the statutory obligations for notification during this period. The amended plans received between 19 May 2023 – 26 May 2023 were renotified between 10 October 2023 and 6 November 2023.

11. Insufficient setbacks

Assessing Officer comment's:

Front setback – Refer to detailed discussion under '4.2 Setbacks and Build-to Lines'. The proposed front setbacks do not adversely impact the streetscape. The adjoining residential flat building to the south east at 15-19 Gladstone Avenue has a front setback of 3.7 metres from Eagle Street. The transition in the front setback achieves consistency with the streetscape in regards to the adjoining properties. It is noted the existing indoor basketball court has a 0m setback from the Eagle Street frontage and the setback of the proposed building is considered to be an improvement to the streetscape.

Side setbacks – Refer to detailed discussion under '3F Visual Privacy' within the ADG table and '8.12 Precinct 12' under Part 4.4 of RDCP 2024. The proposed side setbacks do not result in adverse visual privacy impacts and no issues are raised. Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy and the proposal meets the objective of Part 3F Visual Privacy of the ADG.

Rear setback - Refer to detailed discussion under '8.12 Precinct 12' under Part 4.4 of RDCP 2024. The proposed rear setbacks do not result in adverse visual privacy impacts and no issues are raised.

12. Impacts during demolition and construction

Assessing Officer comment's: Conditions are imposed which outline the restricted hours of construction work, measures are implemented to minimise the emission of noise from demolition and construction work, restricting development to be within site boundaries and ensuring control over sediment, dust and soil during construction work.

13. Height of the proposed fencing along the rear boundary is too high

Assessing Officer comment's: The rear boundary fence ranges from 1.8 metres – 2.8 metres when viewed from the neighbouring property. The communal open space has been designed to follow the topography of the site. The level of the communal open space drops towards the south where the existing ground level drops. The fencing has been designed to reflect the topography of the site and reduces in height towards the south. The non compliant fence height does not contribute to overshadowing impacts. Given the topography of the site, the proposed rear fence is considered acceptable.

14. View loss impacts and issues with the view impact assessment submitted

Assessing Officer comment's:

This is discussed further above under the heading 'View loss'. The neighbouring properties get distant views of high rise buildings across the river in Rhodes and high rise buildings in Putney. The high rise buildings across the river in Rhodes are approximately 1.2 kilometre away and there are built-up areas with mature trees in the way. The high rise building in Putney are approximately 450 metres away and there are built-up areas with mature trees in the way. It is noted water views or iconic views are not obtained. The majority of the proposal complies with the maximum building height except for a section of the roof which exceeds the requirement by 450mm. The section of the roof which exceeds the height limit is not considered to significantly contribute to the view loss impacts. For these reasons the proposal is considered acceptable regarding view loss and this does not form reason for refusal of the application.

15. Decrease in value of property due to loss of views, privacy and noise levels

Assessing Officer comment's: The proposal is not considered to result in adverse loss of significant views. As discussed above the proposal does not result in visual privacy impacts. An Acoustic Report has been submitted and is considered acceptable by Council's Environmental Health Officer. The loss of a value of property is not a planning consideration under the Environmental Planning and Assessment Act 1979.

10. Referrals

City Infrastructure Drainage Engineer: The proposal has been reviewed by Council's City Infrastructure Drainage Engineer and is considered acceptable subject to recommended conditions of consent.

City Infrastructure Traffic Engineer: The application was referred to Council's Traffic Engineer who provided the following comments:

"External Traffic Comments

Based on recent weekday peak hour traffic volume surveys provided in Stanbury Traffic Planning's traffic report:

- *Eagle Street accommodates two-way traffic flow in the order of less than 50 vehicles per hour; and*
- *Gladstone Avenue accommodates two-way traffic flow between 100 – 150 vehicles per hour.*

Transport for NSW's Guide to Traffic Generating Developments specifies that for an urban road carrying traffic demands of 200 vehicles or less, it is considered to function with a level of service (LoS) 'A'. A LoS 'A' indicates that traffic flow along the road is 'free flowing' and there is capacity to accommodate greater traffic demands.

The proposed development is anticipated to introduce an additional 14 AM and 21 PM peak hour vehicle trips to and from the site on the surrounding public road network, based on the trip generation rates established in Transport for NSW's Guide to Traffic Generating Developments Technical Direction (TDT 2013/04a). Such a minor increase in trip generation does not exceed the mid-block capacity and the environmental capacity thresholds established within the Guide to Traffic Generating Developments. As such, the proposed development is not expected to alter the current traffic conditions and surrounding amenity to any unreasonable extent.

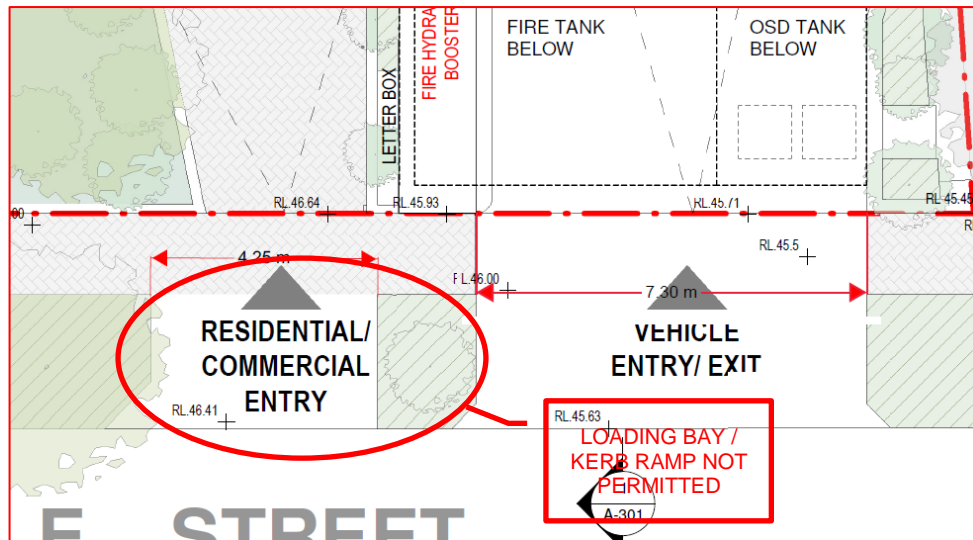
As a result, Traffic Services Department has no objection to the approval of this application subject to the following conditions."

City Infrastructure Public Domain Engineer: The application was referred to Council's Public Domain Engineer who provided the following comments:

- "The development is subject to the standards and requirements of the City of Ryde Development Control Plan DCP 2014 Part 8.3 driveways and Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management. The site lies outside of the Ryde Town Centre precinct.*
- The total proposed vehicular crossing width at the property line measures approximately 7.3m from the Architectural plans. The width is generally acceptable due to the need to accommodate turning paths and the relatively narrow road width of Eagle Street (circa 7.2m wide).*
- The northern side of Eagle Street is currently a 'No Stopping' zone area due to the restricted road width and the requirement for two vehicles to pass each other. The 'No Stopping' zone is to be maintained. Additional signage may be required to accommodate the waste vehicle pickup from the front of the Development. Waste Team to provide further comment.*
- The development will see an increase of vehicles utilising Eagle Street and therefore a half road pavement reconstruction will be required in accordance with Clause 1.1.4 of Part 8.5 - Public Civil Works in the DCP, for the site frontage, to ensure satisfactory infrastructure serviceability for the development.*
- The existing kerb and gutter will require reconstruction for the site frontage and the full length of the new stormwater pipe installation.*
- A new footpath will be required across the development frontage. The footpath is to extend through the Eagle Street development frontage of No. 15-19 Gladstone Avenue, to connect to the existing footpath on Gladstone Avenue, street view clip below. The new footpath is to be located between the property boundary of the Eagle Street frontage of 15-19 Gladstone Avenue and the existing trees within Eagle Street to ensure the protection of existing trees. The footpath is to measure 1.2m wide and is to be concrete in accordance Part 8.5 - Public Civil Works of the DCP.*



- *Telecommunication and utility services may require adjustment across the frontage of the development site.*
- *Lighting associated with the pole on the southern side of Eagle Street, at the development frontage is to be upgraded in accordance with Ausgrid Standards.*
- *The provision of street trees is required for the development. The Applicant is to work with Council's Landscape Architect to determine the species and spacing of street trees.*
- *The applicant shall submit concept engineering design plans and specifications, prepared by a suitably qualified and experienced civil engineer, reflecting the public domain upgrade works noted above. All works must demonstrate a smooth connection with the remaining street scape. The required concept plans must be designed in accordance with Council's Specifications and in accordance with City of Ryde DCP 2014 Part 8.3 driveways, Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management.*
- *Traffic Team to assess the movements in and out of the site as well as vehicular access.*
- *The proposed loading bay / kerb ramp fronting the main entry will not be supported. Architectural plans are to be marked up prior to stamping*



From a Public Domain perspective there are no objections to the development subject to the application of the following conditions of consent.”

Assessment Officer comment: In response to Point 3 above, Council’s City Infrastructure Waste Officer has confirmed a condition is recommended requiring “NO STOPPING, WASTE VEHICLES EXCEPTED” signposting restrictions along the site frontage with Eagle Street to enable the garbage trucks to access the bins for servicing. A drawing error was identified on the plans showing two (2) vehicular crossings proposed. There is only one vehicular crossing proposed adjacent to the south eastern side boundary. A condition is recommended requiring the vehicular crossing at the residential/commercial pedestrian entry to be deleted from the plans.

City Infrastructure Waste Officer: The application was referred to Council’s City Infrastructure Waste Officer who provided the following comments:

“It is recommended that due to the size of the complex and expected waste and recycling generation rates the following bin summary should be utilised.

- General Waste: 5 x 240L MGBs collected weekly
- Recycling: 6 x 240L MGBs collected fortnightly
- Room for 2 x 240L MGBs for Organics Recycling (this is not currently active)
- Service bin: 1 x 240L MGBs

Bin and CleanUp Material Collection Point

This bins and CleanUp from this property will be collected from the kerbside. It will be the responsibility of the building manager to transport bins and CleanUp material to the nature strip for collection as per the area specified in the Operational Waste Management Plan.”

Conditions of consent have been imposed by Council’s City Infrastructure Waste Officer.

Senior Development Engineer: The application was referred to Council's Senior Development Engineer who provided the following comments:

“Background

This report is to be read in conjunction with the Development Engineering Services response dated 13 March 2023. The initial assessment considered the development as generally acceptable subject to the implementation of a 10,000L rainwater tank required by the BASIX certificate.

Stormwater Management

As noted above, the rainwater tank required by the BASIX certificate has been implemented in the revised plans such this matter is addressed. Standard conditions are advised.

Vehicle Access and Parking

The revised plans have brought some significant amendments to the basement with the footprint being condensed. The following matters are noted;

- *The shared space located between space 3 and 2 warrants a bollard and line marking for it to comply with the Standard. This can be addressed by condition.*
- *Three sets of mechanical parking stackers are provided to accommodate a portion of the residential parking demand. Whilst these are not preferred, it is understandable that with the parking requirements and reduced basement footprint, the applicant has come to implement the devices. The stackers have internal dimensions complying with AS2890.1. Standard conditions relating to the stackers is advised.*
- *The retail/ commercial component has been reduced to only three spaces. A detailed review of this component was presented in the previous report whereby a parking shortfall was noted. This has been exacerbated by the expansion of the retail / commercial floor area (now 214m²) which technically presents an increased parking demand of 9 (8.6) spaces if associated with retail use or 6 (5.35) spaces if utilised as commercial space. With only 3 spaces provided, this presents a parking shortfall of 6 spaces (retail) or 3 spaces (commercial). The applicants supplementary traffic report has presented;*
 - *A parking occupancy survey between 7-9am and 4-6pm indicate some 12-17 spaces being available in the street. A further midday spot count undertaken midweek indicated 17 spaces available.*
 - *The existing use of the site (sports stadium) provides no off street parking yet a considerably high parking demand.*
 - *The consultant presents the proposal presents an acceptable impact given the level of parking availability in business hours (say, 9am to 4pm) and that the development yields a lower parking demand than the existing use.*

On the last point above, it is unfortunate that this component of the development has not technically complied with the DCP however the consultant has presented valid points supporting the non-compliance.

It is acknowledged that the development is on a constrained site in terms of area and with the given topography and should all other Planning aspects be acceptable, the non-compliance in parking demand may be accepted. To mitigate the impacts of this shortfall, it is advised that the operating hours of the retail / commercial component be limited (say, between the hours of 6am – 6pm) and, further to this there is scope that the loading bay may be managed such to share service vehicles as well as commercial / retail staff parking demand. Service movements will need only accommodate residents moving in/ out services (infrequent) and the commercial waste service collection which also occur infrequently. This arrangement may be addressed in the conditions relating to Parking Allocation and Loading Bay Management, as advised below.

Recommendation

There are no objections to the proposed development with respect to the engineering components, subject to the application of the following conditions being applied to any development consent being issued for the proposed development.”

Structural Engineer: The application was referred to Council's Consultant Structural Engineer who provided the following comments:

- 1. The geotechnical investigation report provided by Fortify Geotech now includes a slope instability risk assessment.*
- 2. The risk to property and life for pre and pos-construction is assessed as low.*
- 3. The report includes recommendations to maintain or reduce the risk for the construction of the development.*
- 4. We also note that permanent water table is expected to be at shallow depths and excavations below 1.5m could encounter ground water inflow through bedrock joints. A pump-out drainage system or tanked basement is recommended.*
- 5. PSP Consult notes that further assessment by Council and EPA approval will be required for a pump-out system.*
- 6. Should Council's officers decide to approve this application, PSP Consult recommends that this approval be conditioned as follows:*
 - a) The structural engineering design and construction works shall be carried out in accordance with the recommendations of the geotechnical investigation report by Fortify Geotech.*
 - b) Excavations within the zone of influence of ground levels in the adjoining properties shall be supported with retaining walls, constructed prior to the commencement of any excavations, and designed in accordance with the recommendations of the geotechnical investigation report by Fortify Geotech.*
 - c) Excavations shall be progressively inspected by a geotechnical engineer and if higher strength bedrock is encountered and/or rock hammers are proposed to be used, then vibration monitors shall be installed with alert*

trigger levels, and construction techniques used to limit vibration levels to the magnitudes listed in the geotechnical investigation report by Fortify Geotech.

- d) *A dilapidation report of the adjoining properties shall be carried out and submitted to Council prior to the commencement of any works on site.*

Assessing Officer comment's: In response to Point 5 above, Council's Senior Development Engineer has confirmed the proposal has been reviewed and a referral to EPA is not required.

Urban Design Review Panel: The UDRP reviewed this application on two occasions and the issues raised by the UDRP have now been resolved. Detailed comments are provided under the heading "State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development".

Environmental Health Officer: The application was referred to Council's Environmental Health Officer who provided the following comments:

“Contamination

A detailed site assessment was conducted and concluded that the site can be made suitable for the proposed mixed use commercial and residential land use subject to a pre-demolition hazardous material survey, removal of any ACM material from surface soils during demolition, and a waste classification assessment for any soils disposed of. These requirements have been included as standard conditions.

Noise

The noise assessment prepared by ADP determined that noise emission predictions were found to be complaints with noise emission criteria outlined in the City of Ryde DCP, NSW EPA Noise Policy for Industry and Noise Control Regulation. The recommendations outlined in the report have been included as standard conditions.

Conclusion

The proposal satisfies the requirements of Council's controls and can be supported with the inclusion of conditions of consent.”

Landscape Architect: The application was referred to Council's Landscape Architect. The following issues were raised by Council's Landscape Architect in the first referral: *An Arboricultural Impact Assessment (AIA) has been submitted with the application prepared by McArdle Arboricultural Consultancy 17/11/2022.*

A summary of the existing trees identified in the Arboricultural Impact Assessment (AIA) are show in the table below:

Tree No.	Species “Common name”	Proposed recommendation in AIA	Comment
1	Acacia decurrens	Retain	Disagree

	<i>(Green Wattle)</i>	<i>In adjoining property. On rock shelf and bank. Moderate retention value. Short useful life expectancy. Major encroachment of 20-27% into TPZ and into SRZ from building. Before construction root mapping will assist in determining extent of root system on the rock shelf.</i>	<i>The Arborist has not demonstrated the tree can be retained in a viable condition. Root mapping required, now at the DA stage.</i>
2	<i>Callistemon viminalis (Weeping Bottlebrush)</i>	<i>Retain In adjoining property. Low retention value. Medium useful life expectancy. In retaining wall planter. No encroachment</i>	<i>Agree</i>
3	<i>Callistemon viminalis (Weeping Bottlebrush)</i>	<i>Retain In adjoining property. Low retention value. Medium useful life expectancy. In retaining wall planter. No encroachment</i>	<i>Agree</i>
3a	<i>Callistemon viminalis (Weeping Bottlebrush)</i>	<i>Retain In adjoining property. In retaining wall planter with constraints on its root system. Moderate retention value. Medium useful life expectancy. Major encroachment of 15.75% into TPZ and into SRZ from building.</i>	<i>Disagree The Arborist has not demonstrated the tree can be retained in a viable condition. Root mapping required.</i>
4	<i>Acacia decurrens (Green Wattle)</i>	<i>Remove On site. Low-Moderate retention value. Short useful life expectancy. Major encroachment of 89% from building</i>	<i>Agree Compensatory tree planting required</i>
5	<i>Acacia decurrens (Green Wattle)</i>	<i>Remove On site. Low retention value. Short useful life expectancy. Major encroachment of 66% into TPZ from building</i>	<i>Agree Compensatory tree planting required</i>
6	<i>Fraxinus sp (Ash)</i>	<i>Retain and protect On adjoining site. No encroachment</i>	<i>Agree</i>
7	<i>Cotoneaster sp. (Cotoneaster)</i>	<i>Retain and protect On adjoining site. Weed species. Very low retention value</i>	<i>Agree Exempt weed species</i>
8	<i>Melaleuca quinquenervia</i>	<i>Retain and protect</i>	<i>Agree</i>

	<i>(Broad-leaved paperbark)</i>	<i>Street tree in front of adjoining property. No impact</i>	
9	<i>Ligustrum sp. (Privet)</i>	<i>Remove On site. Weed species. Very low retention value</i>	<i>Agree Exempt weed species</i>
10	<i>Ligustrum sp. (Privet)</i>	<i>Remove On site. Weed species. Very low retention value</i>	<i>Agree Exempt weed species</i>
11	<i>Ligustrum sp. (Privet)</i>	<i>Remove On site. Weed species. Very low retention value</i>	<i>Agree Exempt weed species</i>
12	<i>Bambusa sp. (Bamboo). Hedge</i>	<i>Retain On adjoining property. Low retention value. Major encroachment of 36.83%. Shallow root system. Minimal impacts.</i>	<i>Agree Exempt weed species. Can recover from major impacts.</i>
13	<i>Corymbia maculata, (Spotted Gum)</i>	<i>Retain and protect Street tree in front of adjoining property. No impact</i>	<i>Agree</i>

Amended information was submitted and the issues above have been resolved. The second referral from Council's Landscape Architect included the following comments:

Existing Trees

A Root Mapping Investigation has been submitted to augment the original Arboricultural Impact Assessment (AIA) prepared by McArdle Arboricultural Consultancy dated 18/05/2023.

A summary of the root mapping investigation of the existing trees are show in the table below:

<i>Tree No.</i>	<i>Species "Common name"</i>	<i>Proposed recommendation</i>	<i>Comment</i>
1	<i>Acacia decurrens (Green Wattle)</i>	<i>Retain In adjoining property. The tree roots present in Trench 1 were observed to have six (6) adventitious roots with a diameter ranging from 10-25mm including a 40mm exposed adventitious root and one (1) secondary root with an 80mm diameter. The roots in Trench 1 make up a small portion of the root system and they are outside the Structural Root Zone of Tree 1, therefore the roots in Trench 1 can be cut without harming the tree's health and stability. However, correct pruning procedures are crucial to avoid injury and</i>	<i>Agree</i>

		disease and thus an AQF Level 5 arborist should supervise the works.	
3a	<i>Callistemon viminalis</i> (Weeping Bottlebrush)	Retain In adjoining property. Trench 2 was 1.1 metres long and had a maximum depth of 400mm, it was excavated, adjacent to Tree 3a. No roots were encountered in this trench, only two (2) bricks were uncovered	Agree

Deep Soil Area (DSA)

The original Landscape Plan had a deep soil area of 40.2m², with a site area of 1,158m² gives a DSA of 3.47%, or half of what is required.

The amended Landscape Plan provides DSA of 88.77m² and satisfies the requirements of the ADG.”

The following issues were raised by Council’s Landscape Architect in the first referral:

Landscape Plan – Apartments

Communal Open Space. The communal open space provides a pool BBQ, seating with umbrellas and cabanas. The area is considered suitable and good quality for the development.

Fences & Screens. A 1.8 high Privacy fence to boundaries is indicated on the Landscape Plan, and is considered suitable. Indication of boundary fencing material, proposed privacy screens and their heights are to be clearly indicated on the Landscape Plan.

Maintenance. The side boundary planting areas have large level changes with high retaining walls. The Landscape Plan needs to show how these areas are to be accessed for maintenance.

Levels. Indication of all proposed levels on plans are to be provided to ensure the workability of open space areas. This includes top and bottom of wall heights as well as RL’s at stairs, planter boxes, paving and lawn areas.

Planting. A number of areas need to be addressed in order to satisfy minimum planting requirements:

1. Suitable screen planting capable of reaching a mature height of 2.7 metres is to be planted along the eastern and western boundaries where possible. The species to be planted must be a minimum 300mm pot size, be spaced at no greater than 1.5m centres with a foliage density capable of assisting in providing visual privacy. Planter boxes are to be designed accordingly to provide adequate soil depth to support such species.

Amended plans were submitted and the issues above have been resolved. The

second referral from Council's Landscape Architect included the following comments:

- *Fencing materials and heights have been shown on the amended Landscape Plan*
- *The amended Landscape Plan shows a note that "Maintenance steps and ladders are to be provided at the retaining walls. This is satisfactory for the DA stage. Detailed design is to be provided at the Construction Certificate stage*
- *Proposed levels have been shown on the amended Landscape Plan*
- *Screen planting species and numbers are satisfactory.*

No objections were raised subject to recommended conditions of consent.

Tree Management Officer

The proposal includes the retention of two (2) street trees along the Eagle Street frontage. The application was referred to Council's Tree Management Officer who has raised no objection to the proposed development subject to conditions of consent.

11. Conclusion

After consideration of the development against section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is suitable for the subject site and is not contrary to the public interest. The reasons for the decision are as follows:

1. The proposal is consistent with the objectives for B6 zoned land.
2. The proposal complies with the statutory provisions set out in the Environmental Planning and Assessment Act 1979.
3. The proposal is considered to be of low impact to adjoining properties and the surrounding environment.
4. The proposal has been supported by a satisfactory Clause 4.6 variation request which demonstrates that compliance with Clause 4.3 Height of buildings is unreasonable and unnecessary in the circumstances and there are sufficient environmental planning grounds to justify contravening the development standards.
5. The proposal is not contrary to the public interest.
6. The proposal is considered to be suitable for the site.

7. The submission received in response to this DA has been considered and addressed in this report. None of the issues raised warrant the refusal of the subject application.

12. Recommendation

- A. That the Ryde Local Planning Panel accepts that the cl 4.6 written request to vary the height of buildings development standard (Clause 4.3) in RLEP 2014 has adequately addressed the matters in sub clause (3) and will be in the public interest as it is consistent with the objectives of the development standard in Clause 4.3 and the objectives of the B6 Enterprise Corridor Zone of Ryde Local Environmental Plan 2014.
- B. That the Ryde Local Planning Panel, as the consent authority, grant consent to LDA2022/0399 for demolition of existing structures and construction of a 6 storey mixed use development over basement parking accommodating 10 residential units and a ground floor commercial tenancy at 28 Eagle Street Ryde, subject to the draft conditions contained in Attachment 1.

ATTACHMENTS

- 1** Draft Conditions of Consent
- 2** Proposed plans
- 3** Clause 4.6 written variation request
- 4** View Impact Assessment

Report prepared by:

Niroshini Stephen
Senior Town Planner

Report approved by:

Sohail Faridy
Senior Coordinator Development Assessment

Carine Elias
Manager Development Assessment

ATTACHMENT 1 – DRAFT CONDITIONS OF CONSENT

28 Eagle Street, Ryde – LDA2022/0399

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 no.	Drawn by	Dated
Architectural Plans		
Cover sheet & development summary Project No.22029 Dwg No. A-000 Revision E	Drew Dickson Architects	5/5/2023
Site plan Project No.22029 Dwg No. A-002 Revision E	Drew Dickson Architects	5/5/2023
Demolition plan Project No.22029 Dwg No. A-006 Revision E	Drew Dickson Architects	5/5/2023
Basement Level 1 Project No.22029 Dwg No. A-010 Revision E	Drew Dickson Architects	5/5/2023
GA – Ground floor Project No.22029 Dwg No. A-011 Revision E	Drew Dickson Architects	5/5/2023
GA – Level 1 Project No.22029 Dwg No. A-012 Revision E	Drew Dickson Architects	5/5/2023
GA – Level 2 Project No.22029 Dwg No. A-013 Revision E	Drew Dickson Architects	5/5/2023
GA – Level 3 Project No.22029 Dwg No. A-014 Revision E	Drew Dickson Architects	5/5/2023
GA – Level 4 Project No.22029 Dwg No. A-015 Revision E	Drew Dickson Architects	5/5/2023
GA – Level 5 Project No.22029 Dwg No. A-016 Revision E	Drew Dickson Architects	5/5/2023
GA – Roof plan Project No.22029 Dwg No. A-017 Revision E	Drew Dickson Architects	5/5/2023
South elevation- Eagle Street Project No.22029 Dwg No. A-200 Revision E	Drew Dickson Architects	5/5/2023
East elevation Project No.22029 Dwg No. A-201 Revision E	Drew Dickson Architects	5/5/2023
North elevation Project No.22029 Dwg No. A-202 Revision E	Drew Dickson Architects	5/5/2023
West elevation Project No.22029 Dwg No. A-203 Revision E	Drew Dickson Architects	5/5/2023
Section A-A Project No.22029 Dwg No. A-300 Revision E	Drew Dickson Architects	5/5/2023

Section B-B Project No.22029 Dwg No. A-301 Revision E	Drew Dickson Architects	5/5/2023
Section C-C Project No.22029 Dwg No. A-302 Revision E	Drew Dickson Architects	5/5/2023
Materials and finishes Project No.22029 Dwg No. A-310 Revision E	Drew Dickson Architects	5/5/2023
Pre and post adaptable units Project No.22029 Dwg No. A-600 Revision E	Drew Dickson Architects	5/5/2023
Detailed Section A	Drew Dickson Architects	Received: 19/05/2023
Detailed Section 1 and 2	Drew Dickson Architects	Received: 19/05/2023
Detailed Section B	Drew Dickson Architects	Received: 19/05/2023
Additional balustrade details Sheet 1 Project No.22029 Dwg No.SK-539	Drew Dickson Architects	August 2022
Additional balustrade details Sheet 2 Project No.22029 Dwg No.SK-540	Drew Dickson Architects	August 2022
Landscape Plans		
Landscape Plans Revision C (Total 22 pages)	Landfx Landscape Architecture	17/05/2023
Stormwater Management Plans		
Stormwater Management Plan Project Reference: 0251 (Total 34 pages)	Enscape studio	Various dates and revisions. Refer to stamped drawings

Document(s)	Dated
BASIX Certificate No. (1355359M_06)	19 October 2023
Updated traffic & parking impact assessment Reference: 18-058-2 prepared by Stanbury Traffic Planning	May 2023
Operational waste management plan Report No.4410 Revision D prepared by Elephants Foot Recycling Solutions	16/05/2023
Geotechnical Report Reference: AB/S1646 prepared by Fortify Geotech	17 May 2023
BASIX, thermal comfort and ESD report prepared by Integreco	May 2023
Root Mapping Investigation prepared by McArdle Arboricultural Consultancy	18 May 2023
Detailed Site Investigation Project No. 22203 Version 2 prepared by Reditus Consulting Pty Ltd	7 November 2022
Construction & demolition waste management plan Revision A prepared by Elephant Foot Consulting	1/12/2022
BCA Assessment Report Project No.220430 Revision 1.1 prepared by Blackett Maguire + Goldsmith Pty Ltd	6 December 2022
Arboricultural Impact Assessment prepared by McArdle Arboricultural Consultancy	17 November 2022

Environmental Noise Impact Assessment Project No. SYD2292 Revision 01 prepared by ADP Consulting Engineering	30 November 2022
Access Report Reference: DDA1602 prepared by Certis Access Revision B	24/11/2022

Prior to the issue of a **Construction Certificate**, the following amendments shall be made (as marked in red on the approved plans) and updated plans shall be submitted to the satisfaction of principal certifying authority:

- (a) A 1.5 metre high privacy screen shall be provided to the south eastern elevation of the communal open space area at level 3.
- (b) A 1.5 metre high privacy screen shall be provided to the south eastern side elevation of the secondary balcony off the secondary living area of Unit 201.
- (c) Three (3) bicycle parking spaces are required to be provided within the confines of the basement. The plans shall be updated to show the additional bicycle parking space without reducing any other parking.
- (d) New highlight windows with a sill height of 1.5 metres shall be provided to the fire stairs at Level 3, Level 4 and Level 5 (north eastern elevation). The window on Level 3 should not be openable.
- (e) The vehicular crossing at the residential/commercial pedestrian entry shall be deleted from the plans.

(Reason: To ensure the development is carried out in accordance with the determination).

- 2. **Use - Separate DA Required.** No approval is granted or implied for the ground floor level commercial premises. A separate application for the fitout and use shall be submitted for approval. Any future commercial use must be restricted to the hours of 6am – 6pm, 7 days a week.
- 3. **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.

(Reason: Statutory requirement).

- 4. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 1355359M_06), dated 19 October 2023.

(Reason: Statutory requirement).

- 5. **Support for neighbouring buildings.** If the development involves excavation deeper than the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation, and
- (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

(Reason: Statutory requirement).

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.

(Reason: To ensure security grilles or barriers are not erected without prior development consent).

7. **Site Maintenance.** For the period the site remains vacant of any development the subject of this consent, the site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or become a repository for the leaving or dumping of waste.

(Reason: To protect the amenity of the locality).

8. **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.

(Reason: To ensure reasonable standards of amenity for occupants of neighbouring properties).

9. **Hoardings.**

- (a) A hoarding or fence must be erected between the work site and any adjoining public place.
- (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

(Reason: To ensure public safety).

10. **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.

(Reason: To ensure public safety).

11. **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.

(Reason: To ensure that development occurs within the site boundaries).

12. **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.

(Reason: to ensure public safety).

13. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: Access to public utilities).

14. **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 138 of the Roads Act 1993.

(Reason: To ensure compliance with the requirements of the Roads Act 1993).

15. **Pool filter – noise.** The pool/spa pump/filter must be enclosed in a suitable ventilated acoustic enclosure to ensure the noise emitted therefrom does not exceed 5dB(A) above the background noise level when measured at any affected residence.

(Reason: To protect the amenity of the adjoining properties).

16. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.

(Reason: Safety).

17. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.

(Reason: To ensure the appropriate discharge of wastewater).

18. **Resuscitation Chart.** A resuscitation chart containing warning “YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL” must be provided in the immediate vicinity of the pool area so as to be visible from all areas of the pool.

(Reason: Safety).

19. **Bicycle parking.** An area shall be designated for bicycle parking on the site within the basement level. A bicycle parking rack must be provided.

(Reason: Ensure an adequate area is provided for the bicycle parking).

20. **Design and Construction Standards** - All engineering detailed design plans and associated drainage works shall be carried out in accordance with the requirements of the relevant Australian Standards and Council's DCP Part 8.2.

Detailed design of all proposed Council Infrastructure works or proposed modification to Council infrastructure which may be located inside the property boundary, must be approved by Council City Works Directorate and undertaken in accordance with Council's 2014 DCP Part 8.2 and relevant Australian Standards, except otherwise as amended by conditions of this consent

(Reason: to ensure Council's DCP and relevant Australian Standard requirements are met.)

21. **Public areas and restoration works** - 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, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council.

(Reason: to ensure the public areas are restored upon completion of construction works.)

22. **Utility Services** - The applicant shall undertake and bear all costs associated with the liaison, approval and relocation of any utility services. All correspondence and approvals between the Applicant and utility authorities shall be provided to the Council in conjunction with engineering documentation for the stormwater drainage works prior to commencement of construction.

(Reason: to ensure that the applicant avoids conflicts with utilities and services.)

23. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 - 2019 and Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: This condition is to ensure that appropriate measures/controls are in place to assist with the safety of all affected road users within the public domain when construction works are being undertaken)

24. **Construction Traffic and Pedestrian Management Plan.** For all construction works including demolition activities, a Construction Traffic Management Plan (CTMP) including any Traffic Control Plans (TCP)/Traffic Guidance Schemes (TGS) shall be prepared by a suitably qualified traffic engineer. This document

shall be submitted to and approved by Council prior to the issue of any Construction Certificate.

All fees and charges associated with the review of this plan are to be paid in accordance with Council's latest Schedule of Fees and Charges with payment to be made prior to receipt of approval from Council's Traffic Services Department for the CTMP.

(Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

25. **Road Activity Permits** - Prior to carrying out any work in, on or over a road reserve, consent from Council is required as per the Roads Act 1993. The applicant is required to review the "Road Activity Permits Checklist" (available from Council's website: <https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2023-07-road-activity-permits-checklist.pdf>) and apply for the relevant permits for approval by Council. Types of road activity permits potentially required include Road Use Permit, Work Zone Permit, Road / Footpath / Driveway / Nature Strip / Kerb & Gutter Opening Permit, Temporary Placement of Elevated Tower, Crane or Concrete Pump, Operation of a Crane Over Air Space Permit, Construction Hoarding Permit and Skip Bin on Nature Strip Permit. Penalties apply for failure to comply.

(Reason: To ensure the amenity and state of the public domain is maintained.)

26. **Design and Construction Standards** – All engineering works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 *Public Civil Works* and relevant Development Control Plans except as amended by the conditions herein.

(Reason: Ensure compliance with relevant Planning Instruments and Standards)

27. **Public Utilities and Service Alterations** – All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.

(Reason: Protection of infrastructure and compliance with relevant Authorities requirements)

28. **Works on Public Roads** – Any works performed in, on or over a public road reserve 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 Sections 138 and 139 of the Roads Act 1993.

(Reason: Compliance with relevant Acts)

29. **Public areas and restoration works** - 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, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 *Public Civil Works*, to the satisfaction of Council. Council's standards and specifications are available on the Council website.

(Reason: Ensure public safety and protection of infrastructure)

30. **Land Boundary / Cadastral Survey** – If any design work relies on critical setbacks from land boundaries or subdivision of the land is proposed, it is a requirement that a land boundary / cadastral survey be undertaken to define the land.

The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site.

(Reason: No encroachment of private works on public land)

31. **Stormwater disposal.** Stormwater runoff from all impervious areas of the site is to be collected and piped to the existing or new underground stormwater drainage system in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.

(Reason: To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2)

32. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's DCP Part 8.5 (Public Civil Works) and Part 8.2 (Stormwater and Floodplain Management), except otherwise as amended by conditions of this consent.

(Reason: To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements.)

33. **Service Alterations.** All services or utilities required to be altered in order to complete the development works are to be undertaken in accordance with the requirements of the relevant service provider (eg Telstra, Jemena, Ausgrid, etc), with all costs associated with this alteration to be borne by the applicant.

(Reason: To ensure public services are maintained.)

34. **Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (Road opening Permit) from Council prior to

any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.

(Reason: To ensure the amenity and state of the public domain is maintained.)

35. **Road Activity Permits.** To carry out any work in, on or over a public road (including verge), consent from Council is required as per the Roads Act 1993. The applicant is required to review the "Road Activity Permits Checklist" (available from Council's website) and apply for the relevant permits for approval by Council.

(Reason: To ensure the amenity and state of the public domain is maintained.)

36. **Geotechnical report.** The structural engineering design and construction works shall be carried out in accordance with the recommendations of the geotechnical investigation report by Fortify Geotech.
37. **Road traffic noise criteria for sensitive developments** - The building(s) must be designed and constructed so that the road traffic noise levels inside the building(s) comply with the noise criteria specified in *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning, 2008).
38. **Mechanical ventilation of rooms** - If the airborne 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.
39. **Fresh air intake vents** - All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.
40. **Carpark exhaust vent** - The carpark exhaust vent must be located at least 3 metres above ground level or any pedestrian thoroughfare and:
- a) at least 6 metres from any fresh air intake vent or natural ventilation opening; and
 - b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.

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.

41. **Demolition Deposit.** The Council must be provided with security for the purposes of Section 4.17(6) of the Environmental Planning and Assessment

Act 1979 in a sum determined by reference to Council's Management Plan prior to the demolition occurring on the site.

(Reason: Statutory requirement)

42. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:

- (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
- (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.

(Reason: To ensure adequate details are provided to Council and properties in the immediate area of the proposed works).

43. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).

(Reason: Statutory requirement).

44. **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 Safework NSW 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.

(Reason: to ensure work is completed in an appropriate manner).

45. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by Safework NSW.

(Reason: Safety).

46. **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.

(Reason: Safety).

47. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.

(Reason: To ensure demolition materials are disposed in an appropriate manner).

48. **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.

(Reason: To ensure demolition materials are disposed in an appropriate manner).

49. **Imported fill – type.** All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

(Reason: To protect the environment).

50. Tip Dockets identifying the type and quantity of waste disposed/recycled during demolition are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.

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.

51. **Section 7.11.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$60,618.10
Open Space & Recreation Facilities	\$104,381.50
Roads & Traffic Management Facilities	\$32,044.80

Plan Administration	\$2,955.60
The total contribution is	\$200,000.00

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.

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.

The contribution must be paid **prior to the issue of any Construction Certificate**. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

A copy of the Section 7.11 Development Contributions Plan may be inspected at the Ryde Customer Service 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>.

(Reason: Statutory requirement).

52. **Arts and Cultural Plan.** Prior to the issue of a Construction Certificate, a site specific Public Arts Plan is to be submitted for approval by Council. This plan will be required to address the following:
 - Identify opportunities for the integration of public art in the proposed development;
 - Identify themes for public art;
 - Durability, robustness and longevity of the public art; and
 - Demonstrate how public art is incorporated in the site and built form design.
53. **Adaptable Units.** A total of two (2) adaptable apartments, each with an allocated disabled parking space, are to be provided within the development. These apartments are to comply with all of the spatial requirements as outlined in DCP 2010 Part 9.2 and AS4299. Details demonstrating compliance is to be provided on the Construction Certificate plans. Prior to the issue of the **Construction Certificate**, a suitably qualified access consultant is to certify that the development achieves the spatial requirements of DCP 2010 Part 9.2 and AS4299.
54. **Storage.** Each residential unit is to be provided with the minimum internal storage area as required by the Residential Flat Design Code. Details of the location of the storage and dimensions of the storage areas are to be provided on the Construction Certificate plans. The architect is to verify in writing that the development complies prior to the issue of the Construction Certificate.

55. **Design verification.** Prior to a Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a registered architect that has overseen the design. This statement must include verification from the registered architect that the plans and specification 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 143 of the *Environmental Planning and Assessment Regulation 2000*.

56. **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 Certifying Authority prior to the issue of the **Construction Certificate**.

(Reason: Statutory requirement).

57. **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**.

(Reason: Statutory requirement).

58. **Security deposit.** The Council must be provided with security for the purposes of section 4.17 (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)

(Reason: Statutory requirement).

59. **Infrastructure Restoration and Administration Fee** must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**.

(Reason: Statutory requirement).

60. **Driveway Access Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific driveway access levels by Council prior to the issue of the **Construction Certificate**.

(Reason: Statutory requirement).

61. **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 Certifying Authority prior to the issuing of the **Construction Certificate**.

(Reason: Statutory requirement).

62. **Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to www.sydneywater.com.au/tapin to apply.

(Reason: Statutory requirement).

63. **Residential Apartment Noise attenuation.** A qualified acoustical engineer with membership of the Association of Australasian Acoustical Consultants must certify that the building has been designed to minimise the noise intrusion from any internal or external noise source and when constructed achieve a 5 star rating under the Association of Australasian Acoustical Consultants Guideline for Apartment and Townhouse Acoustic rating Version 1.0. Details of compliance are to be submitted with the plans for Construction Certificate.

(Reason: Statutory requirement).

64. **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 Certifying Authority prior to the release of the **Construction Certificate**.

(Reason: To ensure the use of appropriate material to minimise reflectivity).

65. **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.

(Reason: To ensure lighting is used in all common areas).

66. **Pool fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2018*. Details of compliance are to be reflected on the plans submitted with the **Construction Certificate**.

(Reason: Statutory requirement).

67. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of any Construction Certificate satisfactory evidence is to be provided to the Certifying Authority that arrangements have been made for:

- (i) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be

constructed on those lots. Alternatively, demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

And

- (ii) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

(Note real estate development project has the meanings given in Section 372Q of the Telecommunications Act).

(Reason: Statutory requirement).

68. **Stormwater - Council Drainage - Reflux Valve** - A design certificate from a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Construction Certificate, confirming that the site drainage outlet pipe has been designed with a reflux valve in order to stop any backwater effect from Council's stormwater system for events up to the 1% AEP (100 year ARI).

(Reason: To ensure no water from Council's Stormwater Drainage Network enters the site.)

69. **Stormwater - Council Drainage – Pit Connection Details** - The proposed site drainage connection to the {existing Council kerb inlet pit} shall be made via a uPVC pipe. The site drainage connection pipe shall be cut flush with the internal wall of the pit and should enter the pit perpendicular to the pit wall.

Amended stormwater plans complying with this condition shall be submitted to and approved by the Principal Certifying Authority prior to the issue of the Construction Certificate. The plans shall be prepared by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng).

(Reason: to ensure connection to pit compliance with Council's DCP and Australian Standards.)

70. **Stormwater - Drainage Design Submission - Assessment Fee** – The applicant is to pay to Council fees for assessment of all relevant drainage design engineering plans, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council prior to the issue of the Construction Certificate.

Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the Council drainage works and any additional reviews required.

(Reason: to ensure relevant Council assessment fees are paid.)

71. **Stormwater - Drainage Design Submission** - Engineering drawings prepared by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) are to be submitted to, and approved by Council's City Works Directorate for the proposed drainage works in accordance with Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual, prior to the issue of the Construction Certificate.

The design submission shall address the following:

- a) A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- b) A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- c) The location and as-built information (including dimensions and invert levels) of the existing Council kerb inlet pit as shown on {Stormwater management plan prepared by enscape studio P/L Drawing No. C_06, C_10 & C_11 (Project No. 0251, Revision B, 10 October 2023)} is to be confirmed by a suitably qualified surveyor. This shall be incorporated into the drainage engineering drawings.
- d) Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
- e) Any stormwater pit with a depth greater than 1.8 metres shall be designed and certified by a suitably qualified Structural Engineer and the certification shall be submitted with the drainage design drawings.
- f) The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.
- g) New stormwater drainage pipes shall be located underneath the kerb & gutter alignment to facilitate future maintenance.

(Reason: to ensure the Stormwater Civil Design complies with Council's and Australian Standards and has sufficient details to obtain construction certificate.)

72. **Stormwater - {Council Drainage Works} – Bond** - To ensure satisfactory performance of the excavation, laying of pipes, back filling, disposal of excess soil and restoration including new kerb and gutter works, a maintenance period

of twelve (12) months shall apply to the trunk drainage works following completion of the development.

The maintenance period shall commence from the date of issue by Council, of the {Compliance Certificate for the Council Drainage Works}. 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, during the twelve (12) months' maintenance period. Any defects identified during the maintenance period shall be rectified at their cost within a period of thirty (30) days after notification from Council. The details of the defects and repairs shall be documented and certified by a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

A bond in the form of a cash deposit or unconditional Bank Guarantee of \$40,000 shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met.

Council engineers from the City Works Directorate shall be notified in writing three (3) months prior to the expiry of the maintenance period for the inspection of the trunk drainage works and restored areas. Details and certifications of the defects and repairs shall be provided to Council's City Works Directorate at this notification. The inspection shall be jointly conducted between Council engineers and the applicant's site engineers.

Notifications and inspections may be arranged by telephoning Council's Customer Service Section on 9952 8222 during office hours. A minimum of five (5) working days' notice shall be given to Council to inspect the works.

The bond will only be refunded when the works are determined to be satisfactory to Council, in writing, after the expiry of the twelve (12) months maintenance period.

(Reason: to ensure satisfactory performance of drainage works during 12 months after the Compliance Certificate for the Council Drainage Works was issued.)

73. **Waste and Service Vehicle Access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of 6.4m long small rigid vehicle, as a minimum requirement.

The minimum height clearance required is 4.2m, measured from the floor level to the lowest point of any overhead structures/service provisions such as pipes. Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 6.4m long truck shall be reviewed and approved by a chartered civil engineer (with evidence of this certification submitted to Council) prior to the issue of the Construction Certificate. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.

(Reason: This condition is intended to assist with the safety and efficiency of heavy vehicles entering and exiting the site.)

74. **Ground Anchors** - The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:
- Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.
 - the payment of all fees in accordance with Council's Schedule of Fees & Charges at the time of the issue of the approval, and
 - the provision of a copy of the Public Liability insurance cover of not less than \$20million with Council's interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors.

(Reason: Ensuring compliance with Council's relevant Planning Instruments)

75. **Public Domain Improvements – Design for Construction Certificate** - The public domain is to be upgraded on the Eagle Street frontage of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works. The works shall include footpath paving, lighting upgrades and plantings, and must be completed to Council's satisfaction at no cost to Council.

A public domain plan for the following works shall be submitted to, and approved by Council's City Works Directorate, prior to the issue of the relevant Construction Certificate.

- Concrete footpath pavement as specified in the condition of consent for public infrastructure works.
- Street trees are to be provided in accordance with Council's Street Tree Masterplan. The designated species are *Melaleuca linariifolia* (Snow in Summer). Four trees are to be planted in 100 litre size pot.

Note: In designing the street tree layout, the consultant shall check and ensure that all new street trees are positioned such that there are no conflicts with the proposed street lights, utilities and driveway accesses. All costs associated with the removal of existing street trees, where required, will be borne by the Developer.

- All telecommunication and utility services are to be placed underground along the Eagle Street frontage. The extent of works required to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably

qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.

For the undergrounding of existing overhead electricity network, the requirements specified in the Ausgrid Network Standards NS130 and NS156 are to be met.

- (b) New street lighting using an LED luminaire is to be designed and installed to Australian Standard AS1158:2010 Lighting for Roads and Public Spaces, with vehicular luminance category V5 and pedestrian luminance category PR3, to the existing pole on the southern side of the Eagle Street frontage of the development. The street lighting will remain on the Ausgrid street lighting network.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council's City Works Directorate prior to lodgement of the scheme with Ausgrid for their approval.

(Reason: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments)

76. **Public Infrastructure Works - Design for Construction Certificate** – Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate prior to the issue of the Construction Certificate. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management, where applicable.

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns, existing and proposed signage and linemarking, and other relevant details for the new works. The drawings shall also demonstrate the smooth connection of the proposed works into the remaining street scape.

The Applicant must submit, for approval by Council as the Road Authority, full design engineering plans and specifications for the following infrastructure works:

- (a) The full reconstruction of half road width for the Eagle Street frontage of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Clause 1.1.4 – Constructing Half Road.

- (b) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- (c) The construction of new kerb and gutter along the Eagle Street site frontage of the development site and for the full length of the new stormwater pipe installation. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Eagle Street.
- (d) A new footpath is to be provided for the Eagle Street frontage of the development. The footpath is to extend through the Eagle Street development frontage of No. 15-19 Gladstone Avenue, and connect to the existing footpath on Gladstone Avenue. The new footpath is to be located between the property boundary of the Eagle Street frontage of 15-19 Gladstone Avenue and the existing trees within Eagle Street to ensure the protection of existing trees. The concrete footpath is to be 1.2m wide in accordance Part 8.5 - Public Civil Works of the DCP. Cross-sections are to be provided for every 5 metres for the full length of the footpath.
- (e) Stormwater drainage installations in the public domain in accordance with the DA approved plans. The existing stormwater pit on Eagle Street, that is proposed to be connected into, is to be reconstructed to Council's standards.
- (f) Signage and linemarking details.
- (g) Staging of the public civil works, if any, and transitions between the stages. The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

Notes:

1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed building.
2. Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
3. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, Section 5 "*Standards Enforcement*". A checklist has also been prepared to provide guidance, and is available upon request to Council's City Works Directorate.
4. City of Ryde standard drawings for public domain infrastructure assets are available on the Council website. Details that are relevant may be replicated in the public domain design submissions; however Council's title block shall not be replicated.

(Reason: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments and standards)

77. **Vehicle Footpath Crossing and Gutter Crossover** – A new vehicle footpath crossing and associated gutter crossover shall be constructed at the approved vehicular access location/s. Where there is an existing vehicle footpath crossing and gutter crossover, the reconstruction of this infrastructure may be required so it has a service life consistent with that of the development, and it is also compliant with current Council's standards and specifications. The location, design and construction shall be in accordance with City of Ryde Development Control Plan 2014 Part 8.3 *Driveways* and Part 8.5 - *Public Civil Works* and Australian Standard AS2890.1 – 2004 *Offstreet Parking*.

Prior to the issue of the Construction Certificate, an application shall be made to Council for approval under Section 138 of the Roads Act, 1993, for the construction of the vehicle footpath crossing and gutter crossover. The application shall include engineering design drawings of the proposed vehicle footpath crossing and gutter crossover.

The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B85 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Offstreet Parking* and Council's specifications. The new crossing shall be **7.3m** wide, without the splays, and shall be constructed at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

Fees are payable at the time of the application, in accordance with Council's Schedule of Fees and Charges.

The Council approved design details shall be incorporated into the plans submitted to the Principal Certifier, for the application of the Construction Certificate.

(Reason: Improved access and public amenity)

78. **Public Domain Works – Defects Security Bond** - To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. 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, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of **\$20,000.00** shall be lodged with the City of Ryde prior to the issue of a 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 twelve (12) months defects liability period.

(Reason: Ensure compliance with specifications)

79. **Engineering plans assessment and works inspection fees** – The applicant is to pay to Council fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council.

Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the public domain works.

(Reason: Ensure compliance with Council's requirements)

80. **Anticipated Assets Register - Changes to Council Assets** - In the case that public infrastructure improvements are required, the developer is to submit a listing of anticipated infrastructure assets to be constructed on Council land as part of the development works. The new elements may include but are not limited to new road pavements, new Multi-Function Poles (MFPs), new concrete or granite footways, new street trees and tree pits, street furniture, bus shelters, kerb and gutter and driveways. This information should be presented via the Anticipated Asset Register file available from Council's Assets and Infrastructure Department. The listings should also include any assets removed as part of the works.

The Anticipated Asset Register is to assist with council's future resourcing to maintain new assets. There is potential for the as-built assets to deviate from the anticipated asset listing, as issues are resolved throughout the public domain assessment and Roads Act Approval process. Following completion of the public infrastructure works associated with the development, a Final Asset Register is to be submitted to Council, based upon the Public Domain Works-As-Executed plans.

(Reason: Record of civil works)

81. Any changes to the Waste Management Plan dated 16/05/2023 or A010 plans which were utilized to evaluate the waste collection by Council, have to be approved by the Waste Department at the City of Ryde Council before the issue of a Construction Certificate to ensure the waste collection is not affected.
82. All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through opening including the door.
- 1100L Bins – width 1.4m, depth 1.1m, height 1.4m
 - 660L Bins – width 1.3m, depth 0.8m, height 1.3m
 - 240L Bins – width 600mm, depth 800mm, height 1100mm
 - 140L Bin - width 535 mm, depth 615 mm, height 915 mm.

83. Two separate receptacles must be provided inside each dwelling to store up to two days worth of waste and recyclables awaiting transfer to the communal bin disposal areas to ensure source separation of recyclables.
84. 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 allow easy access to the containers 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;
 - (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
85. **Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

With respect to this, the following revision(s) / documentation must be provided with the plans submitted with the application for a Construction Certificate;

- a) Wheelstops must be provided at the end of any parking space having a wall / structural element at the end of the space.
- b) The carstacker must have sufficient internal dimensions to accommodate the physical dimensions of a B99 passenger as well as sufficiently be able to permit drivers to access the vehicle.

- c) The shared zone adjacent the disabled commercial parking space No. 3 and disabled resident parking spaces 8 & 9, must have a bollard and linemarking installed as per AS 2890.6.

These amendment(s) must be clearly marked on the plans submitted to the Accredited Certifier prior to the issue of a Construction Certificate.

(Reason: To ensure the vehicle access and parking area is in accordance with the require standards and safe for all users.)

86. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to Eagle Street, generally in accordance with the approved stormwater plans subject to any variations marked in red on the approved plans or noted following;

- a) All roof drainage and hardstand areas must discharge to the OSD.
- b) The courtyard in the front setback should be graded such to provide a failure mode (overland flow in the event of blockage of the drainage system) back to the road frontage. It is envisaged the failure mode would be along the far eastern side of the courtyard (adjoining the driveway) where the courtyard (RL46.20m) would have an entry falling to the footpath at the far eastern end (potentially RL46.10m).
- c) Connection to the public drainage infrastructure will require the approval of Council's City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

The detailed plans, documentation and certification of the drainage system must be submitted with the application for a Construction Certificate and prepared by a suitably qualified Civil Engineer and comply with the following;

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (*Stormwater drainage*) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.
- The subsurface drainage system must be designed to preserve the pre-developed groundwater table so as to prevent constant, ongoing discharge of groundwater to the public drainage network, as well as avoid long term impacts related to the support of structures on neighbouring properties.

(Reason: To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2)

87. **Stormwater Management - Onsite Stormwater Detention.** In accordance with Council's community stormwater management policy, an onsite stormwater

detention (OSD) system must be implemented in the stormwater management system of the development.

As a minimum, the OSD system must;

- a) provide site storage requirement (SSR) and permissible site discharge (PSD) design parameters complying with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management).
- b) incorporate a sump and filter grate (trash rack) at the point of discharge from the OSD system to prevent gross pollutants blocking the system or entering the public drainage service,
- c) ensure the OSD storage has sufficient access for the purpose of ongoing maintenance of the system, and
- d) ensure the drainage system discharging to the OSD system is of sufficient capacity to accommodate the 100 year ARI 5 minute storm event.

Detailed engineering plans and certification demonstrating compliance with this condition & Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) are to be submitted with the application for a Construction Certificate.

(Reason: To ensure that the design of the OSD is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2)

88. **Stormwater Management - Pump System.** The basement pump system must be dual submersible and shall be sized and constructed in accordance with Section 9.3 of AS 3500.3 (*Stormwater drainage*).

The wet well must be designed and constructed in accordance with section 9.3 of AS 3500.3 (*Stormwater drainage*), except that the sump volume is to be designed to accommodate storage of runoff accumulating from the 100yr ARI 3 hour storm event, in the event of pump failure as per the requirements of Council's DCP - Part 8.2 (*Stormwater and Floodplain Management*).

Direct connection of the pumps rising main to the kerb will not be permitted. The rising main must discharge to the sites drainage system, upstream of the onsite detention system (if one is provided) or any rainwater tank which is utilised for irrigation only.

Pump details and documentation demonstrating compliance with this condition are to be submitted in conjunction with the Stormwater Management Plan for the approval of the Certifying Authority, prior to the release of any Construction Certificate for construction of the basement level.

(Reason: To ensure that the design of the pump system is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2 and relevant Australian Standards.)

89. **Geotechnical Design, Certification and Monitoring Program.** The applicant must engage a suitably qualified and practicing Engineer having experience in

the geotechnical and hydrogeological fields, to design, certify and oversee the construction of all subsurface structures associated with the development.

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
 - provide appropriate support and retention to neighbouring property,
 - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
 - ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;
 - is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
 - details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
 - details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.
 - Is in accordance with the recommendations of any approved Geotechnical Report.

The certification and the GMP is to be submitted for the approval of the Accredited Certifier prior to the issue of the Construction Certificate.

(Reason: To ensure there are no adverse impacts arising from excavation works.)

90. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work. As a minimum, the scope of the report is to include;

- a) 15-19 Gladstone Avenue
- b) 6 Cowell Street
- c) 8 Cowell Street
- d) Carpark area of 724-730 Victoria Road (Ryde Ex-Services Memorial & Community Club) adjoining site.

A copy of the dilapidation survey is to be submitted to the Accredited Certifier and Council prior to the release of the Construction Certificate.

(Reason: To clarify any claims of damage made by adjoining property owners.)

91. **Site Dewatering Plan.** A Site Dewatering Plan (SDP) must be prepared and submitted with the application for a Construction Certificate.

The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following;

- a) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
- b) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.
- c) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
- d) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb.
- e) Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.
- f) Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system. These must be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.
- g) Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
- h) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.

(Reason: To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems.)

92. **Erosion and Sediment Control Plan.** An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for a Construction Certificate. The ESCP must be in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by NSW Department – Office of Environment and Heritage and must contain the following information;

- 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.

The ESCP must be submitted with the application for a Construction Certificate.

(Reason: To protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.)

93. **Construction Noise Management Plan (demo & construction).** A construction noise management plan must be prepared by a suitably qualified and experienced noise expert in accordance with the noise management levels in EPA's *Interim Construction Noise Guideline* and accompany the application for a Construction Certificate. The Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

- a) hours of construction
- b) Identification of nearby residences and other sensitive land uses.
- c) Assessment of expected noise impacts.
- d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers
- e) include strategies that have been developed with the community for managing high noise generating works.
- f) Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.
- g) include a complaints management system that would be implemented for the duration of the construction
- h) include a program to monitor and report on the impacts and environmental performance of the development

94. **Remediation of land following detailed site investigation** - If required by the detailed site investigation report, the land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply

with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use.

No Construction Certificate is to be issued for any building work on the land until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation.

95. **Remediation of land** - The land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use.

No Construction Certificate is to be issued for any building work on the land until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation.

96. **Waste Storage and Handling Facilities. Garbage storage details** - Details of the proposed garbage room or storage area must be submitted for approval with the application for the Construction Certificate. Such details must include:

- a) the specifications and layout of all proposed waste storage and handling equipment; and
- b) the access to the collection point.

97. **Amended Landscape Plan.** The following details must be shown on an amended Landscape Plan:

- a) Details of maintenance steps and ladders at the retaining walls.
- The amended Landscape Plans are to be submitted to and approved by the Principal Certifier prior to the issue of a Construction Certificate.

(Reason: To ensure the Landscape Plan fulfills the requirements of City of Ryde DCP 2014.)

98. **Tree bonds.** Prior to the issue of a Construction Certificate a bond shall be placed upon the Broad Leafed Paper Bark (*Melaleuca quinquervia*) and Spotted Gum (*Corymbia maculata*) identified as Trees 8 and 13 to be retained to the value of \$1000 each as by Condition 123. This bond (\$2000) must be paid to Council prior to the issue of a Construction Certificate. A receipt must be provided to the Certifying Authority prior to the issue of the Construction Certificate. The bond is not redeemable until after 12 months of the issuing of the Occupation Certificate (Condition 201).

(Reason: To ensure the protection of street trees.)

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.

99. 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.

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

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

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

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

(Reason: Statutory requirement).

102. Excavation adjacent to adjoining land

- (a) If an excavation is deeper than the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

(Reason: Statutory requirement).

103. **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 namely:

- (a) 15-19 Gladstone Avenue
- (b) 6 Cowell Street
- (c) 8 Cowell Street
- (d) Carpark area of 724-730 Victoria Road (Ryde Ex-Services Memorial & Community Club) adjoining site.

and public infrastructure (including roads, gutters, footpaths, etc). 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.

(Reason: To identify the condition of adjoining public and private properties prior to the commencement of work).

104. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with Safework NSW requirements and be a minimum of 1.8m in height.

(Reason: Statutory requirement).

105. **Proposed Property Addressing.** Proposed addressing for the new development must have been lodged with Council, prior to the commencement of construction.

(Reason: To ensure the address of the development meets Council's requirements).

106. **Notice of Intention to Commence {Council Drainage Works}** – Prior to commencement of the {Council drainage works}, Council's City Works Directorate shall be notified for written acceptance.

This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.

(Reason: to ensure Council's City Works Directorate is notified about the intention of commencing drainage works.)

107. **Notification to adjacent properties – {Council Drainage Works}** - The Applicant shall provide the adjoining owners and occupiers written notice of the proposed {Council drainage works} a minimum two weeks prior to commencement of construction. The notice is to include a contact person name and number should adjoining owners and occupiers have any enquiries in relation to the construction works.

All structures and surface areas affected by the drainage connection works must be reinstated at the completion of this activity, at no cost to the affected property owner.

(Reason: to ensure adjacent properties are notified about the intention of commencing drainage works.)

108. **Notice of Intention to Commence Public Domain Works** – Prior to commencement of the public domain works, a *Notice of Intention to Commence Public Domain Works* shall be submitted to Council's City Works Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.

Note: Copies of several documents are required to be lodged with the Notice; no fee is chargeable for the lodgement of the Notice.

(Reason: Ensure compliance and record of works)

109. **Notification of adjoining owners & occupiers – public domain works** - The Applicant shall provide the adjoining owners and occupiers written notice of the proposed public domain works a minimum two weeks prior to commencement of construction. The notice is to include a contact name and number should they have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.

(Reason: Ensure compliance and record of works)

110. **Pre-construction inspection** - A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.

(Reason: Ensure compliance and communicate Council's requirements)

111. **Pre-Construction Dilapidation Report** - To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.

- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to any work commencing.

All fees and charges associated with the review of this report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time that the Dilapidation Report is submitted.

(Reason: Protection of Council's infrastructure)

112. **Temporary Footpath Crossing** - A temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.

(Reason: Ensure public amenity and safety)

113. **Ryde Traffic Committee Approval** - A plan showing details of the proposed signage and line marking, and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM measures, shall be submitted to the Council and approved by the Ryde Traffic Committee prior to the installation of any traffic devices, signage and linemarking.

(Reason: Ensure compliance)

114. **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. Any doors/gates on the boundary must be installed so they do not open onto any footpath.

(Reason: To maintain public safety and amenity in public domain areas adjoining the development site.)

115. Excavations within the zone of influence of ground levels in the adjoining properties shall be supported with retaining walls, constructed prior to the

commencement of any excavations, and designed in accordance with the recommendations of the geotechnical investigation report by Fortify Geotech (Reference: AB/S1646 dated 17 May 2023).

116. **Tree Retention.** As identified in the Arboricultural Impact Assessment (AIA) prepared by McArdle Aboricultural Consultancy 17/11/2022. The following trees on site or adjoining the site are to be retained and protected:

Tree No.	Species "Common name"	Notes
1	<i>Acacia decurrens</i> (Green Wattle)	In adjoining property. See Section 4 Recommendation in Root Mapping Investigation by McArdle Aboricultural Consultancy dated 18/05/2023.
2	<i>Callistemon viminalis</i> (Weeping Bottlebrush)	In adjoining property.
3	<i>Callistemon viminalis</i> (Weeping Bottlebrush)	In adjoining property.
3a	<i>Callistemon viminalis</i> (Weeping Bottlebrush)	In adjoining property.
6	<i>Fraxinus sp</i> (Ash)	In adjoining property.
7	<i>Cotoneaster sp.</i> (Cotoneaster)	In adjoining property.
8	<i>Melaleuca quinquenervia</i> (Broad-leaved paperbark)	Street tree in front of adjoining property.
12	<i>Bambusa sp.</i> (Bamboo). Hedge	In adjoining property.
13	<i>Corymbia maculata</i> , (Spotted Gum)	Street tree in front of adjoining property.

(Reason: To ensure the health of existing trees retained by the development are maintained.)

117. **Tree Protection.** Tree Protection is to be installed before demolition and construction commences as indicated in the Arboricultural Impact Assessment (AIA) "Map B Tree Protection Plan" prepared by McArdle Aboricultural Consultancy 17/11/2022.

(Reason: To protect existing trees before any work on site commences.)

118. **Tree Protection Fencing.** All trees to be retained on site and on adjoining site are to have protective fencing and signage around TPZs and must be located in accordance with AS4970-2009: Protection of trees on development sites. In this

regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.

(Reason: To protect existing trees before any work on site commences.)

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

(Reason: To ensure all existing trees to be retained in the development works are maintained.)

120. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on adjoining allotments in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction.

(Reason: To ensure tree protection measures and the nature of works are appropriate and not detrimental to the health of the trees on site.)

121. **Provision of Project Arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

(Reason: To ensure the Project Arborist can be readily contacted in regards to the required tree protection measures.)

122. **Arboricultural Impact Assessment (AIA).** All items in the AIA outlined in: "Section 8 Tree Management Specifications" prepared by McArdle Arboricultural Consultancy 17/11/2022, are to be implemented.

(Reason: To ensure all tree protection measures are implemented prior to commencement of works.)

123. **Street trees** – One (1) Broad Leafed Paper Bark (*Melaleuca quinquinervia*) and one (1) Spotted Gum (*Corymbia maculata*) identified as Trees 8 and 13 and located in the road reserve at the front of 28 Eagle Street Ryde are to be retained and protected in accordance with the following conditions:

1. Protection fencing, construction type 1.8m high chainwire fencing, in accordance with AS4970-2009 Protection of trees on Construction Sites, to be installed around the tree in the road reserve to be retained, prior to the issue of the construction certificate.

2. That all relevant legislation and WHS regulations be adhered to whilst undertaking these works
3. Fencing to have a minimum of two signs that include the words "Tree Protection Zone – Keep Out". Each sign shall be a minimum size of 600mm x 500mm and the name and contact details of the Project Arborist. Signs shall be attached facing outwards in prominent positions at 10 metre intervals or closer where the fence changes direction. The signs shall be visible within the site.

Where the Project Arborist determines that tree protection fencing cannot be installed, the tree protection fencing needs to be removed temporarily, access within or through the Tree Protection Zone is necessary or where work will be carried out within the Tree Protection Zone (as approved and supervised by the Project Arborist):

1. the stem and branches of trees to be retained shall be protected, as follows:
 - two layers of carpet underlay (or other padding approved by the Project Arborist) shall be installed around the stem and branches. Stem protection shall cover the stem from ground level; and
 - hardwood or treated pine timbers (100mm x 50mm) the same length as the stem or branch shall be positioned over the padding and next to each other around the stem or branch, secured together with galvanised wire or strapping. Boards shall not be nailed or screwed into the stem or branch. No part of the protection shall be secured to the tree.
2. The ground surface within the Tree Protection Zone shall be protected by placing geotextile fabric on the ground surface, covering this with a layer of mulch to a depth of 75mm and then placing boarding (scaffolding board, plywood sheeting or similar material) on top. The geotextile fabric and mulch shall be kept clear of tree stems by at least 50mm.
3. The following activities shall not be carried out within any Tree Protection Zone:
 - a. disposal of chemicals and liquids (including concrete and mortar slurry, solvents, paint, fuel or oil);
 - b. stockpiling, storage or mixing of materials;
 - c. refuelling, parking, storing, washing and repairing tools, equipment, machinery and vehicles;
 - d. disposal of building materials and waste;
4. The following activities shall not be carried out within any Tree Protection Zone unless under the supervision of the Project Arborist:
 - a. increasing or decreasing soil levels (including cut and fill);

- b. soil cultivation, excavation or trenching;
 - c. placing offices or sheds;
 - d. erection of scaffolding or hoardings; and/or
 - e. any other act that may adversely affect the vitality or structural condition of the tree.
- 5. All work undertaken within or above a Tree Protection Zone shall be supervised by the Project Arborist.
- 6. Excavation within the Tree Protection Zone of any tree to be retained shall:
 - a. be undertaken using non-destructive methods (eg. an Airspade or by hand) to ensure no roots greater than 40mm in diameter are damaged, pruned or removed. All care shall be taken to preserve and avoid damaging roots;
 - b. not occur within the Structural Root Zone.
- 7. The City of Ryde shall only give approval for minor pruning works. All pruning works shall be specified by the Project Arborist. All pruning shall be carried out in accordance with section 5 and by an arborist qualified in accordance with section 4.
- 8. Written approval from the City of Ryde shall be obtained prior to removing or pruning any street tree. All street trees not approved for removal shall be protected in accordance with the tree protection measures set out above.

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.

124. **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 61 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2001*.

(Reason: Statutory requirement).

125. **Noise from construction and demolition work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from demolition and construction work.

(Reason: To protect the amenity of the neighbourhood).

126. **Noise management plan** - Where demolition or construction activities are likely to cause significant noise or vibration (eg. jackhammering ,rock breaking

or impact piling) a noise management plan must be prepared by a suitably qualified acoustical consultant and be submitted to the Principal Certifying Authority before the work commences. The plan must be prepared in accordance with the Interim Construction Noise Guideline (DECC, 2009) and include:

- (a) Identification of nearby affected residences or other sensitive receivers.
- (b) An assessment of the expected noise impacts.
- (c) Details of the work practices required to minimise noise impacts.
- (d) Noise monitoring procedures.
- (e) Procedures for notifying nearby affected residents.
- (f) Complaints management procedures.

(Reason: To protect the amenity of the neighbourhood).

127. **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.

(Reason: To ensure that the development is in accordance with the determination).

128. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.

(Reason: To protect the amenity of the area).

129. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:

- (a) Fill is allowed under this consent;
- (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
- (c) the material is reused only to the extent that fill is allowed by the consent.

(Reason: To ensure fill is consistent with the consent).

130. **Construction materials.** All materials associated with construction must be retained within the site.

(Reason: To ensure the public domain is not affected during construction).

131. **Site Facilities**

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with Safework 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.

(Reason: Statutory requirement).

132. **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.

(Reason: To ensure the site is appropriately maintained during construction).

133. **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".

(Reason: To ensure works do not disrupt pedestrians and vehicular traffic).

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

(Reason: To ensure no fill is provided in the vicinity of the slab unless prior consent has been given for the fill).

135. **Consent documents available on site.** At all times during the construction, a copy of the development consent and the approved stamped plans is to be kept on site. These documents are to be made available to any Council Officer as requested.

(Reason: To ensure Council Officers are able to access the consent during any site inspection).

136. **Stormwater - Hold Points during construction – {Council Drainage Works}**
– Council requires inspections to be undertaken by a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, for {all Council stormwater drainage works.}

The Applicant shall submit to the Principal Certifying Authority, certification from the Engineer, at each stage of the inspection listed below, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, City of Ryde standards and specifications within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- a) Upon excavation of trenches shown on the approved drainage drawings.
- b) Upon installation of pipes and other drainage structures prior to backfilling.
- c) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.
- d) {Upon connection to Council's existing kerb inlet pit.}

- e) Final inspection - upon the practical completion of all drainage and associated works (including road pavements, kerb & gutters, footpaths and driveways) with all disturbed areas satisfactorily restored.

Any stormwater pit with a depth greater than 1.8 metres shall be certified by a suitably qualified Structural Engineer.

(Reason: to ensure construction works satisfy Council's DCP and Australian Standards requirements.)

- 137. Implementation of the Construction Traffic and Pedestrian Management Plan.** All construction works including demolition are to be undertaken in accordance with the approved Construction Traffic and Pedestrian Management Plan (CTPMP). All controls in the CTPMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate SafeWork NSW accreditation. Should the implementation or effectiveness of the CTPMP be impacted by surrounding major development not encompassed in the approved CTPMP, the CTPMP measures and controls are to be revised accordingly and submitted to Council.

(Reason: To ensure that the measures/protocols stated in the approved CPTMP are carried out by the builder during construction.)

- 138. Hold Points during construction - Public Domain –** Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.

The Applicant shall submit to Council's City Works Directorate, certification from the Engineer, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
- b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
- c) Upon compaction of the applicable sub-base course.
- d) Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course).
- e) Upon installation of any formwork and reinforcement for footpath concrete works.
- f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

(Reason: Ensure compliance with relevant standards)

139. Tip Dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.
140. The area surrounding the construction site must be maintained to reduce the incidence of illegal dumping and management of litter from the site and workers associated with the site must be undertaken.
141. **Traffic Management.** Traffic management procedures and systems must be implemented during the construction period to ensure a safe environment and minimise impacts to pedestrian and other vehicle traffic. Any traffic management procedures and systems must be in accordance with AS 1742.3 2019 and the DCP 2014 Part 8.1 (*Construction Activities*).

(Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.)

142. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the approved stormwater plans submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.

(Reason: To ensure the stormwater system is constructed as approved)

143. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.

(Reason: To prevent soil erosion and the discharge of sediment over the land.)

144. **Geotechnical Monitoring Program - Implementation.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP 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.

(Reason: To ensure that the excavation works are undertaken appropriately throughout the period of construction.)

145. **Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled "Site

Dewatering Plan.”, the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.

(Reason: To ensure that site dewatering is undertaken appropriately throughout the period of construction.)

146. Excavations shall be progressively inspected by a geotechnical engineer and if higher strength bedrock is encountered and/or rock hammers are proposed to be used, then vibration monitors shall be installed with alert trigger levels, and construction techniques used to limit vibration levels to the magnitudes listed in the geotechnical investigation report by Fortify Geotech (Reference: AB/S1646 dated 17 May 2023).
147. **Contaminated Land. Discovery of Additional Information** - Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
148. **Waste management. Identification and removal of hazardous materials** - Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.
149. **Waste management. Contaminated soil** - All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) before being transported from the site.
150. **Waste management. Transportation of wastes** - All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
151. **Waste management. Disposal of asbestos wastes** - All asbestos wastes must be disposed of at a landfill facility licensed to receive asbestos waste.
152. **Imported fill** - All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.
153. **Road and rail noise. Construction requirements** - All acoustical treatments nominated in the acoustical assessment report and any related project documentation must be implemented during construction.

154. **Excavation for services within Tree Protection Zone (TPZ).** Any excavation for services or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.

(Reason: To ensure any excavation works are not detrimental to the health of the tree.)

155. **Tree Removal.** As identified in the Arboricultural Impact Assessment (AIA) prepared by McArdle Arboricultural Consultancy 17/11/2022. The following trees on site are to be removed:

Tree No.	Species "Common name"
4	<i>Acacia decurrens</i> (Green Wattle)
5	<i>Acacia decurrens</i> (Green Wattle)
9	<i>Ligustrum sp.</i> (Privet)
10	<i>Ligustrum sp.</i> (Privet)
11	<i>Ligustrum sp.</i> (Privet)

(Reason: To ensure only the trees approved for removal are in fact removed)

156. **Project Arborist Inspections.** The Project Arborist is to inspect and document with Certificates of Compliance to the certifying authority as stipulated in SECTION 5 MONITORING AND CERTIFICATION of AS4970-2009.

PROJECT PHASE	ACTIVITIES	PROJECT ARBORIST to
Initial Site Preparation	Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained.	Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage Issue a Certification of Compliance of tree protection measures being in place and soil rehabilitation undertaken
Construction work	Liaison with site manager, compliance and any deviation from approved plan	Maintain or amend protective measures Supervision and monitoring formal notification of any deviation from approved tree protection plan

Stormwater connection installation through TPZ, Implement hard and soft landscape works	Supervise Installation of pipes within tree TPZ	Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works Issue a Certificate of Compliance
Practical Completion	Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees	Remove all remaining tree Protection measures Certification of tree protection and soil rehabilitation for Protected Trees
Defects liability / maintenance period	Tree vigour and structure	Undertake any required remedial tree works Certification of tree protection if necessary

(Reason: To ensure the timing and frequency of inspections by the Project Arborist is appropriate to maintain the health of existing trees to be retained throughout the works.)

157. **Tree works – Australian Standards.** All tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007).

(Reason: To ensure that any tree work is carried out by a qualified Arborist)

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.

158. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 1355359M_06, dated 19 October 2023.

(Reason: Statutory requirement).

159. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of any Occupation Certificate.

(Reason: To ensure the development is in accordance with the development consent).

160. **Residential Apartment Noise Attenuation.** A AAAC 5 Star Certificate must be submitted by a qualified member of the Association of Australasian Acoustical Consultants (AAAC) demonstrating that the construction of the building including internal walls and floors ensures that all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems as well as noise generated between residential units has sufficient acoustical attenuation. Details of compliance must be submitted to the Principal Certifying Authority before the issue of any **Occupation Certificate**.

(Reason: To ensure the development meets the required noise attenuation measures).

161. **Sydney Water – Section 73 Compliance Certificate.** A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. A Section 73 Compliance Certificate must be completed before the issue of any Occupation Certificate. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to www.sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(Reason: Statutory requirement).

162. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of any **Occupation Certificate**.

(Reason: To provide a record of any damage to adjoining properties post construction).

163. **Letterboxes and street/house numbering display.** All letterboxes are to be designed and constructed in accordance with Australia Post requirements and the house/unit numbering displayed shall be in accordance with the official

property addressing allocated by Council's Land Information Section. The display of the street address shall be of a sufficient size and clarity to be easily visible from the street. Where a development contains multiple properties, signage is required to be clearly displayed on all unit door entrances. Directional signage is to be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors and lobby entry doors. It is essential that all numbering signage throughout a development is clear to assist emergency service providers locate a destination with ease and speed, in the event of an emergency.

(Reason: To assist in way finding).

164. **Public Art and Cultural Plan.** Prior to the issue of the final Occupation Certificate, the approved works contained in the Art and Cultural Plan approved by condition 52 shall be implemented.
165. **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 a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential flat development achieves the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Schedule 1 of the 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 Regulations 2000*.
166. **Swimming Pool Register.** Legislation requires all swimming pools to be registered online at: <http://www.swimmingpoolregister.nsw.gov.au/>. Documentary evidence confirming that the swimming pool has been registered must be submitted to the Principal Certifying Authority prior to the issuing of any **Occupation Certificate**.

(Reason: Statutory requirement).

167. **Stormwater – {Council Drainage Works} - Works-as-Executed Plans -** To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, and that the assets to be handed over to Council are accounted for inclusion in Council's Assets Register, Works-as-Executed Plans (in both hard and soft copies - AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program), certified by a Registered Surveyor shall be submitted to, and accepted by Council in writing, with any rectifications required by Council to be completed by the Developer prior to the issue of any Occupation Certificate.

The Works-as-Executed Plans are to note all departures clearly in red, on a copy of the approved Construction Certificate drawings, and certification from a suitably qualified Civil Engineer shall be submitted to support all variations from the approved plans.

(Reason: To ensure the public infrastructure works are completed in accordance with the approved plans and specifications.)

168. **Stormwater - Post-Construction CCTV Report** - To ensure Council's stormwater infrastructures are adequately protected, there are no damages and no protruding pipe inside Council's pipeline due to proposed construction activities and property drainage connection, a post-construction CCTV report on the Council's stormwater pipeline through the proposed development site and the existing kerb inlet pit in front of the property is to be submitted to Council.

An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate.

The report shall be used by Council to compare with the pre-construction CCTV footage report, and to assess whether any rectification works will be required to Council's satisfaction at no cost to Council. The applicant shall obtain written approval from a Council Engineer prior to the issue of the Occupation Certificate.

Note: The applicant shall contact Council's Assets and Integration Section to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.

All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges, and shall be paid at the time that the report is submitted.

(Reason: to verify the post-construction condition of Council's drainage assets.)

169. **Final Inspection – Council Drainage Assets Handover** - For the purpose of the handover of the trunk drainage assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the {Council Drainage Works}. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the trunk drainage Works.

Note: An inspection fee is applicable for each visit, and at least 48 hours' notice will be required for the inspections. Please contact Council's Customer Service Section on 9952 8222 to book an inspection subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

(Reason: to verify the new drainage asset/s have been built as per Council's standards.)

170. **Compliance Certificate – {Council Drainage Works}** – Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all Council drainage and associated restoration works have been completed to Council's satisfaction and in accordance with the Council approved drawings.

Note: The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.

(Reason: to ensure drainage and its consequent restoration works have been conducted as per Australian and Council's standards.)

171. **Restoration – Supervising Engineer's Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP (2014) Part 8.5 Public Civil Works, or the Roads and Maritime Services' standards and specifications, where applicable.

(Reason: to ensure road and footpath restoration works have been completed as per Australian and Council's standards.)

172. **Signage and Linemarking – External.** Any alterations to the public domain that results in a change to the parking and traffic conditions requires a signage and linemarking plan prepared by a suitably qualified traffic engineering consultant to be submitted to Council for approval, prior to the issue of any Occupation Certificate. This plan is to show "NO STOPPING, WASTE VEHICLES EXCEPTED" signposting restrictions along the site frontage with Eagle Street to enable the garbage trucks to access the bins for servicing.

Note: The applicant is advised that traffic and parking changes may need to be referred to the Ryde Traffic Committee, which generally meets once a month. As such, adequate time should be allowed for the review and approval process.

All fees and charges associated with the review of this plan are to be paid in accordance with Council's latest Schedule of Fees and Charges.

(Reason: To ensure that changes to the traffic and parking conditions within the surrounding public road network as a consequence of the development is appropriately managed to minimise the impact to public safety and amenity.)

173. **Signage and Linemarking (External) – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by Council. These works are to be undertaken by the applicant (at no cost to Council), prior to the issue of any Occupation Certificate.

(Reason: To ensure that the works outlined in the approved signage and linemarking plan are installed, prior to the development being occupied.)

174. **Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by Council's Traffic Services Department prior to the issue of any Occupation Certificate. The plan must specify that the vehicles permitted to access the loading dock shall be no longer than 6.4m long small rigid vehicle.

The Plan will need to demonstrate how the internal loading dock will be managed to ensure servicing arrangements including waste collection will be wholly accommodated within the site without interfering with the safety of all road users and the efficiency of traffic movements on the public road (including verge). Vehicle queuing on any public road is not permitted. In this regard the Plan must provide details of the following:

- (i) Delivery requirements and service schedules;
- (ii) Operational aspects on how to use facilities; and
- (iii) Management duties and responsibilities.

All fees and charges associated with the review of this plan are to be paid in accordance with Council's latest Schedule of Fees and Charges.

(Reason: To assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on the surrounding public roads.)

175. **Vehicle Footpath Crossing and Gutter Crossover – Construction** - The proposed vehicle footpath crossing and gutter crossover shall be constructed prior to the issue of any Occupation Certificate at no cost to Council. Works may include the removal of any redundant vehicle footpath crossing and gutter crossover and reinstatement of kerb and gutter and restoration of road pavement.

Any adjustment or relocation of underground utilities as a result of the driveway construction must be carried out in accordance with the requirements of the utility authority. Minimum cover requirements of utility authorities must be maintained.

(Reason: Improved access and public amenity)

176. **Compliance Certificate – Vehicle Footpath Crossing and Gutter Crossover** - A Compliance Certificate shall be obtained from Council's City Works Directorate and a copy submitted to the Principal Certifier prior to the issue of any Occupation Certificate, confirming that the vehicle footpath crossing and gutter crossover have been constructed in accordance with the Council's

standards and requirements. Fees are payable for the issue of the Compliance Certificate, in accordance with Council's Schedule of Fees and Charges.

(Reason: Ensure Compliance)

177. **Public Domain Improvements and Infrastructure Works – Completion** – All public domain improvements and infrastructure works shall be completed to Council's satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any Occupation Certificate.

(Reason: Ensure Compliance)

178. **Restoration – Supervising Engineer's Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP2014 Part 8.5 *Public Civil Works*, or the Roads and Maritime Services' standards and specifications, where applicable.

(Reason: Ensure public safety and protection of infrastructure)

179. **Compliance Certificates – Street Lighting** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a *Certificate of Compliance - Electrical Work (CCEW)* from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

(Reason: Ensure Compliance)

180. **Compliance Certificate – External Landscaping Works** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

(Reason: Ensure Compliance)

181. **Public Domain Works-as-Executed Plans** – To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.

In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.

(Reason: Record of Completed Works)

182. **Registered Surveyor Final Certificate** – Upon completion of all construction works, and before the issue of any Occupation Certificate, a Certification from a Registered Surveyor must be submitted to Council, stating that all works (above and below ground) are contained within the site's land boundary.

(Reason: Ensure Compliance and no encroachments)

183. **Supervising Engineer Final Certificate** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.

(Reason: Ensure Compliance)

184. **Post-Construction Dilapidation Report** – To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.

- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate. The report shall be used by Council to compare with the pre-construction dilapidation report, and to assess whether restoration works will be required prior to the issue of the Compliance Certificate for External Works and Public Infrastructure Restoration.

All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges, and shall be paid at the time that the Dilapidation Report is submitted.

(Reason: Protection of public assets)

185. **Decommissioning of Ground Anchors** – Prior to the issue of any Occupation Certificate, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.

(Reason: Ensure compliance for protection of public assets)

186. **Final Inspection – Assets Handover** - For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time. A minimum 48 hours' notice will be required when booking for the final inspection.

(Reason: Ensure Compliance)

187. **Compliance Certificate – External Works and Public Infrastructure Restoration** – Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.

(Reason: Ensure Compliance)

188. **Public Domain Design and Construction Staging** – The Applicant shall be responsible for the design and construction of all public domain improvement and infrastructure works for each stage. All engineering civil works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 *Public Civil Works*, relevant Development Control Plans and in accordance with Council's specifications and to the satisfaction of Council. Council has full control to implement and impose any necessary condition to coordinate staging of the public domain work through the assessment phase of the development applications. All design and construction of public domain and utilities services as a consequence of the development and associated construction works shall be at the full cost to the applicant.

(Reason: Public amenity and safety)

189. An authorised Council waste officer is to ensure that the development can be serviced by the nominated waste collection vehicle in accordance with the Waste Management plan providing safe easy access to service the waste containers. Approval must be provided by City of Ryde Council prior to the issue of the Occupation Certificate.
190. Suitable arrangements must be made with the City of Ryde Council for the provision of garbage services to the premises prior to the issue of any Occupation Certificate
191. Once the registered Occupation Certificate has been provided to Council, waste services will be provided
192. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
(Reason: To clarify the configuration of the completed stormwater management system.)
193. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption (delete as appropriate) components incorporated in the approved Stormwater Management system. The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council with a completed "Application Form for Endorsement of Title Encumbrances" (available from Council's website). The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.
- (Reason: This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s).)
194. **Drainage System Maintenance Plan.** A drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

- a) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).

- b) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.
- c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
- d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
- e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.
- f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

The DSMP is to be prepared by a suitably qualified and practising drainage engineer in co-operation with a workplace safety officer (or similar qualified personal) and all signage / linemarkings are to be implemented prior to the issue of any Occupation Certificate.

(Reason: To ensure the approved stormwater components such as onsite detention system , pumps and WSUD measures, function as designed for the ongoing life of the development)

195. Engineering Compliance Certificates. To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any 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.

- d) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 (*Stormwater drainage*), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- e) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

(Reason: To ensure that all engineering components are completed to the satisfaction of an appropriately qualified person, prior to occupation or use of the development.)

196. **On-Site Stormwater Detention System - Marker Plate.** To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. The plate may be purchased from Council's Customer Service Centre at 1 Pope Street – Ryde (Top Ryde City Shopping Centre).

(Reason: To ensure that owners of the site are aware of the location of the onsite detention system and the need to maintain the system over the life of the development.)

197. **Parking Area Linemarking and Signage.** Traffic measures such as directional signage, traffic control linemarking and signs must be installed in the developments parking area. The location and specifications of these measures must be in accordance with AS 2890.1, must be based on Traffic Engineering principals and must be located under the guidance of a suitably qualified Traffic Engineer experienced in traffic safety. Certification that these measures have been implemented must be provided to the Accredited Certifier prior to the issue of an Occupation Certificate for any part of the development requiring use of the parking area.

(Reason: To ensure the safe and efficient circulation of traffic and access to parking areas from the public road.)

198. **Loading Bay Management.** To ensure the efficient use of the Loading Bay and opportunity for use of the space for staff parking (refer to condition “*Parking Allocation*”, the building / strata plan of management must include a mechanism for scheduling use of the Loading Bay by occupants of the development, enabling the loading bay to be both used for servicing of the development, as well as, staff parking space associated with the retail / commercial component. The Loading Bay schedule is to be overseen by the building/ strata manager or caretaker of the development and its implementation is to be clearly displayed in common areas to ensure occupants are aware of the schedule system. The schedule is also to be mindful of the operating times for waste or essential services requiring the use of the Loading Bay.
199. **Road and Rail Noise. Compliance report** - 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.
200. **Final Assessment of Trees.** At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is to be submitted to Council prior to the issue of any Occupation Certificate for the development. The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees.
201. **Tree bonds.** The paid tree bonds as required by Condition 98 is not redeemable until after 12 months of the issuing of the Occupation Certificate. Council’s Tree Management Officer must inspect the trees prior to the bond being released and all trees shall be in good health and vigor upon inspection. If the trees are found to be in poor condition or vigor, the bond will not be released.

Reason: To ensure street trees to be retained and replaced are in health vigor at the completion of works.

202. **Geotechnical report.** Written confirmation shall be provided the works have been undertaken in full compliance with all of the recommendations contained in the Fortify Geotech report dated 17 May 2023.

Reason: To ensure works are carried out in compliance with the recommendations of the Geotechnical report.

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.

203. **Commercial waste storage/disposal – hours of collection.** Waste and recyclable material generated by these premises must not be collected between the hours of 9pm and 7am on any day.

(Reason: To ensure the collect of waste does not impact on the amenity of the locality).

(Reason: To ensure waste is collected and disposed of in an appropriate manner).

204. **Loading area.** The loading area located on the ground floor (adjacent to the commercial tenancy) is to be utilised for all loading and unloading of goods, materials etc for the commercial use/s.

(Reason: To ensure the development is in accordance with the determination).

205. **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*.

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

- a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *Noise Policy for Industry (EPA, 2017)*.
- b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
- c) The transmission of vibration to any place of different occupancy.

207. **Pool fencing.** The pool fence is to be maintained in accordance with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2018*.

(Reason: Statutory requirement).

208. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows;

- 14 residential spaces
- 2 visitor spaces (see note)
- 3 commercial / retail spaces (see note) and,
- 3 bicycle parking spaces.

Note: 1 resident visitor space is to be allocated for use by the retail/ commercial component between the hours of 9:00am to 5:00pm, Mon to Fri. The Loading Bay is also to be scheduled such as to enable use of the bay for staff parking demand associated with the retail / commercial parking allocation.

(Reason: To ensure the development maintains the capacity and allocation of parking spaces on the site.)

209. **Implementation of Loading Dock Management Plan.** All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) or outside of the loading dock is not permitted.

(Reason: To ensure that the measures outlined in the approved loading dock management plan is implemented.)

210. Council does not support the use of private contractors for the collection of domestic waste. All domestic waste will be collected by the Council waste collection contractor.
211. Signs will be required to be placed within the bin area to encourage correct recycling and reduce contamination. City of Ryde will provide the required signage
212. Garbage and recycling bins must always be stored on-site between collections.
213. All waste storage areas must be maintained in a clean and tidy condition at all times
214. All material in the bulky items/hard waste storage rooms is to be taken to the collection area stipulated by Council, by the staff or contractors. The material is to be placed in such a manner so that it will not impede the access to any bins from a side arm waste collection vehicle or pedestrian access"
215. Staff or contractors must be employed to take the waste containers from garbage and recycling room to the container emptying point for servicing and to return the containers to the garbage room after servicing.
216. Staff or contractors must be employed to take the recyclable materials from the service compartments and sort the materials into the containers provided in the garbage and recycling room.
217. All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
218. Unwanted household items must be stored onsite until the night prior to a Pre-booked household cleanup collection

Commercial Premises waste

219. The occupier must enter into an agreement with a licensed waste transporter for the collection and disposal of clinical wastes generated on the premises, and a copy of the service contract must be provided to Council on request. This must be completed prior to the issue of any Occupation Certificate
220. Used sharps must be placed into a sharps container immediately after use. The container must comply with the requirements of Australian Standards AS 4031-1992 'Non-reusable containers for the collection of sharp medical items used in health care areas' or AS 4261-1994 'Reusable containers for the collection of sharp medical items used in health care areas' and be securely sealed with a lid before disposal.
221. All clinical wastes must be stored in a cool dry secure place until collected by the waste transporter.
222. All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.
223. The applicant must contact the Wastewater Source Control Branch of Sydney Water Corporation on Tel. 13 11 10 to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.

End of Consent

GENERAL NOTES:-

THIS SURVEY IS NOT A 'LAND SURVEY' AS DEFINED BY THE SURVEYING AND SPATIAL INFORMATION ACT, 2002.

ONLY TREES GREATER THAN 3.5 METRES IN HEIGHT ARE SHOWN ON THIS PLAN AND THEIR POSITIONS AREA DIAGRAMMATIC ONLY AND MAY REQUIRE ADDITIONAL SURVEY WHERE CRITICAL TO DESIGN.

CONTOURS ARE INDICATIVE AT GROUND FORM ONLY. SPOT LEVELS ONLY SHOULD BE USED FOR CALCULATIONS OF QUANTITIES WITH CAUTION.

LEVELS ARE ON AUSTRALIAN HEIGHT DATUM (A.H.D.)

THE CONTOUR INTERVAL IS 0.5m

ALL SETOUT LEVELS MUST BE REFERRED TO THE BENCH MARK SHOWN ON THIS PLAN.

THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSED ONLY. FURTHER DETAILED ENGINEERING PLANS MAY BE REQUIRED FOR THE PURPOSE OF OBTAINING A CONSTRUCTION CERTIFICATE.

BOUNDARY NOTES:-

THE BOUNDARIES OF THE LAND HAVE NOT BEEN SURVEYED. THE RELATIONSHIP BETWEEN THE BOUNDARIES SHOWN AND FEATURES SURVEYED ARE APPROXIMATE AND SUITABLE FOR PLOTTING PURPOSES ONLY.

BOUNDARIES HAVE NOT BEEN MARKED.

SURVEY INFORMATION NOTES:-

THE ORIGIN OF COORDINATES IS BASED ON THE MGA94 DATUM AND COMES FROM SSM25298 EASTING 324628.446 & NORTHING 6256505.656 CLASS B ORDER 2 ADOPTED FROM SCIMS DATED 06/03/2018.

THE ORIGIN OF LEVELS COMES FROM SSM25298 RL62.671 CLASS LC ORDER L3 ADOPTED FROM SCIMS DATED 06/03/2018.

THE ORIENTATION OF THIS PLAN IS MGA NORTH AS DETERMINED FROM DP1168389. THE VARIATION FROM MGA NORTH TO TRUE NORTH IS APPROXIMATELY 1°05'.

SERVICES NOTES:-

ONLY THOSE SERVICES VISIBLE AT THE TIME OF SURVEY HAVE BEEN LOCATED.

UNDERGROUND SERVICES HAVE BEEN PLOTTED FROM 'DIAL-BEFORE-YOU-DIG' PLANS AND ARE QUALITY LEVEL D AS DEFINED BY AS 5488-2013.

ALL RELEVANT AUTHORITIES MUST BE CONTRACTED TO DETERMINE THE FULL EXTENT OF SERVICES PRIOR TO ANY PLANNING OR WORKS NEAR THE SITE.

CERTIFICATE OF TITLE NOTES:-

CERTIFICATE OF TITLE AUTO CONSOL 15455-239 IS COMPRISED OF LOTS 59 & 61 IN DP30343.

THERE ARE NO COVENANTS, RESTRICTIONS OR EASEMENTS SHOWN ON THE CERTIFICATE OF TITLE EDITION No. 6 DATED 30/05/2016 DATE OF SEARCH 01/03/2018.

LEGEND:-

TK denotes TOP OF KERB
WM denotes POTABLE WATER METER
SWP denotes STORMWATER PIT
BL denotes BASEMENT LEVEL
IL denotes INVERT LEVEL
KO denotes KERB OUTLET
SMH denotes SEWER MANHOLE
COM denotes COMMUNICATIONS PIT
FL denotes FLOOR LEVEL
TW denotes TOP OF WALL
BW denotes BOTTOM OF WALL
D.S.H denotes DIAMETER, SPREAD AND HEIGHT OF TREE
LGFL denotes LOWER GROUND FINISHED FLOOR LEVEL
GFL denotes GROUND FLOOR FINISHED FLOOR LEVEL
50.34 denotes EXCAVATION LEVELS BENEATH BUILDING
50.34 denotes BASEMENT LINEWORK AND LEVELS

Schedule of Trees				
No	Diam	Spread	Height	
1	0.2	3	5	
2	0.2	6	8	
3	0.1	3	4	
4	0.2	5	6	
5	0.1	5	6	
6	0.1	5	6	
7	0.6	10	10	
8	0.4	6	5	
9	0.3	5	4	
10	0.2	5	4	
11	0.3	8	6	
12	0.3	6	9	
13	0.2	6	8	
14	0.2	6	8	
15	0.9	15	8	

UNDERGROUND SERVICES LEGEND - QUALITY LEVEL D (AS 5488-2013)

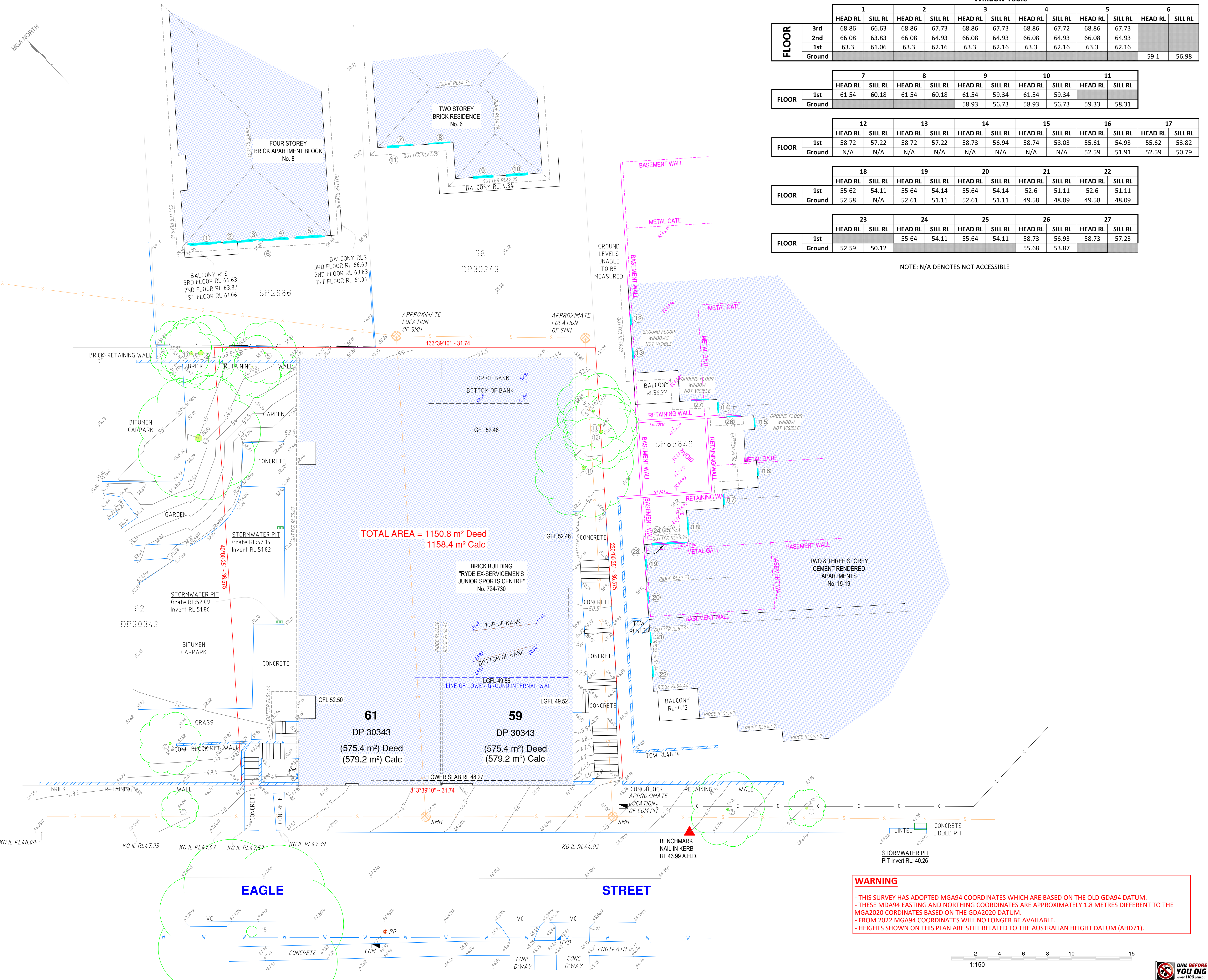
W POTABLE WATER MAIN
S SEWER MAIN
C COMMUNICATIONS CABLES

CAUTION: FIBRE OPTIC CABLES ARE PRESENT IN THIS AREA

APPROXIMATE POSITION ONLY VIDE 'DIAL-BEFORE-YOU-DIG' PLANS
JOB No. 13815476. WHERE CRITICAL TO DESIGN, UNDERGROUND SERVICES SHOULD BE LOCATED BY MORE ACCURATE METHODS.

SERVICES NOTES:-

- ONLY THOSE SERVICES VISIBLE AT THE TIME OF SURVEY HAVE BEEN LOCATED AND IF SHOWN AS 'L' OR 'P' ARE QUALITY LEVEL A AS DEFINED BY AS 5488-2013. LEVELS SHOWN ARE SURFACE LEVELS UNLESS NOTED OTHERWISE.
- UNDERGROUND SERVICES HAVE BEEN PLOTTED FROM 'DIAL-BEFORE-YOU-DIG' PLANS AND ARE QUALITY LEVEL D AS DEFINED BY AS 5488-2013. ALL RELEVANT AUTHORITIES MUST BE CONTRACTED TO DETERMINE THE FULL EXTENT OF SERVICES PRIOR TO ANY PLANNING OR WORKS NEAR THE SITE.



Window Table

		1		2		3		4		5		6	
FLOOR		HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL
	3rd	68.86	66.63	68.86	67.73	68.86	67.73	68.86	67.72	68.86	67.73		
	2nd	66.08	63.83	66.08	64.93	66.08	64.93	66.08	64.93	66.08	64.93		
	1st	63.3	61.06	63.3	62.16	63.3	62.16	63.3	62.16	63.3	62.16		
Ground												59.1	56.98

		7		8		9		10		11	
FLOOR		HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL
	1st	61.54	60.18	61.54	60.18	61.54	59.34	61.54	59.34		
	Ground					58.93	56.73	58.93	56.73	59.33	58.31

		12		13		14		15		16		17	
FLOOR		HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL
	1st	58.72	57.22	58.72	57.22	58.73	56.94	58.74	58.03	55.61	54.93	55.62	53.82
	Ground	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	52.59	51.91	52.59	50.79

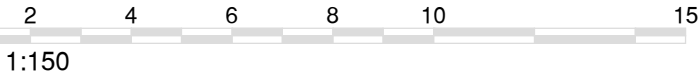
		18		19		20		21		22	
FLOOR		HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL
	1st	55.62	54.11	55.64	54.14	55.64	54.14	52.6	51.11	52.6	51.11
	Ground	52.58	N/A	52.61	51.11	52.61	51.11	49.58	48.09	49.58	48.09

		23		24		25		26		27	
FLOOR		HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL	HEAD RL	SILL RL
	1st			55.64	54.11	55.64	54.11	58.73	56.93	58.73	57.23
	Ground	52.59	50.12					55.68	53.87		

NOTE: N/A DENOTES NOT ACCESSIBLE

WARNING

- THIS SURVEY HAS ADOPTED MGA94 COORDINATES WHICH ARE BASED ON THE OLD GDA94 DATUM.
- THESE MDA94 EASTING AND NORTHING COORDINATES ARE APPROXIMATELY 1.8 METRES DIFFERENT TO THE MGA2020 COORDINATES BASED ON THE GDA2020 DATUM.
- FROM 2022 MGA94 COORDINATES WILL NO LONGER BE AVAILABLE.
- HEIGHTS SHOWN ON THIS PLAN ARE STILL RELATED TO THE AUSTRALIAN HEIGHT DATUM (AHD71).



ISSUE	DATE	AMENDMENT	SURV/CHK	ISSUE	DATE	AMENDMENT	SURV/CHK	CLIENT	ORIGIN OF LEVELS:	SCALE:	REF:	PLAN	DETAIL AND LEVEL SURVEY OF LOTS 61 & 59 IN DP30343
A	14/03/18	ORIGINAL ISSUE	SY/MT	E	13/10/23	ADDITIONAL WINDOW INFORMATION ADDED	SY/MT	BILLBERGIA PTY LTD	SSM 25298 RL 62.671 DATUM: A.H.D.	1:150 ORIGIN OF COORDINATES: SSM 25298 DATUM: MDA94	7599 DATE: 13/10/2023 SURV/CHK: SY/MT SHEET 1 OF 1 SHEETS	A1 ISSUE E	
B	18/10/22	INTERNAL & ADJOINING NS LEVELS ADDED	SY/MT										
C	31/03/23	BASEMENT INFORMATION OF 15-17 GLADSTONE AVE	SY/MT										
D	10/10/23	PIT INVERT ADDED	SY/MT										

DIAL BEFORE YOU DIG
100mm

Suite 1 3 Railway Street
BAULKHAM HILLS 2153
P.O.Box 2572
NORTH PARRAMATTA 1750
T: (02) 9630 7955
e: office@sdg.net.au
w: www.sdg.net.au

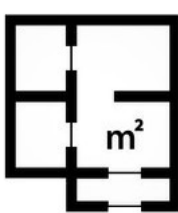
SDG
LAND DEVELOPMENT SOLUTIONS
A.B.N. 45 213 533 921

DEVELOPMENT APPLICATION

PROPOSED MIXED USE DEVELOPMENT COMPRISING SHOP TOP HOUSING

28 EAGLE STREET, RYDE, NSW 2112

DEVELOPMENT SUMMARY



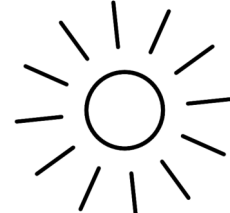
GFA

SITE AREA:	1158.4M²
GROSS FLOOR AREA (GFA):	2229 M²
FLOOR SPACE RATIO (FSR)	1.92 : 1



UNIT MIX

3 BEDROOM APARTMENTS:	6
4 BEDROOM APARTMENTS:	4
TOTAL NO. OF APARTMENTS	10
INCLUDING - ADAPTABLE APARTMENTS AT LEVEL 1: - LIVABLE APARTMENTS SILVER LEVEL:	2 10



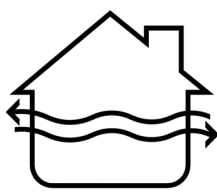
SOLAR ACCESS

NUMBER OF APARTMENTS WHICH RECEIVE 3 HOURS SUNLIGHT AT THE 21ST OF JUNE:	7 / 10 = 70%
---	--------------



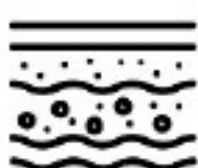
CAR PARKING

RESIDENTIAL PARKING SPACES: (INCLUDING 2 ADAPTABLE SPACES 3 STACKERS)	14
RESIDENTIAL VISITOR PARKING SPACES:	2
COMMERCIAL PARKING SPACES INCLUDING 1 ACCESSIBLE SPACE:	3
TOTAL PARKING SPACES:	19



CROSS VENTILATION

NUMBER OF APARTMENTS WHICH ARE CROSS VENTILATED:	6 / 10 = 60%
---	--------------



LANDSCAPE AREA

DEEP SOIL ZONE TOTAL:	88.75SQM (7.66%)
(INCLUDING: 48.75M² ON LEVELS 3 & 40 M² ON GROUND FLOOR COURTYARD)	



COMMUNAL OPEN SPACE


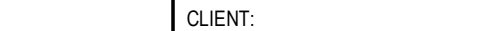
SITE AREA:	1158.4M²
COMMUNAL AREA:	290M²
(INC. 216M² (L3) + 74M²(GROUND COURTYARD))	
290M²/1158.4M²	= 25%

DRAWING LIST

DRAWING NO	DRAWING NAME	REVISION
A-000	COVER SHEET & DEVELOPMENT SUMMARY	E
A-001	SURVEY PLAN	E
A-002	SITE PLAN	E
A-005	SITE ANALYSIS PLAN	E
A-006	DEMOLITION PLAN	E
A-010	BASEMENT LEVEL 1	E
A-011	GA-GROUND FLOOR	E
A-012	GA-LEVEL 1	E
A-013	GA-LEVEL 2	E
A-014	GA-LEVEL 3	E
A-015	GA-LEVEL 4	E
A-016	GA-LEVEL 5	E
A-017	GA-ROOF PLAN	E
A-200	SOUTH ELEVATION- EAGLE STREET	E
A-201	EAST ELEVATION	E
A-202	NORTH ELEVATION	E
A-203	WEST ELEVATION	E
A-300	SECTION A-A	E
A-301	SECTION B-B	E
A-302	SECTION C-C	E
A-310	MATERIALS AND FINISHES	E
A-500	SHADOW DIAGRAMS_ WINTER SOLSTICE	E
A-501	SHADOW DIAGRAMS_ SUMMER SOLSTICE	E
A-510	SUN EYE VIEWS_ SHEET 1	E
A-511	SUN EYE VIEWS_ SHEET 2	E
A-520	NATURAL VENTILATION ANALYSIS	E
A-521	SOLAR ACCESS PLANS	E
A-522	GFA PLAN	E
A-530	HEIGHT ANALYSIS DIAGRAM SHEET 1	E
A-531	HEIGHT ANALYSIS DIAGRAM_ SHEET 2	E
A-600	PRE AND POST ADAPTABLE UNITS - U101, U102	E

31



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:	E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
		ISSUE	DATE	DESCRIPTION	ISSUED BY
					
ARCHITECT:		CLIENT:		PROJECT:	
 DREW DICKSON ARCHITECTS Nominated Architect, Alexander de Beir Suite 2 Ground Floor, 61-63 Alexander Street, Ryde NSW 2112 Australia Tel: +61 2 90613433 Email: info@dca-australia.com Web: www.dca-australia.com		EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD		EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112	
Drawing Scale @ A1:		Date:		Drawing Status:	
		AUG.2022		DA	
Project / Job No:		Drawing No:		Revision:	
22029		A-000		E	

GENERAL NOTES:

THIS SURVEY IS NOT A 'LAND SURVEY' AS DEFINED BY THE SURVEYING AND SPATIAL INFORMATION ACT, 2002.

ONLY TREES GREATER THAN 3.5 METRES IN HEIGHT ARE SHOWN ON THIS PLAN AND THEIR POSITIONS ARE DIAGNOSTIC ONLY AND MAY REQUIRE ADDITIONAL SURVEY WHERE CRITICAL TO DESIGN.

CONTOURS ARE INDICATIVE AT GROUND FORM ONLY. SPOT LEVELS ONLY SHOULD BE USED FOR CALCULATIONS OF QUANTITIES WITH CAUTION.

LEVELS ARE ON AUSTRALIAN HEIGHT DATUM (A.H.D.)

THE CONTOUR INTERVAL IS 0.5m

ALL SETOUT LEVELS MUST BE REFERRED TO THE BENCH MARK SHOWN ON THIS PLAN.

THIS PLAN IS FOR DEVELOPMENT APPLICATION PURPOSED ONLY. FURTHER DETAILED ENGINEERING PLANS MAY BE REQUIRED FOR THE PURPOSE OF OBTAINING A CONSTRUCTION CERTIFICATE.

BOUNDARY NOTES:

THE BOUNDARIES OF THE LAND HAVE NOT BEEN SURVEYED. THE RELATIONSHIP BETWEEN THE BOUNDARIES SHOWN AND FEATURES SURVEYED ARE APPROXIMATE AND SUITABLE FOR PLOTTING PURPOSES ONLY.

BOUNDARIES HAVE NOT BEEN MARKED.

SURVEY INFORMATION NOTES:

THE ORIGIN OF COORDINATES IS BASED ON THE MGA94 DATUM AND COMES FROM SSM25298 EASTING 324626.446 & NORTHING 6256505.656 CLASS B ORDER 2 ADOPTED FROM SCIMS DATED 06/03/2018.

THE ORIGIN OF LEVELS COMES FROM SSM25298 RL62.671 CLASS LC ORDER L3 ADOPTED FROM SCIMS DATED 06/03/2018.

THE ORIENTATION OF THIS PLAN IS MGA NORTH AS DETERMINED FROM DP1168389. THE VARIATION FROM MGA NORTH TO TRUE NORTH IS APPROXIMATELY 1°05'.

SERVICES NOTES:

ONLY THOSE SERVICES VISIBLE AT THE TIME OF SURVEY HAVE BEEN LOCATED.

UNDERGROUND SERVICES HAVE BEEN PLOTTED FROM 'DIAL-BEFORE-YOU-DIG' PLANS AND ARE QUALITY LEVEL D AS DEFINED BY AS 5488-2013.

ALL RELEVANT AUTHORITIES MUST BE CONTRACTED TO DETERMINE THE FULL EXTENT OF SERVICES PRIOR TO ANY PLANNING OR WORKS NEAR THE SITE.

CERTIFICATE OF TITLE NOTES:

CERTIFICATE OF TITLE AUTO CONSOL 15455-239 IS COMPRISED OF LOTS 59 & 61 IN DP30343.

THERE ARE NO COVENANTS, RESTRICTIONS OR EASEMENTS SHOWN ON THE CERTIFICATE OF TITLE EDITION No. 6 DATED 30/05/2016 DATE OF SEARCH 01/03/2018.

LEGEND:

TK denotes TOP OF KERB
WM denotes POTABLE WATER METER
SWP denotes STORMWATER PIT
BL denotes BASEMENT LEVEL
IL denotes INVERT LEVEL
KO denotes KERB OUTLET
SMH denotes SEWER MANHOLE
COM denotes COMMUNICATIONS PIT
FL denotes FLOOR LEVEL
TW denotes TOP OF WALL
BW denotes BOTTOM OF WALL
D.S.H denotes DIAMETER, SPREAD AND HEIGHT OF TREE
LGFL denotes LOWER GROUND FINISHED FLOOR LEVEL
GFL denotes GROUND FLOOR FINISHED FLOOR LEVEL
51.34 denotes EXCAVATION LEVELS BENEATH BUILDING
51.34 denotes BASEMENT LINEWORK AND LEVELS

Schedule of Trees			
No	Diam	Spread	Height
1	0.2	3	5
2	0.2	6	8
3	0.1	3	4
4	0.2	5	6
5	0.1	5	6
6	0.1	5	6
7	0.6	10	10
8	0.4	6	5
9	0.3	5	4
10	0.2	5	4
11	0.3	8	6
12	0.3	6	9
13	0.2	6	8
14	0.2	6	8
15	0.9	15	8

UNDERGROUND SERVICES LEGEND - QUALITY LEVEL D (AS 5488-2013)

W POTABLE WATER MAIN
S SEWER MAIN
C COMMUNICATIONS CABLES

CAUTION: FIBRE OPTIC CABLES ARE PRESENT IN THIS AREA

APPROXIMATE POSITION ONLY VIDE 'DIAL-BEFORE-YOU-DIG' PLANS
JOB No. 13815476. WHERE CRITICAL TO DESIGN, UNDERGROUND SERVICES SHOULD BE LOCATED BY MORE ACCURATE METHODS.

ISSUE	DATE	AMENDMENT	SURV/CHK	ISSUE	DATE	AMENDMENT
A	14/03/18	ORIGINAL ISSUE	SY/MT			
B	18/10/22	INTERNAL & ADJOINING NS LEVELS ADDED	SY/MT			
C	31/03/23	BASEMENT INFORMATION OF 15-17 GLADSTONE AVE	SY/MT			

SURV/CHK	ISSUE	DATE	AMENDMENT

CLIENT: BILLBERGIA PTY LTD

ORIGIN OF LEVELS:
SSM 25298
RL 62.671
DATUM: A.H.D.

SCALE: 1:150
ORIGIN OF COORDINATES:
SSM 25298
DATUM: MDA94

REF: 7599
DATE: 31/03/2023
SURV/CHK: SY/MT
SHEET 1 OF 1 SHEETS

PLAN
A1
ISSUE
C

DETAIL AND LEVEL SURVEY OF LOTS 61 & 59 IN DP30343
724-730 VICTORIA ROAD
RYDE

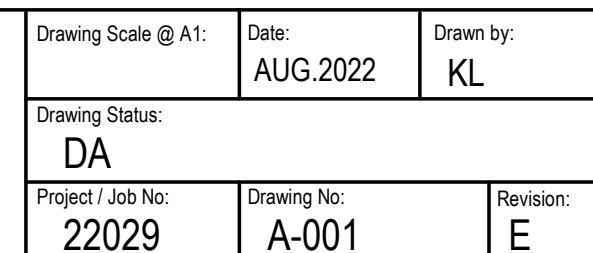
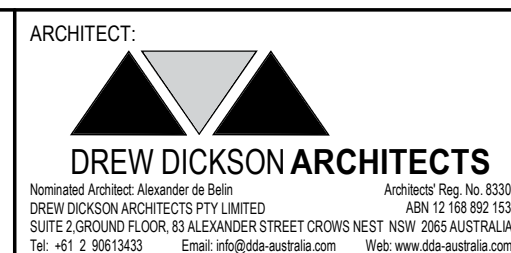
©COPYRIGHT

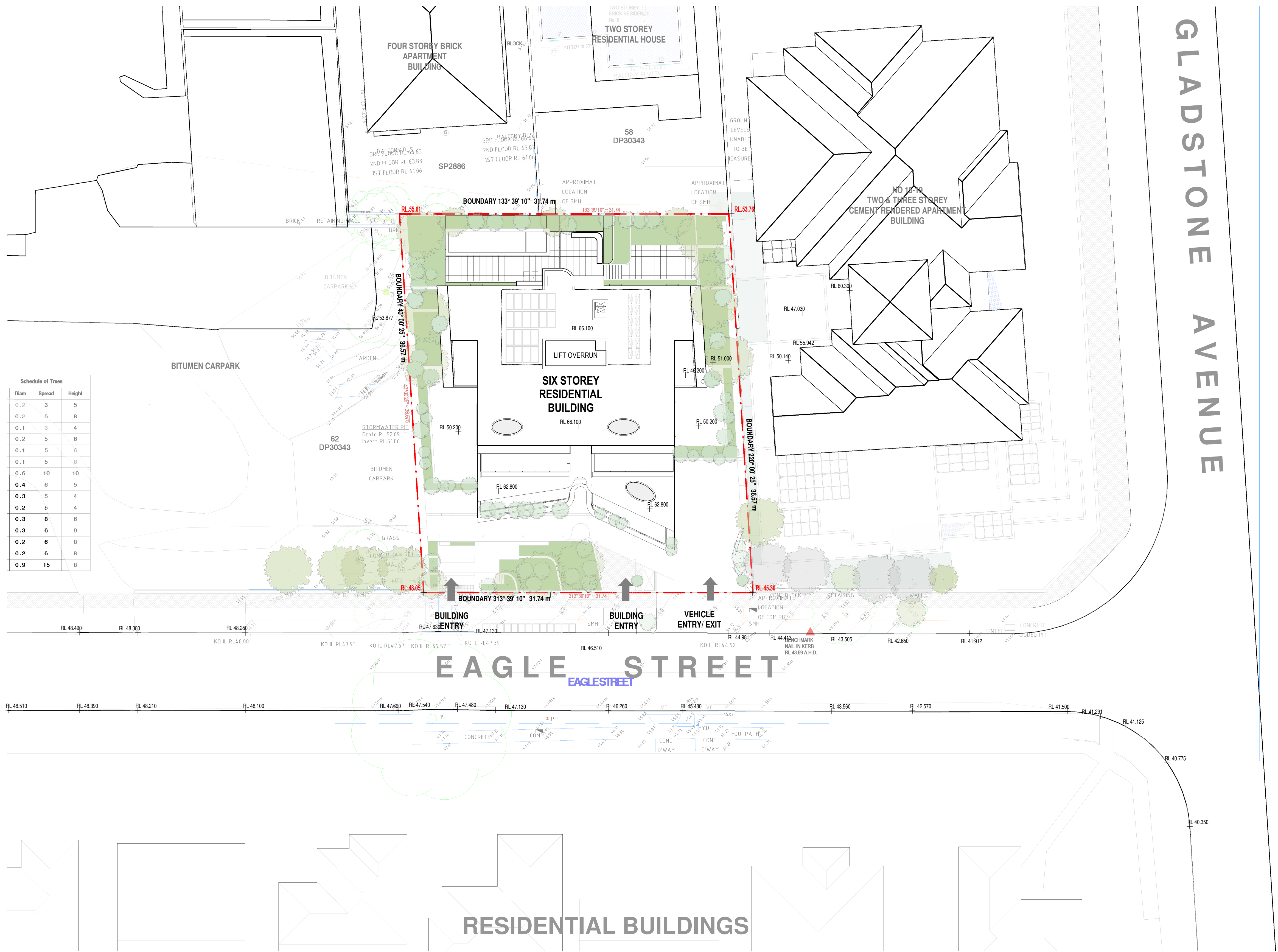
This plan is not to be used for any purpose other than its intended intention and remains the property of SDG. This plan is not to be used for any purpose other than its intended intention and remains the property of SDG.

SDG
Suite 1.3 Railway Street
Baulkham Hills NSW 2153
NORTH PARADE DRIVE
RYDE NSW 2112
Tel: 02 9595 7965
Email: info@sdg.com.au
Web: www.sdg.com.au

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.

ISSUE	DATE	DESCRIPTION	ISSUED BY
E	2023.05.05	REVISED DA FOR APPROVAL	KL
D	2022.11.28	ISSUE FOR DA	KL
C	2022.11.22	ISSUE FOR DA	KL
B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
A	2022.08.24	PRE DA	KL

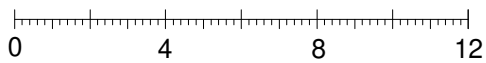




1 SITE PLAN
1 : 200@A1

REVISED DA FOR APPROVAL

Scale 1 : 200.



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.					Orientation: 	
	E	2023.05.05	REVISED DA FOR APPROVAL		KL	
	D	2022.11.28	ISSUE DOR DA		KL	
	C	2022.11.22	ISSUE FOR DA		KL	
	B	2022.11.15	FINAL DRAFT FOR REVIEW		KL	
	A	2022.08.24	PRE DA		KL	
ISSUE	DATE	DESCRIPTION		ISSUED BY		

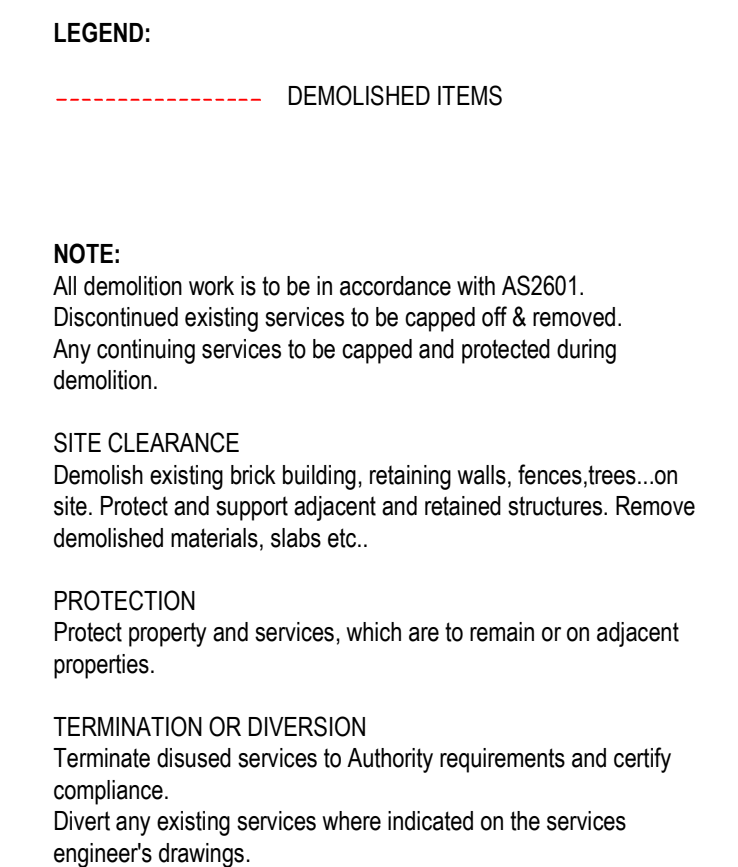


CLIENT:
EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD

PROJECT:
EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS
28 EAGLE STREET, RYDE NSW 2112

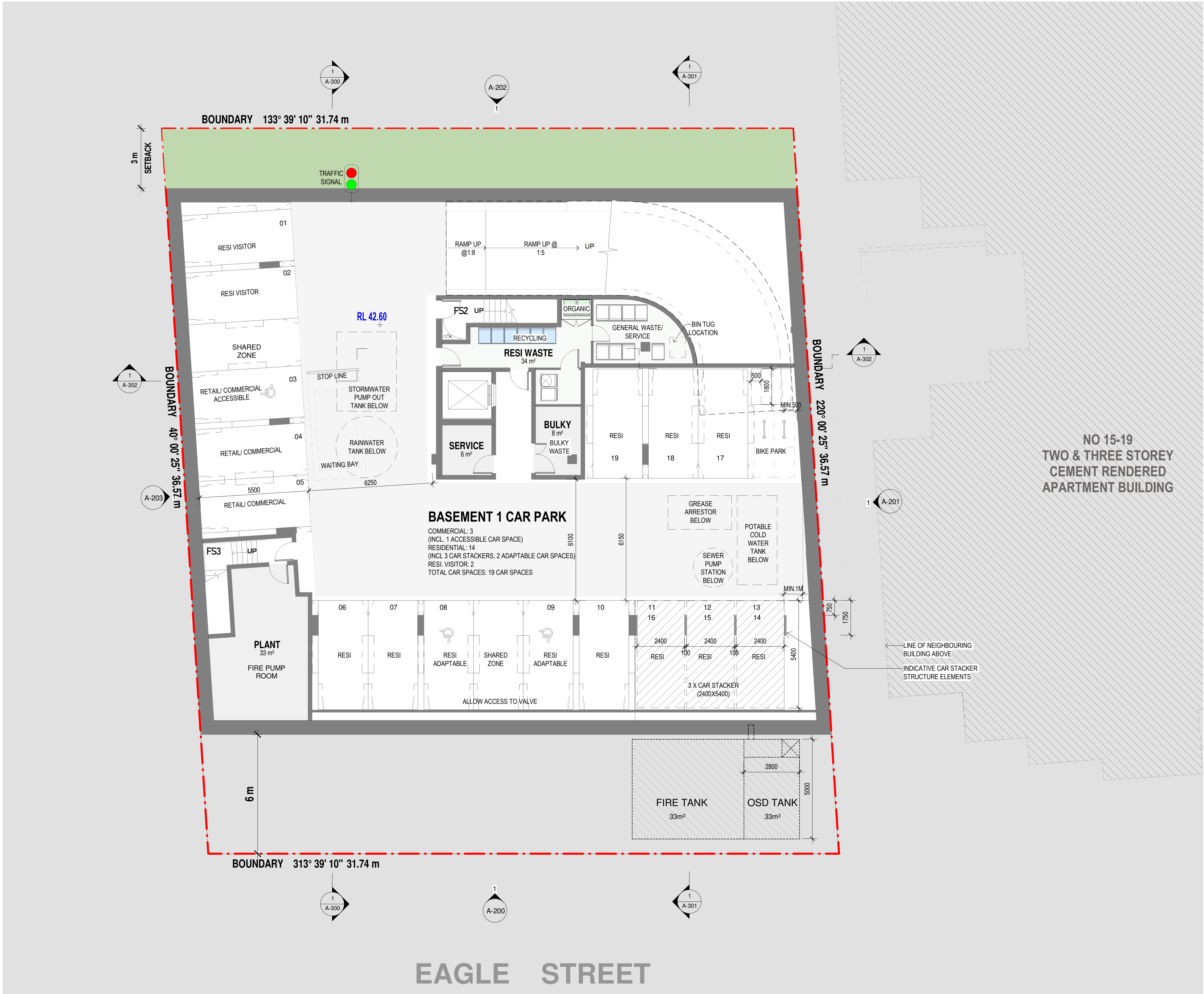
DRAWING
SITE PLAN

Drawing Scale @ A1: 1 : 200	Date: AUG.2022	Drawn by: KL
Drawing Status: DA		
Project / Job No: 22029	Drawing No: A-002	Revision: E



Scale 1 : 100

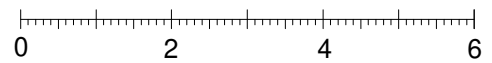
<p>FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.</p> <p>THIS DRAWING WAS PREPARED FROM DRAWING, AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS, VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.</p>	<p>Orientation:</p> 						 <p>0008256520 15 May 2023 Accreditation No. DMN1519121 Address 21 Eagle Street, Ryde, NSW 2112. hstar.com.au</p>	<p>ARCHITECT:</p>  <p>DREW DICKSON ARCHITECTS Nominated Architect - NSW State (Reg. No. 33) DREW DICKSON ARCHITECTS PTY LIMITED ABN 12 608 892 153 SUITE 1, GROUND FLOOR, 61 A ALEXANDER STREET, DOWNS WEST, NSW 2055 AUSTRALIA Tel: +61-2-95803433 Email: info@drewdickson.com.au Web: www.drewdickson.com.au</p>	<p>CLIENT:</p> <p>EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD</p>	<p>PROJECT:</p> <p>EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112</p>	<p>DRAWING</p> <p>DEMOLITION PLAN</p>	Drawing Scale @ A1:	Date:	Drawn by:
		D	2023.05.05	REVISED DA FOR APPROVAL	KL	1 : 100						AUG.2022	KL	
		E	2022.11.28	ISSUE DOR DA	KL	Drawing Status: DA						Project / Job No: 22029	Drawing No: A-006	Revision: E
		C	2022.11.22	ISSUE FOR DA	KL									
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL									
		A	2022.08.24	PRE DA	KL									
	ISSUE	DATE	DESCRIPTION	ISSUED BY										

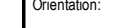


1 BASEMENT 1
1:100@A1

REVISED DA FOR APPROVAL

Scale 1:100



	Orientation				
	E	2023.05.05	REVISED DA FOR APPROVAL	KL	
	D	2022.11.28	ISSUE DOR DA	KL	
	C	2022.11.22	ISSUE FOR DA	KL	
	B	2022.11.15	FINAL DRAFT FOR REVIEW	KL	
	A	2022.08.24	PRE DA	KL	
	ISSUE	DATE	DESCRIPTION	ISSUED BY	

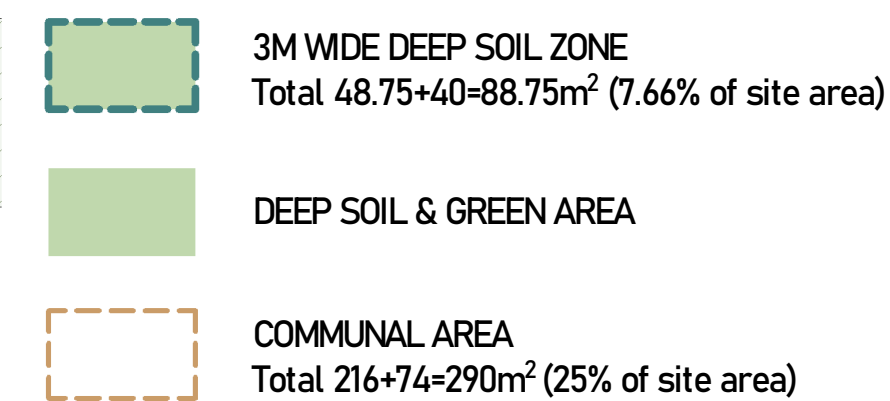


CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING:
BASEMENT LEVEL 1

Drawing Scale @ A1:	Date:	Drawn by:
1:100	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	A-010	E



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.

THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.



NATHERS - Thermal Comfort Items	Proposed Specifications
External Walls 1	Concrete precast with R2.0 added and 20mm air gap/sarking
External Walls 2	Framed with cladding with R2.5 added (90mm studs)
Unit Walls next to halls/lobbies 1	Plasterboard and 75mm Hebel + R1.5 and R0.5 insulation + air gap
Unit Walls next to halls/lobbies 2	Concrete columns + plasterboard + R1.5 acoustic insulation
Party walls 1	Plasterboard and 75mm Hebel + optional acoustic insulation
Party walls 2	Concrete columns, lined plasterboard + optional acoustic insulation
Walls next to lifts	Concrete 2150mm and plasterboard + R1.5 insulation and 20mm gap
Walls next to stairs	Concrete 2150mm and plasterboard + acoustic insulation if needed
Internal Walls	Plasterboard or FC on Studs (R1.5 added)
Internal Floors	Concrete floors, with plasterboard below
External Floors	Concrete slab with basement below
External Floor Insulation over Basement	R2.0 subfloors for units over basement or open air
External Floor Insulation over Cantilever	R2.0 subfloors for units over basement or open air
Floor Finishes	Tiles - wet areas, carpet - bedrooms, timber - living/dining
Penthouse Roofs	Concrete roof + R3.5 under and plasterboard
Roofs - below balcony	Concrete roof + R2.5 under and plasterboard
Roof Colour	Medium colour
Skylights for units	Aluminium frames + double glaze/tint, U ≤ 2.7, SHGC =0.24±5% (VELUX type)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	LED downlights - generic holes assumed, as per NATHERS protocol (TBC at CC)
Ceiling Penetrations Fans	Bathroom, laundry, kitchen generic holes from NATHERS protocol (TBC at CC)
Ceiling fans	Fans not simulated (But can add 0.5 to 1.0 stars to most dwellings)

Thermal Comfort Glazing Item	Details
1. Window/glazed door (bathroom/laundry)	1. Clear, single-glazing + aluminium frames
• Windows - U-value	• ≤ 5.4 awning/bifold, ≤ 4.8 fixed/sliders
• Windows - SHGC	• 0.49 ±5% awning/bifold, 0.59 ±5% fixed/sliders
2. Double Glaze - all other windows/doors	2. Light-tint double-glazing + aluminium frames
• Windows - U-value	• ≤ 3.6 awning/bifold, ≤ 3.1 fixed/sliders
• Windows - SHGC	• 0.47 ±5% awning/bifold, 0.49 ±5% fixed/sliders

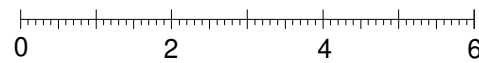
Simulation Notes:

- No RCP provided at DA so generic holes assumed for all downlights (must have extra checking and re-running at CC stage)
- No RCP provided at DA so generic holes assumed for exhaust fans (must have extra checking and re-running at CC stage)
- Concrete walls and floor thickness need checking at CC stage, due to complexity of the proposed construction.
- All wall types, ceiling types, floor types need checking at CC stage, due to complexity of the proposed construction.
- Window sizes used from elevations, sections and plan mark-ups (mark-ups take priority and all this needs re-checking at CC stage).
- Windows hidden (with no size or operability shown) are assumed as full height and fixed (this needs re-checking at CC stage).
- Door sizes used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).
- Neighbouring building on site are modelled as shown (for overshadowing) but no tree preservations in place and no trees are modelled.
- Shading devices used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).

- 3M WIDE DEEP SOIL ZONE
Total 48.75+40=88.75m² (7.66% of site area)
- DEEP SOIL & GREEN AREA
- COMMUNAL AREA
Total 216+74=290m² (25% of site area)

REVISED DA FOR APPROVAL

Scale 1 : 100.



2 LEVEL 1
1 : 100@A1

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.	Orientation:	E 2023.05.05 REVISED DA FOR APPROVAL KL	
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.		D 2022.11.28 ISSUE DOR DA KL	
		C 2022.11.22 ISSUE FOR DA KL	
		B 2022.11.15 FINAL DRAFT FOR REVIEW KL	
		A 2022.08.24 PRE DA KL	
ISSUE	DATE	DESCRIPTION	ISSUED BY

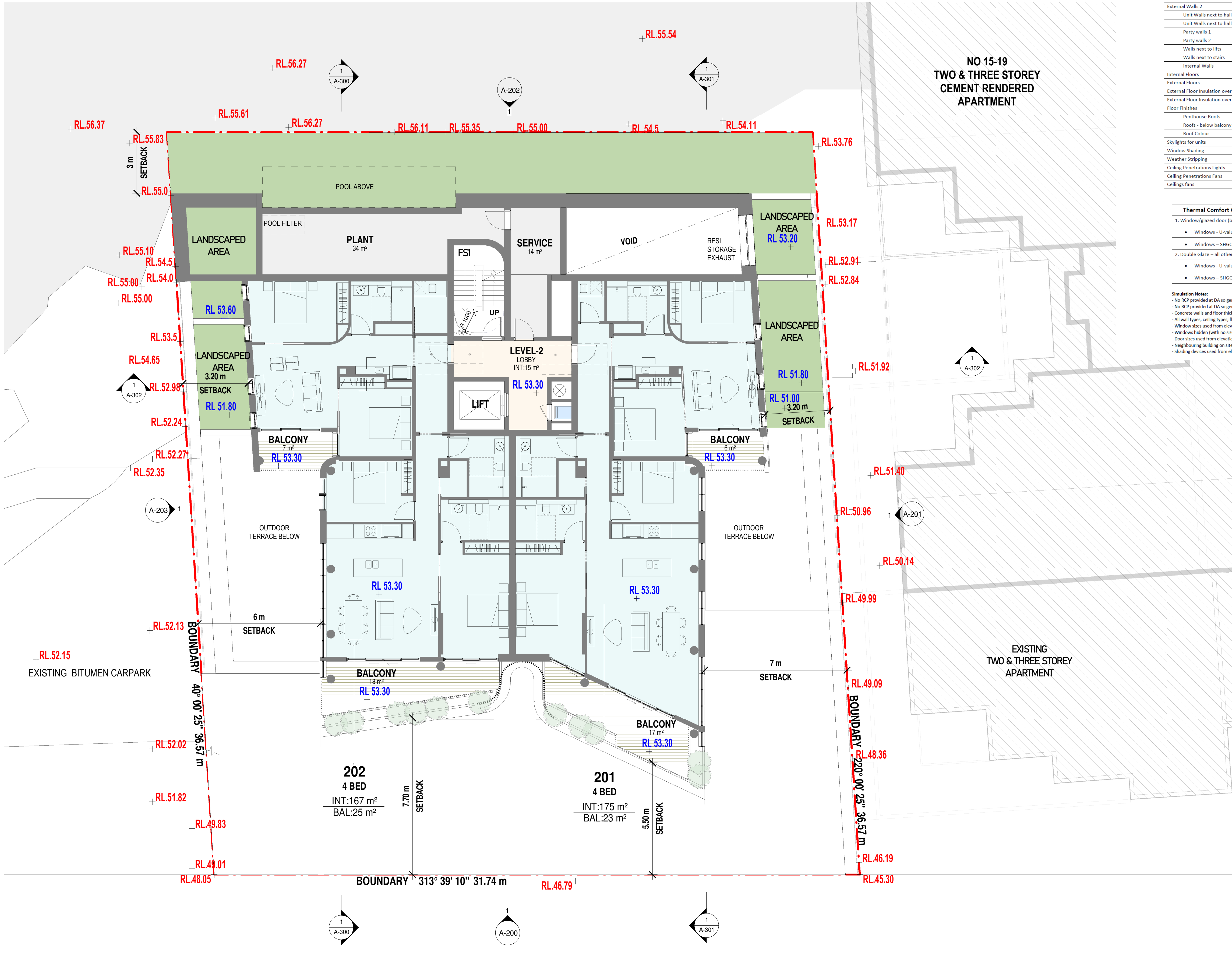


CLIENT:
EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD

PROJECT:
EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS
28 EAGLE STREET, RYDE NSW 2112

DRAWING
GA-LEVEL 1

Drawing Scale @ A1: 1 : 100	Date: AUG.2022	Drawn by: KL
Drawing Status: DA	Project / Job No: 22029	Drawing No: A-012
		Revision: E






NATHERS - Thermal Comfort Items	Proposed Specifications
External Walls 1	Concrete precast with R2.0 added and 20mm air gap/sarking
External Walls 2	Framed with cladding with R2.5 added (90mm studs)
Unit Walls next to halls/lobbies 1	Plasterboard and 75mm Hebel + R1.5 and R0.5 insulation + air gap
Unit Walls next to halls/lobbies 2	Concrete columns + plasterboard + R1.5 acoustic insulation
Party walls 1	Plasterboard and 75mm Hebel + optional acoustic insulation
Party walls 2	Concrete columns, lined plasterboard + optional acoustic insulation
Walls next to lifts	Concrete 2150mm and plasterboard + R1.5 insulation and 20mm gap
Walls next to stairs	Concrete 2150mm and plasterboard + acoustic insulation if needed
Internal Walls	Plasterboard or PC on Studs (R1.5 added)
Internal Floors	Concrete floors, with plasterboard below
External Floors	Concrete slab with basement below
External Floor Insulation over Basement	R2.0 subfloors for units over basement or open air
External Floor Insulation over Cantilever	R2.0 subfloors for units over basement or open air
Floor Finishes	Tiles - wet areas, carpet - bedrooms, timber - living/dining
Penthouse Roofs	Concrete roof + R3.5 under and plasterboard
Roofs - below balcony	Concrete roof + R2.5 under and plasterboard
Roof Colour	Medium colour
Skylights for units	Aluminium frames + double glaze/tint, U ≤ 2.7, SHGC =0.24±5% (VELUX type)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	LED downlights - generic holes assumed, as per NATHERS protocol (TBC at CC)
Ceiling Penetrations Fans	Bathroom, laundry, kitchen: generic holes from NATHERS protocol (TBC at CC)
Ceiling fans	Fans not simulated (but can add 0.5 to 1.0 stars to most dwellings)

Thermal Comfort Glazing Item	Details
1. Window/glazed door (bathroom/laundry)	1. Clear, single-glazing + aluminium frames
• Windows - U-value	• ≤ 5.4 awning/bifold, ≤ 4.8 fixed/sliders
• Windows - SHGC	• 0.49 ±5% awning/bifold, 0.59 ±5% fixed/sliders
2. Double Glaze - all other windows/doors	2. Light-tint double-glazing + aluminium frames
• Windows - U-value	• ≤ 3.6 awning/bifold, ≤ 3.1 fixed/sliders
• Windows - SHGC	• 0.47 ±5% awning/bifold, 0.49 ±5% fixed/sliders

Simulation Notes:

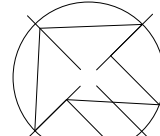
- No RCP provided at DA so generic holes assumed for all downlights (must have extra checking and re-running at CC stage)
- No RCP provided at DA so generic holes assumed for exhaust fans (must have extra checking and re-running at CC stage)
- Concrete walls and floor thickness need checking at CC stage, due to complexity of the proposed construction.
- All wall types, ceiling types, floor types need checking at CC stage, due to complexity of the proposed construction.
- Window sizes used from elevations, sections and plan mark-ups (mark-ups take priority and all this needs re-checking at CC stage).
- Windows hidden (with no size or operability shown) are assumed as full height and fixed (this needs re-checking at CC stage).
- Door sizes used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).
- Neighbouring building on site are modelled as shown (for overshadowing) but no tree preservations in place and no trees are modelled.
- Shading devices used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).

-  3M WIDE DEEP SOIL ZONE
Total 48.75*40=88.75m² (7.66% of site area)
-  DEEP SOIL & GREEN AREA
-  COMMUNAL AREA
Total 216*74=290m² (25% of site area)

REVISED DA FOR APPROVAL

Scale 1 : 100.
0 2 4 6

2 LEVEL 2
1 : 100@A1

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.					
		E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
ISSUE		DATE		DESCRIPTION	ISSUED BY

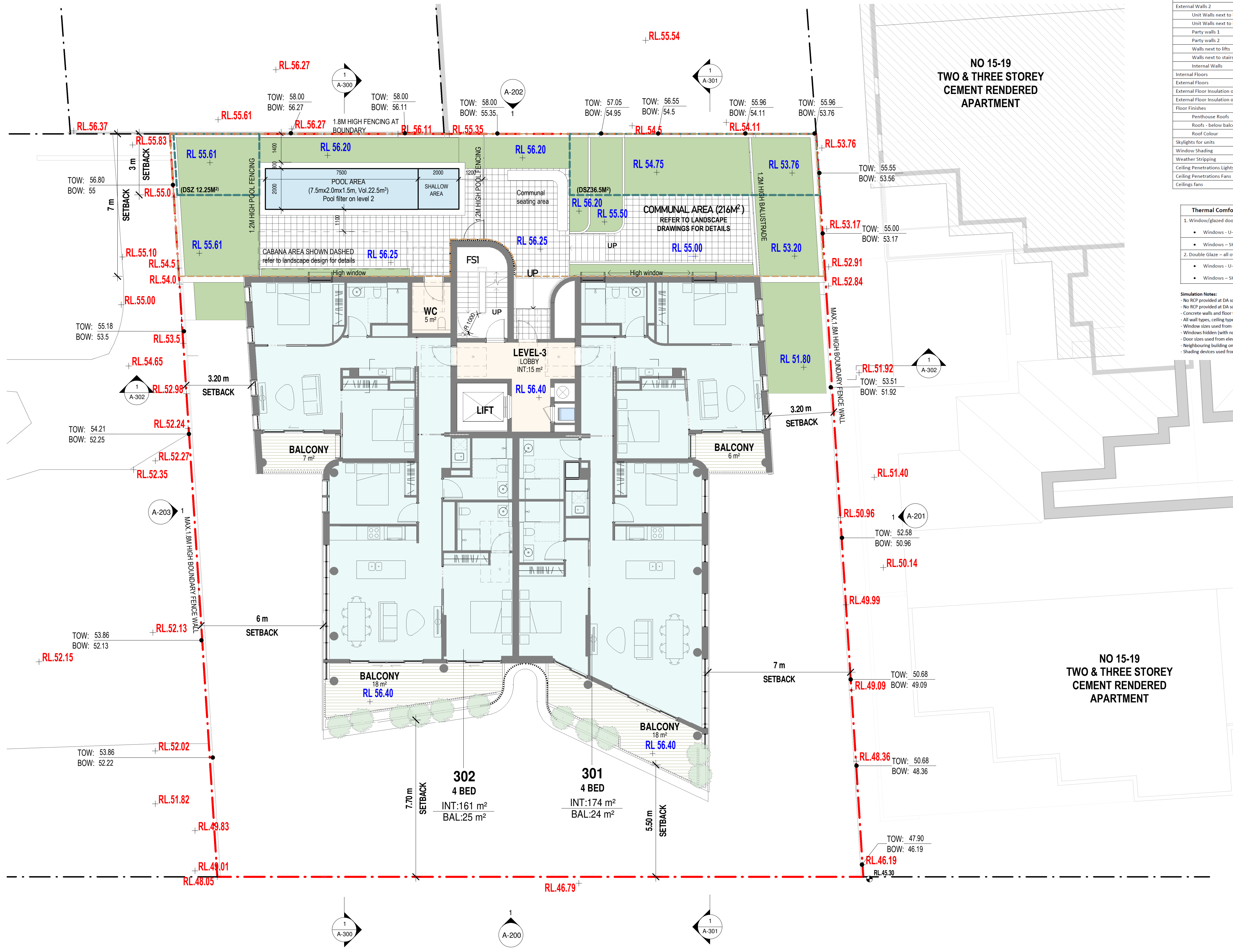


ARCHITECT:
EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD

PROJECT:
EAGLE STREET, RYDE RESIDENTIAL APARTMENTS
28 EAGLE STREET, RYDE NSW 2112

DRAWING
GA-LEVEL 2

Drawing Scale @ A1: 1 : 100	Date: AUG.2022	Drawn by: KL
Drawing Status: DA	Project / Job No: 22029	Drawing No: A-013
		Revision: E



NatHERS - Thermal Comfort Items	Proposed Specifications
External Walls 1	Concrete precast with R2.0 added and 20mm air gap/sarking
External Walls 2	Framed with cladding with R2.5 added (90mm studs)
Unit Walls next to halls/lobbies 1	Plasterboard and 75mm Hebel + R1.5 and R0.5 insulation + air gap
Unit Walls next to halls/lobbies 2	Concrete columns + plasterboard + R1.5 acoustic insulation
Party walls 1	Plasterboard and 75mm Hebel + optional acoustic insulation
Party walls 2	Concrete columns, lined plasterboard + optional acoustic insulation
Walls next to lifts	Concrete 2150mm and plasterboard + R1.5 insulation and 20mm gap
Walls next to stairs	Concrete 2150mm and plasterboard + acoustic insulation if needed
Internal Walls	Plasterboard or FC on Studs (R1.5 added)
Internal Floors	Concrete floors, with plasterboard below
External Floors	Concrete slab with basement below
External Floor Insulation over Basement	R2.0 subfloors for units over basement or open air
External Floor Insulation over Cantilever	R2.0 subfloors for units over basement or open air
Floor Finishes	Tiles - wet areas, carpet - bedrooms, timber - living/dining
Penthouse Roofs	Concrete roof + R3.5 under and plasterboard
Roofs - below balcony	Concrete roof + R2.5 under and plasterboard
Roof Colour	Medium colour
Skylights for units	Aluminium frames + double glaze/tint, U ≤ 2.7, SHGC = 0.24±5% (VELUX type)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	LED downlights - generic holes assumed, as per NatHERS protocol (TBC at CC)
Ceiling Penetrations Fans	Bathroom, laundry, kitchen: generic holes from NatHERS protocol (TBC at CC)
Ceilings fans	Fans not simulated (but can add 0.5 to 1.0 stars to most dwellings)

Thermal Comfort Glazing Item	Details
1. Window/glazed door (bathroom/laundry)	1. Clear, single-glazing + aluminium frames
• Windows - U-value	• ≤ 5.4 awning/bifold, ≤ 4.8 fixed/sliders
• Windows - SHGC	• 0.49 ±5% awning/bifold, 0.59 ±5% fixed/sliders
2. Double Glaze - all other windows/doors	2. Light-tint double-glazing + aluminium frames
• Windows - U-value	• ≤ 3.6 awning/bifold, ≤ 3.1 fixed/sliders
• Windows - SHGC	• 0.47 ±5% awning/bifold, 0.49 ±5% fixed/sliders

Simulation Notes:
- No RCP provided at DA so generic holes assumed for all downlights (must have extra checking and re-running at CC stage)
- No RCP provided at DA so generic holes assumed for exhaust fans (must have extra checking and re-running at CC stage)
- Concrete walls and floor thickness need checking at CC stage, due to complexity of the proposed construction.
- All wall types, ceiling types, floor types need checking at CC stage, due to complexity of the proposed construction.
- Window sizes used from elevations, sections and plan mark-ups (mark-ups take priority and all this needs re-checking at CC stage).
- Windows hidden (both no size or operability shown) are assumed as full height and fixed (this needs re-checking at CC stage).
- Door sizes used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).
- Neighbouring building on site are modelled as shown (for overshadowing) but no tree preservations in place and no trees are modelled.
- Shading devices used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).

- 3M WIDE DEEP SOIL ZONE
Total 48.75*40=88.75m² (7.66% of site area)
- DEEP SOIL & GREEN AREA
- COMMUNAL AREA
Total 216*74=290m² (25% of site area)

REVISED DA FOR APPROVAL

Scale 1 : 100.
0 2 4 6

2 LEVEL 3
1 : 100@A1

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.		E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
ISSUE	DATE	DESCRIPTION	ISSUED BY		
		0000256520 15 May 2023 Assessor: Martin Pridgen Accreditation No. DAHV191021 Address: 28 Eagle Street, Ryde, NSW 2112 hstar.com.au			
ARCHITECT: DREW DICKSON ARCHITECTS Nominated Architect: Alexander de Bello Suite 2 Ground Floor, 64 Alexander Street, Crows Nest NSW 1585 Australia Tel: +61 2 95513433 Email: info@dca-architects.com Web: www.dca-architects.com		CLIENT: EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD		PROJECT: EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112	
DRAWING GA-LEVEL 3		Drawing Scale @ A1: 1 : 100		Date: AUG.2022	Drawn by: KL
		Drawing Status: DA		Project / Job No: 22029	Drawing No: A-014
				Revision: E	



NATHERS - Thermal Comfort Items	Proposed Specifications
External Walls 1	Concrete precast with R2.0 added and 20mm air gap/sarking
External Walls 2	Framed with cladding with R2.5 added (100mm studs)
Unit Walls next to halls/lobbies 1	Plasterboard and 75mm Hebel + R1.5 and R0.5 insulation + air gap
Unit Walls next to halls/lobbies 2	Concrete columns + plasterboard + R1.5 acoustic insulation
Party walls 1	Plasterboard and 75mm Hebel + optional acoustic insulation
Party walls 2	Concrete columns, lined plasterboard + optional acoustic insulation
Walls next to lifts	Concrete 2150mm and plasterboard + R1.5 insulation and 20mm gap
Walls next to stairs	Concrete 2150mm and plasterboard + acoustic insulation if needed
Internal Walls	Plasterboard or FC on Studs (R1.5 added)
Internal Floors	Concrete floors, with plasterboard below
External Floors	Concrete slab with basement below
External Floor Insulation over Basement	R2.0 subfloors for units over basement or open air
External Floor Insulation over Cantilever	R2.0 subfloors for units over basement or open air
Floor Finishes	Tiles - wet areas, carpet - bedrooms, timber - living/dining
Penthouse Roofs	Concrete roof + R3.5 under and plasterboard
Roofs - below balcony	Concrete roof + R2.5 under and plasterboard
Roof Colour	Medium colour
Skylights for units	Aluminium frames + double glaze/tint, U ≤ 2.7, SHGC =0.24±5% (VELUX type)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	LED downlights - generic holes assumed, as per NATHERS protocol (TBC at CC)
Ceiling Penetrations Fans	Bathroom, laundry, kitchen: generic holes from NATHERS protocol (TBC at CC)
Ceilings fans	Fans not simulated (but can add 0.5 to 1.0 stars to most dwellings)

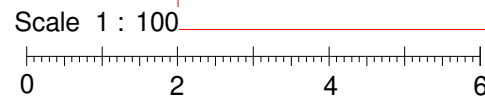
Thermal Comfort Glazing Item	Details
1. Window/glazed door (bathroom/laundry)	1. Clear, single glazing + aluminium frames
• Windows - U-value	• ≤ 5.4 awning/bifold, ≤ 4.8 fixed/sliders
• Windows - SHGC	• 0.49 ±5% awning/bifold, 0.59 ±5% fixed/sliders
2. Double Glaze - all other windows/doors	2. Light tint double-glazing + aluminium frames
• Windows - U-value	• ≤ 3.6 awning/bifold, ≤ 3.1 fixed/sliders
• Windows - SHGC	• 0.47 ±5% awning/bifold, 0.49 ±5% fixed/sliders

Simulation Notes:

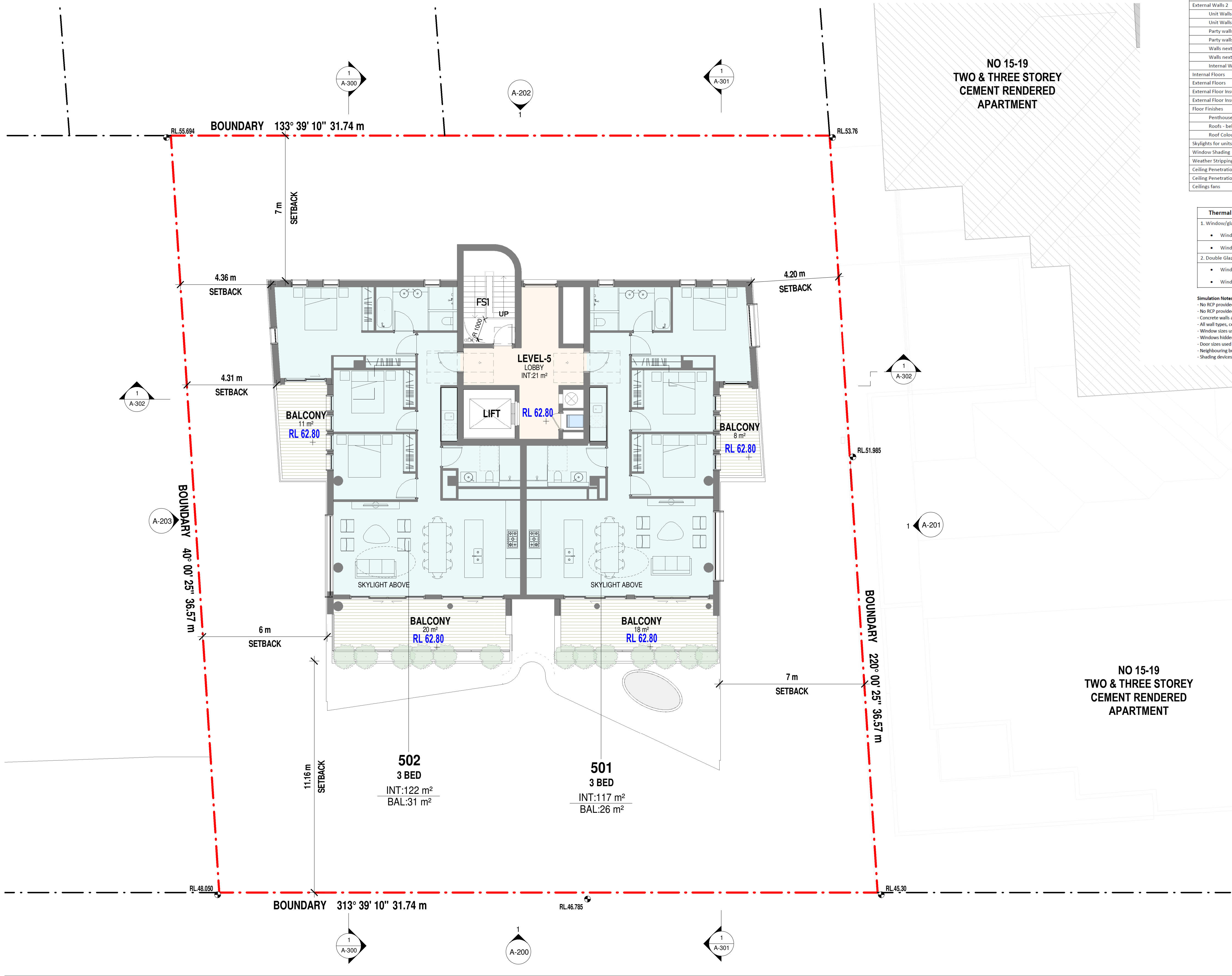
- No RCP provided at DA so generic holes assumed for all downlights (must have extra checking and rerunning at CC stage)
- No RCP provided at DA so generic holes assumed for exhaust fans (must have extra checking and rerunning at CC stage)
- Concrete walls and floor thickness need checking at CC stage, due to complexity of the proposed construction.
- All wall types, ceiling types, floor types need checking at CC stage, due to complexity of the proposed construction.
- Window sizes used from elevations, sections and plan mark-ups (mark-ups take priority and all this needs re-checking at CC stage).
- Windows hidden (with no size or operability shown) are assumed as full height and fixed (this needs re-checking at CC stage).
- Door sizes used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).
- Neighbouring building on site are modelled as shown (for overshadowing) but no tree preservation in place and no trees are modelled.
- Shading devices used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).

2 LEVEL 4
1 : 100@A1

REVISED DA FOR APPROVAL



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.		E	2023.05.05	REVISED DA FOR APPROVAL	KL		0008256520 15 May 2023 Assessor: Martin Provan Accreditation No. DA09191021 Address 20 Eagle Street, Ryde, NSW 2112 hstar.com.au						
		D	2022.11.28	ISSUE DOR DA	KL								
		C	2022.11.22	ISSUE FOR DA	KL								
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL								
		A	2022.08.24	PRE DA	KL								
ISSUE	DATE	DESCRIPTION	ISSUED BY										
ARCHITECT: DREW DICKSON ARCHITECTS PTY LIMITED Nominated Architect - Alexander de Bary SUITE 2/200 FLOOR 6/4 ALEXANDER STREET CROWS NEST NSW 2091 AUSTRALIA Tel: +61 2 90613433 Email: info@dca-australia.com Web: www.dca-australia.com								CLIENT: EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD	PROJECT: EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112	DRAWING: GA-LEVEL 4	Drawing Scale @ A1: 1 : 100	Date: AUG.2022	Drawn by: KL
Project / Job No: 22029			Drawing No: A-015	Revision: E									



NATHERS - Thermal Comfort Items	Proposed Specifications
External Walls 1	Concrete precast with R2.0 added and 20mm air gap/sarking
External Walls 2	Framed with cladding with R2.5 added (90mm studs)
Unit Walls next to halls/lobbies 1	Plasterboard and 75mm Hebel + R1.5 and R0.5 insulation + air gap
Unit Walls next to halls/lobbies 2	Concrete columns + plasterboard + R1.5 acoustic insulation
Party walls 1	Plasterboard and 75mm Hebel + optional acoustic insulation
Party walls 2	Concrete columns, lined plasterboard + optional acoustic insulation
Walls next to lifts	Concrete 2150mm and plasterboard + R1.5 insulation and 20mm gap
Walls next to stairs	Concrete 2150mm and plasterboard + acoustic insulation if needed
Internal Walls	Plasterboard or FC on Studs (R1.5 added)
Internal Floors	Concrete floors, with plasterboard below
External Floors	Concrete slab with basement below
External Floor Insulation over Basement	R2.0 subfloors for units over basement or open air
External Floor Insulation over Cantilever	R2.0 subfloors for units over basement or open air
Floor Finishes	Tiles - wet areas, carpet - bedrooms, timber - living/dining
Penthouse Roofs	Concrete roof + R3.5 under and plasterboard
Roofs - below balcony	Concrete roof + R2.5 under and plasterboard
Roof Colour	Medium colour
Skylights for units	Aluminium frames + double glaze/tint, U ≤ 2.7, SHGC ≤0.24±5% (VELUX type)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	LED downlights - generic holes assumed, as per NATHERS protocol (TBC at CC)
Ceiling Penetrations Fans	Bathroom, laundry, kitchen: generic holes from NATHERS protocol (TBC at CC)
Ceilings fans	Fans not simulated (But can add 0.5 to 1.0 stars to most dwellings)

Thermal Comfort Glazing Item	Details
1. Window/glazed door (bathroom/laundry)	1. Clear, single-glazing + aluminium frames
<ul style="list-style-type: none">Windows - U-value	<ul style="list-style-type: none">≤ 5.4 awning/bifold, ≤ 4.8 fixed/sliders
<ul style="list-style-type: none">Windows - SHGC	<ul style="list-style-type: none">0.49 ±5% awning/bifold, 0.59 ±5% fixed/sliders
2. Double Glaze - all other windows/doors	2. Light-tint double-glazing + aluminium frames
<ul style="list-style-type: none">Windows - U-value	<ul style="list-style-type: none">≤ 3.6 awning/bifold, ≤ 3.3 fixed/sliders
<ul style="list-style-type: none">Windows - SHGC	<ul style="list-style-type: none">0.47 ±5% awning/bifold, 0.49 ±5% fixed/sliders

Simulation Notes:


- No RCP provided at DA so generic holes assumed for all downlights (must have extra checking and rerunning at CC stage)
- No RCP provided at DA so generic holes assumed for exhaust fans (must have extra checking and rerunning at CC stage)
- Concrete walls and floor thickness need checking at CC stage, due to complexity of the proposed construction.
- All wall types, ceiling types, floor types need checking at CC stage, due to complexity of the proposed construction.
- Window sizes used from elevations, sections and plan mark-ups (mark-ups take priority and all this needs re-checking at CC stage).
- Windows hidden (with no size or operability shown) are assumed as full height and fixed (this needs re-checking at CC stage).
- Door sizes used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).
- Neighbouring building on site are modelled as shown (for overshadowing) but no tree preservations in place and no trees are modelled.
- Shading devices used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).

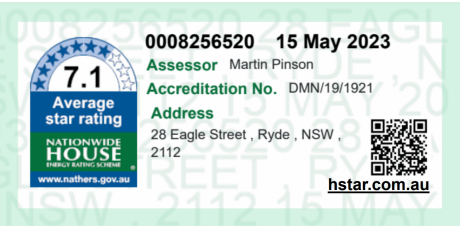
2 LEVEL 5
1 : 100@A1

Scale 1 : 100.



REVISED DA FOR APPROVAL

<p>FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.</p> <p>THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.</p>		Orientation:			
		E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
		ISSUE DATE DESCRIPTION			ISSUED BY

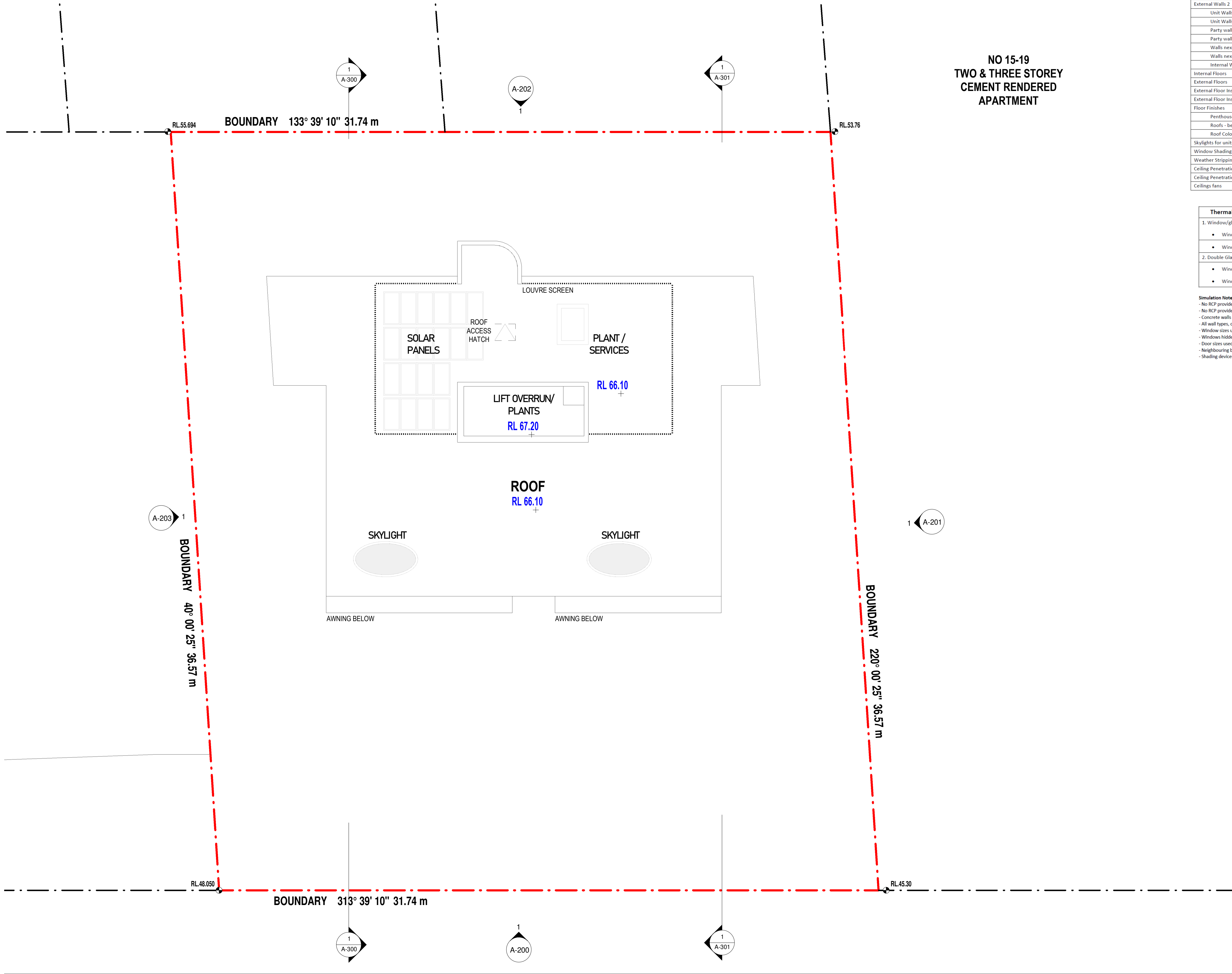


CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
GA-LEVEL 5

Drawing Scale @ A1: 1 : 100	Date: AUG.2022	Drawn by: KL
Drawing Status: DA	Project / Job No: 22029	Revision: E
	Drawing No: A-016	



NO 15-19
TWO & THREE STOREY
CEMENT RENDERED
APARTMENT

NATHERS - Thermal Comfort Items	Proposed Specifications
External Walls 1	Concrete precast with R2.0 added and 20mm air gap/sarking
External Walls 2	Framed with cladding with R2.5 added (90mm studs)
Unit Walls next to halls/lobbies 1	Plasterboard and 75mm Hebel + R1.5 and R0.5 insulation + air gap
Unit Walls next to halls/lobbies 2	Concrete columns + plasterboard + R1.5 acoustic insulation
Party walls 1	Plasterboard and 75mm Hebel + optional acoustic insulation
Party walls 2	Concrete columns, lined plasterboard + optional acoustic insulation
Walls next to lifts	Concrete 2150mm and plasterboard + R1.5 insulation and 20mm gap
Walls next to stairs	Concrete 2150mm and plasterboard + acoustic insulation if needed
Internal Walls	Plasterboard or PC on Studs (R1.5 added)
Internal Floors	Concrete floors, with plasterboard below
External Floors	Concrete slab with basement below
External Floor Insulation over Basement	R2.0 subfloors for units over basement or open air
External Floor Insulation over Cantilever	R2.0 subfloors for units over basement or open air
Floor Finishes	Tiles - wet areas, carpet - bedrooms, timber - living/dining
Penthouse Roofs	Concrete roof + R3.5 under and plasterboard
Roofs - below balcony	Concrete roof + R2.5 under and plasterboard
Roof Colour	Medium colour
Skylights for units	Aluminium frames + double glaze/tint, U ≤ 2.7, SHGC =0.24±5% (VELUX type)
Window Shading	Eaves and overhangs + Screens as shown
Weather Stripping	All external doors and windows
Ceiling Penetrations Lights	LED downlights - generic holes assumed, as per NATHERS protocol (TBC at CC)
Ceiling Penetrations Fans	Bathroom, laundry, kitchen: generic holes from NATHERS protocol (TBC at CC)
Ceilings fans	Fans not simulated (but can add 0.5 to 1.0 stars to most dwellings)

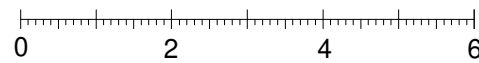
Thermal Comfort Glazing Item	Details
1. Window/glazed door (bathroom/laundry) <ul style="list-style-type: none">Windows - U-valueWindows - SHGC	1. Clear, single-glazing + aluminium frames <ul style="list-style-type: none">≤ 5.4 awning/bifold, ≤ 4.8 fixed/sliders0.49 ±5% awning/bifold, 0.59 ±5% fixed/sliders
2. Double Glaze - all other windows/doors <ul style="list-style-type: none">Windows - U-valueWindows - SHGC	2. Light-tint double-glazing + aluminium frames <ul style="list-style-type: none">≤ 3.6 awning/bifold, ≤ 3.1 fixed/sliders0.47 ±5% awning/bifold, 0.49 ±5% fixed/sliders

Simulation Notes:
- No RCP provided at DA so generic holes assumed for all downlights (must have extra checking and re-running at CC stage)
- No RCP provided at DA so generic holes assumed for exhaust fans (must have extra checking and re-running at CC stage)
- Concrete walls and floor thickness need checking at CC stage, due to complexity of the proposed construction.
- All wall types, ceiling types, floor types need checking at CC stage, due to complexity of the proposed construction.
- Window sizes used from elevations, sections and plan mark-ups (mark-ups take priority and all this needs re-checking at CC stage).
- Windows hidden (with no size or operability shown) are assumed as full height and fixed (this needs re-checking at CC stage).
- Door sizes used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).
- Neighbouring building on site are modelled as shown (for overshadowing) but no tree preservations in place and no trees are modelled.
- Shading devices used from elevations, sections and plan mark-ups (this needs re-checking at CC stage).

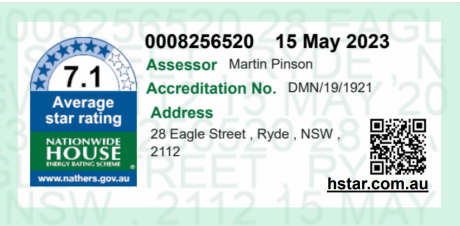
2 ROOF PLAN
1 : 100@A1

REVISED DA FOR APPROVAL

Scale 1 : 100.



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.					Orientation: 				
	E	2023.05.05	REVISED DA FOR APPROVAL	KL					
	D	2022.11.28	ISSUE DOR DA	KL					
	C	2022.11.22	ISSUE FOR DA	KL					
	B	2022.11.15	FINAL DRAFT FOR REVIEW	KL					
	A	2022.08.24	PRE DA	KL					
ISSUE	DATE		DESCRIPTION	ISSUED BY					



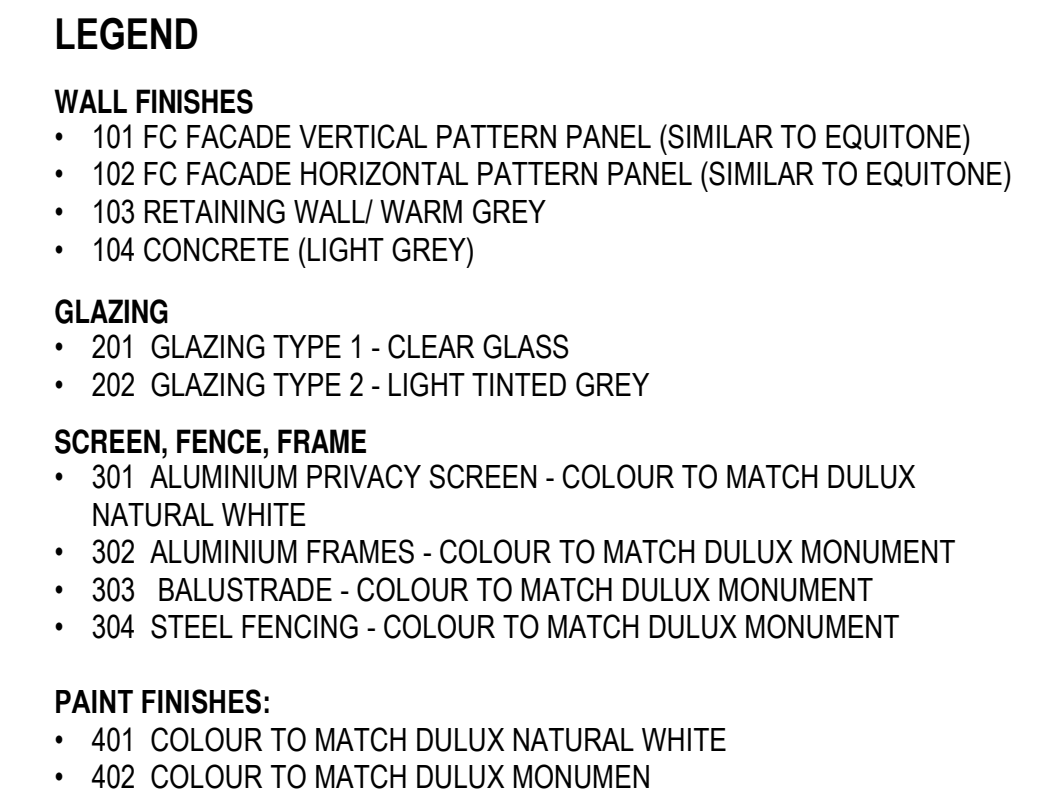
ARCHITECT:
DREW DICKSON ARCHITECTS
Nominated Architect: Alexander de Bont
21 EAGLE STREET, RYDE, NSW 2112
Tel: +61 2 90613433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:
EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD

PROJECT:
EAGLE STREET, RYDE RESIDENTIAL APARTMENTS
28 EAGLE STREET, RYDE NSW 2112

DRAWING
GA-ROOF PLAN

Drawing Scale @ A1: 1 : 100	Date: AUG.2022	Drawn by: KL
Drawing Status: DA		
Project / Job No: 22029	Drawing No: A-017	Revision: E



Scale 1 : 100

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF GRANTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:				
	D	2023.05.05	REVISED DA FOR APPROVAL	KL	
	E	2022.11.28	ISSUE DOR DA	KL	
	C	2022.11.22	ISSUE FOR DA	KL	
	B	2022.11.15	FINAL DRAFT FOR REVIEW	KL	
	A	2022.08.24	PRE DA	KL	
	ISSUE	DATE	DESCRIPTION	ISSUED BY	

0008256520 15 May 2023

Accreditation No. CDRN191021

Address
21 Eagle Street, Ryde, NSW
2112

www.hstar.com.au

ARCHITECT:

DREW DICKSON ARCHITECTS

Nominated Architect Member since April 2018

DREW DICKSON ARCHITECTS PTY LIMITED ABN 12 168 892 153
 SUITE 4 GROUND FLOOR 8 ALEXANDER STREET CRONNS WEST NEW 2065 AUSTRALIA
 Tel : +61 2 90613433 Email: drew@dickson-architects.com.au Web: www.dickson-architects.com.au

CLIENT:

EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD

PROJECT:

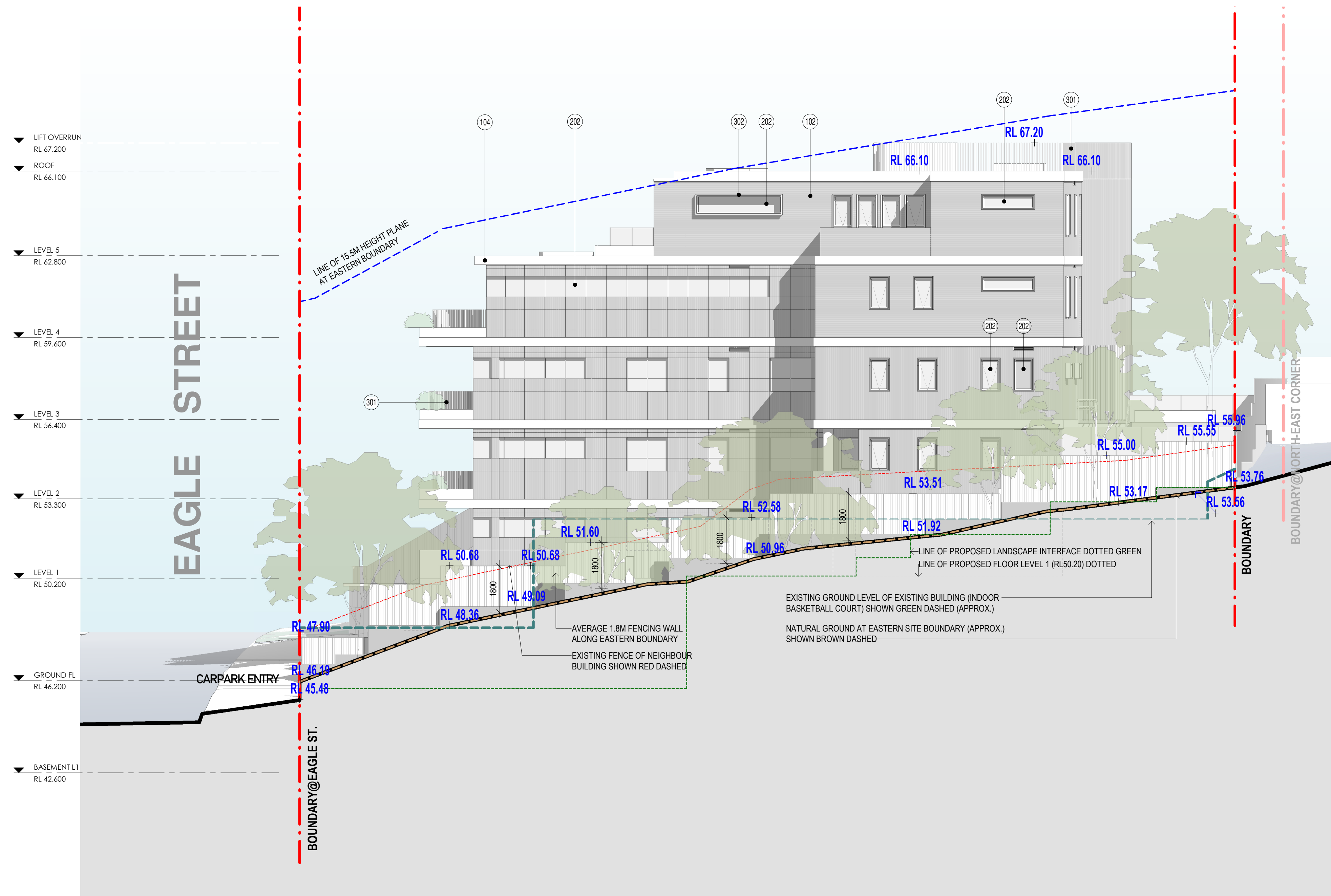
EAGLE STREET, RYDE RESIDENTIAL APARTMENTS

28 EAGLE STREET, RYDE NSW 2112

DRAWING

SOUTH ELEVATION- EAGLE STREET

Drawing Scale @ A1:	Date:	Drawn by:
1 : 100	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	A-200	E



1 EAST ELEVATION
1 : 100@A1

- LEGEND**
- WALL FINISHES**
- 101 FC FACADE VERTICAL PATTERN PANEL (SIMILAR TO EQUITONE)
 - 102 FC FACADE HORIZONTAL PATTERN PANEL (SIMILAR TO EQUITONE)
 - 103 RETAINING WALL/ WARM GREY
 - 104 CONCRETE (LIGHT GREY)
- GLAZING**
- 201 GLAZING TYPE 1 - CLEAR GLASS
 - 202 GLAZING TYPE 2 - LIGHT TINTED GREY
- SCREEN, FENCE, FRAME**
- 301 ALUMINIUM PRIVACY SCREEN - COLOUR TO MATCH DULUX NATURAL WHITE
 - 302 ALUMINIUM FRAMES - COLOUR TO MATCH DULUX MONUMENT
 - 303 BALUSTRADE - COLOUR TO MATCH DULUX MONUMENT
 - 304 STEEL FENCING - COLOUR TO MATCH DULUX MONUMENT
- PAINT FINISHES:**
- 401 COLOUR TO MATCH DULUX NATURAL WHITE
 - 402 COLOUR TO MATCH DULUX MONUMEN

REVISED DA FOR APPROVAL

Scale 1 : 100.
0 2 4 6

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:						ARCHITECT:  DREW DICKSON ARCHITECTS PTY LIMITED 21/23 Eagle Street, Ryde, NSW 2112 Tel: +61 2 90813433 Email: info@dta-australia.com Web: www.dta-australia.com	CLIENT: EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD	PROJECT: EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112	DRAWING:	Drawing Scale @ A1:	Date:	Drawn by:
		E	2023.05.05	REVISED DA FOR APPROVAL	KL					1 : 100	AUG.2022	KL	
		D	2022.11.28	ISSUE DOR DA	KL					Drawing Status:			
		C	2022.11.22	ISSUE FOR DA	KL					DA			
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL					Project / Job No:	Drawing No:	Revision:	
		A	2022.08.24	PRE DA	KL								
		ISSUE	DATE	DESCRIPTION	ISSUED BY								




PAINT FINISHES:

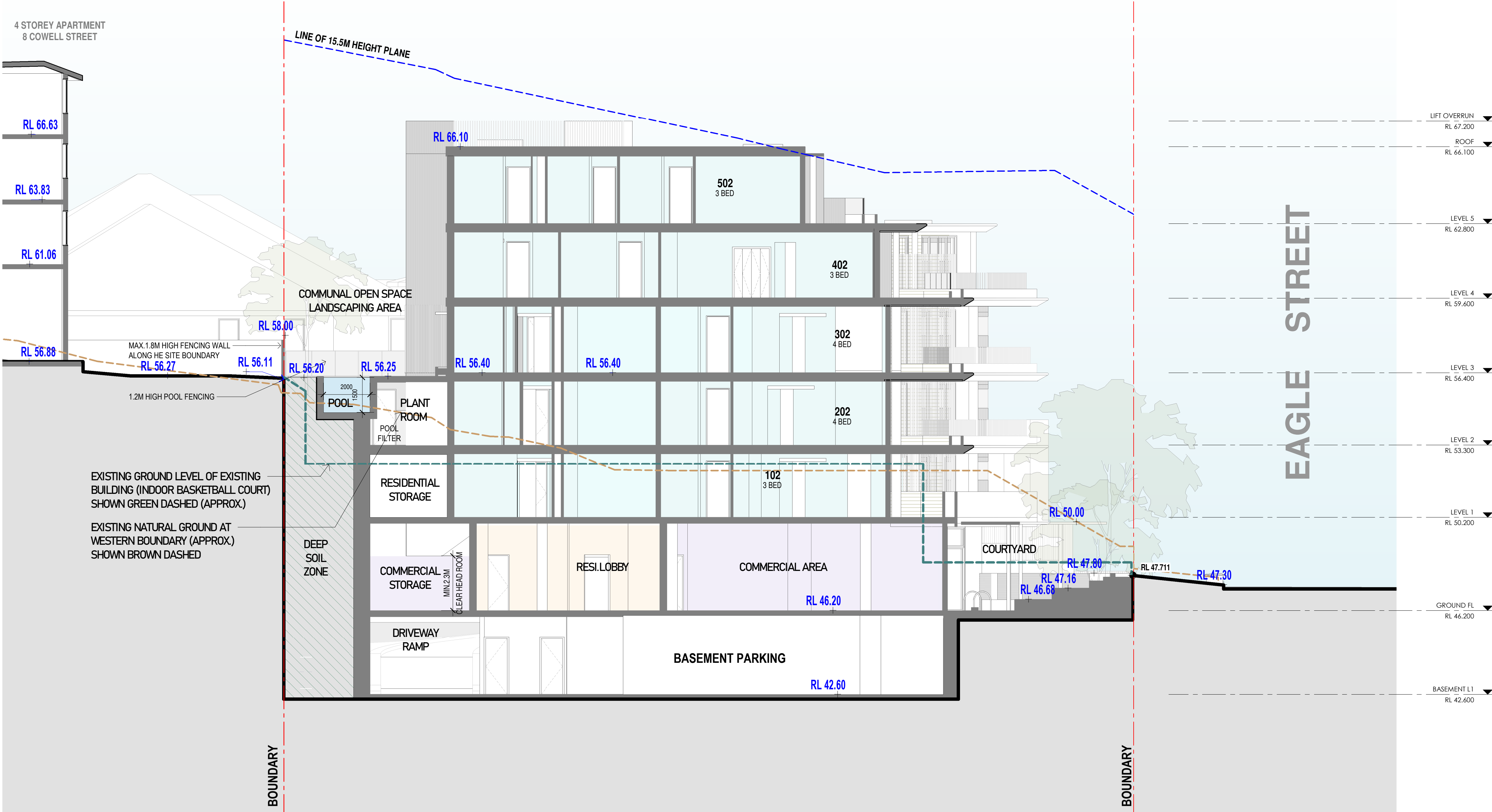
- 401 COLOUR TO MATCH DULUX NATURAL WHITE
- 402 COLOUR TO MATCH DULUX MONUMEN

<p>REQUIRED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS</p> <p>THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.</p>	Orientation:	E	2023.05.05	REVISED DA FOR APPROVAL	KL	 <p>0008256520 15 May 2023</p> <p>Assessor: Martin Frosini</p> <p>Accreditation No.: DAPN191021</p> <p>Address: 28 Eagle Street, Ryde, NSW, 2112</p> <p>huzzr.com.au</p>	<p>ARCHITECT:</p>  <p>DREW DICKSON ARCHITECTS</p> <p>Nominated Architect: Alexander de Balm</p> <p>DREW DICKSON ARCHITECTS PTY LIMITED</p> <p>SUITE 2 GROUND FLOOR, 80 ALEXANDER STREET CROOKS NEIGH' NW NSW 2050 AUSTRALIA</p> <p>Tel: +61 2 98845433 Email: info@dda-australia.com Web: www.dda-australia.com</p>	<p>CLIENT:</p> <p>EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD</p>	<p>PROJECT:</p> <p>EAGLE STREET, RYDE RESIDENTIAL APARTMENTS</p> <p>28 EAGLE STREET, RYDE NSW 2112</p>	<p>DRAWING</p> <p>NORTH ELEVATION</p>	<p>Drawing Scale @ A1: 1 : 100</p> <p>Date: AUG.2022</p> <p>Drawn by: KL</p>
		D	2022.11.28	ISSUE DOR DA	KL						
		C	2022.11.22	ISSUE FOR DA	KL						
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL						
		A	2022.08.24	PRE DA	KL						
		ISSUE	DATE	DESCRIPTION	ISSUED BY						



- REVISED DA FOR APPROVAL**

<div>REQUIRED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS</div> <div>THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS, VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.</div>	Orientation:	E	2023.05.05	REVISED DA FOR APPROVAL	KL	<div><div><div><div>7.4</div><div>Average star rating</div></div><div>0008256520 15 May 2023</div><div>Assessor: Martin Prosser</div><div>Accreditation No.: (DAU)191921</div><div>Address: 28 Eagle Street, Ryde, NSW, 2112</div><div></div><div>housar.com.au</div></div></div>	<div>ARCHITECT:</div> <div></div> <div>DREW DICKSON ARCHITECTS</div> <div><div>Nominated Architect, Alexander de Balm</div><div>DREW DICKSON ARCHITECTS PTY LIMITED</div><div>SUITE 1, GROUND FLOOR, 80 ALEXANDER STREET, CROOKS NEIGH, NSW 2050 AUSTRALIA</div><div>Tel: +61 2 98843433 Email: info@dss-architects.com Web: www.dss-architects.com</div></div> <td rowspan="6"><div>CLIENT:</div><div>EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD</div></td> <td rowspan="6"><div>PROJECT:</div><div>EAGLE STREET, RYDE WEST ELEVATION</div><div>RESIDENTIAL APARTMENTS</div><div>28 EAGLE STREET, RYDE NSW 2112</div></td> <td rowspan="6"><div>DRAWING</div><div>Drawing Scale @ A1: 1 : 100</div><div>Date: AUG.2022</div><div>Drawn by: KL</div></td> <td rowspan="6"><div>Drawing Status: DA</div><div>Project / Job No: 22029</div><div>Drawing No: A-203</div><div>Revision: E</div></td>	<div>CLIENT:</div> <div>EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD</div>	<div>PROJECT:</div> <div>EAGLE STREET, RYDE WEST ELEVATION</div> <div>RESIDENTIAL APARTMENTS</div> <div>28 EAGLE STREET, RYDE NSW 2112</div>	<div>DRAWING</div> <div>Drawing Scale @ A1: 1 : 100</div> <div>Date: AUG.2022</div> <div>Drawn by: KL</div>	<div>Drawing Status: DA</div> <div>Project / Job No: 22029</div> <div>Drawing No: A-203</div> <div>Revision: E</div>
	D	2022.11.28	ISSUE DOR DA	KL							
	C	2022.11.22	ISSUE FOR DA	KL							
	B	2022.11.15	FINAL DRAFT FOR REVIEW	KL							
	A	2022.08.24	PRE DA	KL							
	ISSUE	DATE	DESCRIPTION	ISSUED BY							



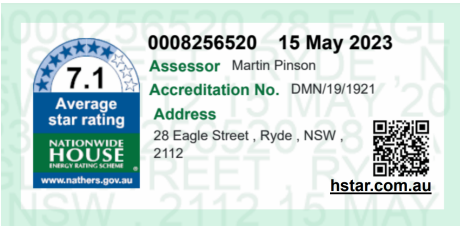
1 SECTION A
1 : 100@A1

REVISED DA FOR APPROVAL

Scale 1 : 100.



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.					Orientation:					
	E	2023.05.05	REVISED DA FOR APPROVAL		KL					
	D	2022.11.28	ISSUE DOR DA		KL					
	C	2022.11.22	ISSUE FOR DA		KL					
	B	2022.11.15	FINAL DRAFT FOR REVIEW		KL					
	A	2022.08.24	PRE DA		KL					
ISSUE	DATE		DESCRIPTION		ISSUED BY					

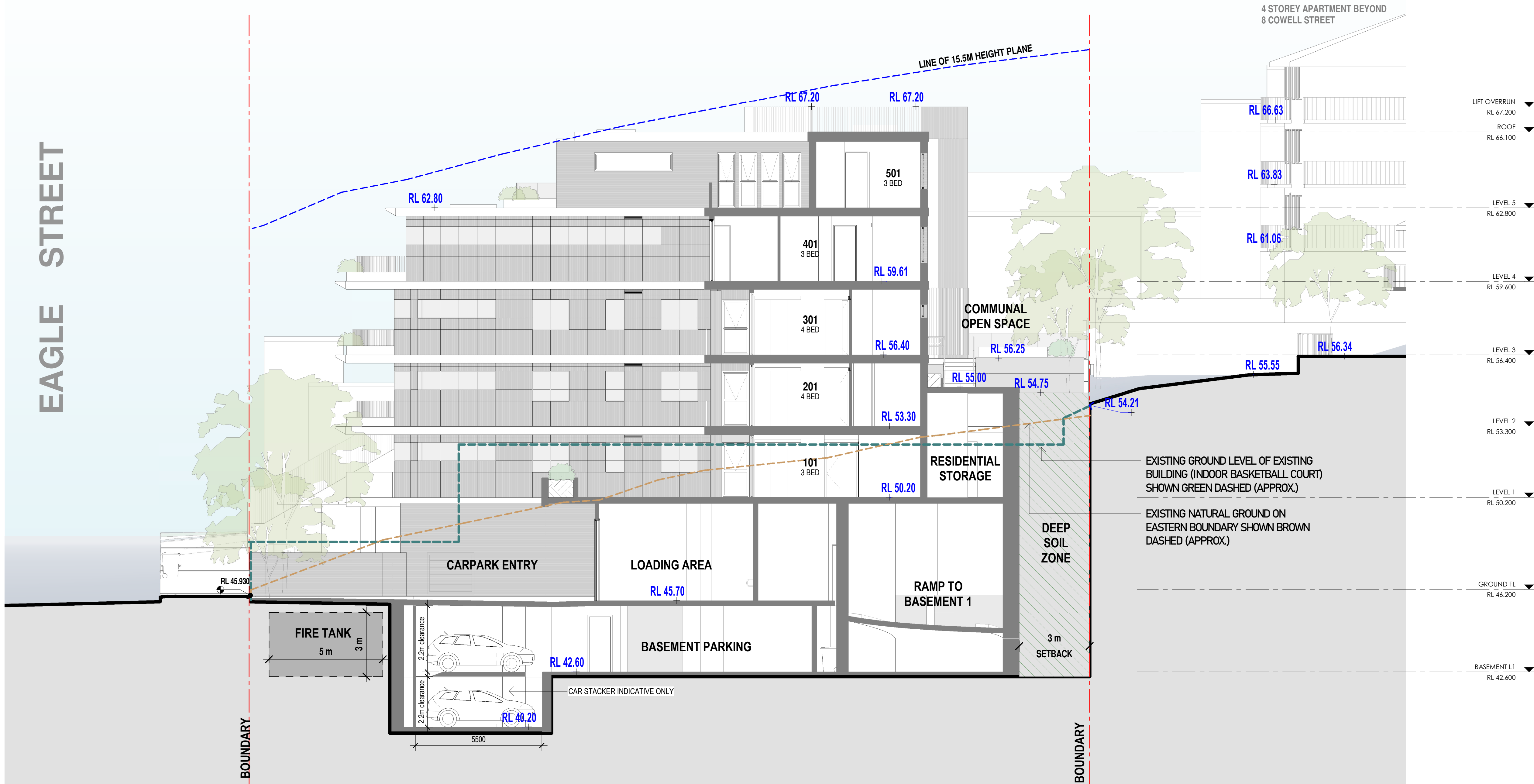


CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING:
SECTION A-A


Drawing Scale @ A1: 1 : 100	Date: AUG.2022	Drawn by: KL
Drawing Status: DA		
Project / Job No: 22029	Drawing No: A-300	Revision: E

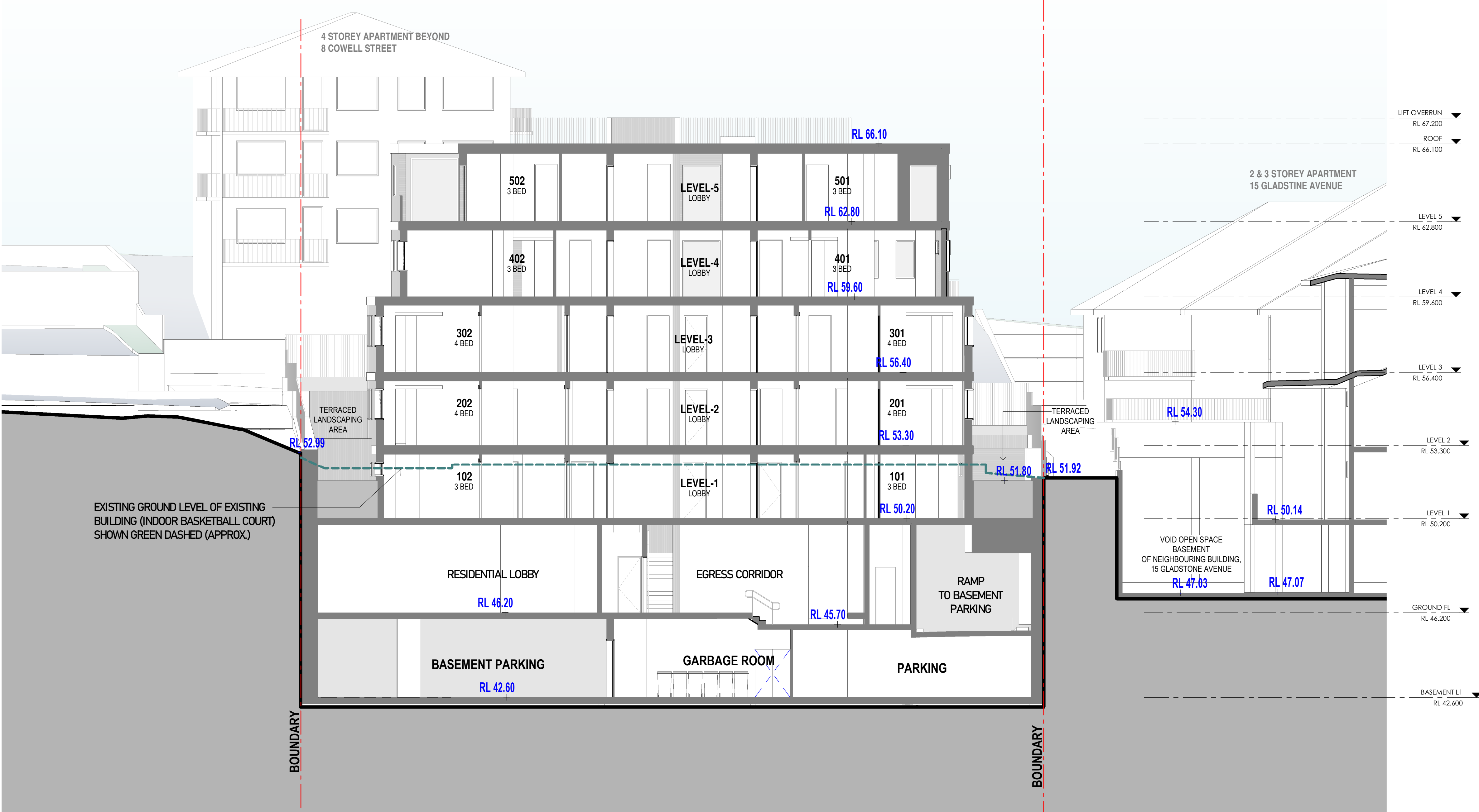


1 SECTION B
1 : 100@A1

REVISED DA FOR APPROVAL

Scale 1 : 100.
0 2 4 6

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DDM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:				
		E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
		ISSUE	DATE	DESCRIPTION	
<div><div>0008256520 15 May 2023</div><div>Assessor: Martin Pridgen</div><div>Accreditation No. DMN/19/1921</div><div>Address</div><div>20 Eagle Street, Ryde, NSW 2112</div><div>hstar.com.au</div></div>					
<div><div>ARCHITECT:  DREW DICKSON ARCHITECTS <small>Nominated Architect: Alexander de Balm</small> DREW DICKSON ARCHITECTS PTY LIMITED SUITE 2/100 FLOOR 10/15 ALEXANDER STREET CROWS NEST NSW 2091 AUSTRALIA Tel: +61 2 90613433 Email: info@dca-australia.com Web: www.dca-australia.com</div><div>CLIENT: EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD</div><div>PROJECT: EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112</div><div>DRAWING SECTION B-B</div></div>					
Drawing Scale @ A1: 1 : 100		Date: AUG.2022		Drawn by: KL	
Drawing Status: DA					
Project / Job No: 22029		Drawing No: A-301		Revision: E	

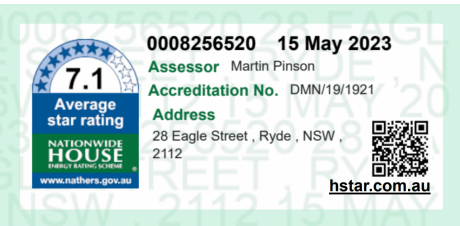


1 SECTION C
1 : 100

REVISED DA FOR APPROVAL

Scale 1 : 100
0 2 4 6

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.				
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.				
Orientation:				
	E	2023.05.05	REVISED DA FOR APPROVAL	KL
	D	2022.11.28	ISSUE DOR DA	KL
	C	2022.11.22	ISSUE FOR DA	KL
	B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
	A	2022.08.24	PRE DA	KL
ISSUE	DATE		DESCRIPTION	ISSUED BY



CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

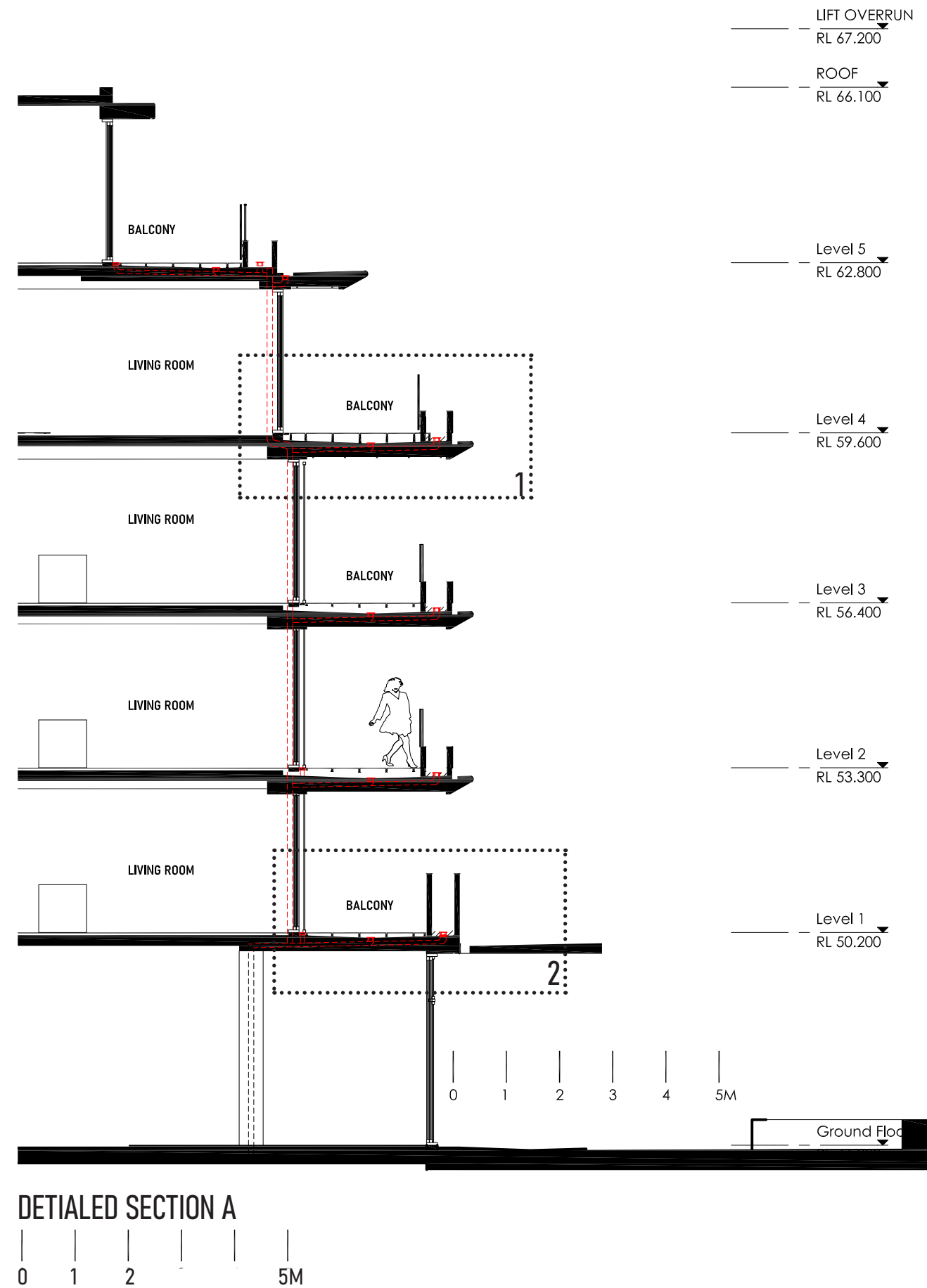
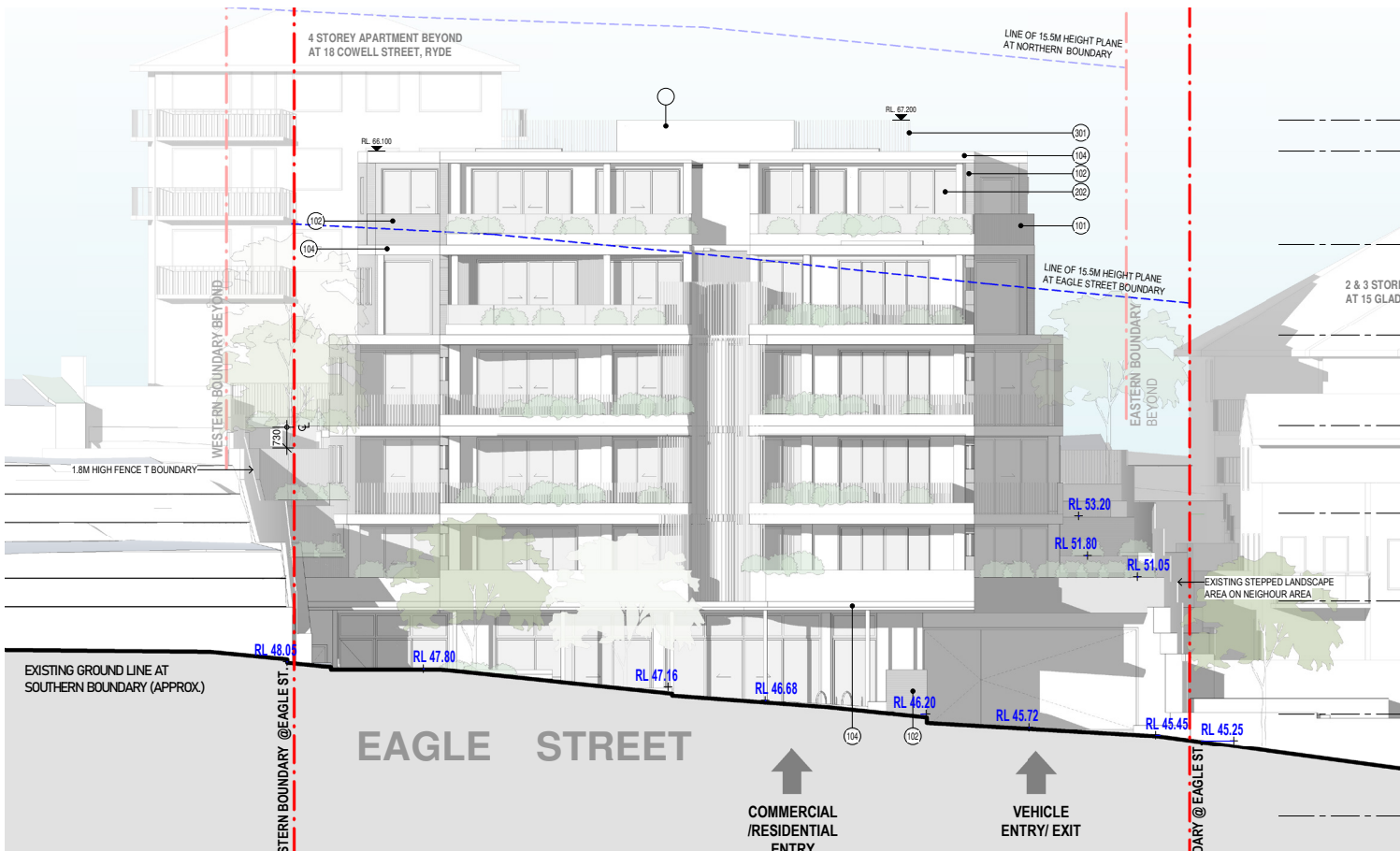
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
SECTION C-C

Drawing Scale @ A1:	Date:	Drawn by:
1 : 100	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	A-302	E

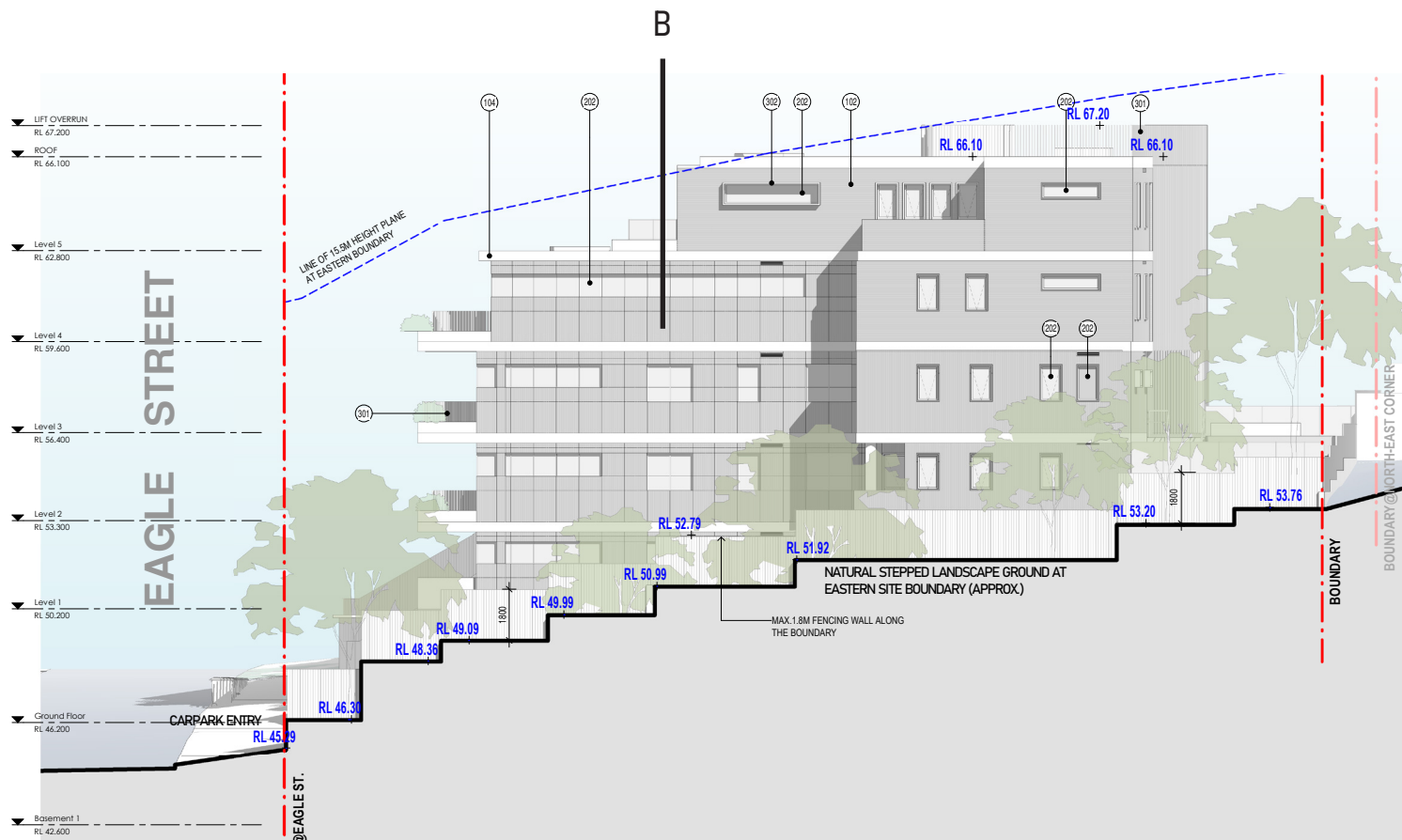
RESPONSE TO UDRP COMMENTS

OUR RESPONSE



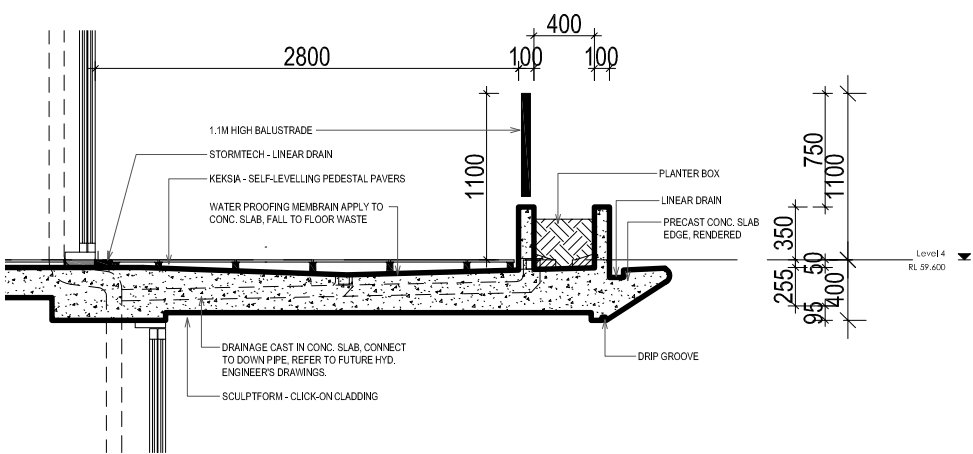
RESPONSE TO UDRP COMMENTS

OUR RESPONSE

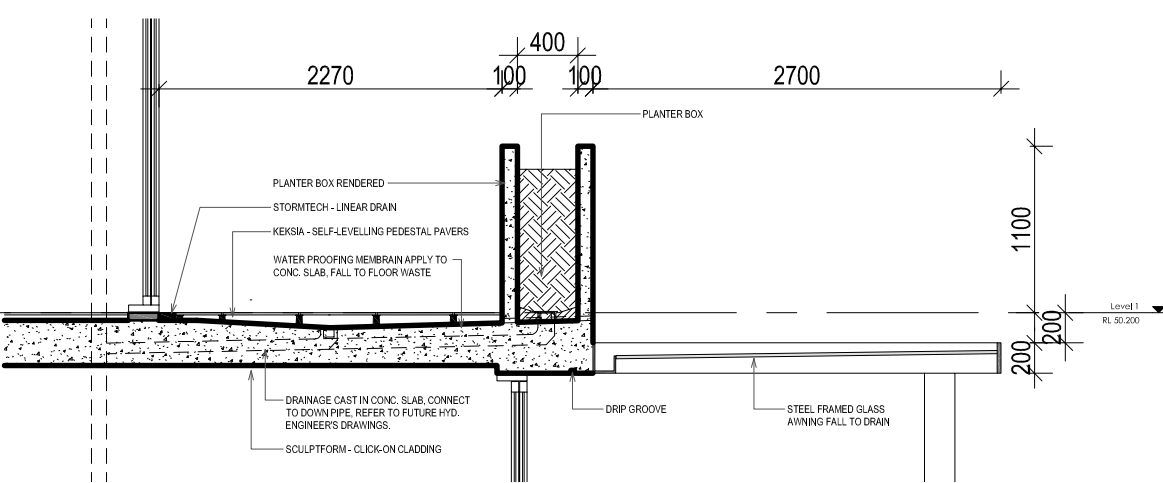


Apartment layouts at level 1 to level 3 have been revised to accommodate intergenerational living unit typology.

Revised unit mix:
3B: 6
4B: 4
Total 10



DETAILED SECTION 1



DETAILED SECTION 2

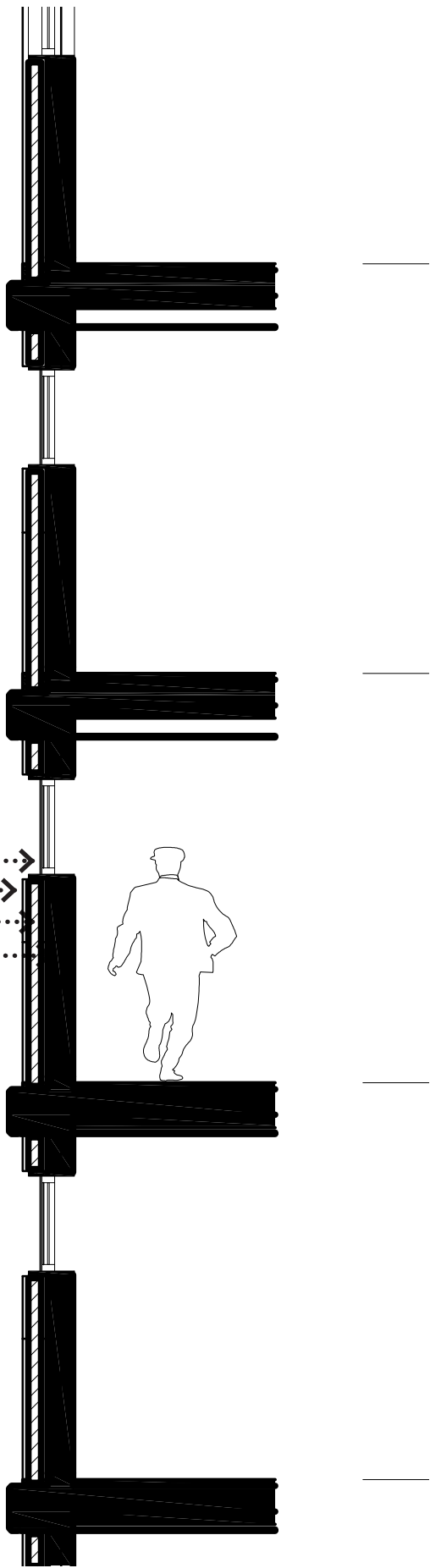
RESPONSE TO UDRP COMMENTS

OUR RESPONSE



HIGH LEVEL WINDOW
FC FACADE PANEL - SIMILAR TO EQUITONE LINE
50MM FRAME
200-250MM WALL.....

DETIALED SECTION B
0 1 2 5M





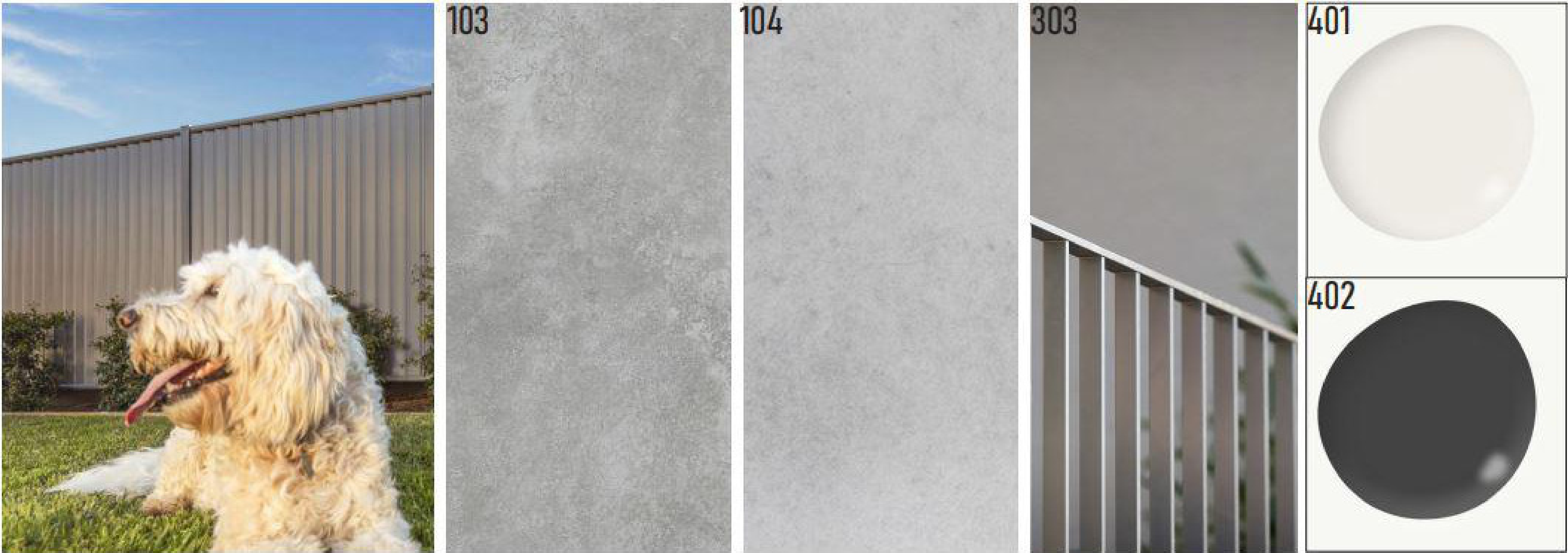
LEGEND

WALL FINISHES:

- 101 - FC FACADE VERTICAL PATTERN PANEL (SIMILAR TO EQUITONE LINE), COLOUR TO MATCH DULUX NATURAL WHITE
- 102 - FC FACADE HORIZONTAL PATTERN PANEL (SIMILAR TO EQUITONE LINE) COLOUR TO MATCH DULUX NATURAL WHITE
- 103 - RETAINING WALL / WARM GREY
- 104 - CONCRETE / LIGHT GREY

GLAZING:

- 201 - GLAZING TYPE 1 - CLEAR GLASS
- 202 - GLAZING TYPE 2 - LIGHT TINTED GREY



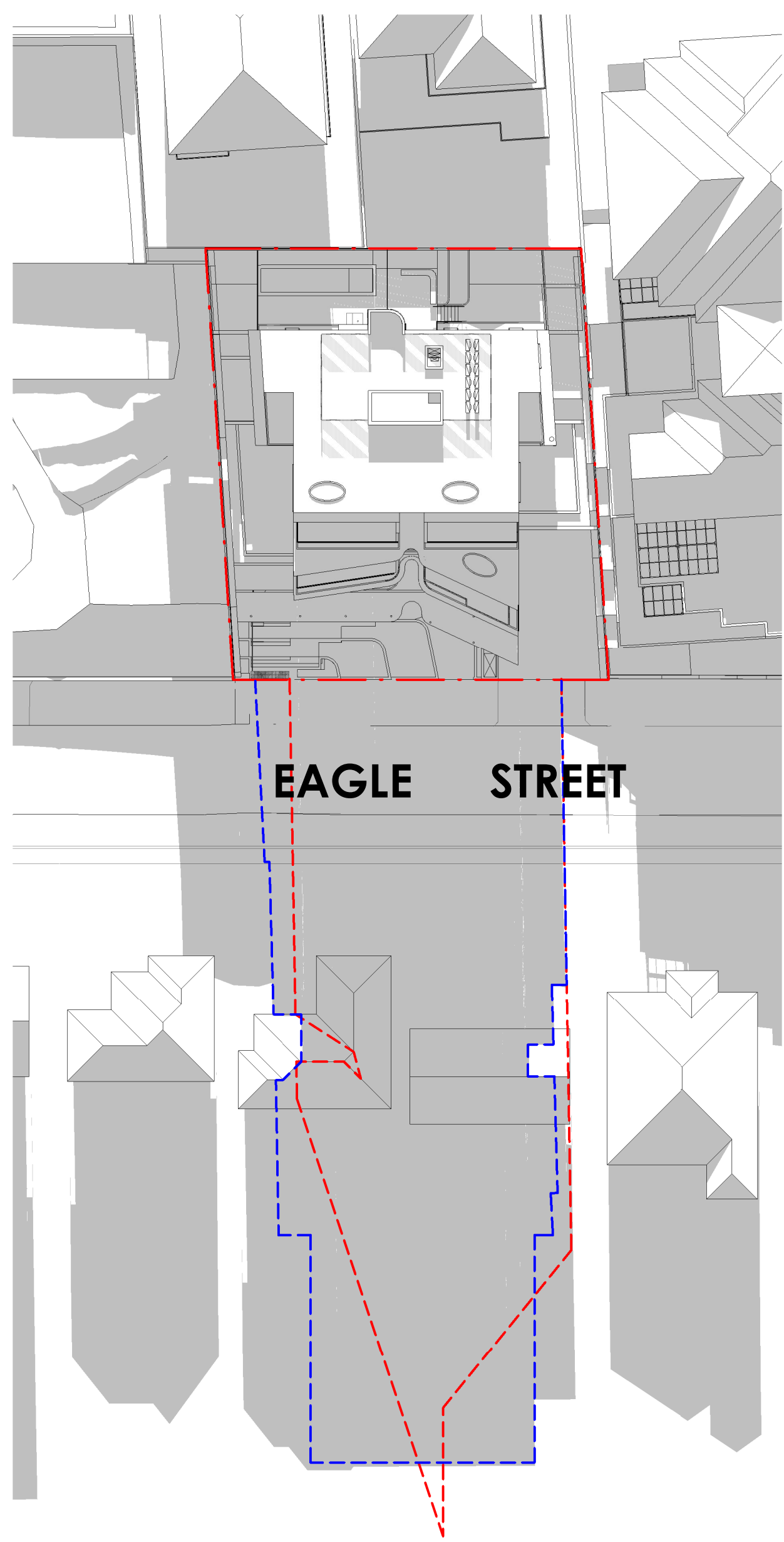
FENCING, WINDOW FRAMES, SCREEN:

- 301 - ALUMINIUM PRIVACY SCREEN - COLOUR TO MATCH DULUX NATURAL WHITE
- 302 - ALUMINIUM FRAMES - COLOUR TO MATCH DULUX MONUMENT
- 303 - BALUSTRADE - COLOUR TO MATCH DULUX MONUMENT
- 304 - STEEL FENCING - COLOUR TO MATCH DULUX MONUMENT

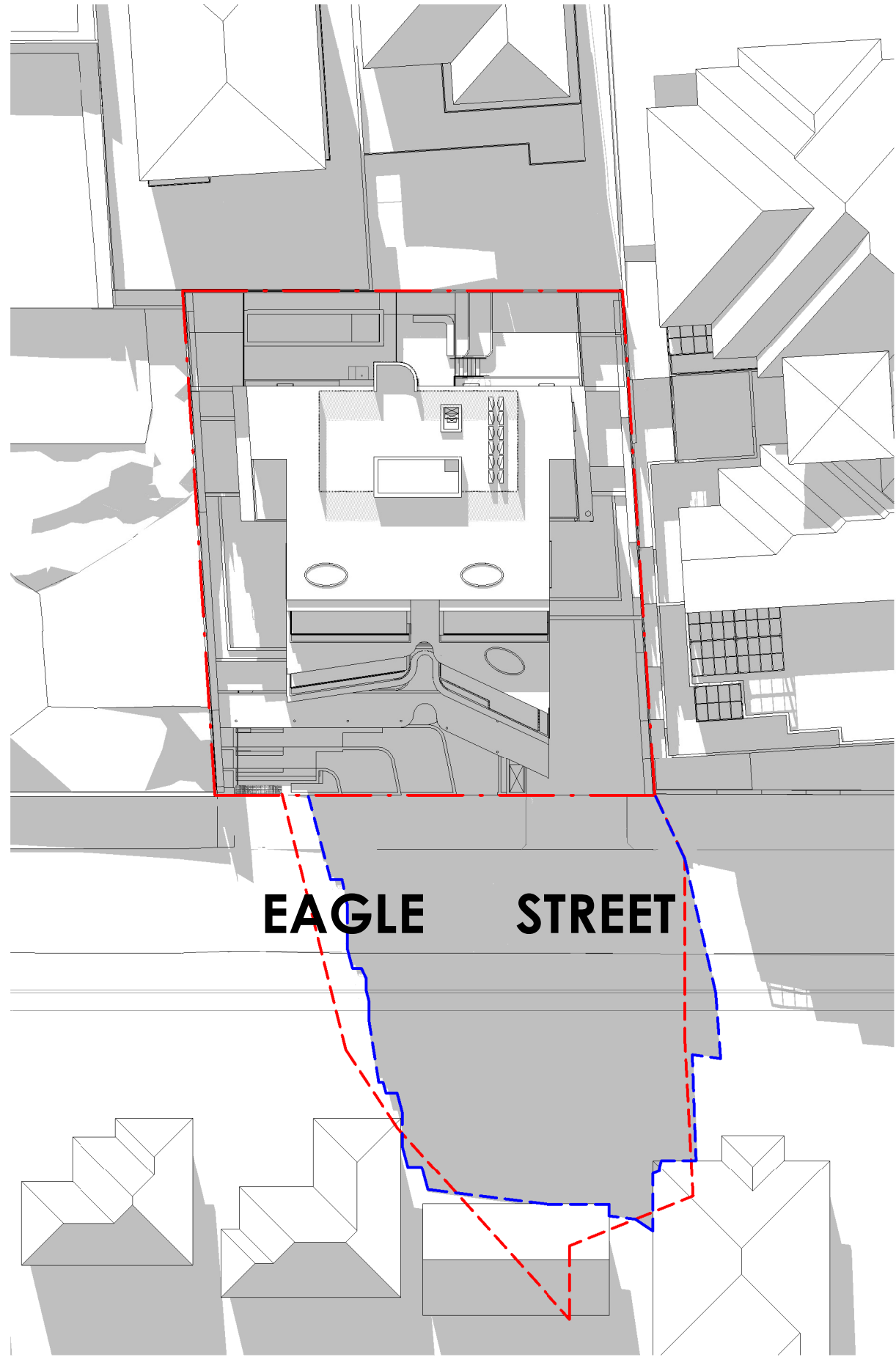
PAINT FINISHES:

- 401 - COLOUR TO MATCH DULUX NATURAL WHITE
- 402 - COLOUR TO MATCH DULUX MONUMENT

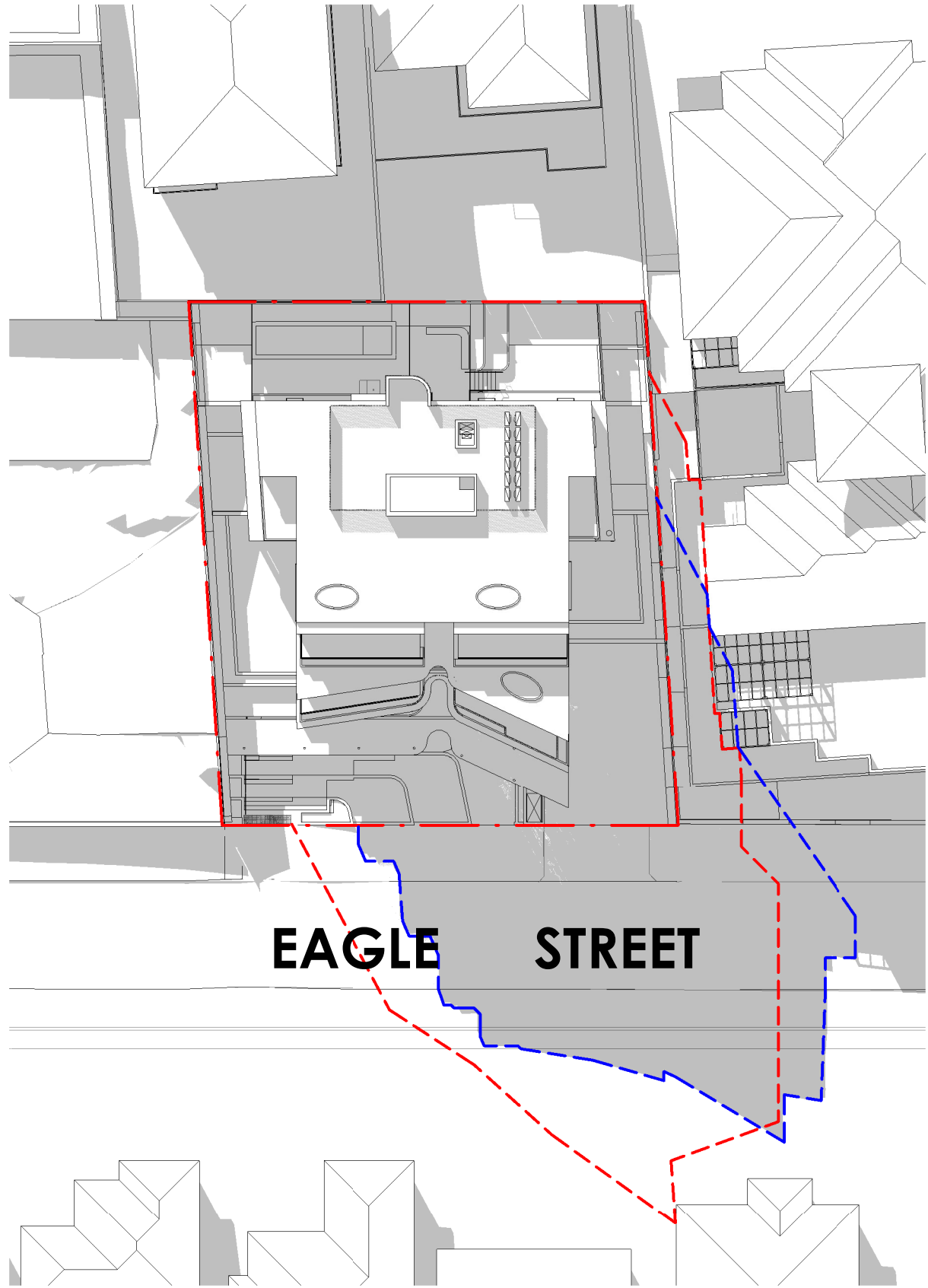
REVISED DA FOR APPROVAL



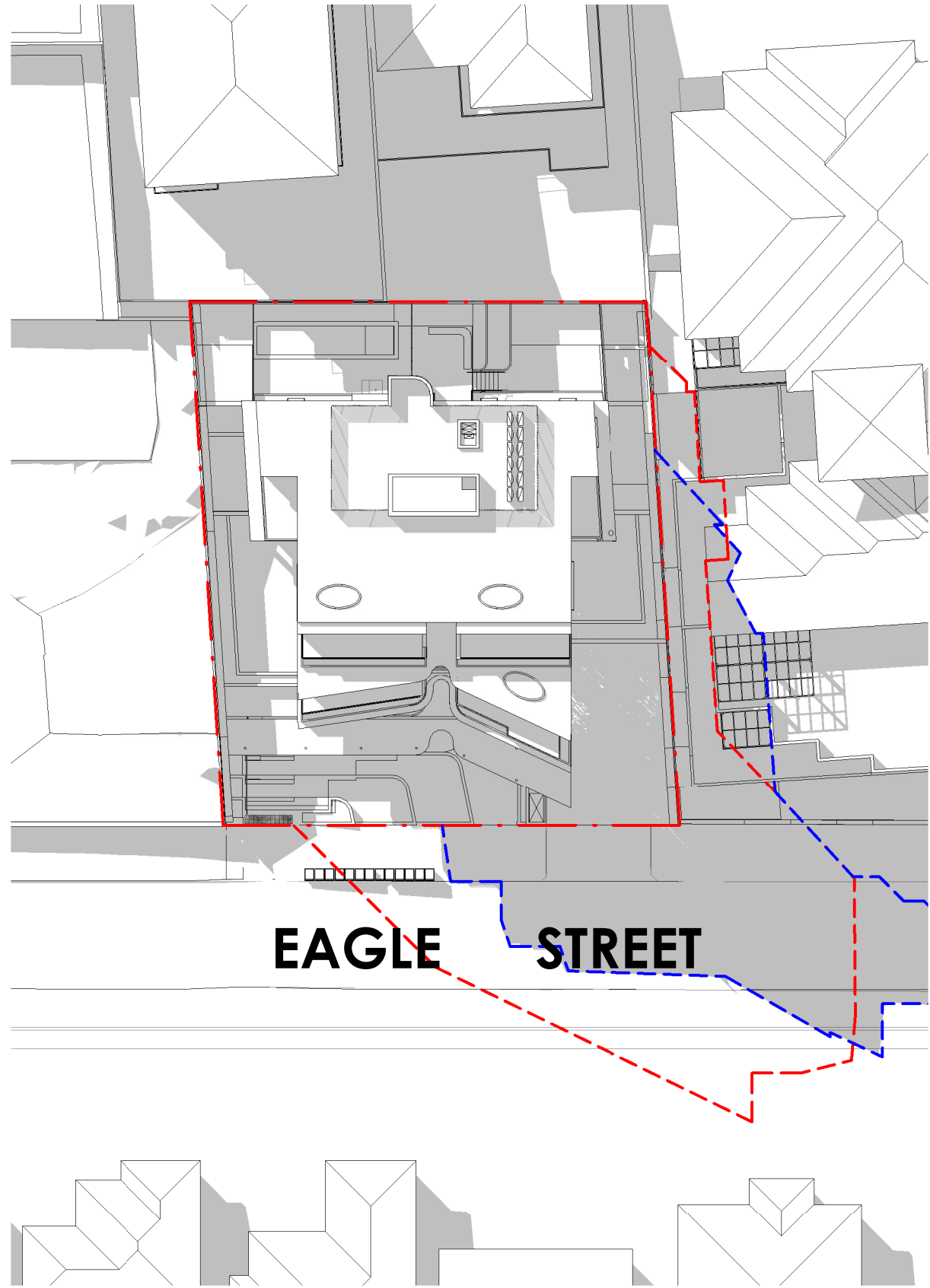
1 SHADOW DIAGRAM WINTER SOLSTICE 9AM
1 : 400



2 SHADOW DIAGRAM WINTER SOLSTICE 10AM
1 : 400



3 SHADOW DIAGRAM WINTER SOLSTICE 11AM
1 : 400



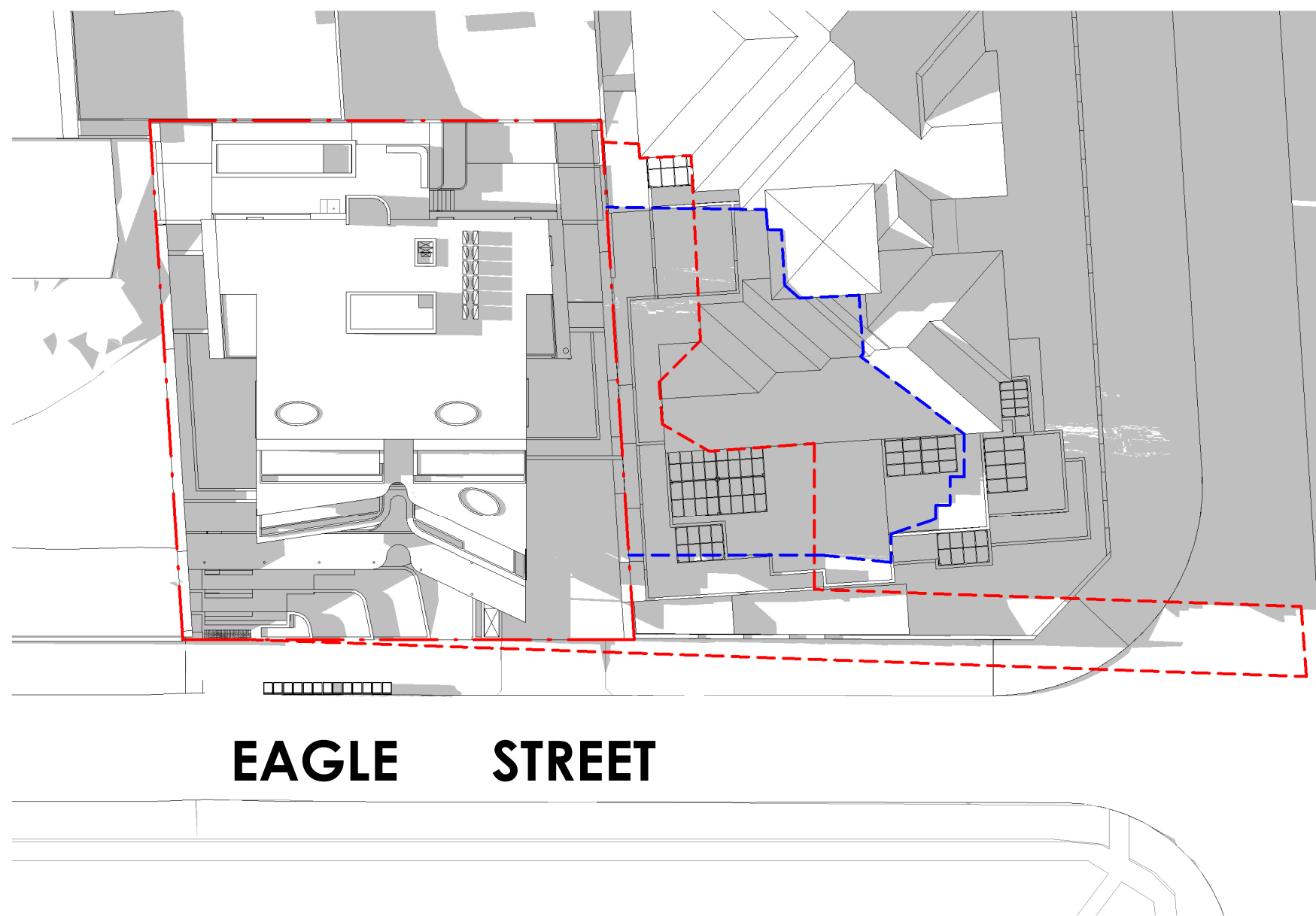
4 SHADOW DIAGRAM WINTER SOLSTICE 12PM
1 : 400



5 SHADOW DIAGRAM WINTER SOLSTICE 1PM
1 : 400



6 SHADOW DIAGRAM WINTER SOLSTICE 2PM
1 : 400



7 SHADOW DIAGRAM WINTER SOLSTICE 3PM
1 : 400

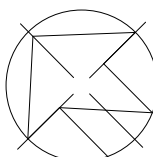
REVISED DA FOR APPROVAL

EXISTING BUILDING SHADOW CAST ON
OUTSIDE BOUNDARY AND NEIGHBOUR
BUILDING, SHOWN RED DASHED

PROPOSED BUILDING SHADOW CAST ON
OUTSIDE BOUNDARY AND NEIGHBOUR
BUILDING, SHOWN BLUE DASHED

FIGURED DIMENSIONS SHALL BE USED IN
PREFERENCE TO THOSE SCALED OFF.
DETAIL DRAWINGS TO LARGER SCALES TAKE
PRECEDENCE OVER SMALLER SCALE DRAWINGS.
THIS DRAWING WAS PREPARED FROM DRAWING
AND SURVEY INFORMATION AVAILABLE AT THE
TIME OF DRAFTING AND MAY VARY FROM ACTUAL
SITE MEASURED DIMENSIONS. VERIFY ALL
DIMENSIONS & LEVELS ON SITE PRIOR TO
FABRICATION OF COMPONENTS OR
COMMENCEMENT OF WORK ON SITE.

Orientation:



ISSUE	DATE	DESCRIPTION	ISSUED BY
E	2023.05.05	REVISED DA FOR APPROVAL	KL
D	2022.11.28	ISSUE DOR DA	KL
C	2022.11.22	ISSUE FOR DA	KL
B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
A	2022.08.24	PRE DA	KL



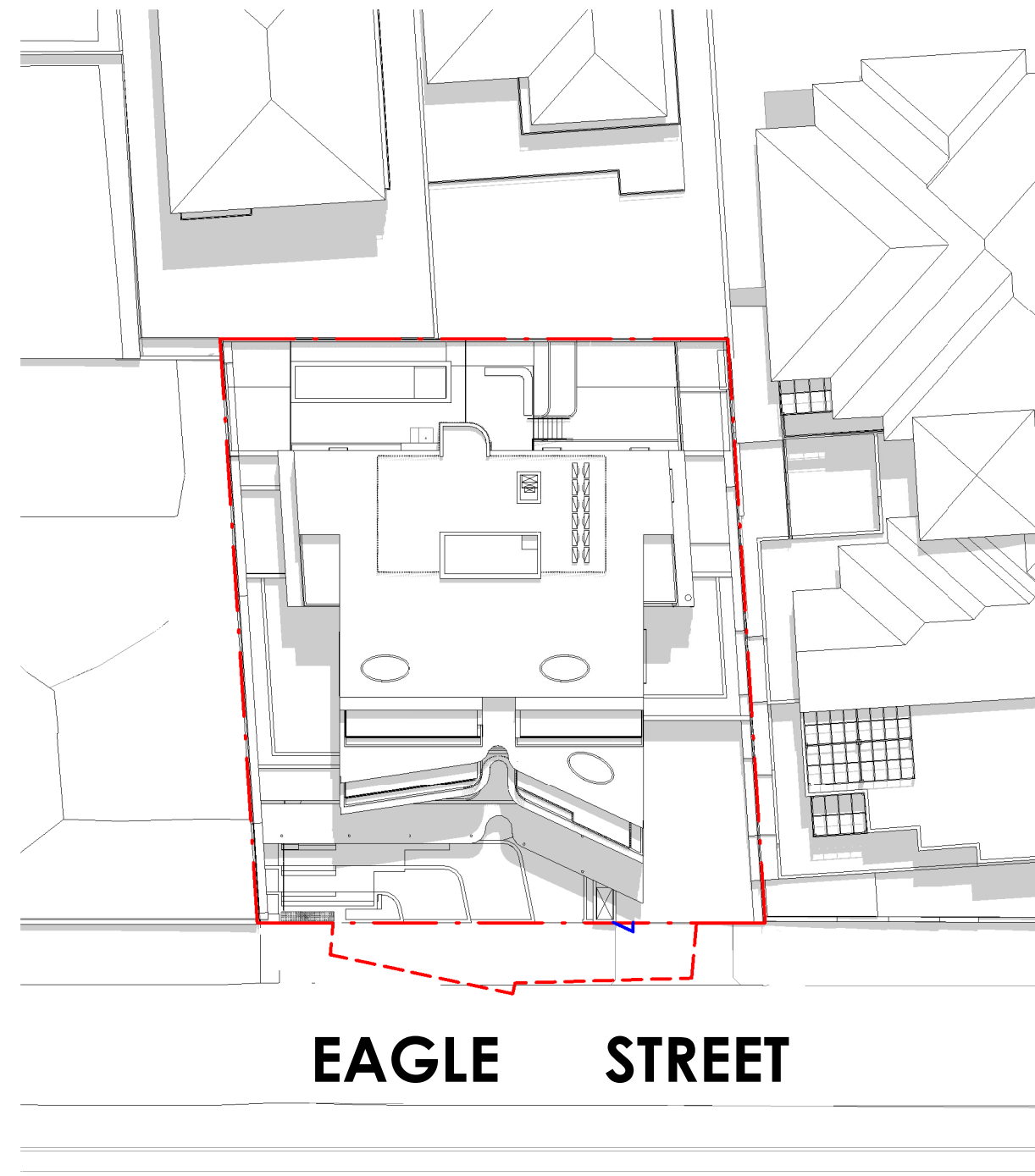
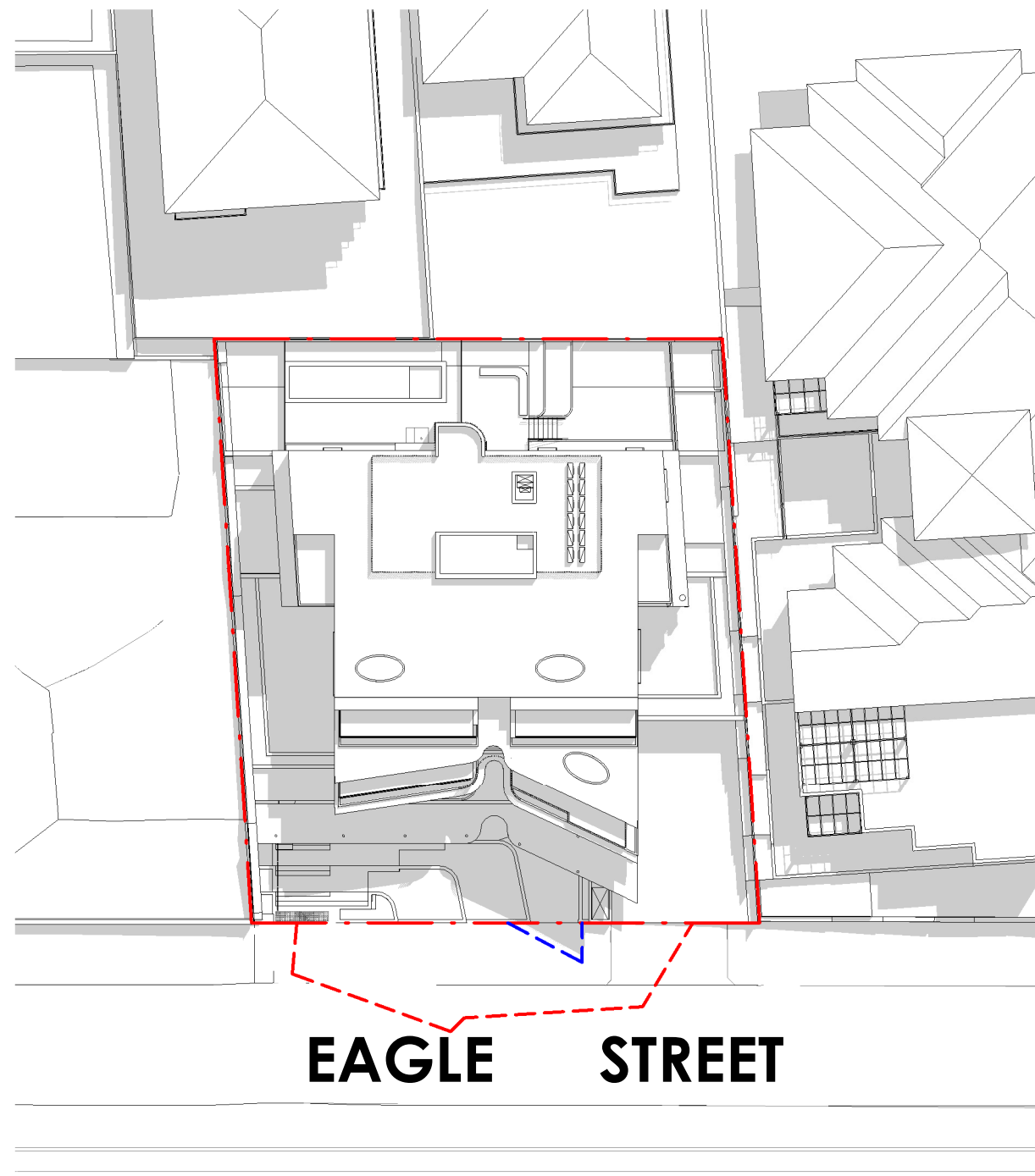
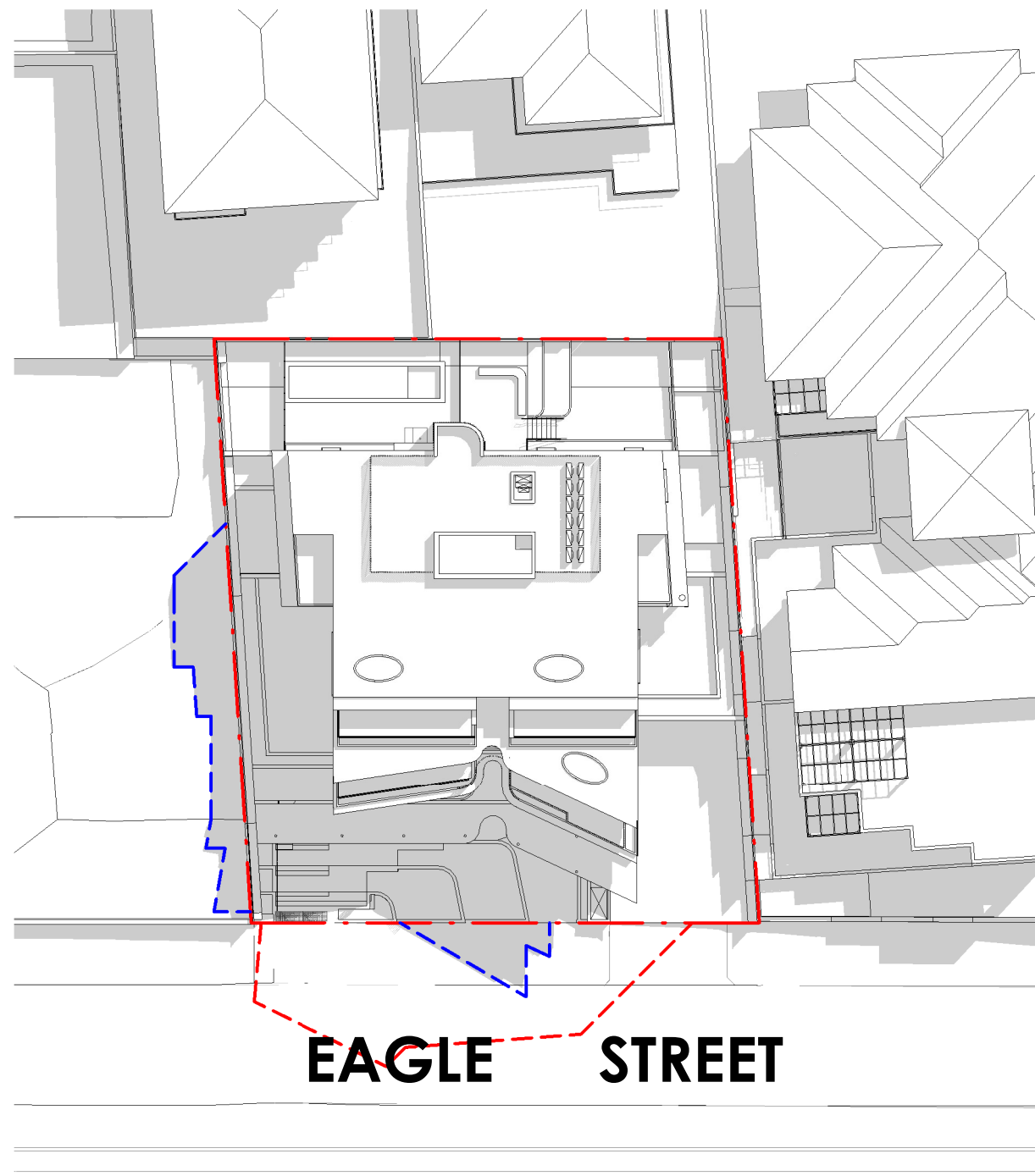
ARCHITECT:
DREW DICKSON ARCHITECTS
Nominated Architect, Alexander de Bary
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2/300 FLOOR 10/15 ALEXANDER STREET CROWS NEST NSW 2090 AUSTRALIA
Tel: +61 2 95813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**SHADOW
DIAGRAMS_WINTER
SOLSTICE**

Drawing Scale @ A1: 1 : 400	Date: AUG.2022	Drawn by: KL
Drawing Status: DA	Project / Job No: 22029	Revision: E
	Drawing No: A-500	



1 SHADOW DIAGRAM SUMMER SOLSTICE 9AM
1 : 400

2 SHADOW DIAGRAM SUMMER SOLSTICE 10AM
1 : 400

3 SHADOW DIAGRAM SUMMER SOLSTICE 11AM
1 : 400

4 SHADOW DIAGRAM SUMMER SOLSTICE 12PM
1 : 400



5 SHADOW DIAGRAM SUMMER SOLSTICE 1PM
1 : 400

6 SHADOW DIAGRAM SUMMER SOLSTICE 2PM
1 : 400

7 SHADOW DIAGRAM SUMMER SOLSTICE 3PM
1 : 400

EXISTING BUILDING SHADOW CAST ON
OUTSIDE BOUNDARY AND NEIGHBOUR
BUILDING, SHOWN RED DASHED

PROPOSED BUILDING SHADOW CAST ON
OUTSIDE BOUNDARY AND NEIGHBOUR
BUILDING, SHOWN BLUE DASHED

REVISED DA FOR APPROVAL

FOURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.		Orientation:			0008256520 - 15 May 2023 Assessor: Martin Prosser Accreditation No.: DMN181821 Address: 28 Eagle Street, Ryde, NSW 2112 		ARCHITECT: DREW DICKSON ARCHITECTS <small>Nominated Architect - Alexander de Baat DREW DICKSON ARCHITECTS PTY LIMITED SUITE 2/200 FLOOR 10/10 ALEXANDER STREET CROWS NEST NSW 2090 AUSTRALIA Tel: +61 2 90613433 Email: info@dca-architects.com Web: www.dca-architects.com</small>	CLIENT: EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD	PROJECT: EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112	DRAWING SHADOW DIAGRAMS_SUMMER SOLSTICE	Drawing Scale @ A1:	Date:	Drawn by:
		1 : 400	AUG.2022								KL		
		Drawing Status:	Project / Job No:								Drawing No:	Revision:	
		DA	22029								A-501	E	



1 SUN EYE VIEW - 21/06/2022-9.00AM



2 SUN EYE VIEW - 21/06/2022-10.00AM



3 SUN EYE VIEW - 21/06/2022-11.00AM



4 SUN EYE VIEW - 21/06/2022-12.00PM

LEGEND:

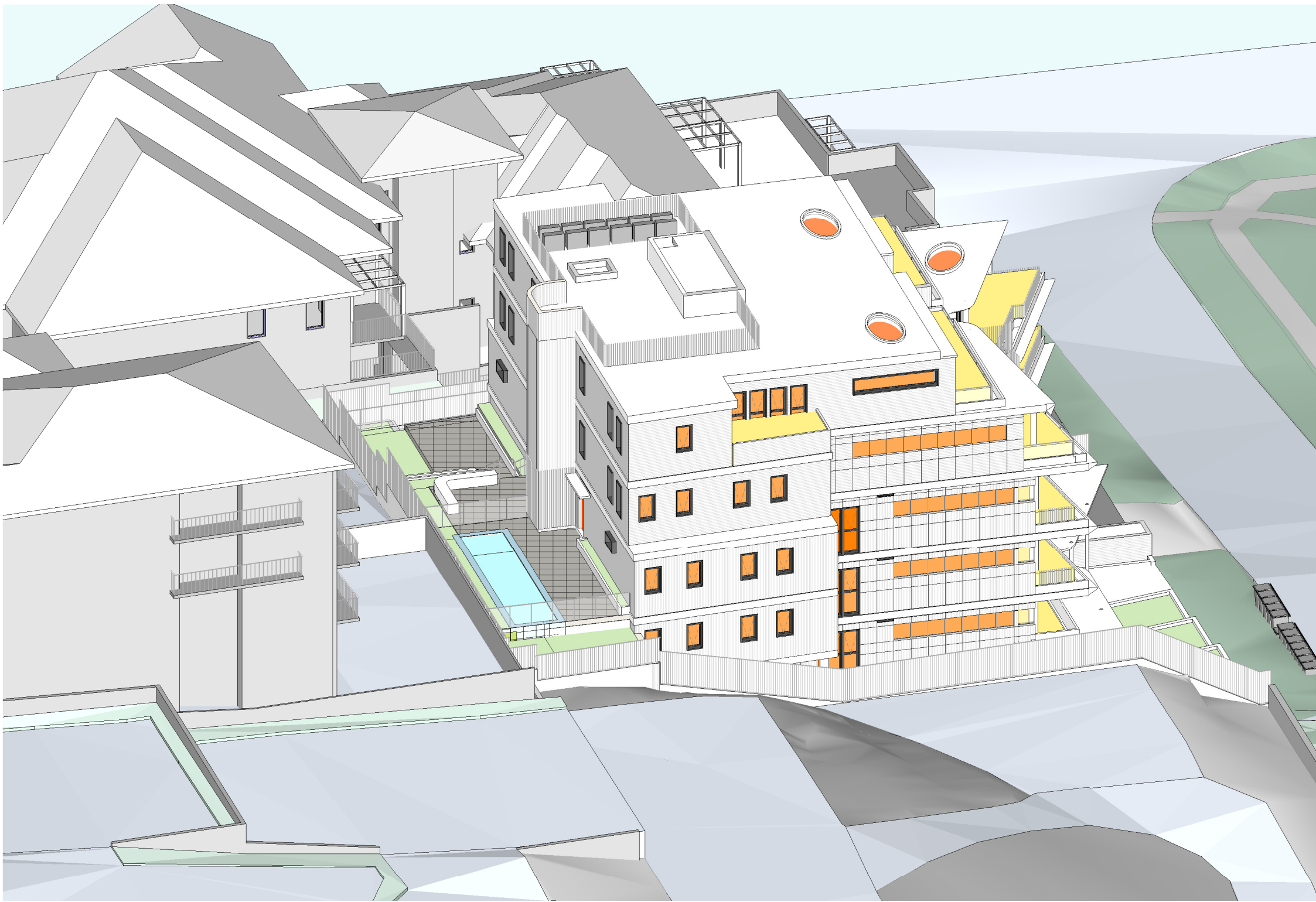
- DENOTES SOLAR ACCESS INTO APARTMENTS
- DENOTES SOLAR ACCESS CAST ON BALCONY

REVISED DA FOR APPROVAL

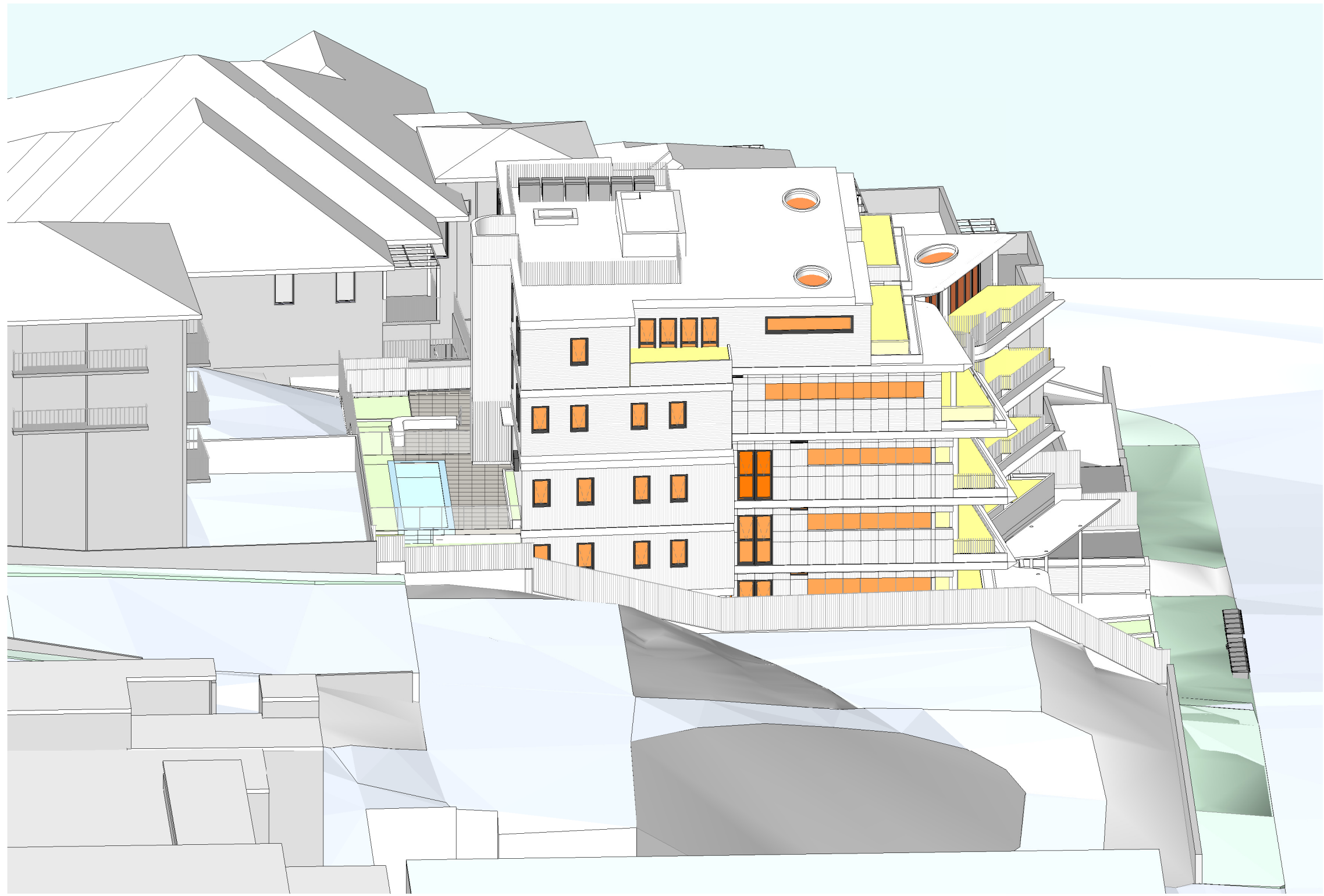
FOURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:	E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
		ISSUE	DATE	DESCRIPTION	ISSUED BY
<div><div></div><div><div> ARCHITECT: DREW DICKSON ARCHITECTS <small>Notified Architect Alexander de Baat DREW DICKSON ARCHITECTS PTY LIMITED SUITE 2/UPPER FLOOR 65-67 ALEXANDER STREET CROWS NEST NSW 2083 AUSTRALIA Tel: +61 2 95613433 Email: info@dca-australia.com Web: www.dca-australia.com</small></div><div><div>CLIENT: EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD</div><div><div>PROJECT: EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112</div><div><div>DRAWING SUN EYE VIEWS _SHEET 1</div><div><div>Drawing Scale @ A1: 1 : 100</div><div>Date: AUG.2022</div><div>Drawn by: KL</div></div><div><div>Project / Job No: 22029</div><div>Drawing No: A-510</div><div>Revision: E</div></div></div></div></div></div></div>					



1 SUN EYE VIEW - 21/06/2022-13.00PM



2 SUN EYE VIEW - 21/06/2022-14.00PM



3 SUN EYE VIEW - 21/06/2022-15.00PM

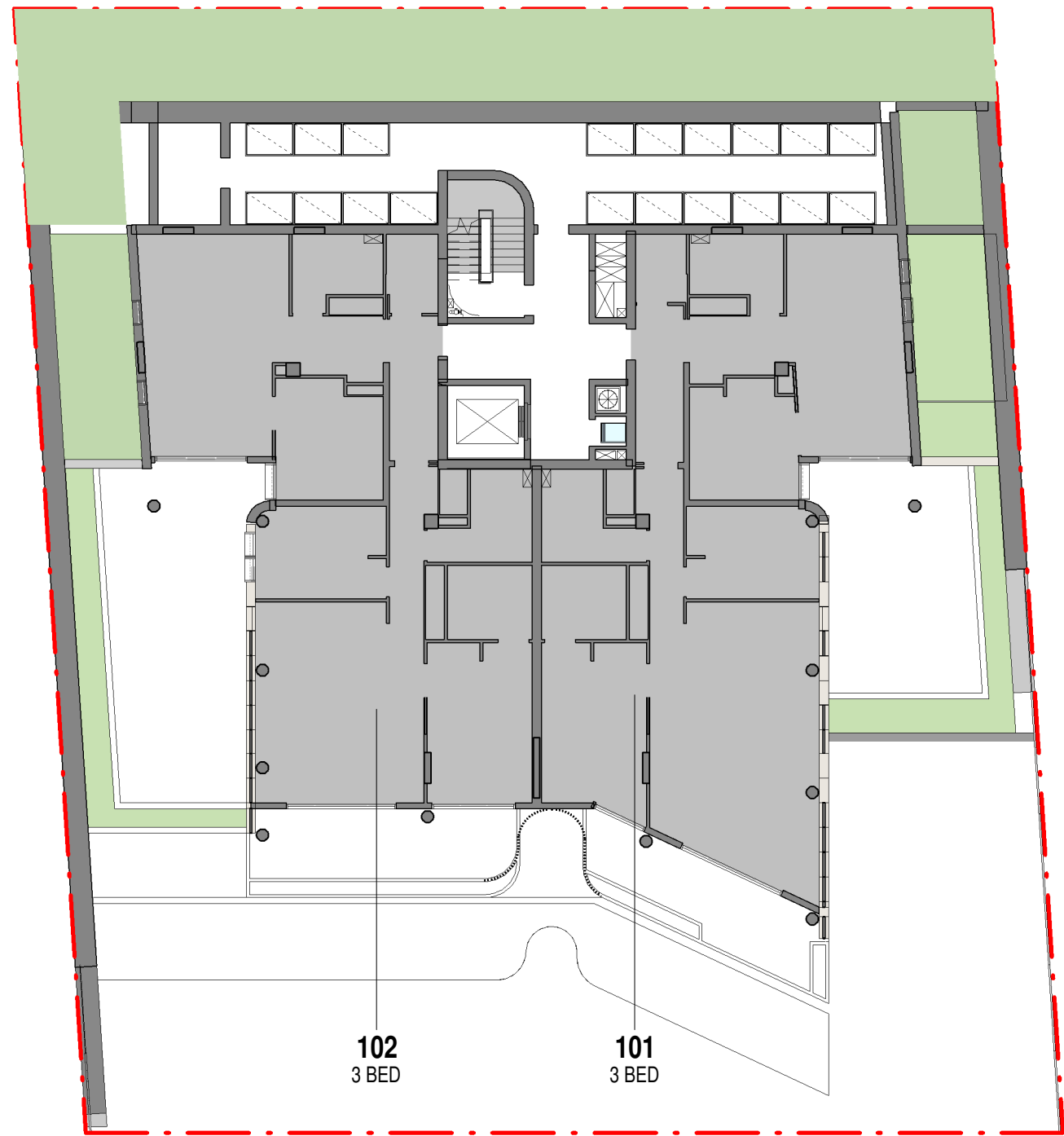
LEGEND:

DENOTES SOLAR ACCESS INTO APARTMENTS

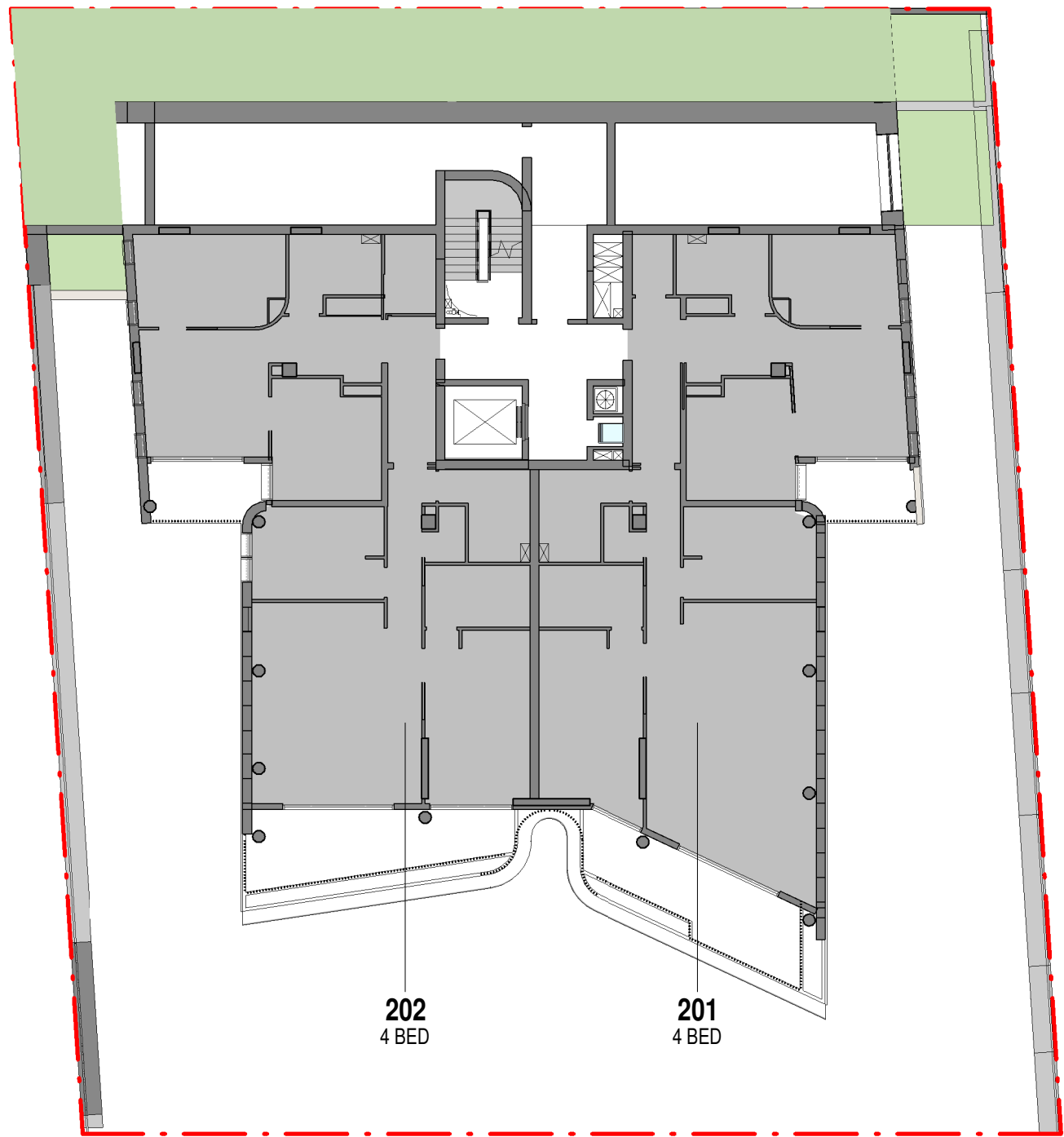
DENOTES SOLAR ACCESS CAST ON BALCONY

REVISED DA FOR APPROVAL

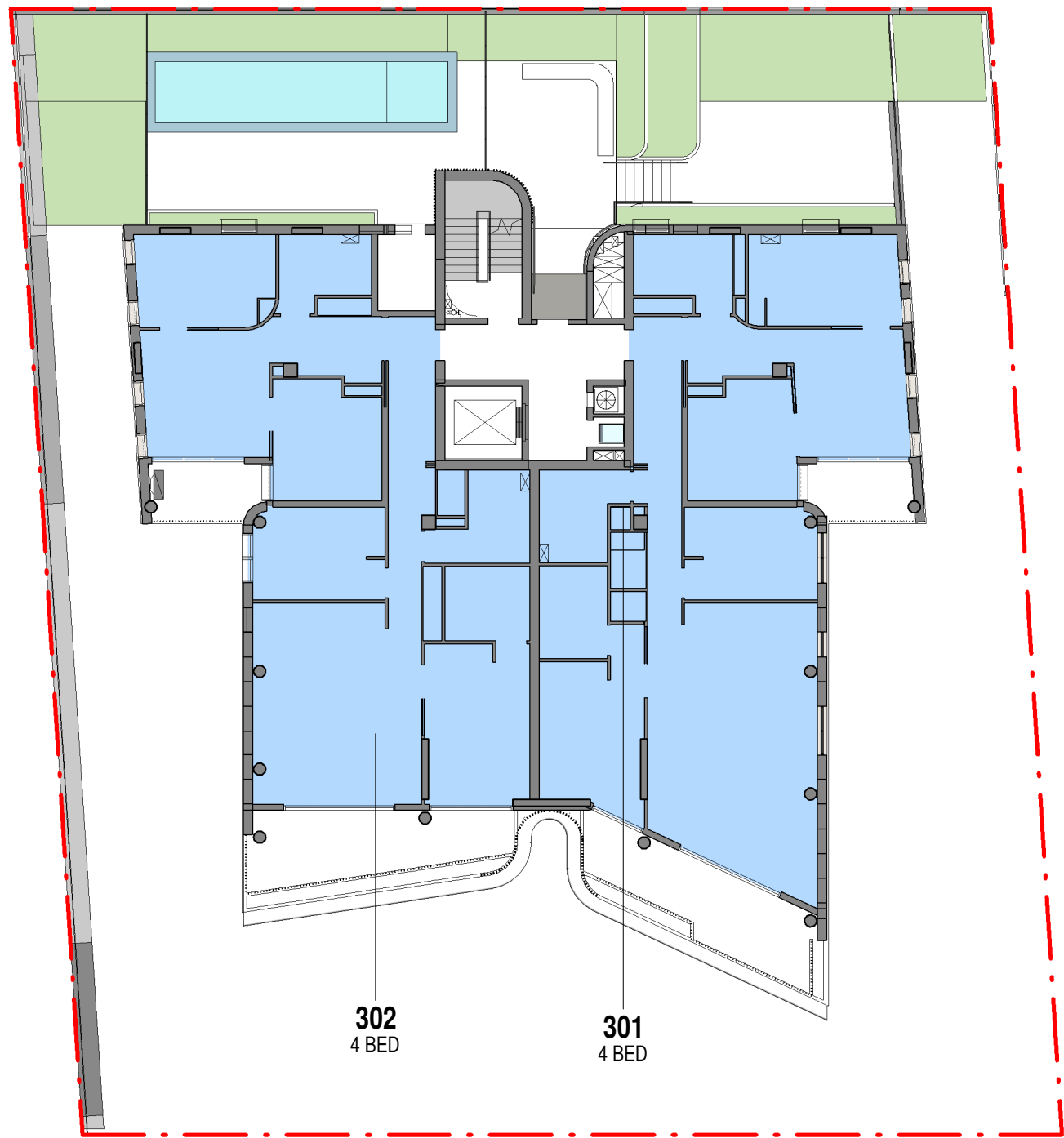
FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:	E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
		ISSUE		DATE	DESCRIPTION
<div><div><div><div>0000256520</div><div>15 May 2023</div><div>Assessor: Martin Pridgen</div><div>Accreditation No. DMN/19/1921</div><div>Address</div><div>28 Eagle Street, Ryde, NSW 2112</div><div>7.1</div><div>Average star rating</div><div>HOUSE</div><div>www.easystar.gov.au</div><div>hstar.com.au</div></div></div></div>					
ARCHITECT:		CLIENT:		PROJECT:	
<div><div><div><div></div><div>DREW DICKSON ARCHITECTS</div><div><div>Nominated Architect Alexander de Bono</div><div>DREW DICKSON ARCHITECTS PTY LIMITED</div><div>SUITE 2 GROUND FLOOR 65 ALEXANDER STREET CROWS NEST NSW 2090 AUSTRALIA</div><div>Tel: +61 2 95813433 Email: info@dda-australia.com Web: www.dda-australia.com</div></div></div></div></div>		EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD		EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112	
DRAWING		Drawing Scale @ A1:		Date:	
SUN EYE VIEWS _SHEET 2		1 : 100		AUG.2022	
Drawing Status:		DA		Drawn by:	
Project / Job No:		22029		KL	
Drawing No:		A-511		Revision:	
				E	



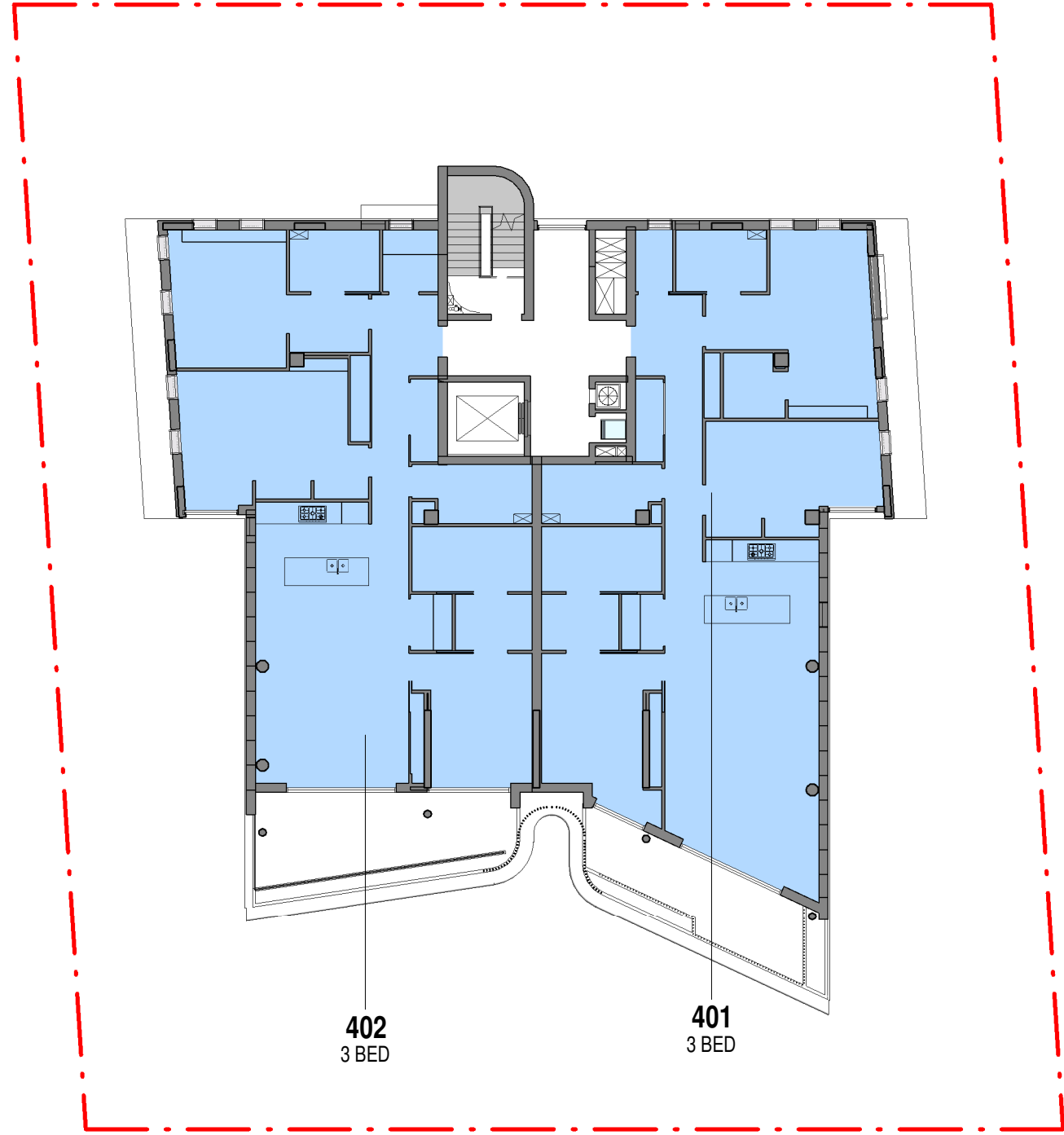
1 VENTILATION_L1
1 : 200@A1



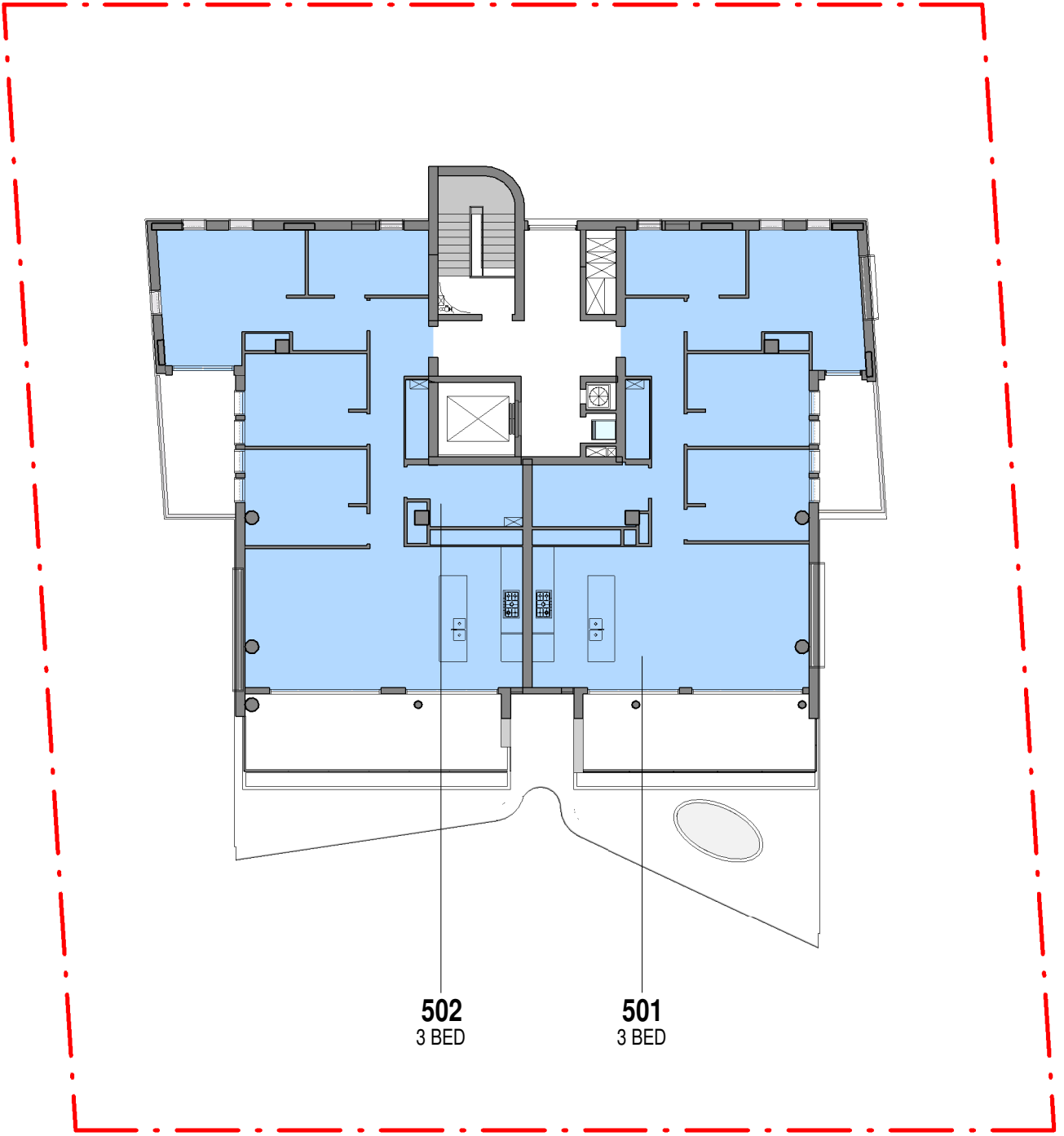
2 VENTILATION_L2
1 : 200@A1



3 VENTILATION_L3
1 : 200



4 VENTILATION_L4
1 : 200@A1



5 VENTILATION_L5
1 : 200@A1

NATURAL VENTILATION...

ROOM NUMBER	ADG Ventilation
101	No
102	No
201	No
202	No
301	Yes
302	Yes
401	Yes
402	Yes
501	Yes
502	Yes

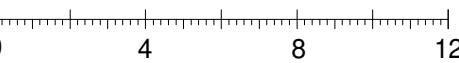
LEGEND: NATURAL VENTILATION

- UNIT ACHIEVES NATURAL VENTILATION
- UNIT DOES NOT ACHIEVE NATURAL VENTILATION

TOTAL UNITS- 10
TOTAL COMPLIANCE UNITS- 6 UNITS
PERCENTAGE- 60%

REVISED DA FOR APPROVAL

Scale 1 : 200.



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.					
		E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
ISSUE		DATE		DESCRIPTION	ISSUED BY

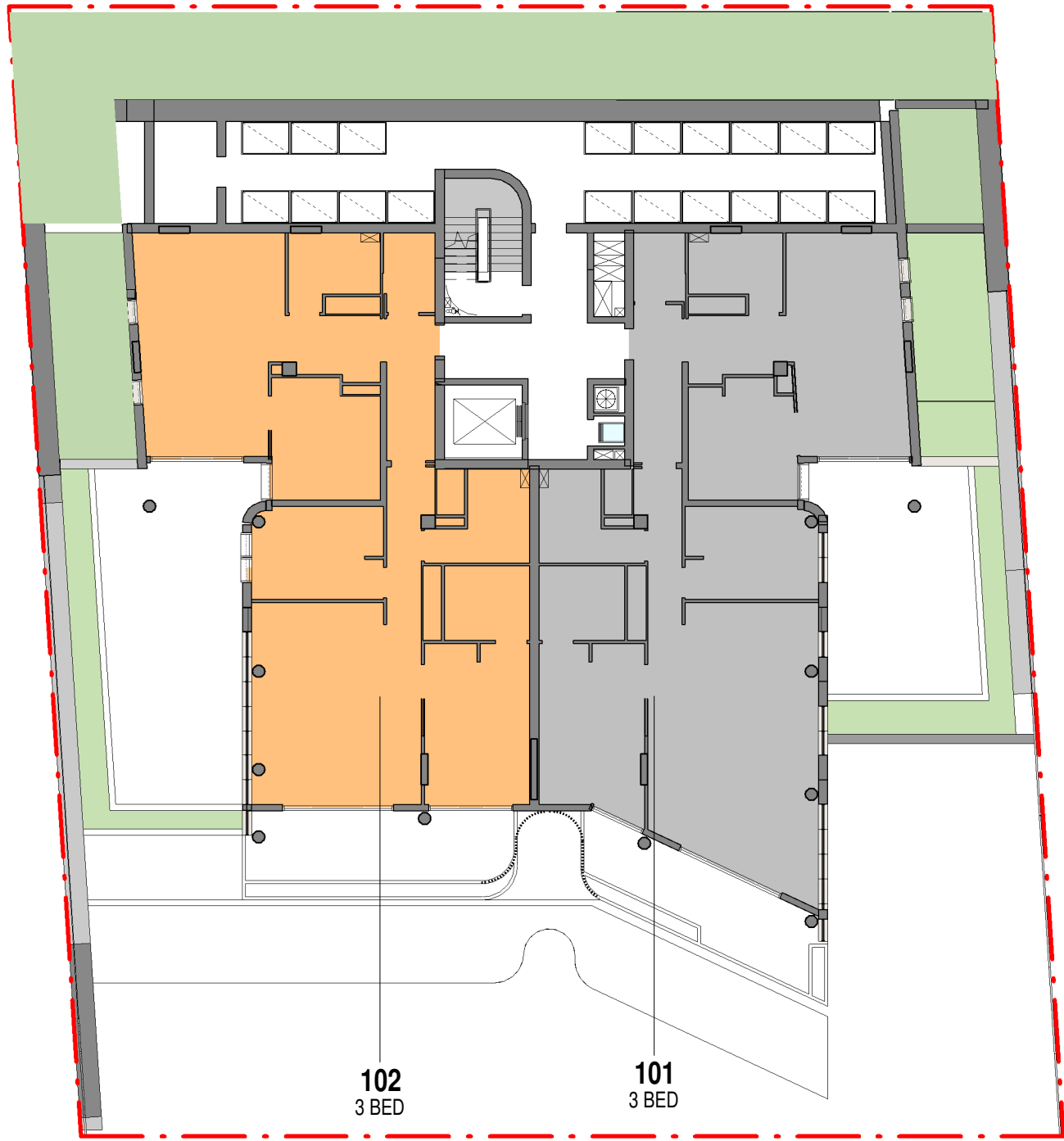


CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**NATURAL VENTILATION
ANALYSIS**

Drawing Scale @ A1:	Date:	Drawn by:
As indicated	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	A-520	E



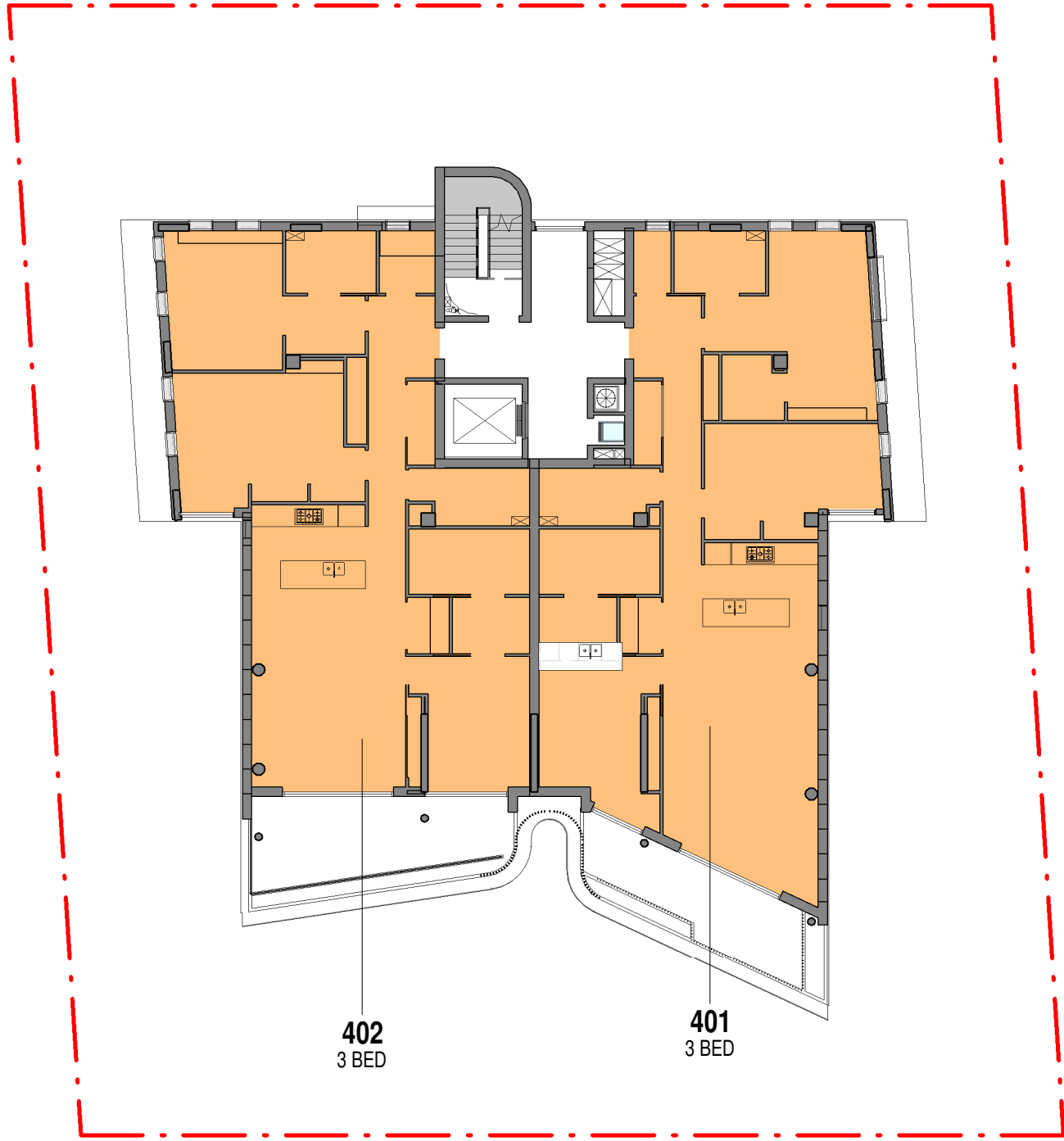
1 SOLAR ACCESS PLAN_L1
1 : 200@A1



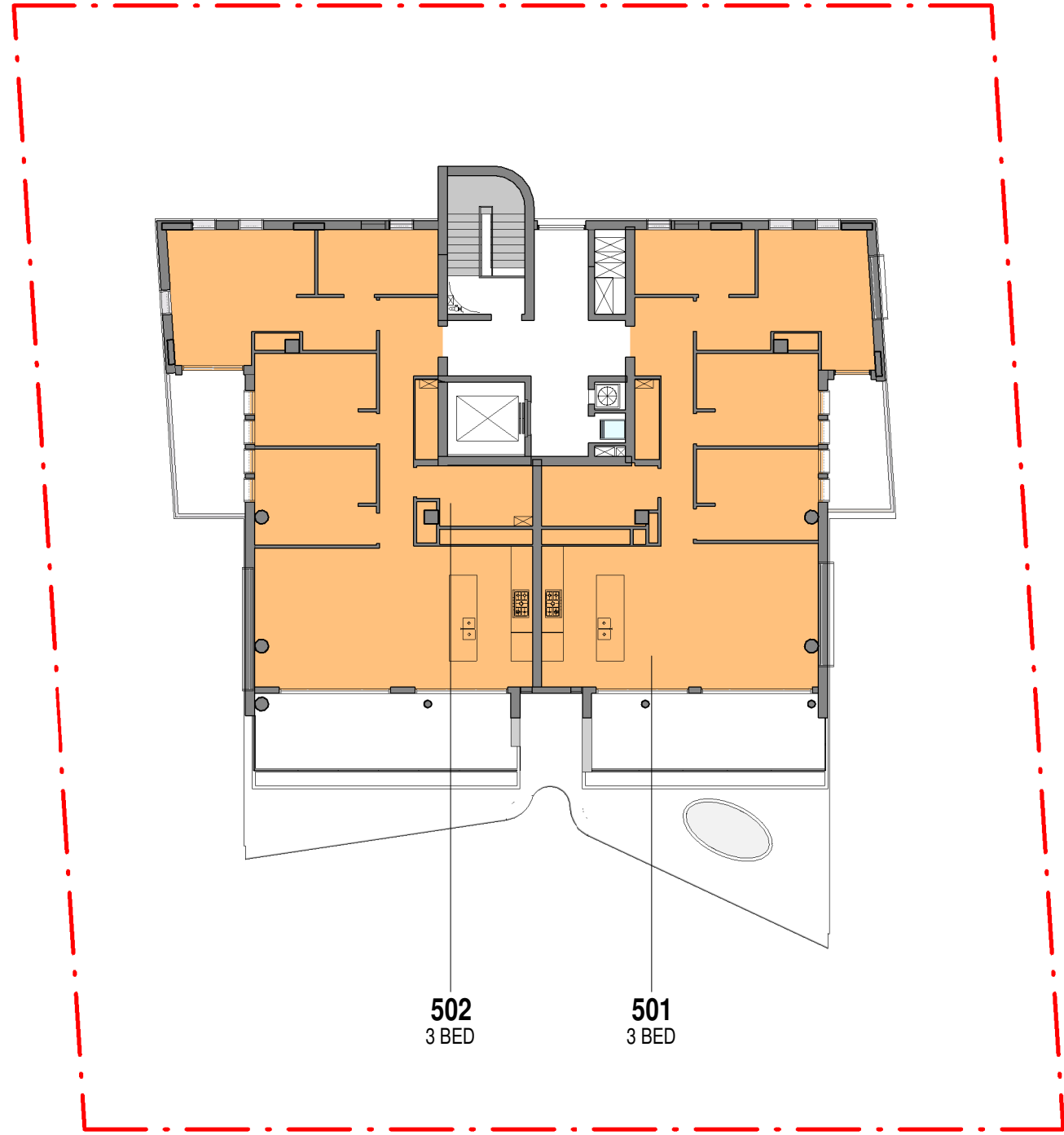
2 SOLAR ACCESS PLAN_L2
1 : 200@A1



3 SOLAR ACCESS PLAN_L3
1 : 200



4 SOLAR ACCESS PLAN_L4
1 : 200@A1



5 SOLAR ACCESS PLAN_L5
1 : 200@A1

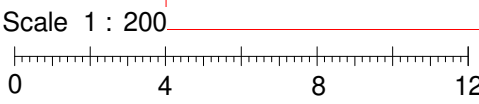
SOLAR ACCESS...	
Number	ADG Solar
101	No
102	Yes
201	No
202	Yes
301	No
302	Yes
401	Yes
402	Yes
501	Yes
502	Yes

LEGEND: SOLAR ACCESS

- UNIT ACHIEVES SOLAR COMPLIANCE
- UNIT DOES NOT ACHIEVE SOLAR COMPLIANCE

TOTAL UNITS- 10
TOTAL COMPLIANCE UNITS- 7
PERCENTAGE- 70%

REVISED DA FOR APPROVAL



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.				Orientation: 		
	E	2023.05.05	REVISED DA FOR APPROVAL	KL		
	D	2022.11.28	ISSUE DOR DA	KL		
	C	2022.11.22	ISSUE FOR DA	KL		
	B	2022.11.15	FINAL DRAFT FOR REVIEW	KL		
	A	2022.08.24	PRE DA	KL		
ISSUE	DATE	DESCRIPTION		ISSUED BY		



ARCHITECT:

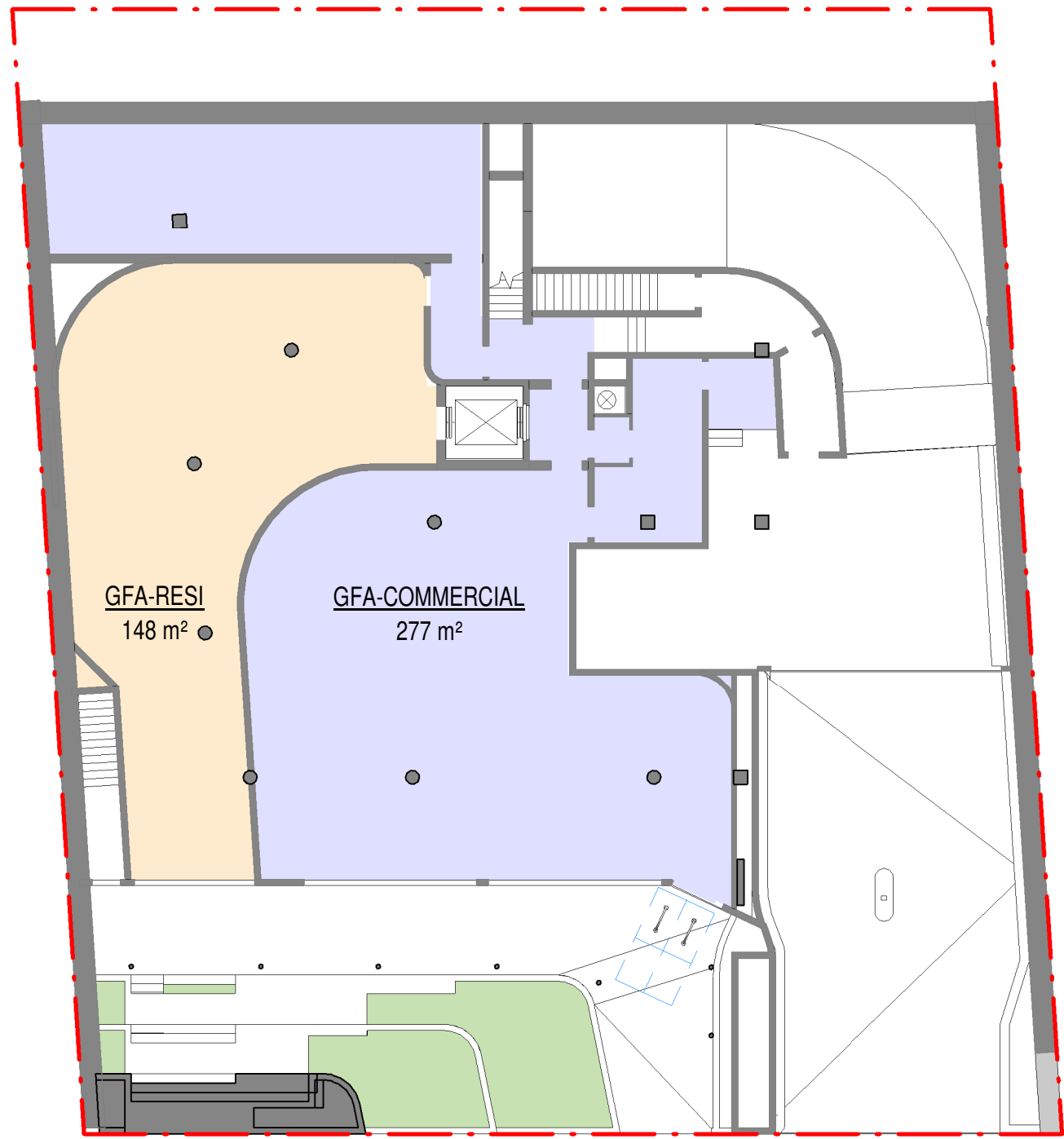
DREW DICKSON ARCHITECTS
Nominated Architect, Alexander de Beten
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2/UPPER FLOOR, 61-63 ALEXANDER STREET, CROWS NEST NSW 1585 AUSTRALIA
Tel: +61 2 95513433 Email: info@dda-architects.com Web: www.dda-architects.com

ARCHITECT'S REG. NO. 8330
ADN 12 168 892 153

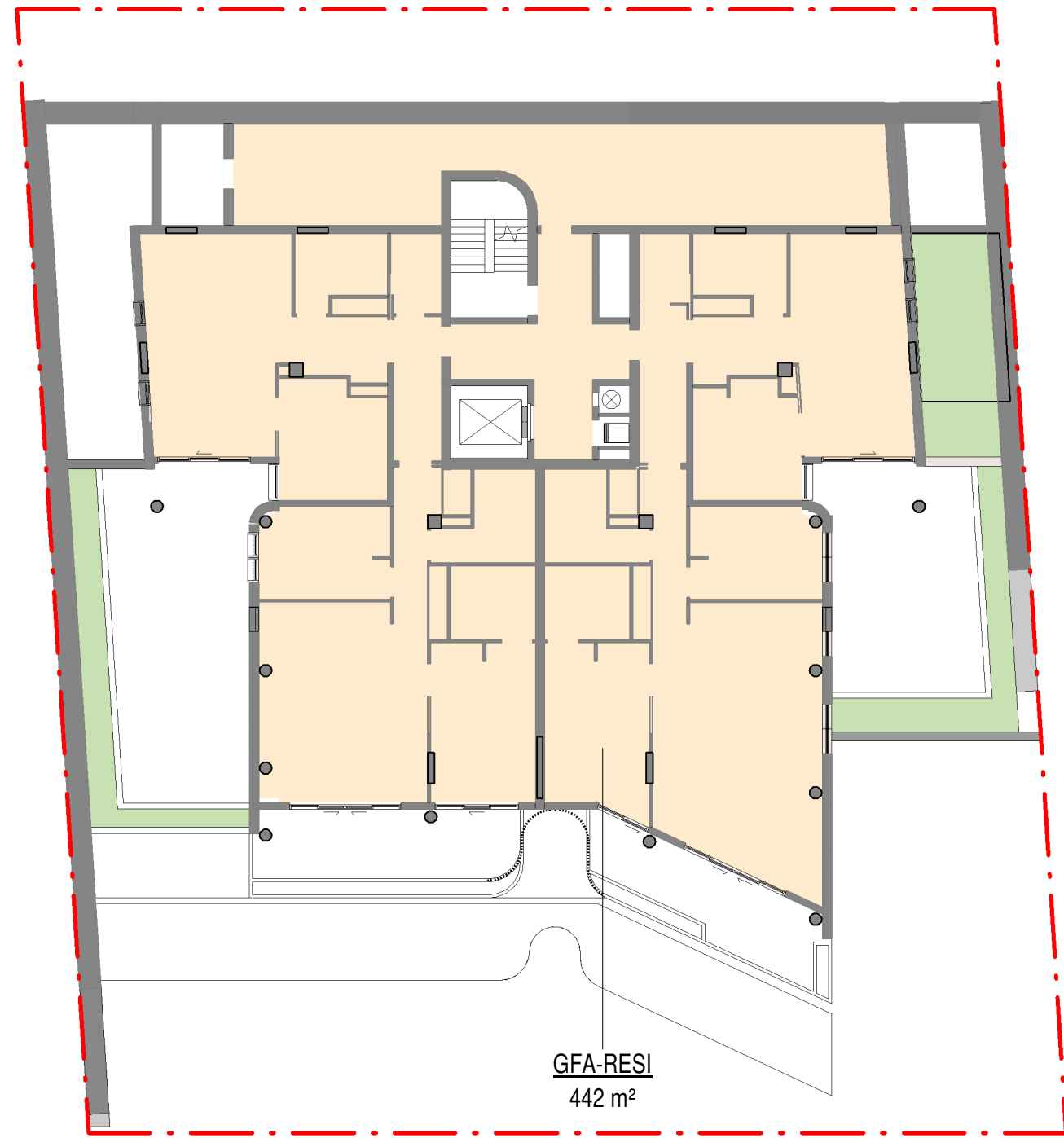
CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING SOLAR ACCESS PLANS			Drawing Scale @ A1: As indicated	Date: AUG.2022	Drawn by: LH
Drawing Status: DA					
Project / Job No: 22029	Drawing No: A-521	Revision: E			



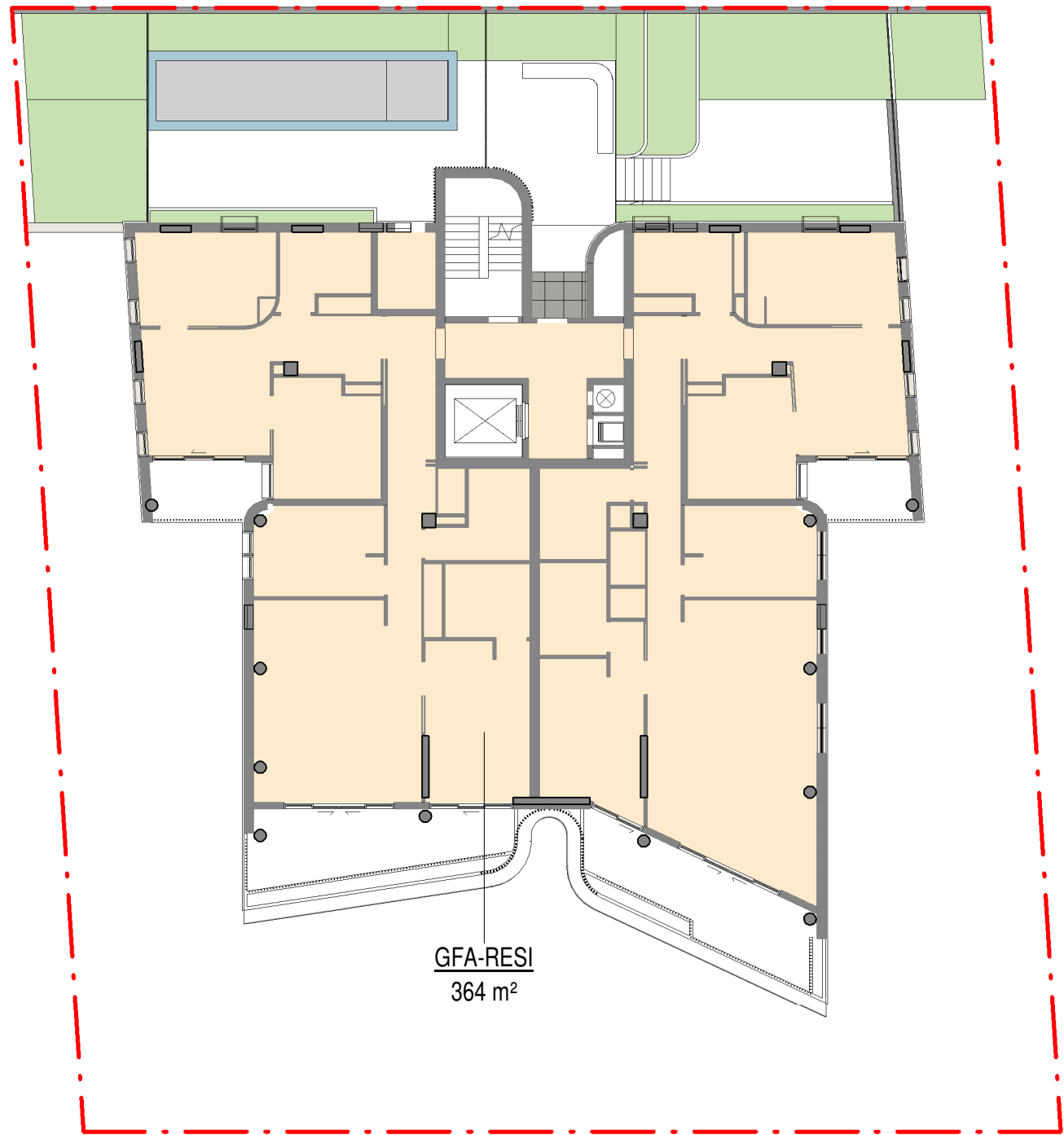
1 Ground Floor GFA
1 : 200



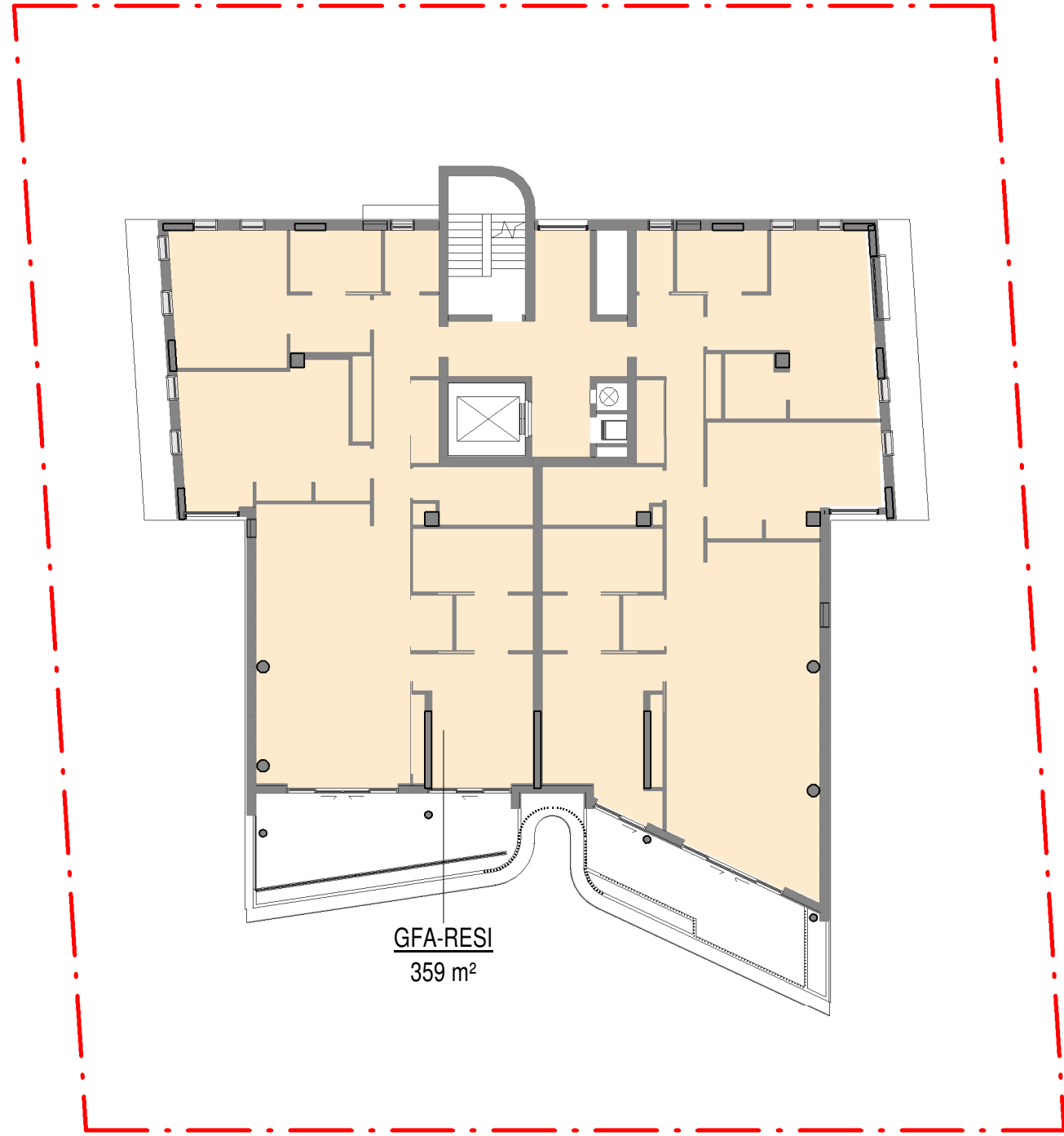
2 Level 1 GFA
1 : 200



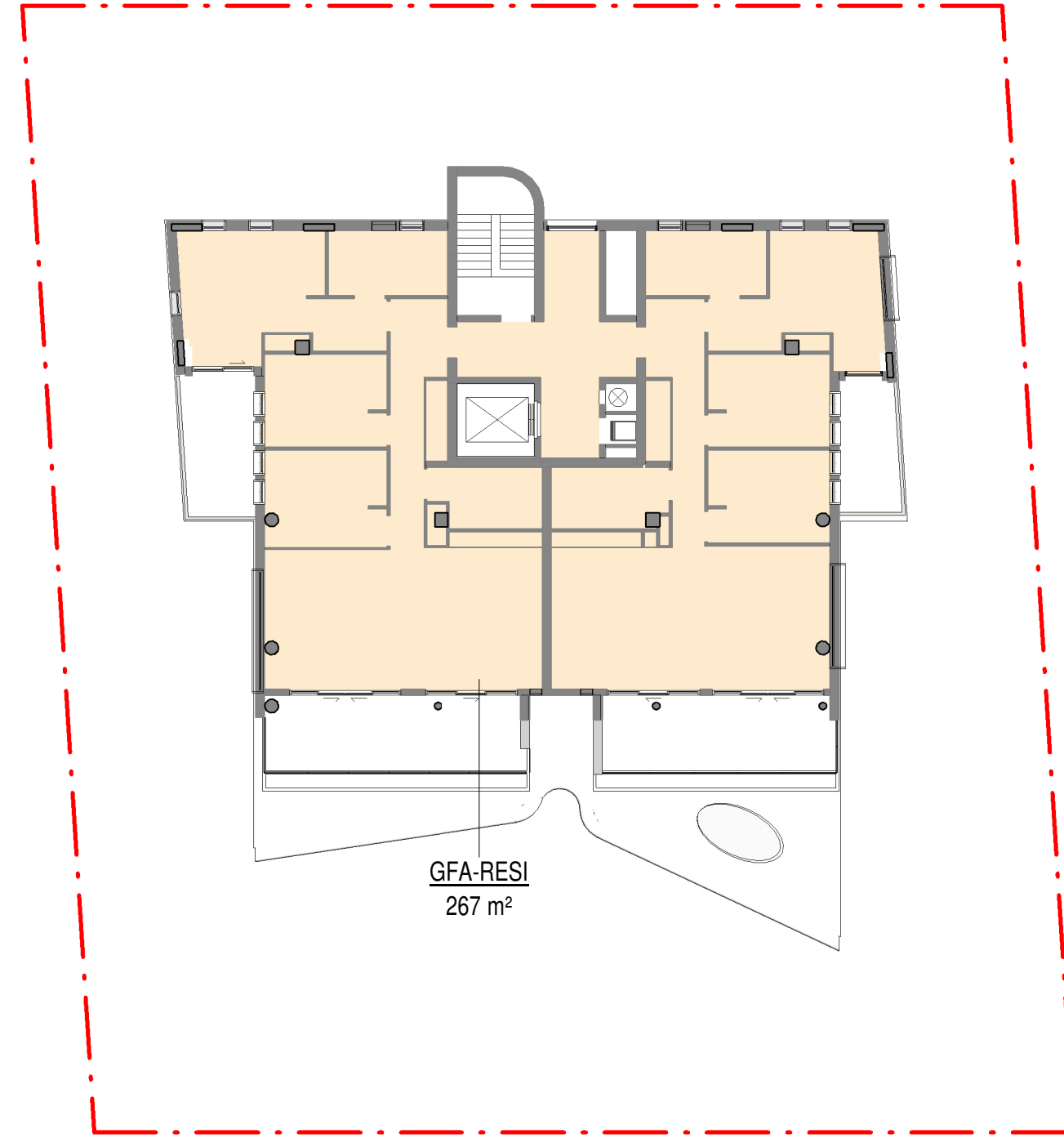
3 Level 2 GFA
1 : 200



4 Level 3 GFA
1 : 200



5 Level 4 GFA
1 : 200



6 Level 5 GFA
1 : 200

COMMERCIAL GFA SUMMARY			
Level	Zone	Area	FSR
GROUND FL	GFA-COMMERCIAL	277 m²	0.24
		277 m²	0.24:1

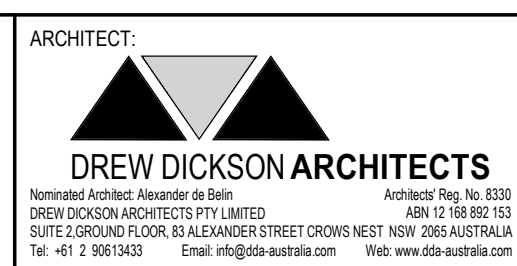
RESIDENTIAL GFA SUMMARY			
Level	Zone	Area	FSR
GROUND FL	GFA-RESI	148 m²	0.13
LEVEL 1	GFA-RESI	442 m²	0.38
LEVEL 2	GFA-RESI	372 m²	0.32
LEVEL 3	GFA-RESI	364 m²	0.31
LEVEL 4	GFA-RESI	359 m²	0.31
LEVEL 5	GFA-RESI	267 m²	0.23
		1952 m²	1.69:1

TOTAL GFA	SITE AREA	TOTAL FSR
2229 m²	1158.4 m²	1.92:1

REVISED DA FOR APPROVAL



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.					
		E	2023.05.05	REVISED DA FOR APPROVAL	KL
		D	2022.11.28	ISSUE DOR DA	KL
		C	2022.11.22	ISSUE FOR DA	KL
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
		A	2022.08.24	PRE DA	KL
ISSUE		DATE		DESCRIPTION	ISSUED BY

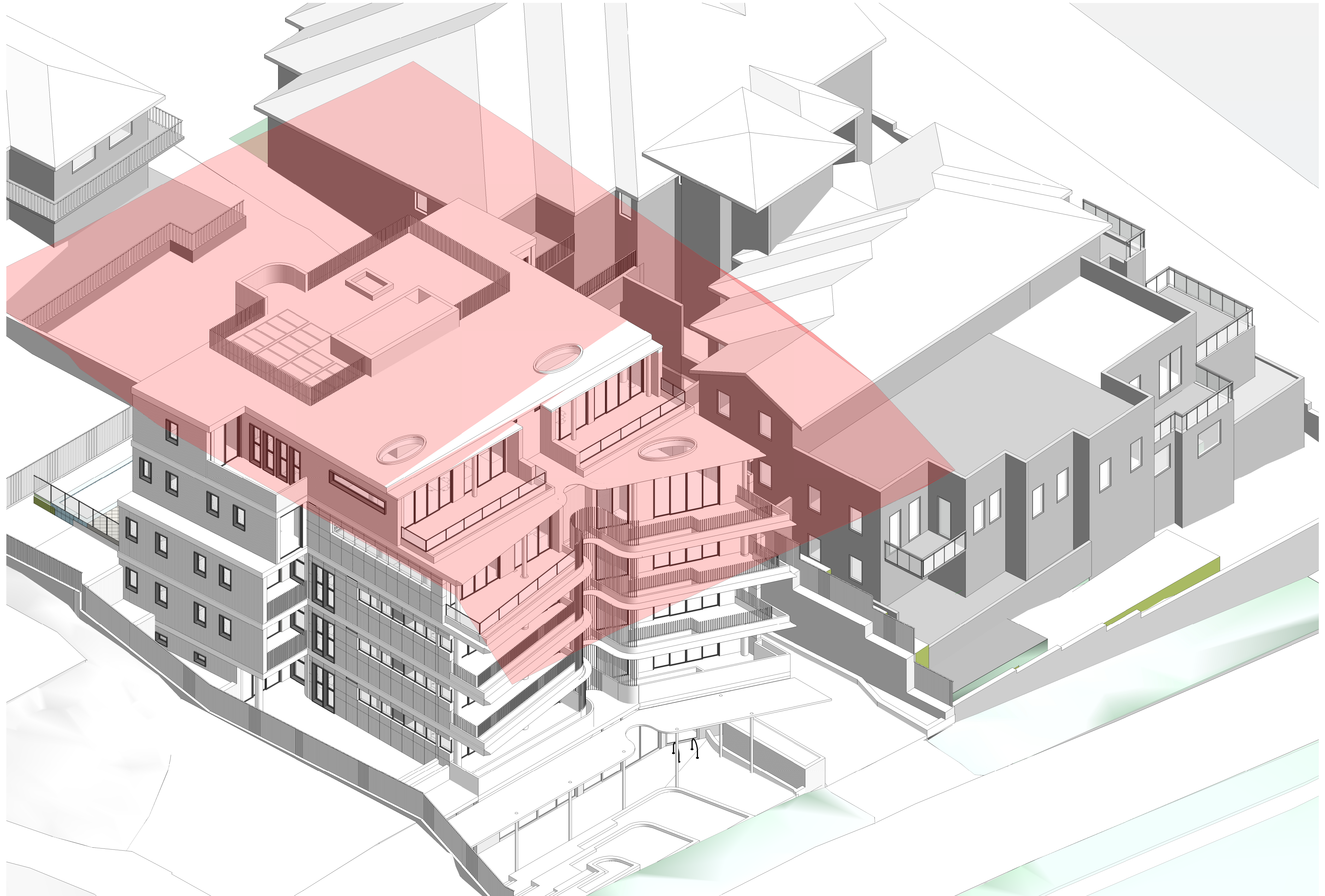


CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112




DRAWING
GFA PLAN

Drawing Scale @ A1: 1 : 200	Date: AUG.2022	Drawn by: KL
Drawing Status: DA		
Project / Job No: 22029	Drawing No: A-522	Revision: E



1 HEIGHT PLANE_SHEET 1
NOTE: 15.5m HEIGHT PLANE SHOWN IN RED

REVISED DA FOR APPROVAL

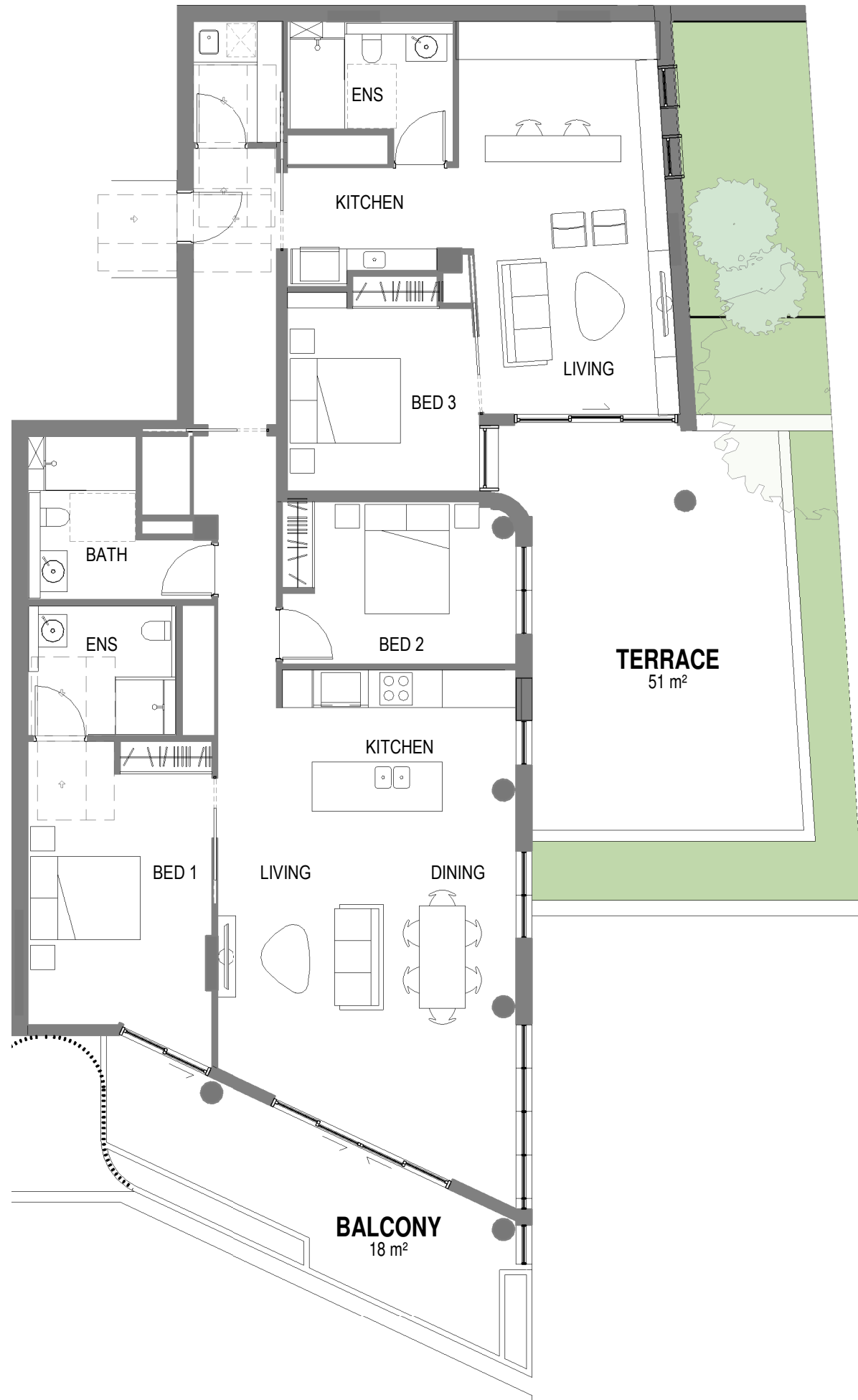
FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:	E	2023.05.05	REVISED DA FOR APPROVAL	KL	 0008256520 15 May 2023 Assessor: Muthi Prasad Accreditation No.: DA/N/19/1921 Address: 20 Eagle Street, Ryde, NSW, 2112 	ARCHITECT:  DREW DICKSON ARCHITECTS <small>Nominated Architect, Alexander de Beir DREW DICKSON ARCHITECTS PTY LIMITED SUITE 2, GROUND FLOOR, 85 ALEXANDER STREET, CROWS NEST NSW 1585 AUSTRALIA Tel: +61 2 95513433 Email: info@dca-australia.com Web: www.dca-australia.com</small>	CLIENT: EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD	PROJECT: EAGLE STREET, RYDE RESIDENTIAL APARTMENTS 28 EAGLE STREET, RYDE NSW 2112	DRAWING: HEIGHT ANALYSIS DIAGRAM SHEET 1	Drawing Scale @ A1:	Date:	Drawn by:
		D	2022.11.28	ISSUE DOR DA	KL						AUG.2022	KL	
		C	2022.11.22	ISSUE FOR DA	KL						Drawing Status:		
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL						DA		
		A	2022.08.24	PRE DA	KL						Project / Job No:	Revision:	
		ISSUE		DATE							DESCRIPTION		ISSUED BY



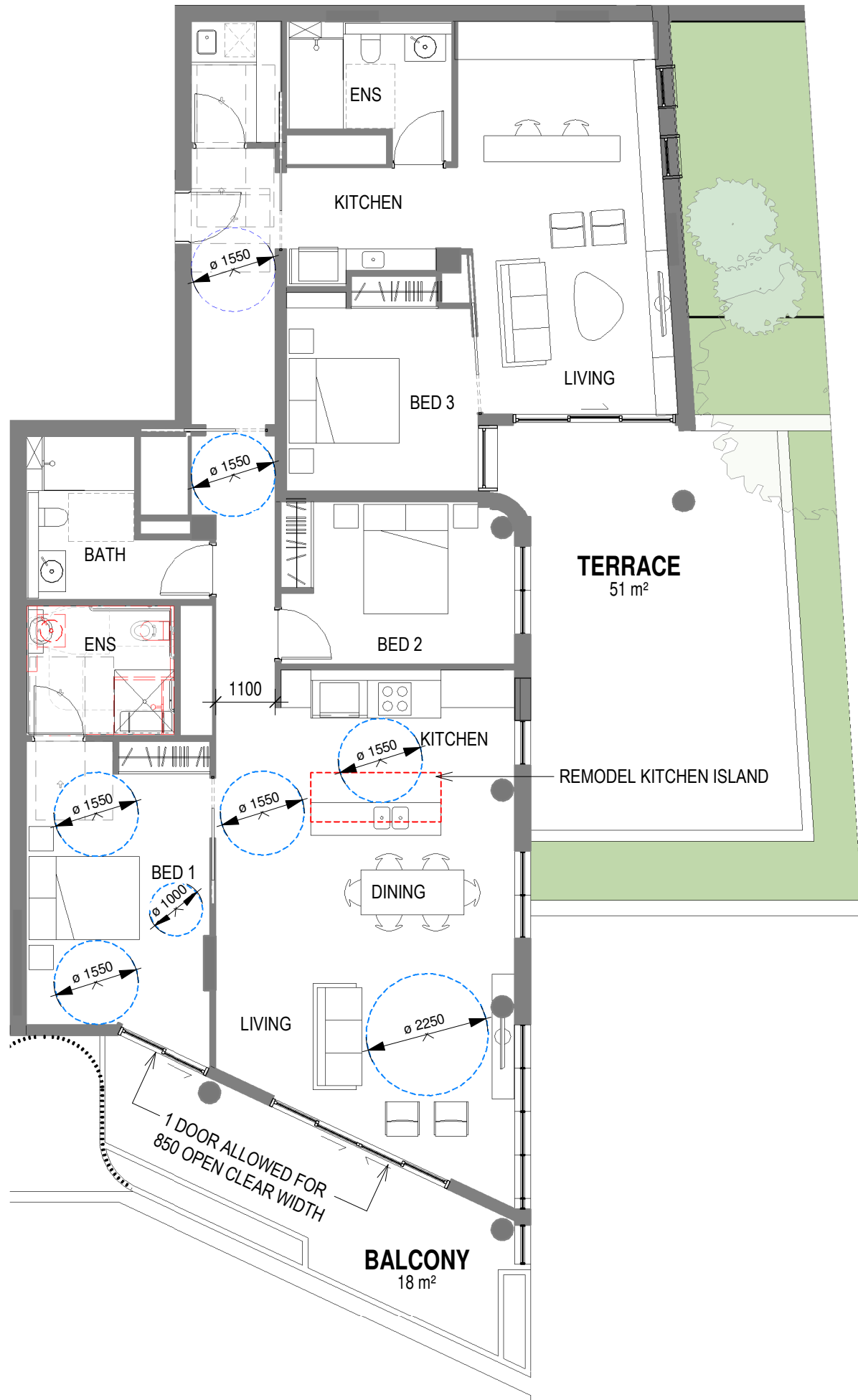
1 HEIGHT PLANE_ SHEET 2
NOTE: 15.5m HEIGHT PLANE SHOWN IN RED

REVISED DA FOR APPROVAL

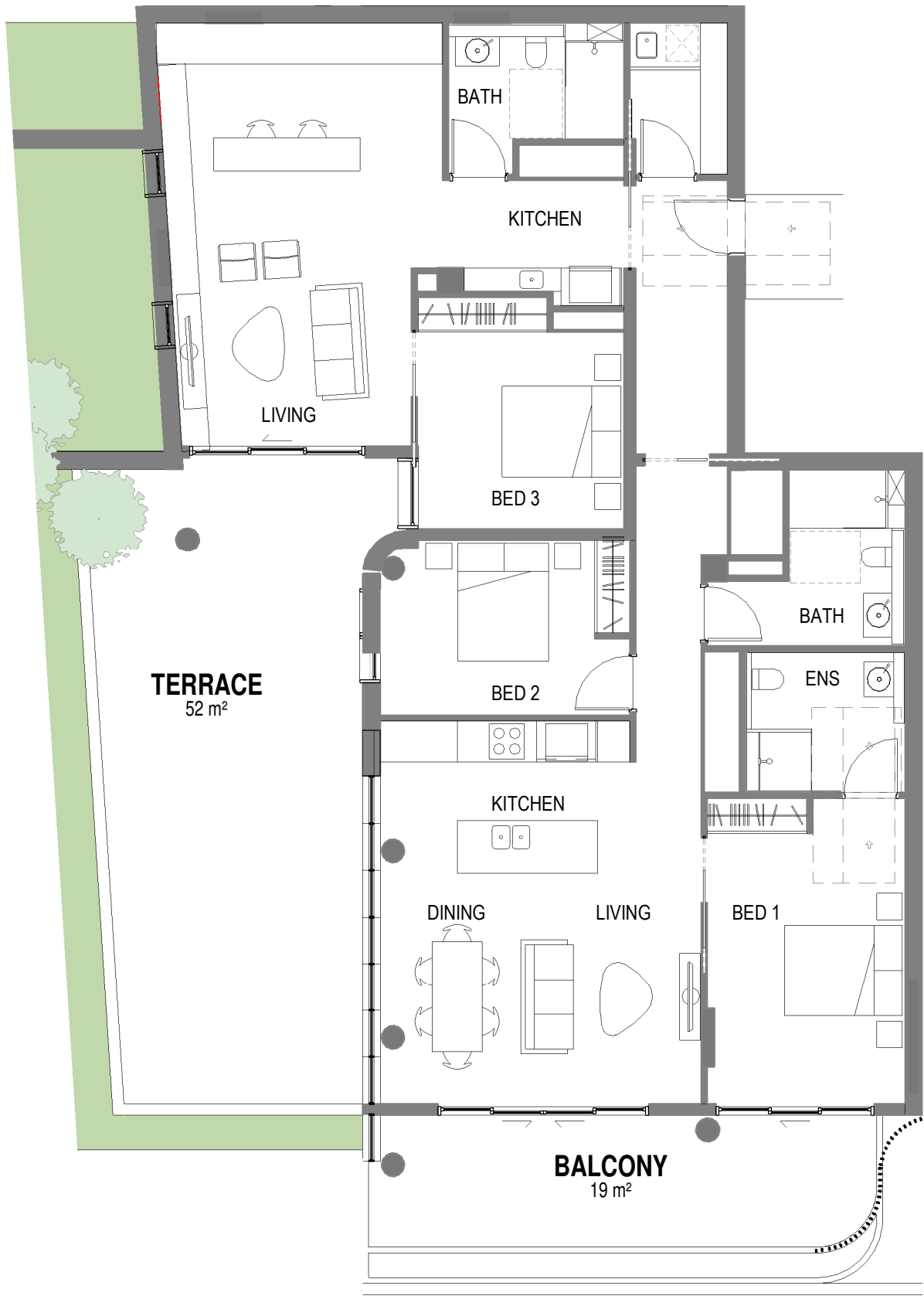
FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:	E	2023.05.05	REVISED DA FOR APPROVAL	KL	<div><div><div><div>7.1</div><div>Average star rating</div></div><div><div>0008256520</div><div>15 May 2023</div></div><div><div>Assessor</div><div>Mattias Persson</div></div><div><div>Accreditation No.</div><div>(DAFV18192)</div></div><div><div>Address</div><div>28 Eagle Street, Ryde, NSW 2112</div></div><div><div>7.1</div><div>HOUSE</div><div>7.1</div></div><div><div>hstar.com.au</div></div></div></div>
		D	2022.11.28	ISSUE DOR DA	KL	
		C	2022.11.22	ISSUE FOR DA	KL	
		B	2022.11.15	FINAL DRAFT FOR REVIEW	KL	
		A	2022.08.24	PRE DA	KL	
		ISSUE	DATE	DESCRIPTION	ISSUED BY	
<div><div><div><div>ARCHITECT:</div><div><div><div><div></div></div></div><div>DREW DICKSON ARCHITECTS</div><div><div><div>Nominated Architect, Alexander de Beir</div><div>DREW DICKSON ARCHITECTS PTY LIMITED</div><div>SUITE 2 GROUND FLOOR, 61-63 ALEXANDER STREET, CROWS NEST NSW 1585 AUSTRALIA</div><div>Tel: +61 2 95613433</div><div>Email: info@dca-australia.com</div><div>Web: www.dca-australia.com</div></div></div></div><div><div><div>CLIENT:</div><div>EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD</div></div><div><div><div>PROJECT:</div><div>EAGLE STREET, RYDE RESIDENTIAL APARTMENTS</div><div>28 EAGLE STREET, RYDE NSW 2112</div></div></div><div><div><div>DRAWING</div><div>HEIGHT ANALYSIS DIAGRAM SHEET 2</div></div><div><div><div>Drawing Scale @ A1:</div><div>Date:</div><div>Drawn by:</div><div>DA</div><div>AUG.2022</div><div>KL</div></div><div><div><div>Project / Job No:</div><div>Drawing No:</div><div>Revision:</div><div>22029</div><div>A-531</div><div>E</div></div></div></div></div></div></div></div></div>						



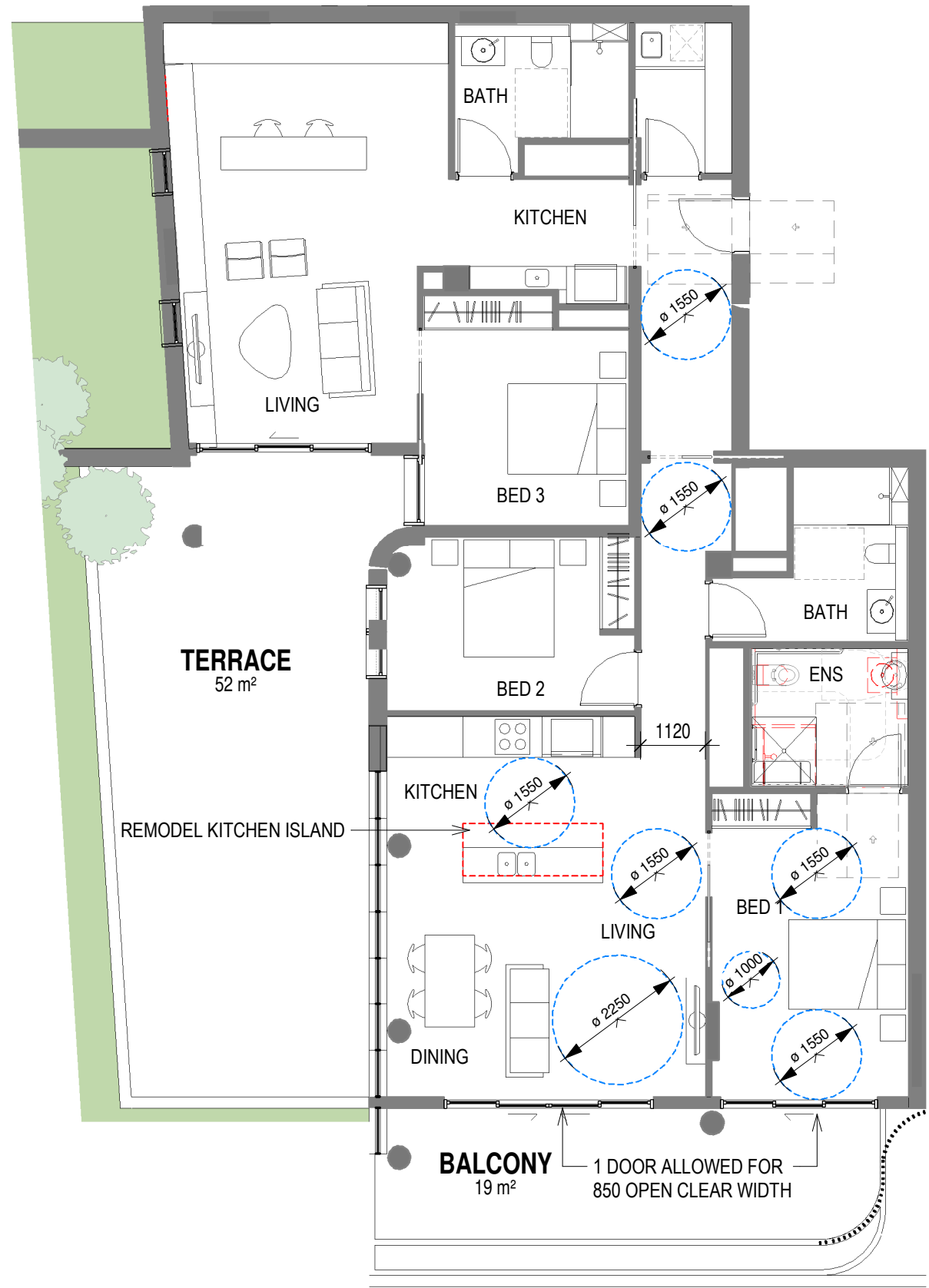
1 PRE- ADAPTABLE UNIT 101
1 : 100



2 POST- ADAPTABLE UNIT 101
1 : 100



3 PRE- ADAPTABLE UNIT 102
1 : 100



4 POST- ADAPTABLE UNIT 102
1 : 100

LEGEND:
----- Demolished items

NOTES:
All circulation spaces at door, in front or beside appliances and around WC pans, washbasins and shower to be in accordance with AS 1428.1.

All internal floor and external paved surfaces to be slip - resistant to comply with AS/NZS 3661.1.

REVISED DA FOR APPROVAL

Scale 1 : 100.
0 2 4 6

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.				
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.				
Orientation:				
	E	2023.05.05	REVISED DA FOR APPROVAL	KL
	D	2022.11.28	ISSUE DOR DA	KL
	C	2022.11.22	ISSUE FOR DA	KL
	B	2022.11.15	FINAL DRAFT FOR REVIEW	KL
	A	2022.08.24	PRE DA	KL
ISSUE	DATE		DESCRIPTION	ISSUED BY

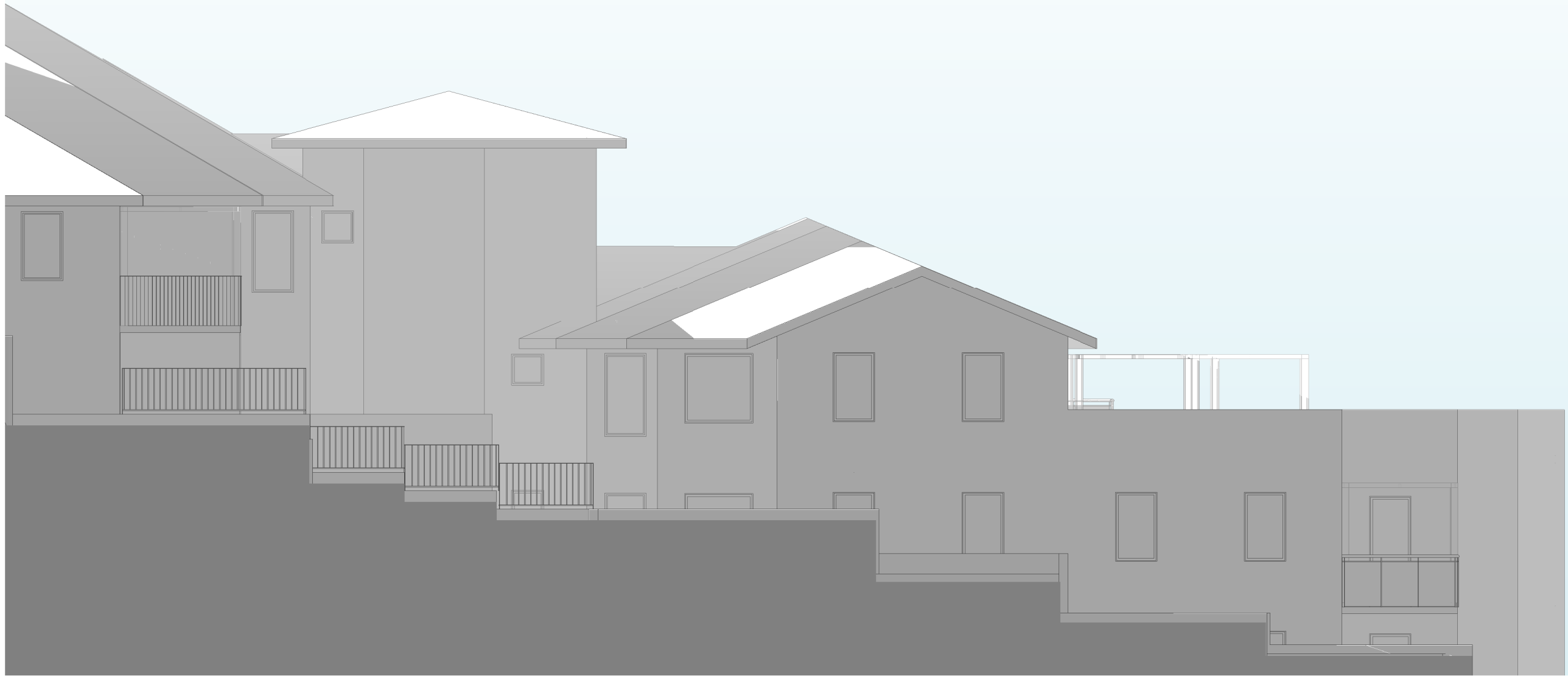


CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

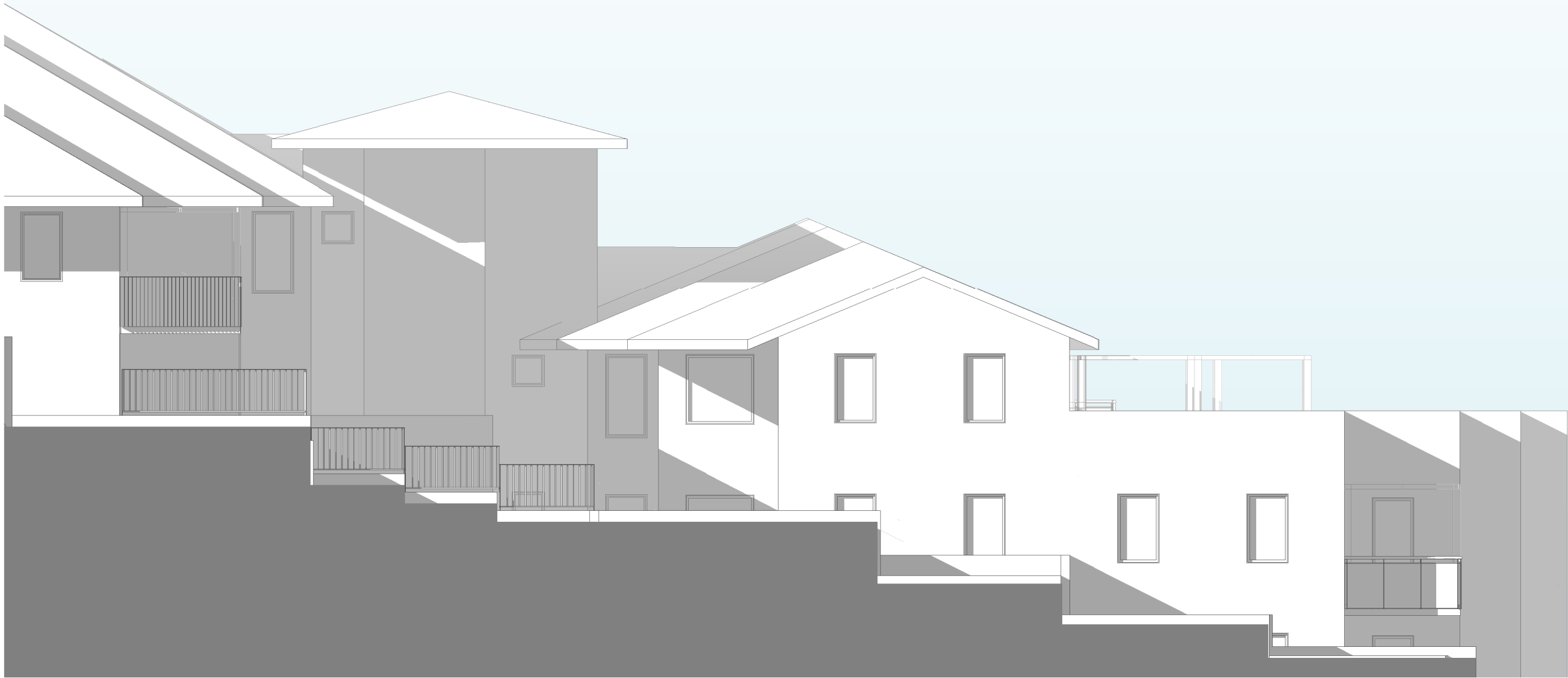
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**PRE AND POST ADAPTABLE
UNITS - U101, U102**

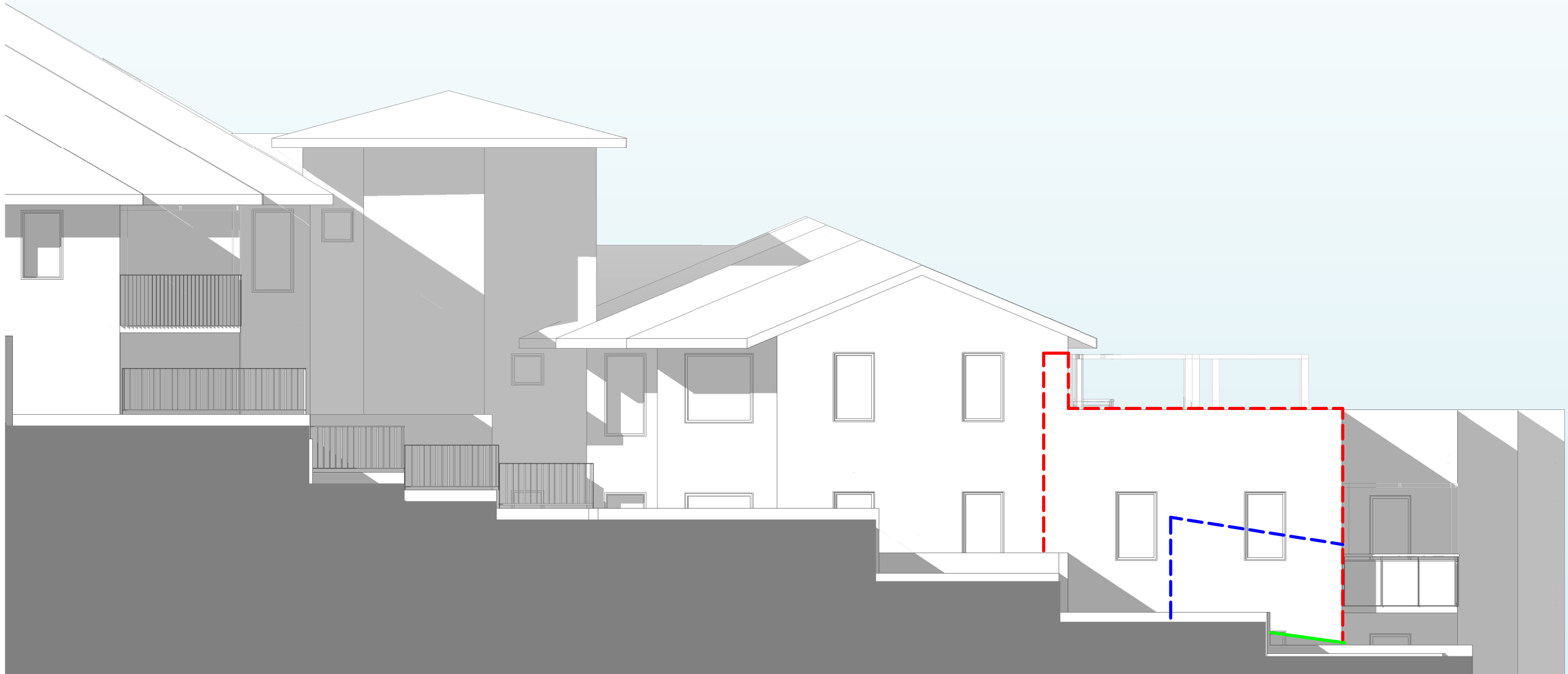
Drawing Scale @ A1:	Date:	Drawn by:
As Indicated	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	A-600	E



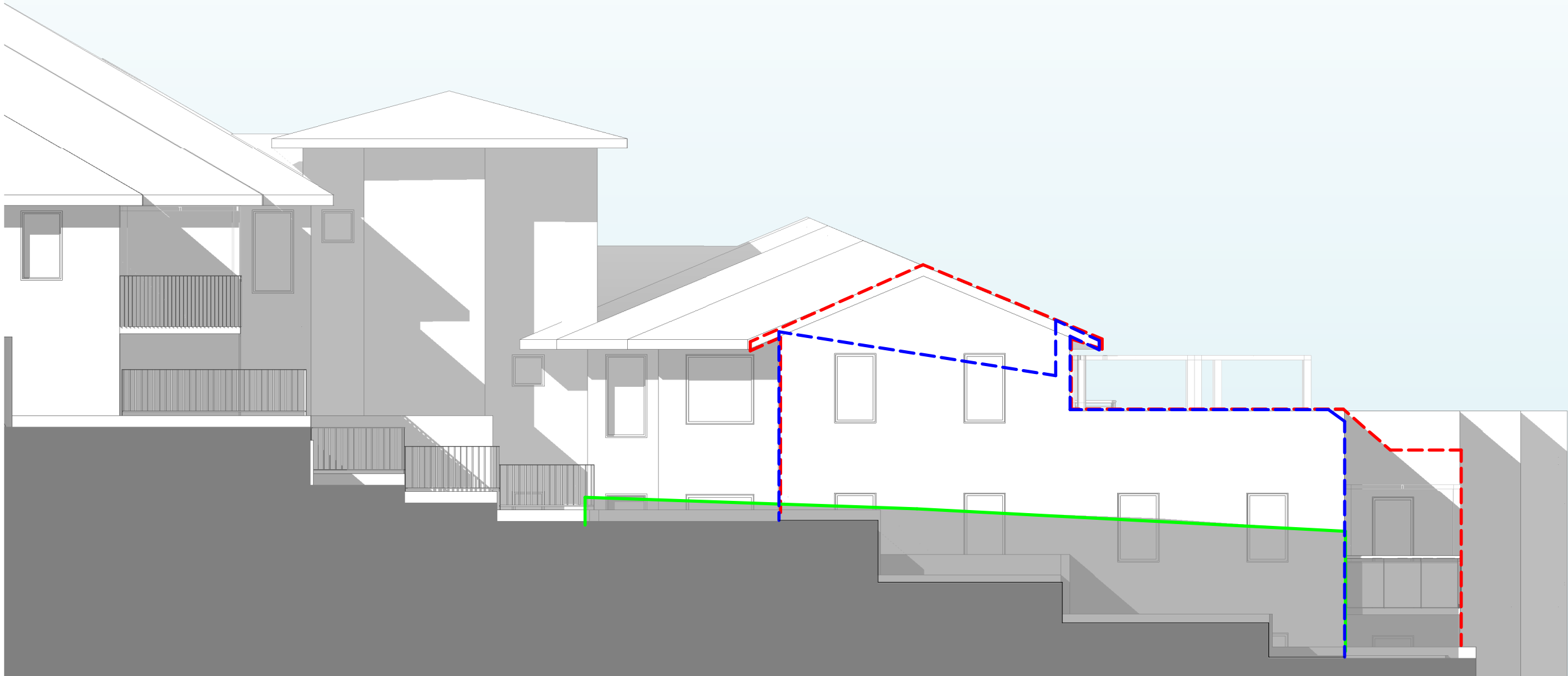
1 COMPARISON_9AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



2 COMPARISON_10AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



3 COMPARISON_11AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



4 COMPARISON_12PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100

NOTE:
EXISTING TREES ALONG WESTERN BOUNDARY OF 15-19 GLADSTONE AVENUE WERE NOT INCLUDED IN THESE WINTER SOLSTICE SUN EYE VIEWS (SHADOWS STUDY).

LOCATION OF EXISTING WINDOWS ON WESTERN WALLS OF RESIDENTIAL BUILDING OF 15-19 GLADSTONE AVENUE ARE BASED ON SURVEY PLAN.

- SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM EXISTING BUILDING AT 28 EAGLE STREET, RYDE
- - - SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM PROPOSED BUILDING AT 28 EAGLE STREET, RYDE
- - - SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM ENVELOPE INFORMED BY ADG OBJECTIVE 3F BUILDING SETBACKS AT 28 EAGLE STREET, RYDE

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:				
		ISSUE	DATE	DESCRIPTION	ISSUED BY

ARCHITECT:

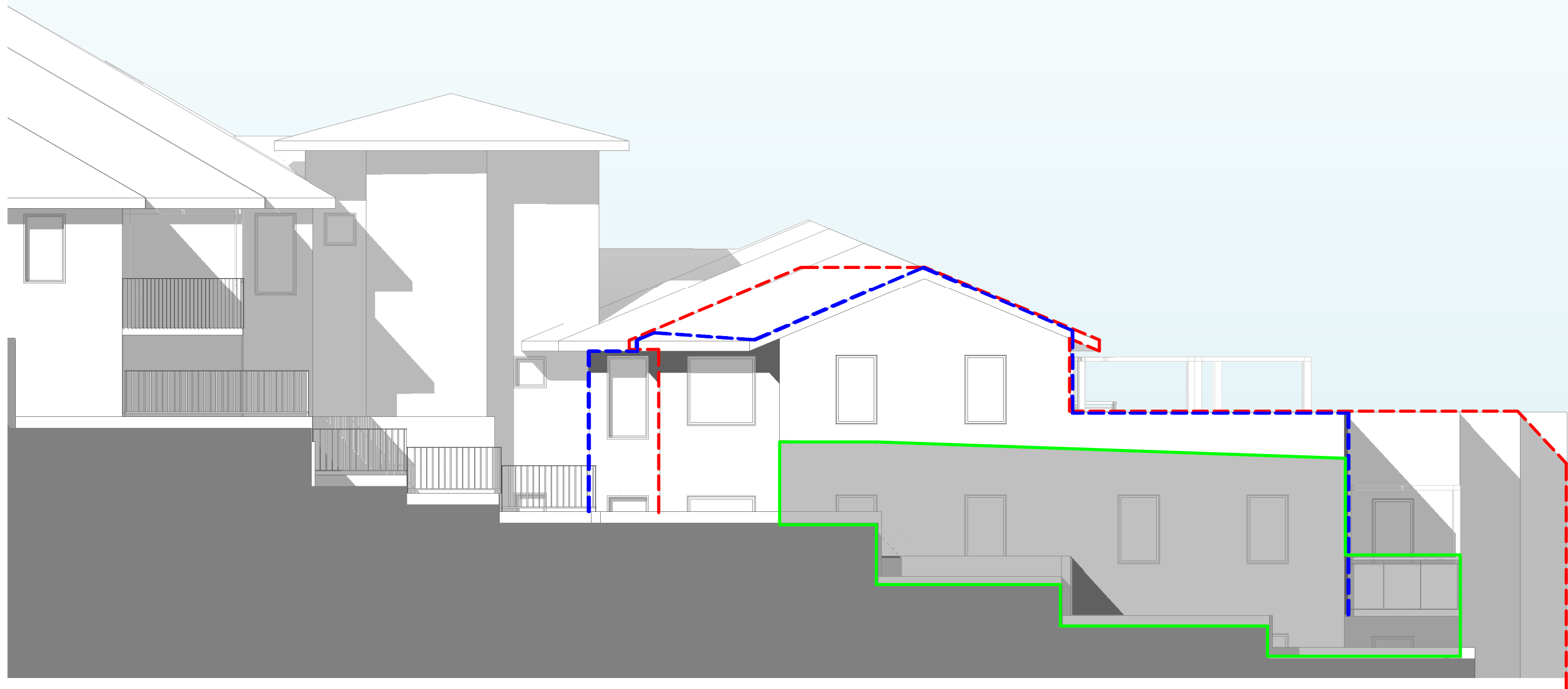
DREW DICKSON ARCHITECTS
Nominated Architect, Alexander de Beir
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2, GROUND FLOOR, 61 ALEXANDER STREET, CROWS NEST, NSW 1585 AUSTRALIA
Tel: +61 2 95513433 Email: info@dida-architects.com Web: www.dida-architects.com

CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

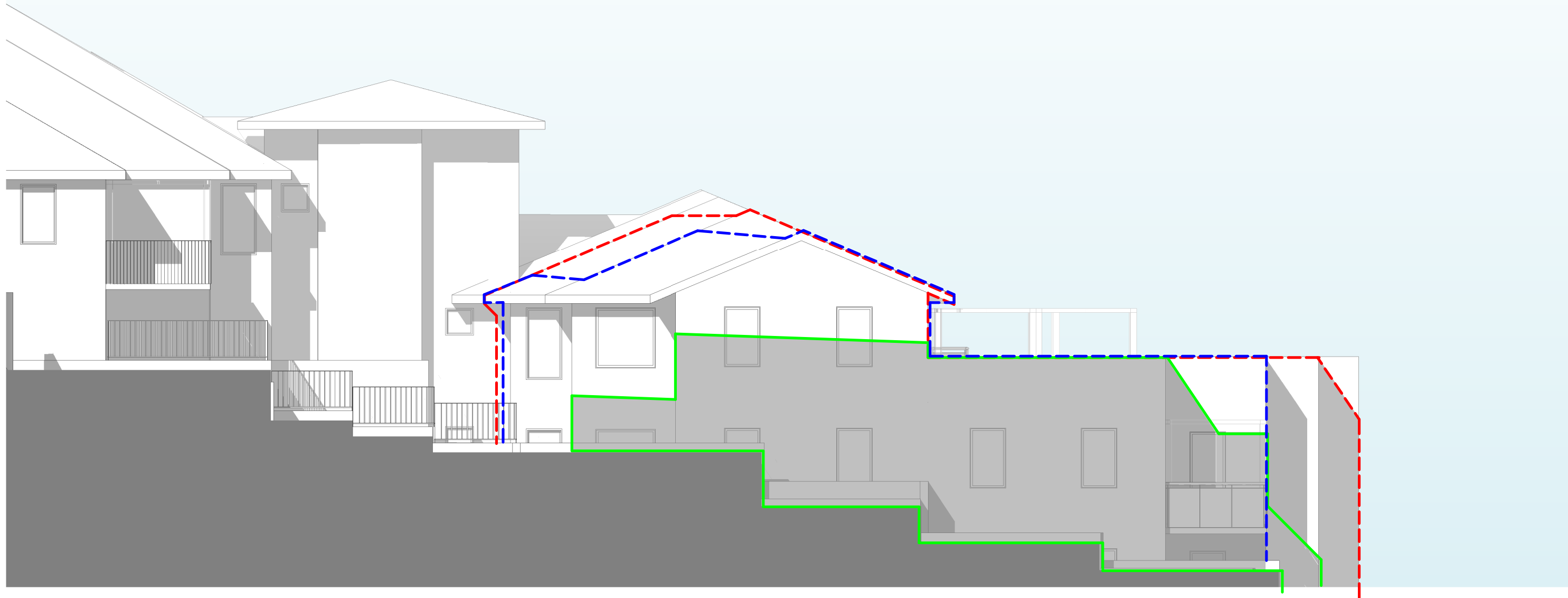
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING:
**ELEVATIONAL SHADOW
DIAGRAMS- PROP.& EX.&
ADG ENVELOPE
COMPARISON_ SHEET 1**

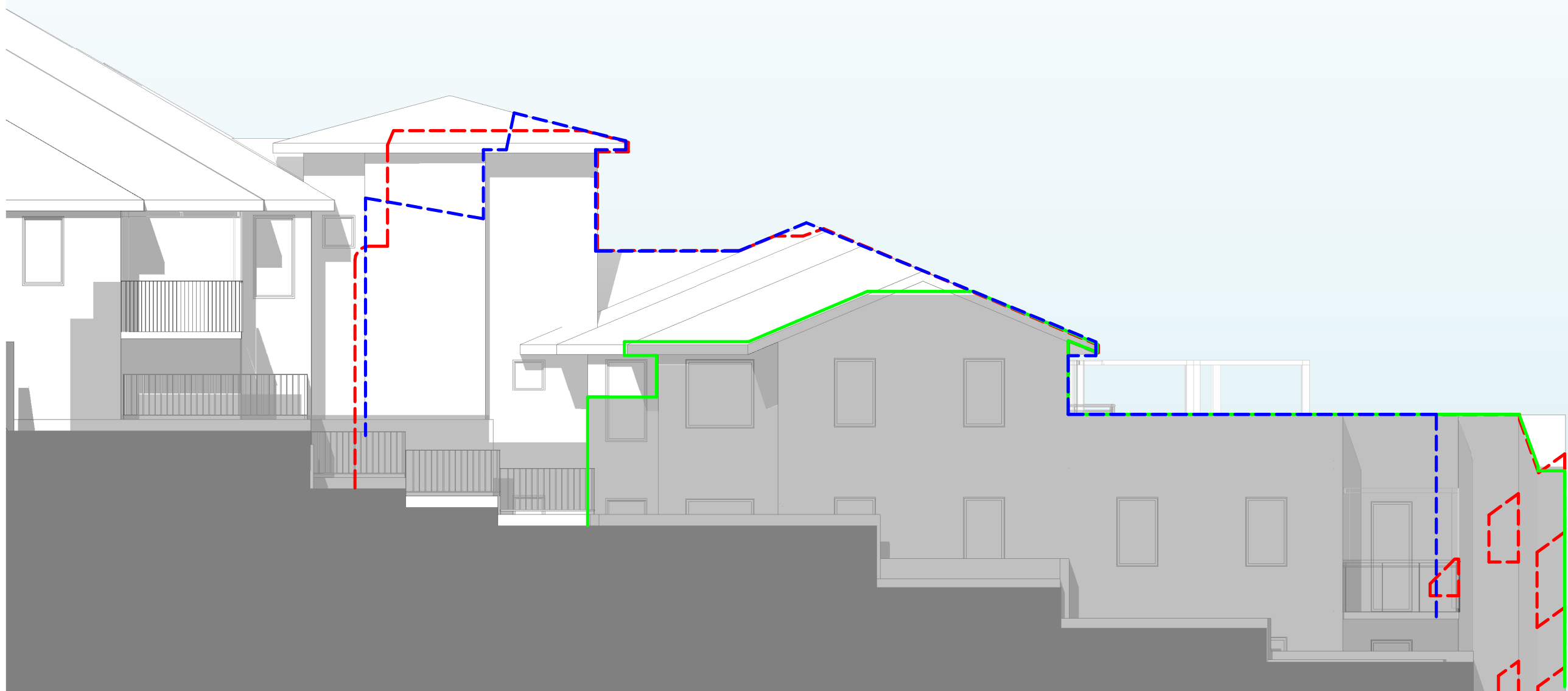
Drawing Scale @ A1: 1 : 100	Date: AUG.2022	Drawn by: KL
Drawing Status: DA		
Project / Job No: 22029	Drawing No: SK-537	Revision:



1 COMPARISON_1PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



2 COMPARISON_2PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



3 COMPARISON_3PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100

NOTE:
EXISTING TREES ALONG WESTERN BOUNDARY OF 15-19 GLADSTONE AVENUE WERE NOT INCLUDED IN THESE WINTER SOLSTICE SUN EYE VIEWS (SHADOWS STUDY).

LOCATION OF EXISTING WINDOWS ON WESTERN WALLS OF RESIDENTIAL BUILDING OF 15-19 GLADSTONE AVENUE ARE BASED ON SURVEY PLAN.

- SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM EXISTING BUILDING AT 28 EAGLE STREET, RYDE
- - - SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM PROPOSED BUILDING AT 28 EAGLE STREET, RYDE
- - - SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM ENVELOPE INFORMED BY ADG OBJECTIVE 3F BUILDING SETBACKS AT 28 EAGLE STREET, RYDE

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:				
		ISSUE	DATE	DESCRIPTION	ISSUED BY

ARCHITECT:

**DREW DICKSON ARCHITECTS**

Nominated Architect, Alexander de Beir
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2, GROUND FLOOR, 65 ALEXANDER STREET, CROWS NEST NSW 1585 AUSTRALIA
Tel: +61 2 95613433 Email: info@dda-australia.com Web: www.dda-australia.com

Architects Reg. No. 8330
ADN 15 168 892 153

CLIENT:

**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

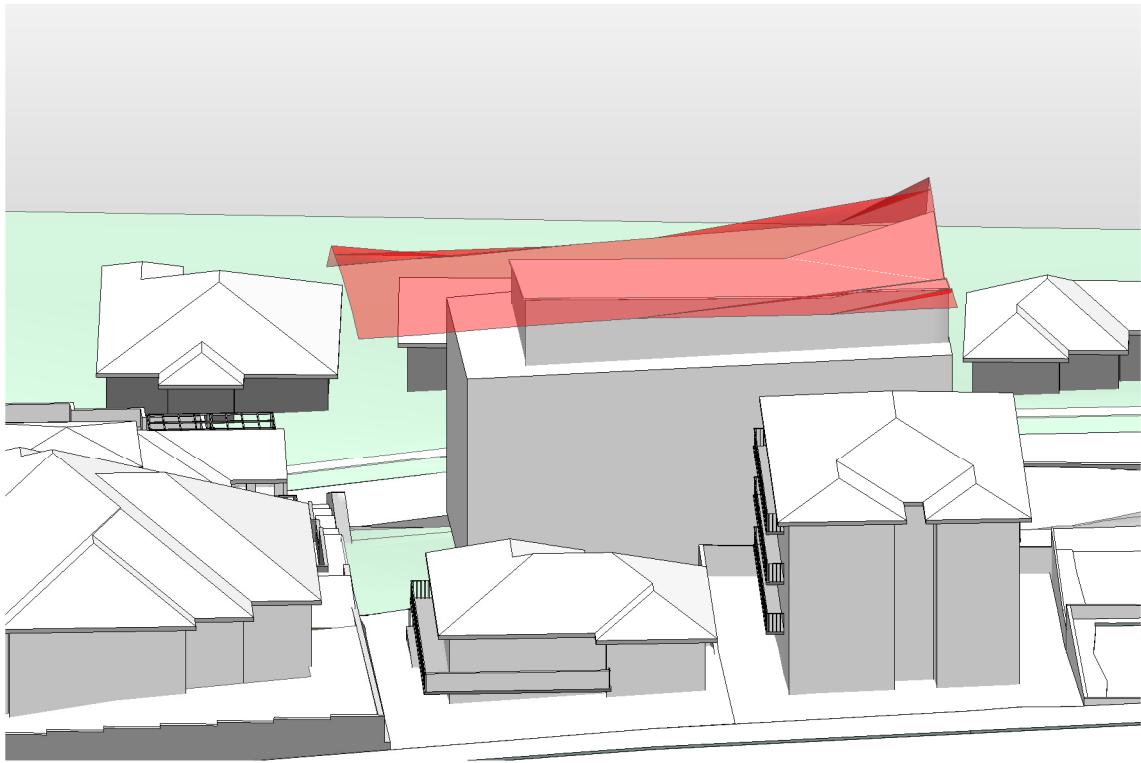
PROJECT:

**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

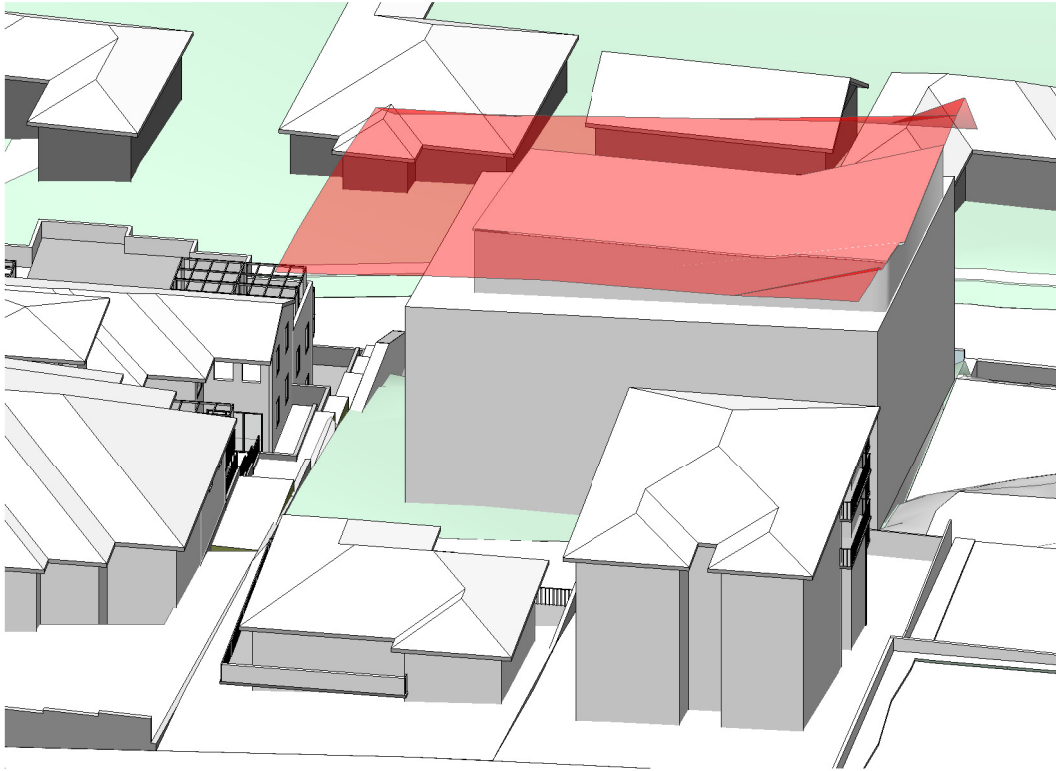
DRAWING

**ELEVATIONAL SHADOW
DIAGRAMS- PROP.& EX.&
ADG ENVELOPE
COMPARISON_ SHEET 2**

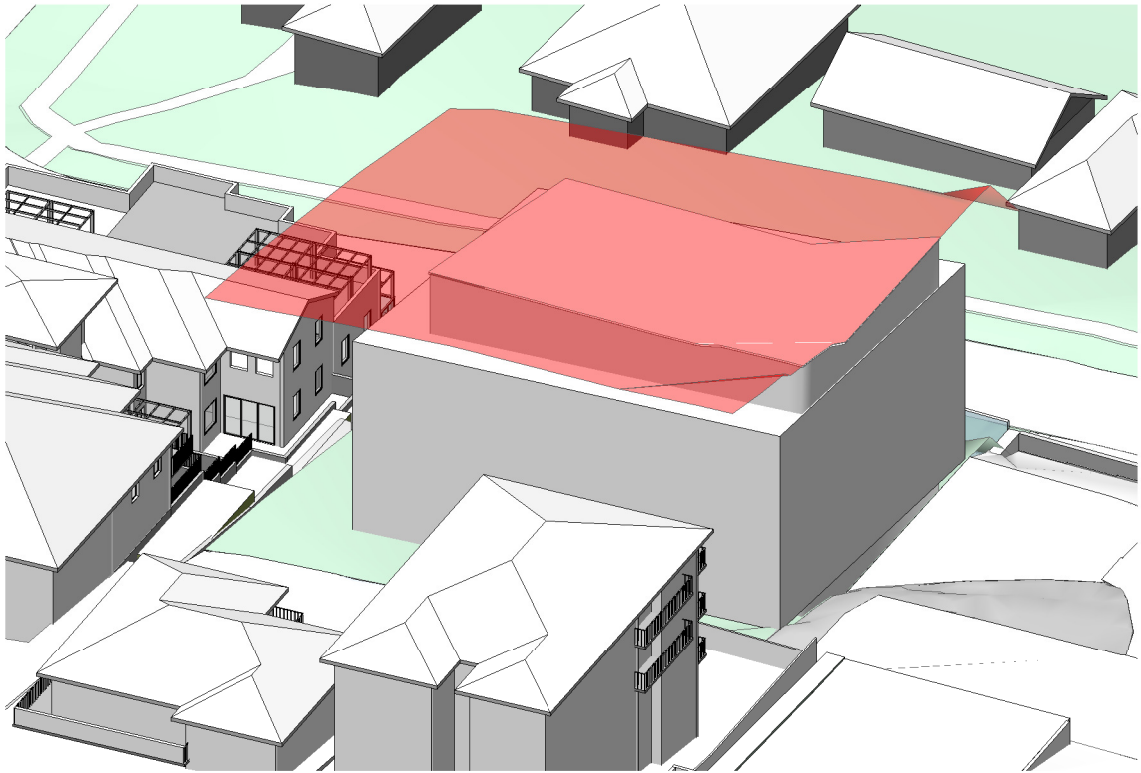
Drawing Scale @ A1:	Date:	Drawn by:
1 : 100	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-538	



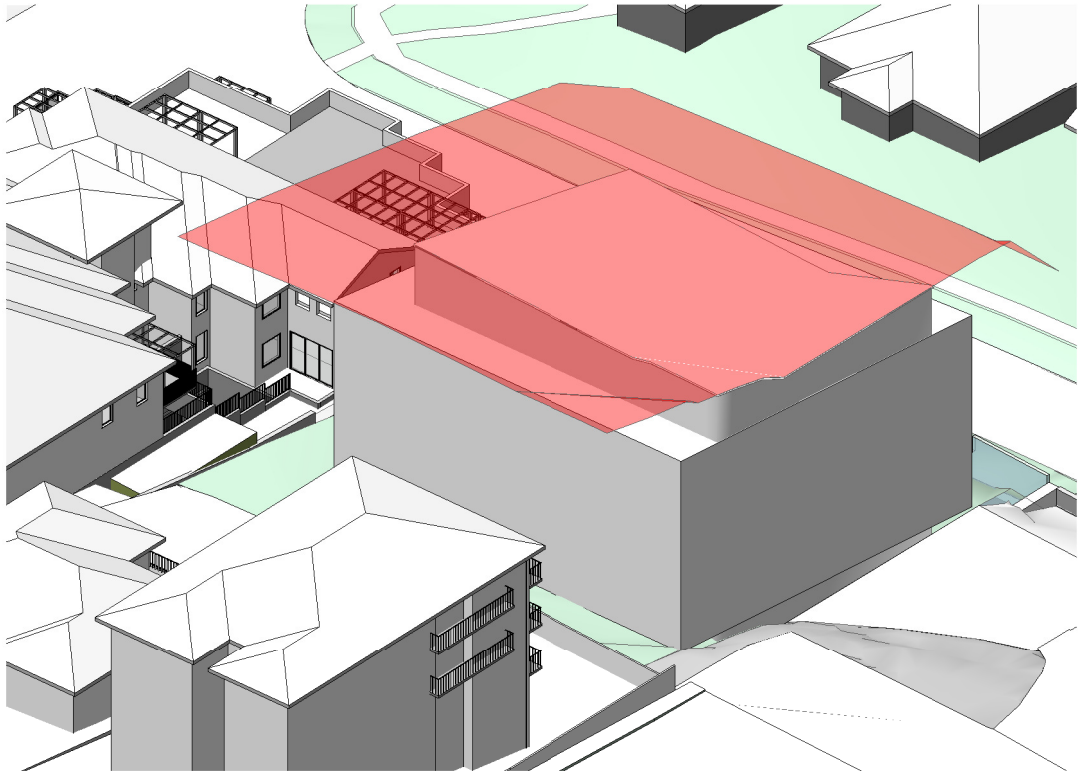
1 SUN EYE VIEW - 21/06/2022-9.00AM



2 SUN EYE VIEW - 21/06/2022-10.00AM



3 SUN EYE VIEW - 21/06/2022-11.00AM



4 SUN EYE VIEW - 21/06/2022-12.00PM

FOURD DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.				
Orientation:				
ISSUE	DATE	DESCRIPTION	ISSUED BY	

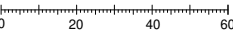
ARCHITECT:

DREW DICKSON ARCHITECTS
Registered Architect, Member of the
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2, GROUND FLOOR, 85 ALEXANDER STREET, CROWNS NEST NSW 2061 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

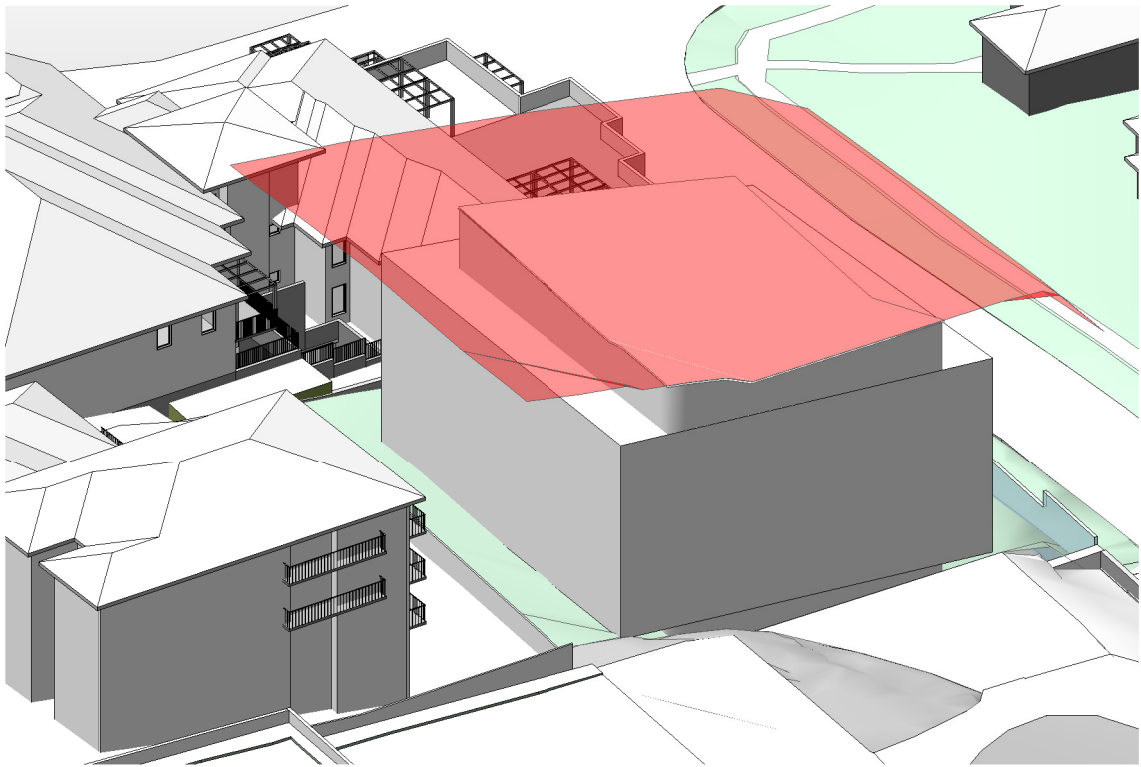
CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

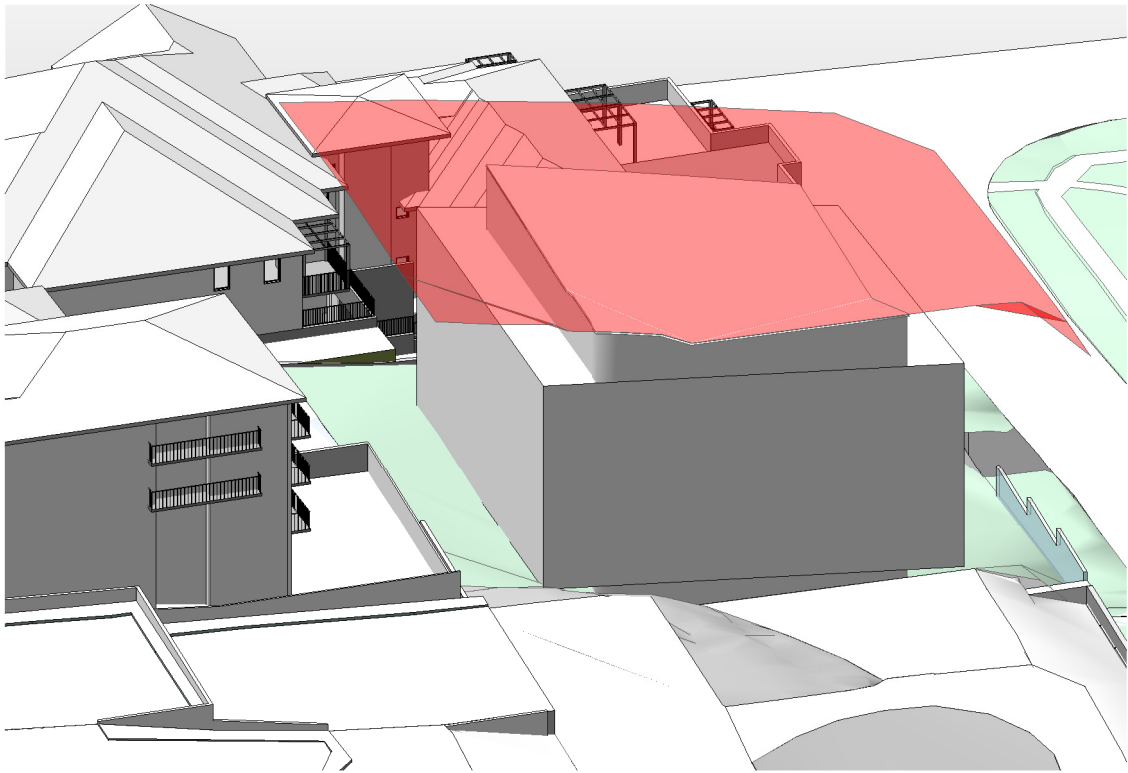
DRAWING
**SUN EYE VIEWS
ADG ENVELOPE-SHEET 1**

Scale 1 : 1000


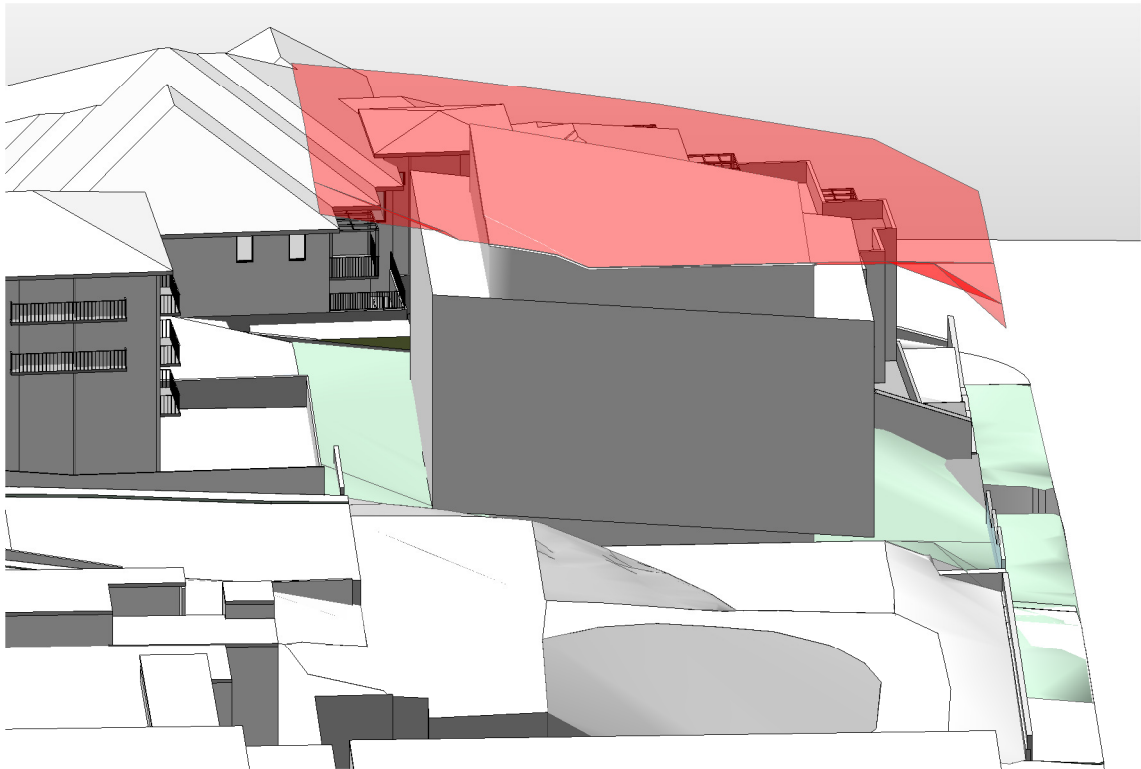
Drawing Scale @ A1:	Date: AUG.2022	Drawn by: PT
Drawing Status: DA		
Project / Job No: 22029	Drawing No: SK-544	Revision:



1 SUN EYE VIEW - 21/06/2022-13.00PM



2 SUN EYE VIEW - 21/06/2022-14.00PM



3 SUN EYE VIEW - 21/06/2022-15.00PM

Scale 1 : 1000
0 20 40 60

FOURD DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS, VERTICALLY, ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:					
	ISSUE	DATE	DESCRIPTION			ISSUED BY

ARCHITECT:

DREW DICKSON ARCHITECTS
Registered Architect, Member of the
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2, GROUND FLOOR, 85 ALEXANDER STREET, CROWNS NEST NSW, 2061 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

Architect Reg No: 8230
ABN 12 158 892 153

CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

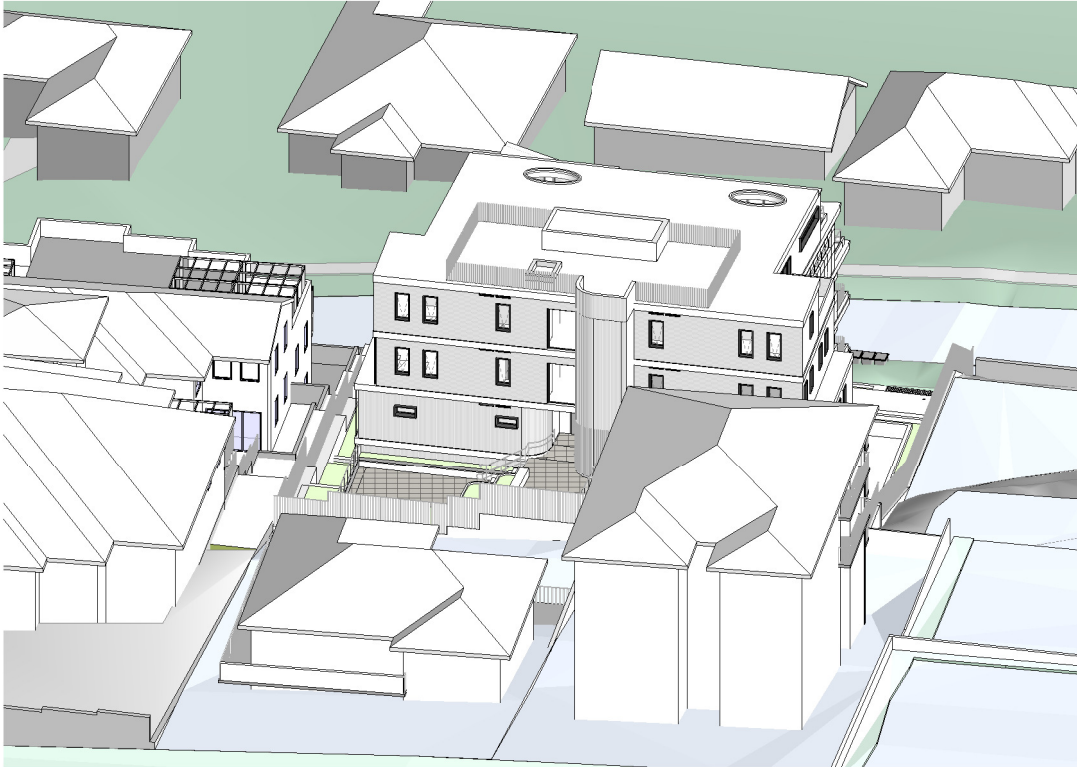
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**SUN EYE VIEWS
ADG ENVELOPE-SHEET 2**

Drawing Scale @ A1:	Date:	Drawn by:
	AUG.2022	PT
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-545	



1 SUN EYE VIEW - 21/06/2022-9.00AM



2 SUN EYE VIEW - 21/06/2022-10.00AM



3 SUN EYE VIEW - 21/06/2022-11.00AM



4 SUN EYE VIEW - 21/06/2022-12.00PM

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS, VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.				Orientation:	
	E	2023.05.05	REVISED DA FOR APPROVAL	KL	
	D	2022.11.28	ISSUE DOR DA	KL	
	C	2022.11.22	ISSUE FOR DA	KL	
	B	2022.11.15	FINAL DRAFT FOR REVIEW	KL	
	A	2022.08.24	PRE DA	KL	
ISSUE	DATE	DESCRIPTION		ISSUED BY	

ARCHITECT:

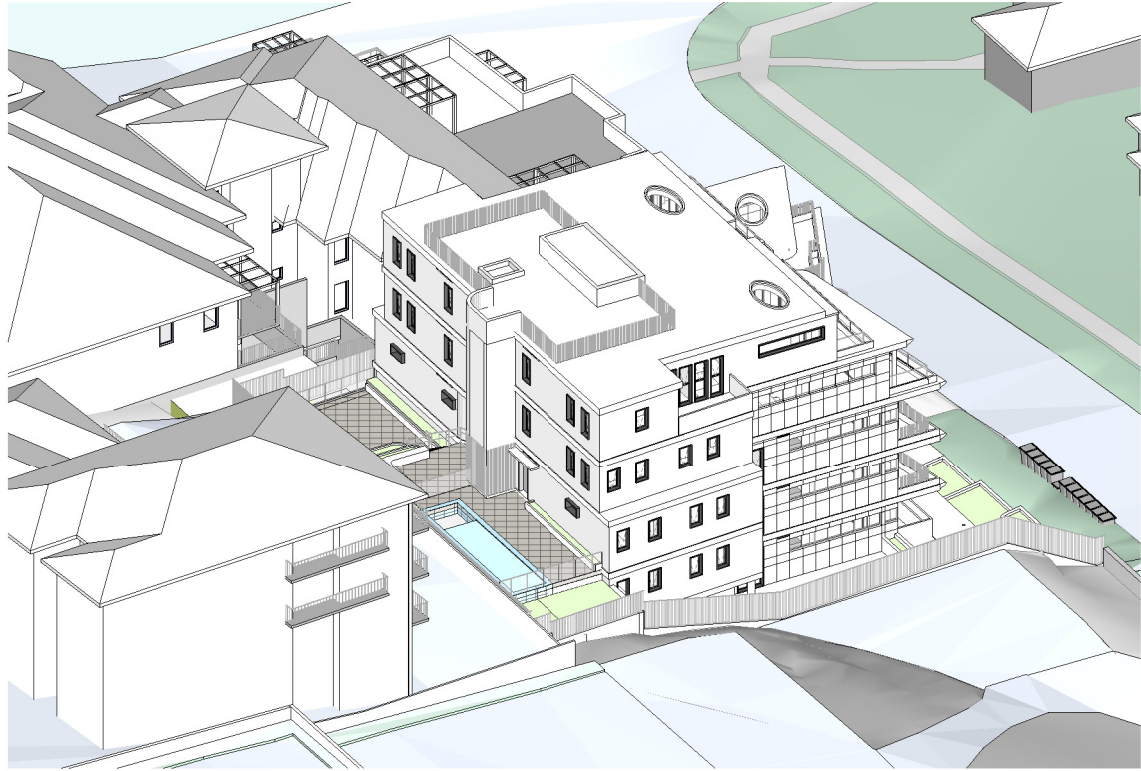
DREW DICKSON ARCHITECTS
Registered Architect, Member of the
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2, GROUND FLOOR, 81 ALEXANDER STREET, CROWNS NEST NSW 2061 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

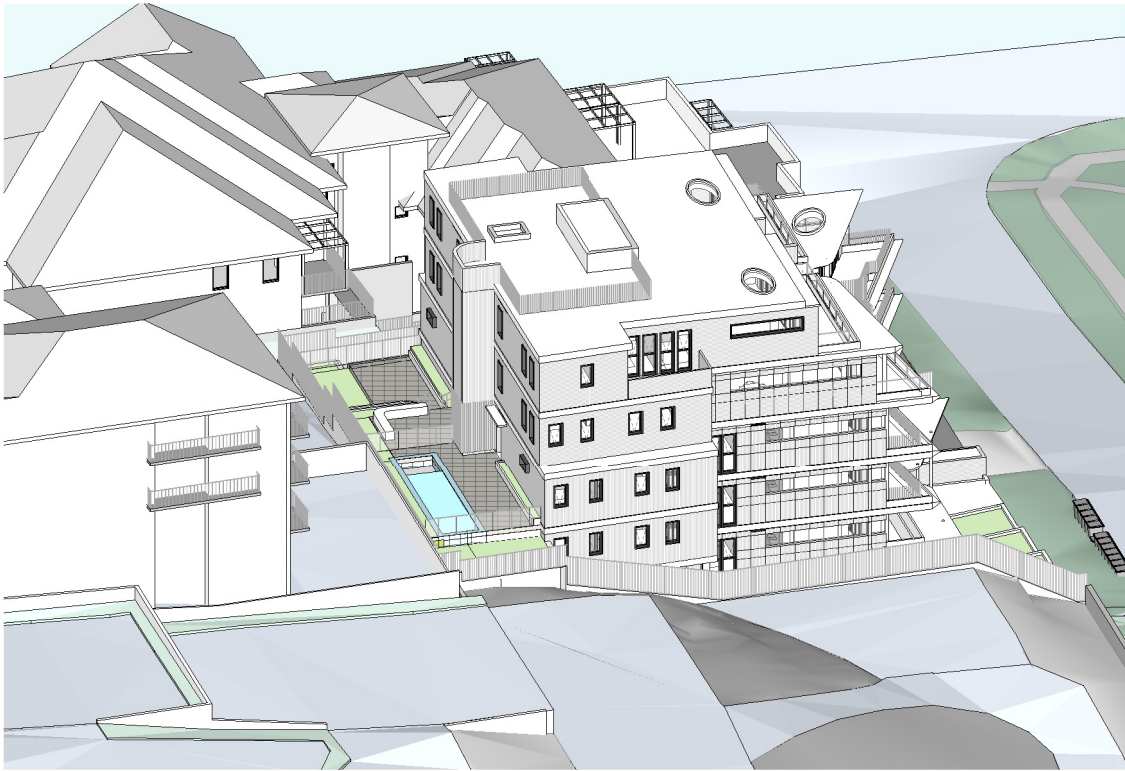
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**SUN EYE VIEWS-
PROPOSED BUILDING
SHEET 1**

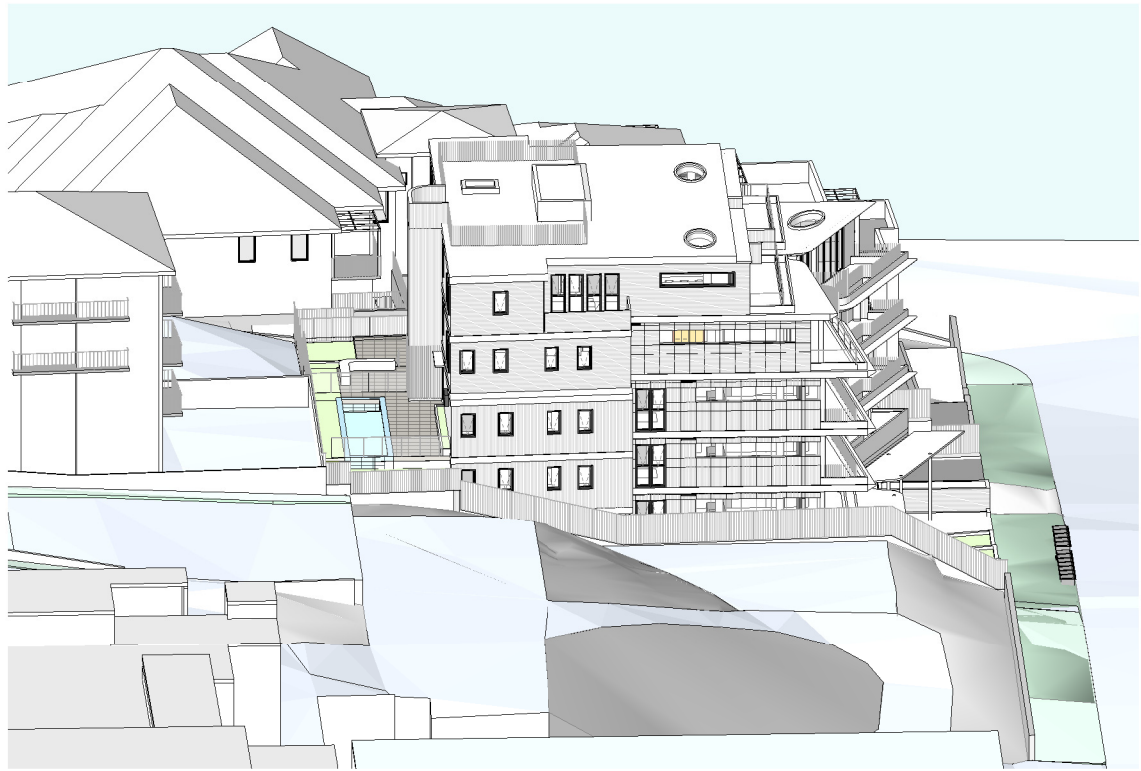
Drawing Scale @ A1:	Date:	Drawn by:
	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	A-510	E



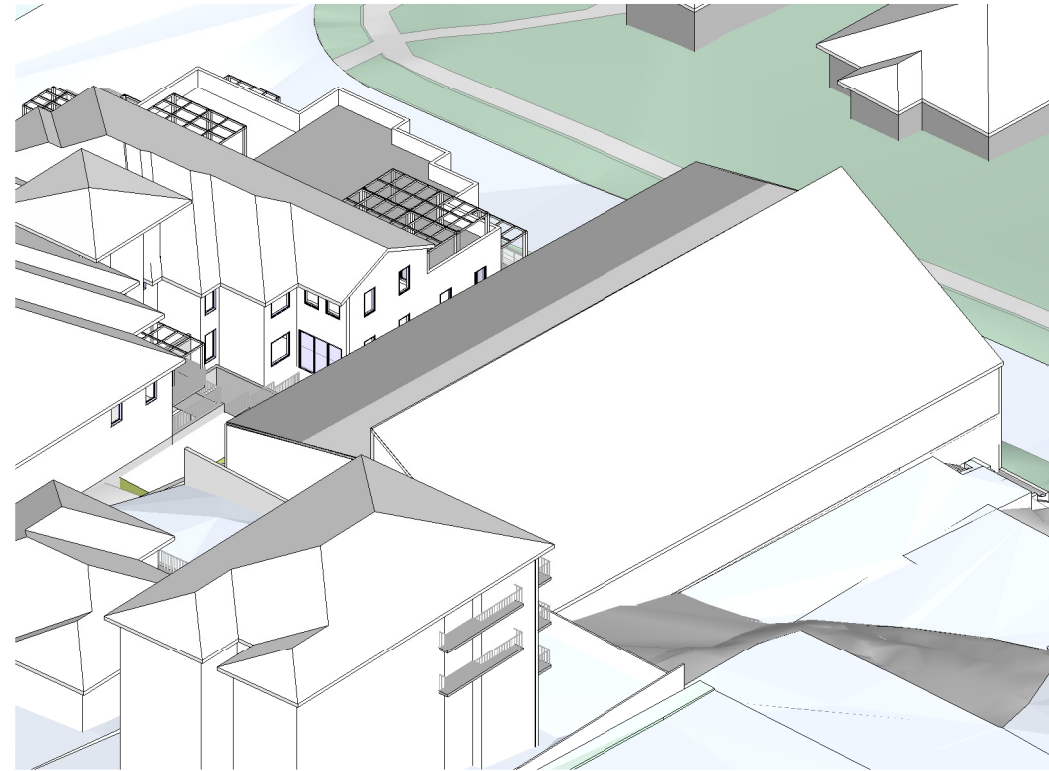
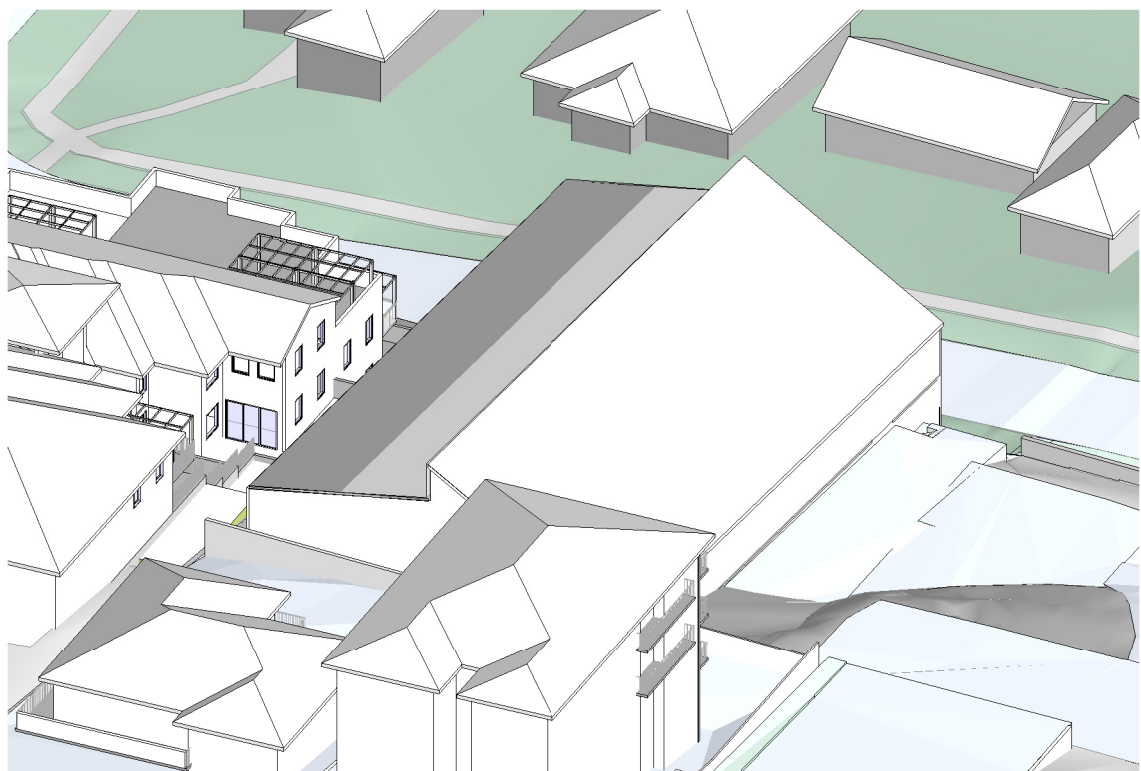
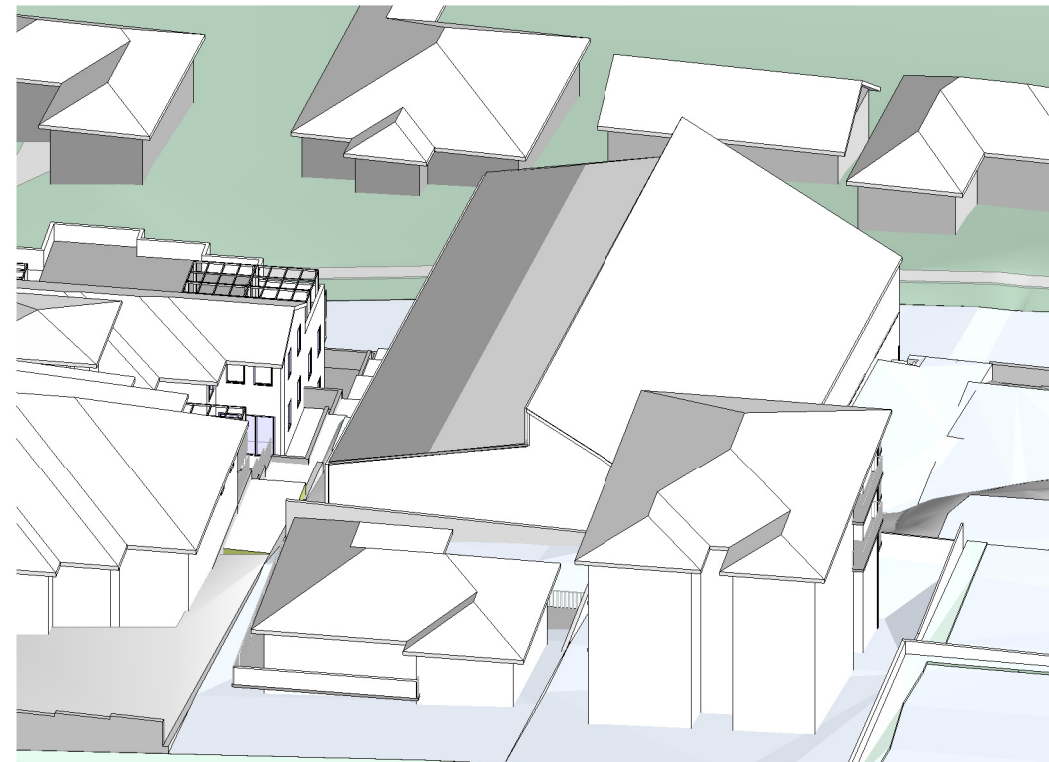
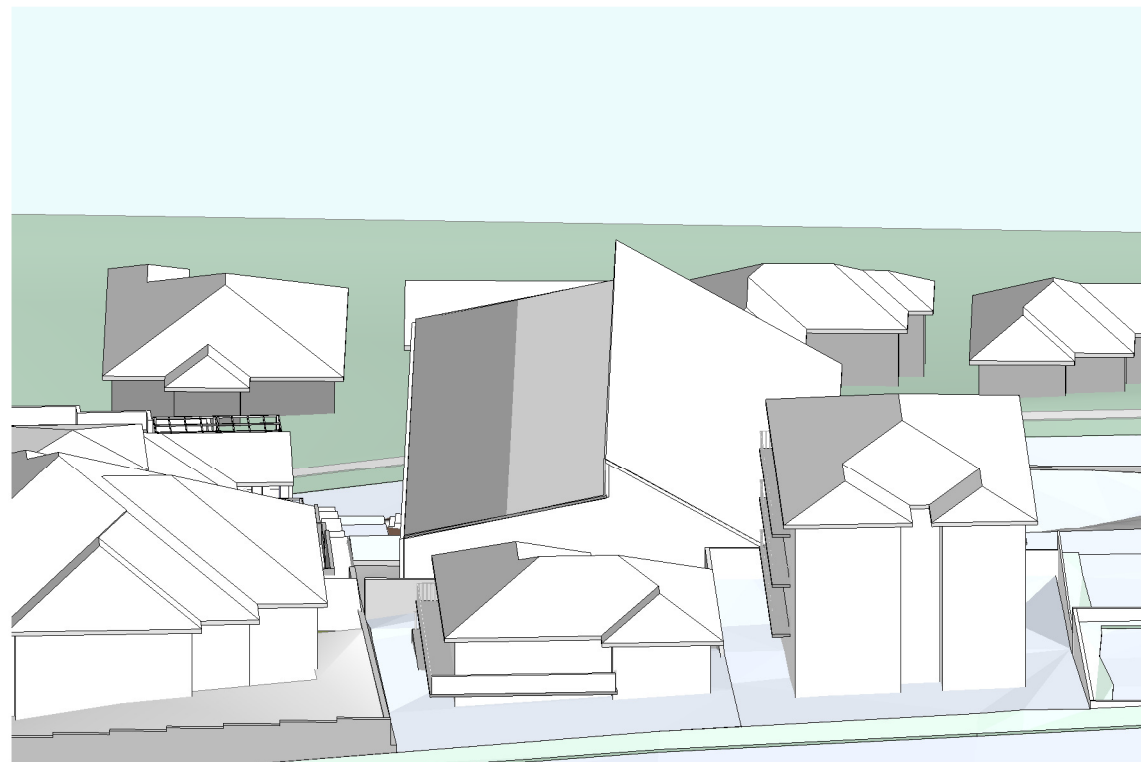
1 SUN EYE VIEW - 21/06/2022-13.00PM

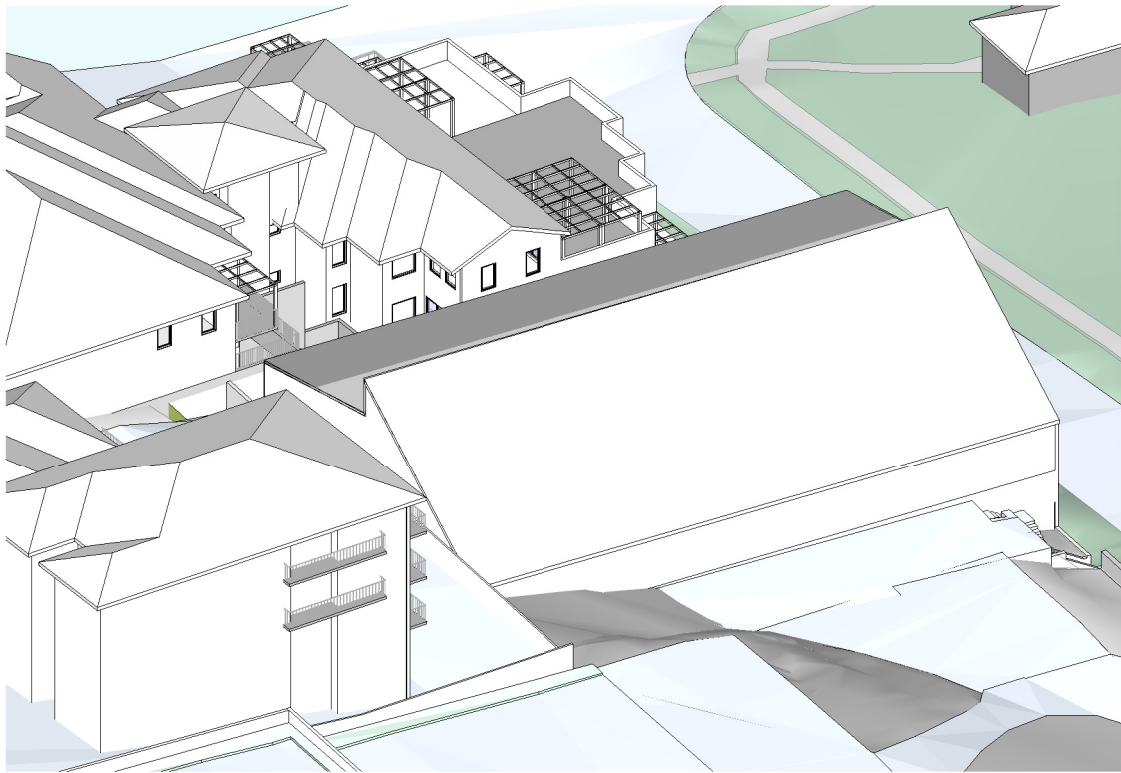


2 SUN EYE VIEW - 21/06/2022-14.00PM

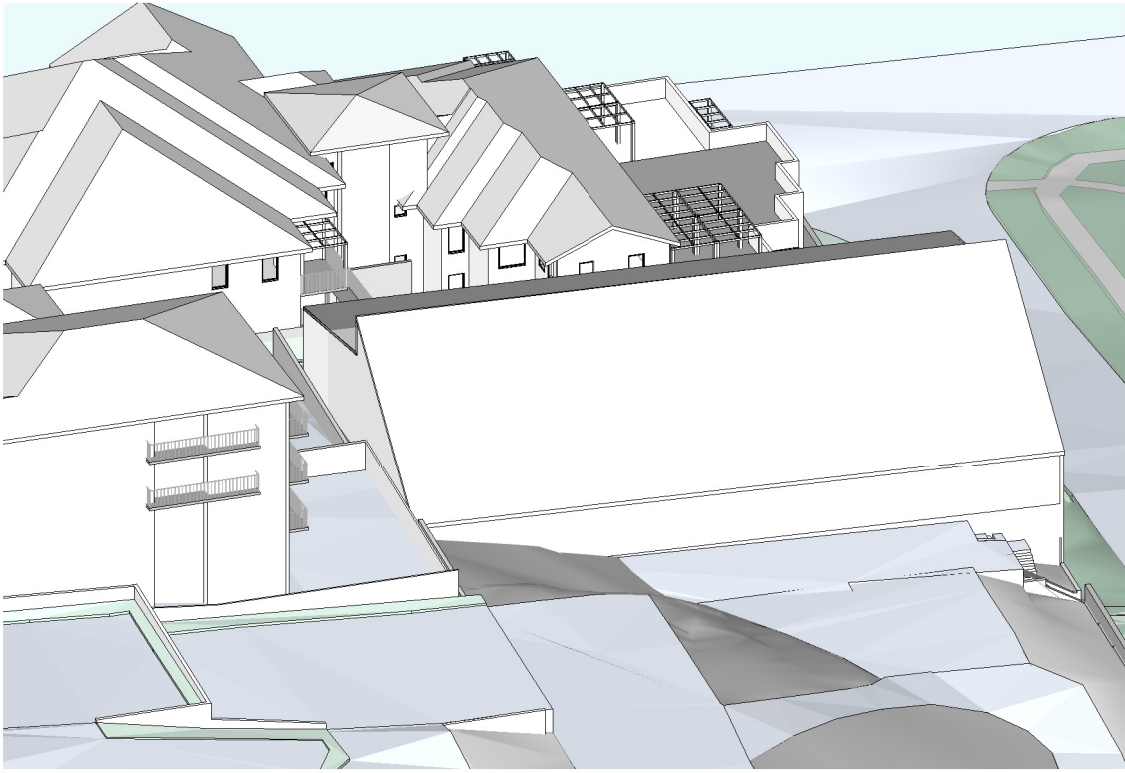


3 SUN EYE VIEW - 21/06/2022-15.00PM

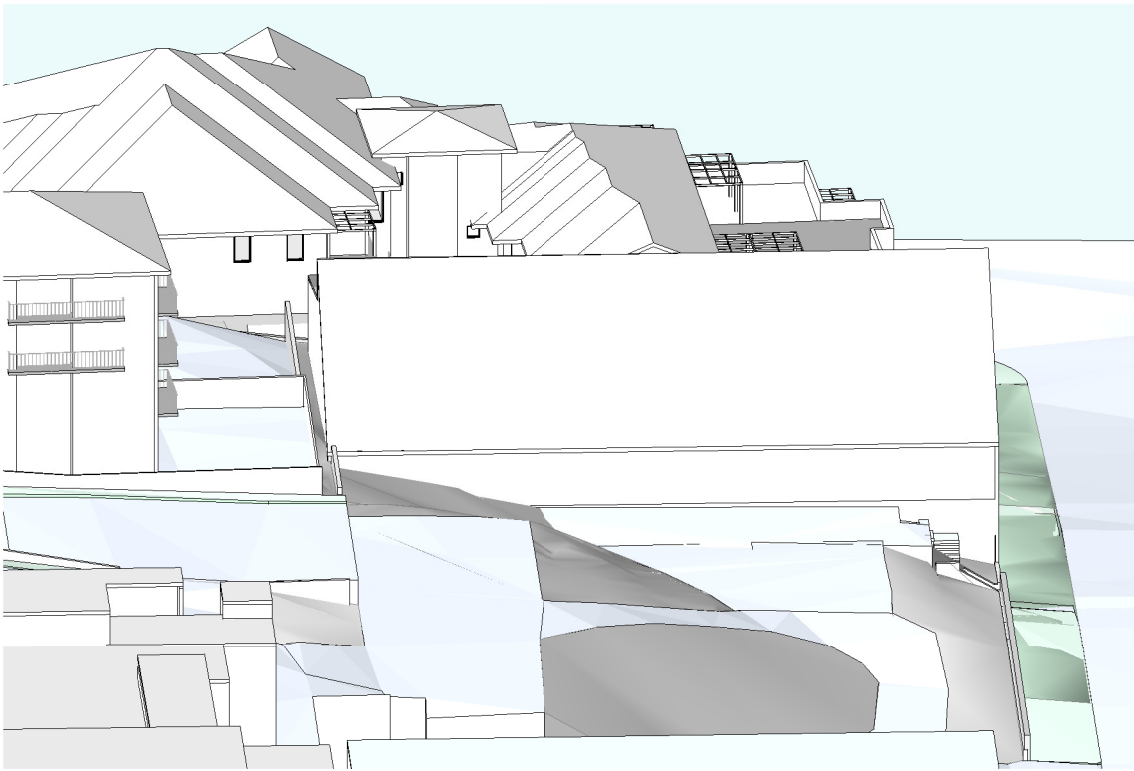
[illegible]



1 SUN EYE VIEW - 21/06/2022-13.00PM



2 SUN EYE VIEW - 21/06/2022-14.00PM



3 SUN EYE VIEW - 21/06/2022-15.00PM

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASUREMENTS, VISIT ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:				
	ISSUE	DATE	DESCRIPTION		ISSUED BY

ARCHITECT:

DREW DICKSON ARCHITECTS
Registered Architect, Member of the
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2, GROUND FLOOR, 85 ALEXANDER STREET, CROWNS NEST NSW 2061 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

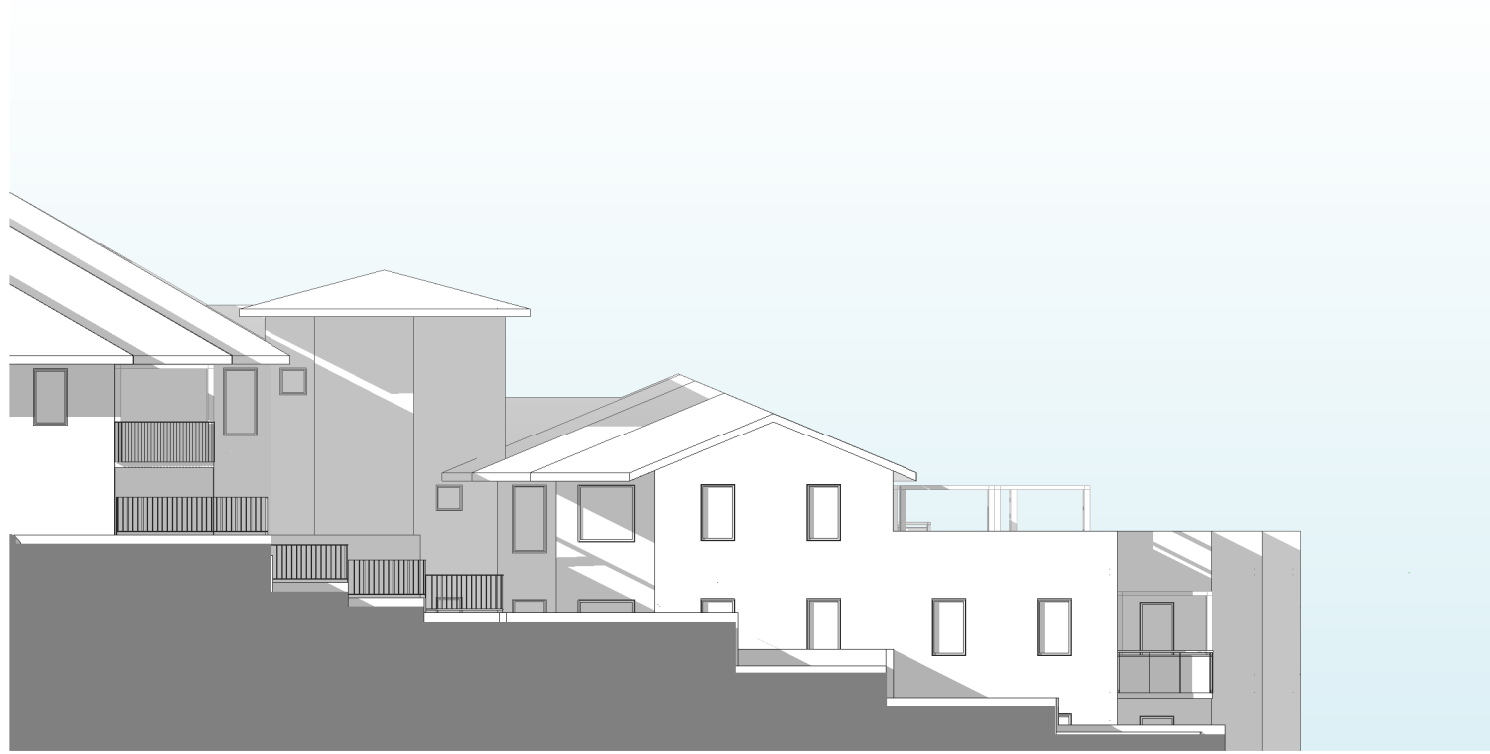
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**SUN EYE VIEWS-
EXISTING BUILDING
SHEET 2**

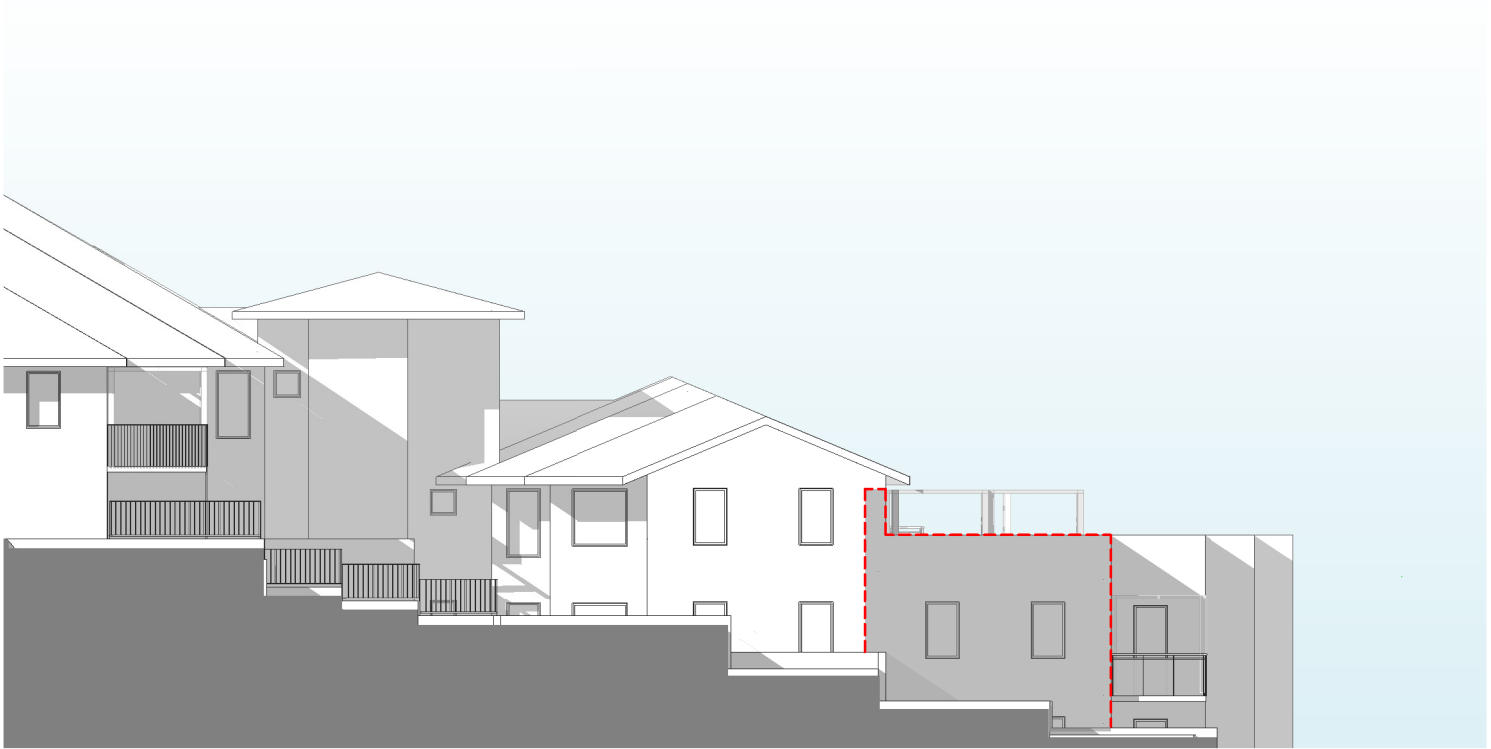
Drawing Scale @ A1:	Date:	Drawn by:
	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-526	



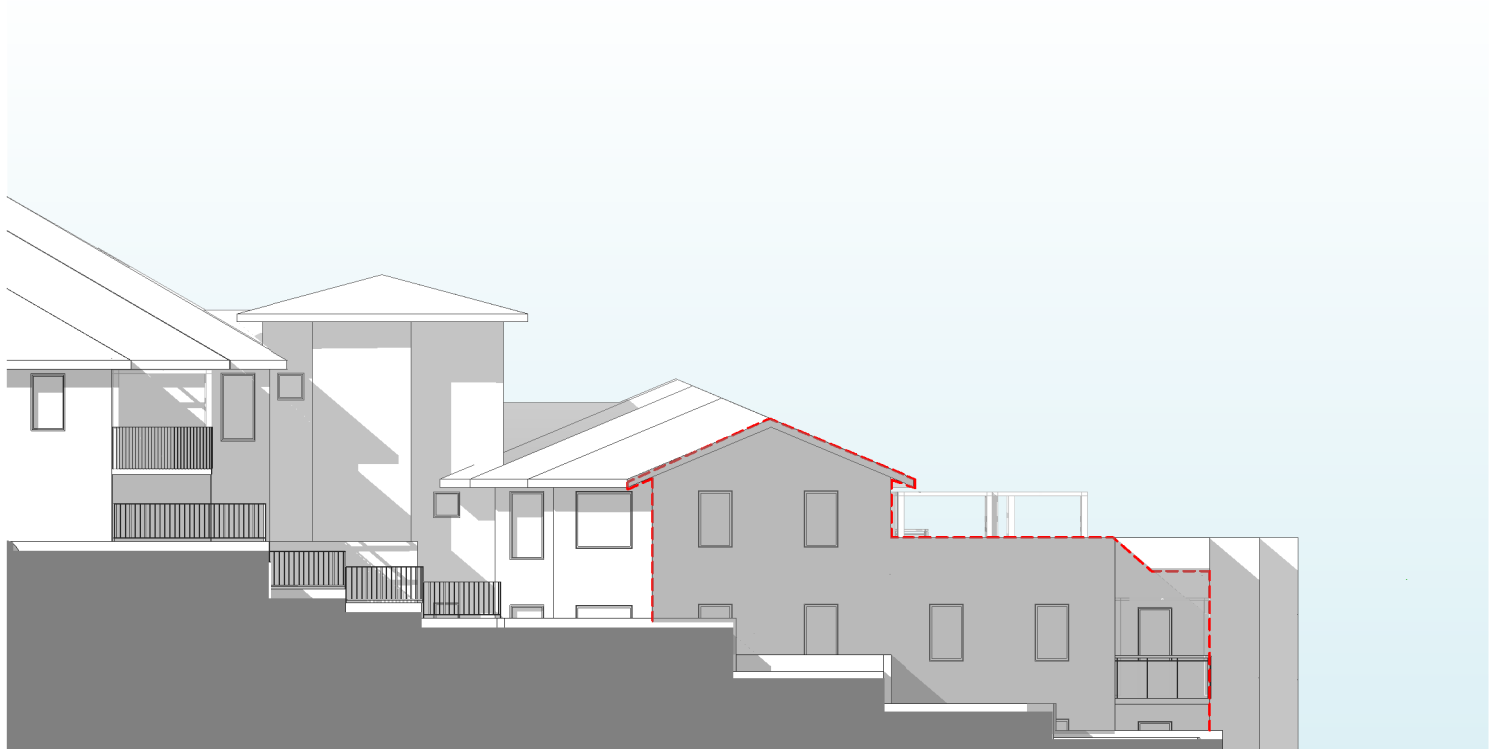
1 9AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



2 10AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



3 11AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



4 12AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.			
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VISIT ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.			
Orientation:			
ISSUE	DATE	DESCRIPTION	ISSUED BY

ARCHITECT:

DREW DICKSON ARCHITECTS

Registered Architect Alexander de Bort
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2 GROUND FLOOR, 85 ALEXANDER STREET CROWNS NEIST NSW 2061 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:

**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

PROJECT:

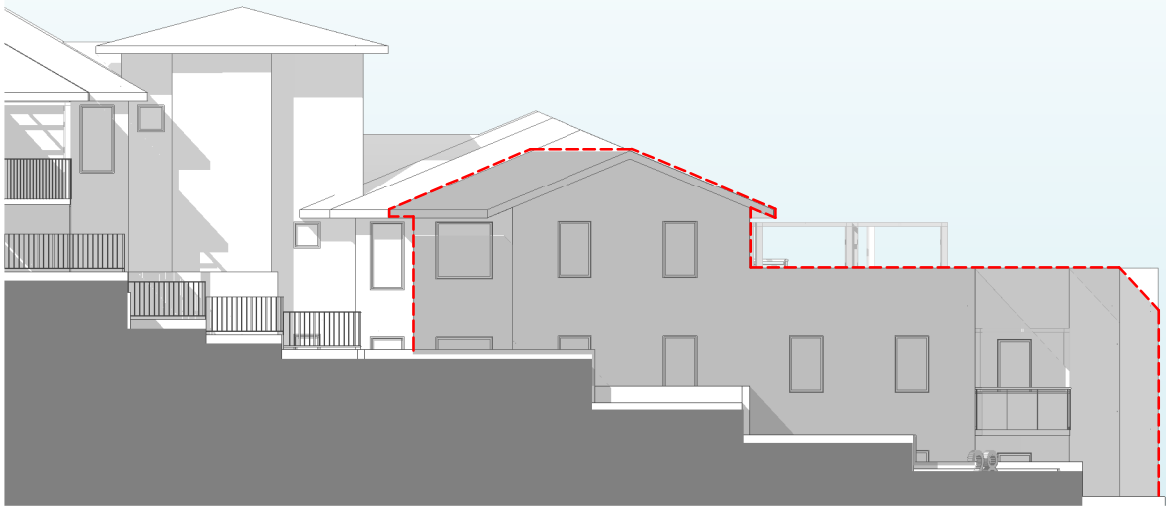
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**

28 EAGLE STREET, RYDE NSW 2112

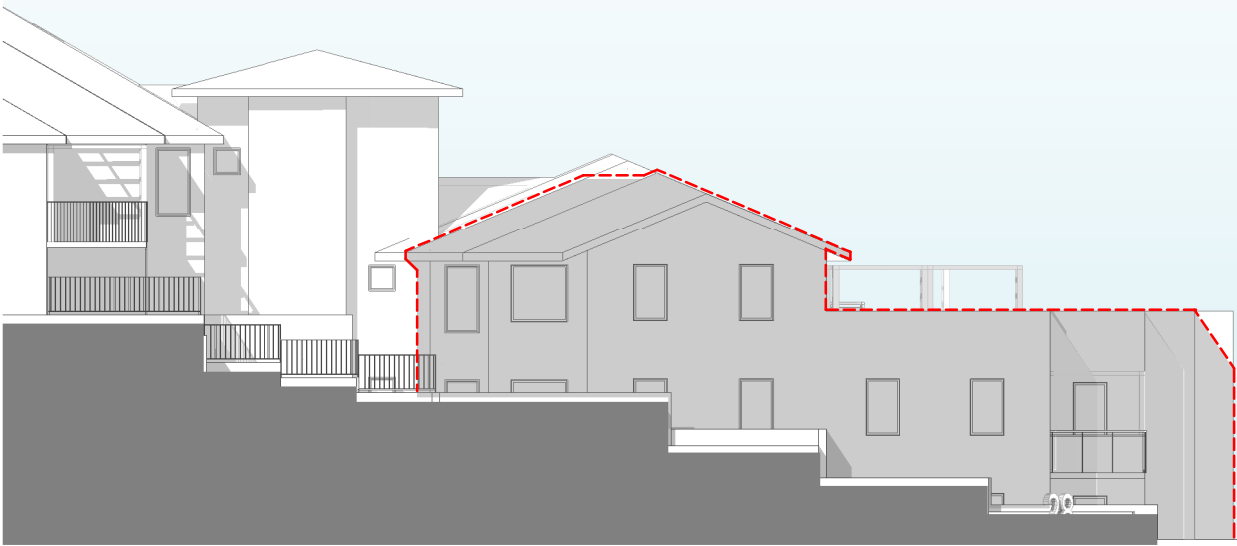
DRAWING

**ELEVATIONAL SHADOW
DIAGRAMS- PROPOSED
BUILDING_ SHEET 1**

Drawing Scale @ A1:	Date:	Drawn by:
1 : 100	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-530	



1 1PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



2 2PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



3 3PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS. THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VISIT ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.	Orientation:				
	ISSUE	DATE	DESCRIPTION		ISSUED BY

ARCHITECT:

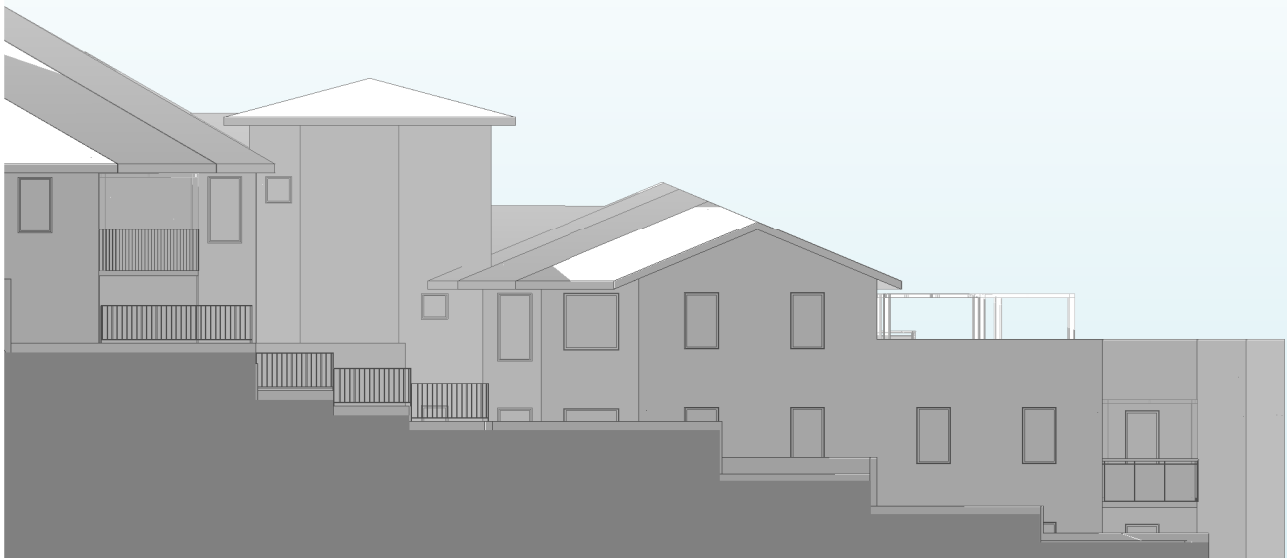
DREW DICKSON ARCHITECTS
Registered Architect, Alexander de Bruijn
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2 GROUND FLOOR, 85 ALEXANDER STREET, CROWNS NEST NSW, 2061 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

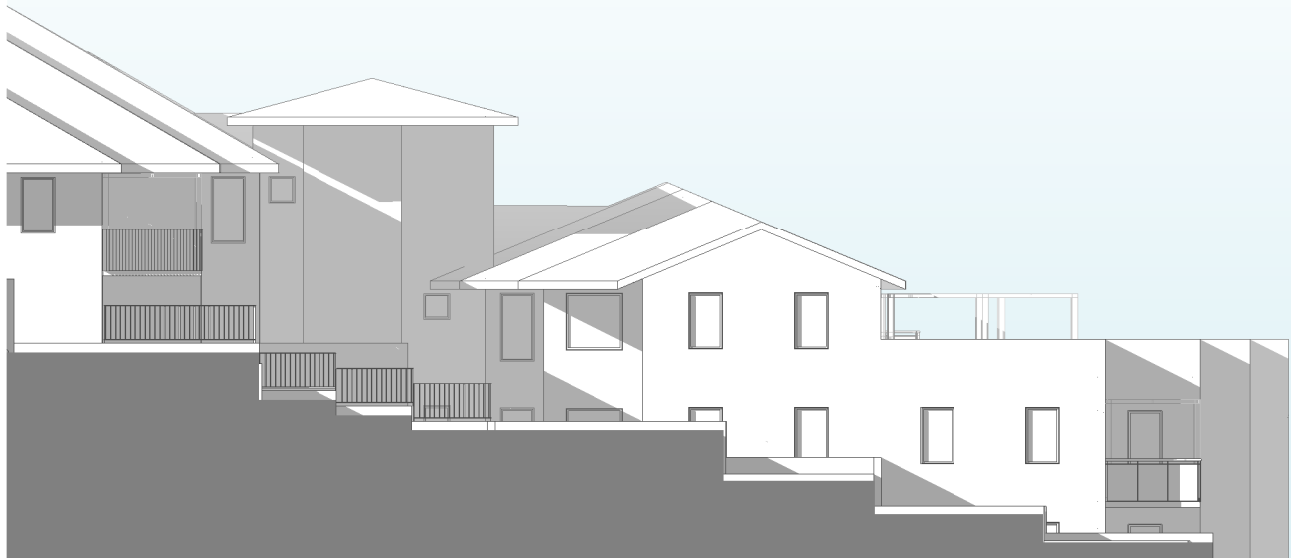
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**ELEVATIONAL SHADOW
DIAGRAMS- PROPOSED
BUILDING_ SHEET 2**

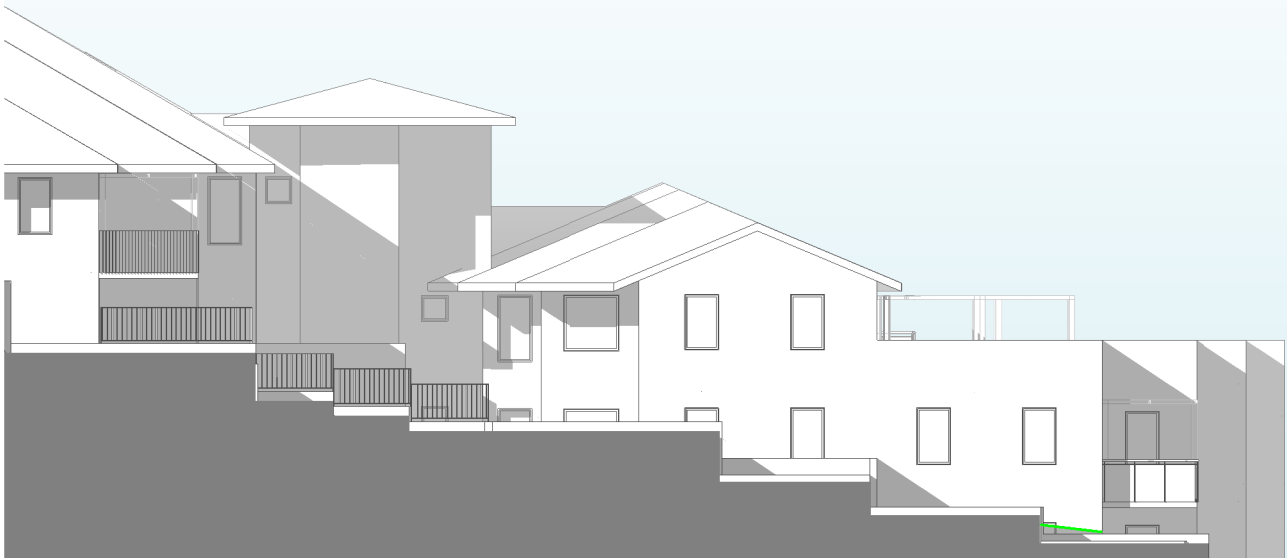
Drawing Scale @ A1:	Date:	Drawn by:
1 : 100	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-531	



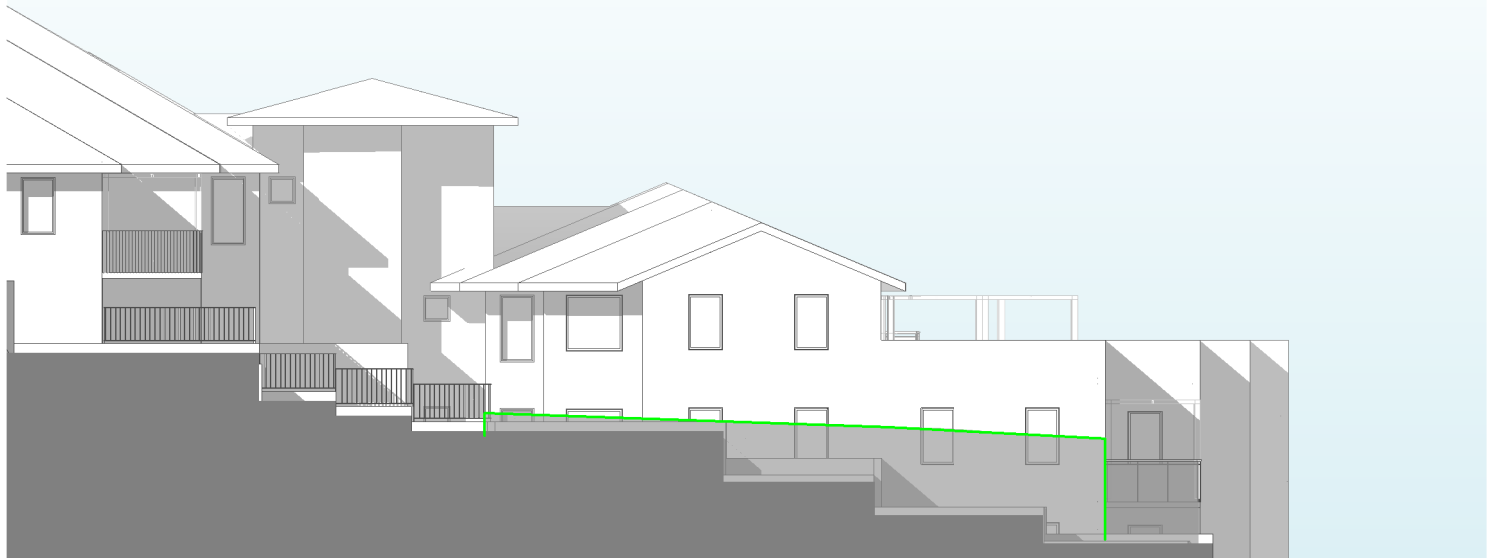
1 9AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



2 10AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



3 11AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



4 12PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100

<div>FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.</div> <div>THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.</div>	Orientation:				
	ISSUE	DATE	DESCRIPTION	ISSUED BY	

ARCHITECT:



DREW DICKSON ARCHITECTS

Registered Architect, Member of the Architects' Registration Board of Australia

DREW DICKSON ARCHITECTS PTY LIMITED ABN 12 158 862 153

SUITE 2 GROUND FLOOR, 85 ALEXANDER STREET, CROWNS NEST NSW 2061 AUSTRALIA

Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:

EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD

PROJECT:

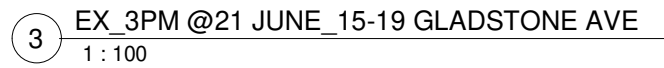
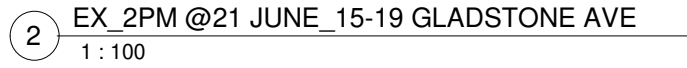
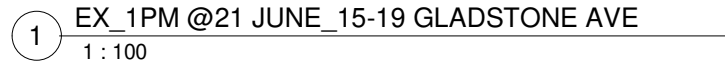
EAGLE STREET, RYDE RESIDENTIAL APARTMENTS

28 EAGLE STREET, RYDE NSW 2112

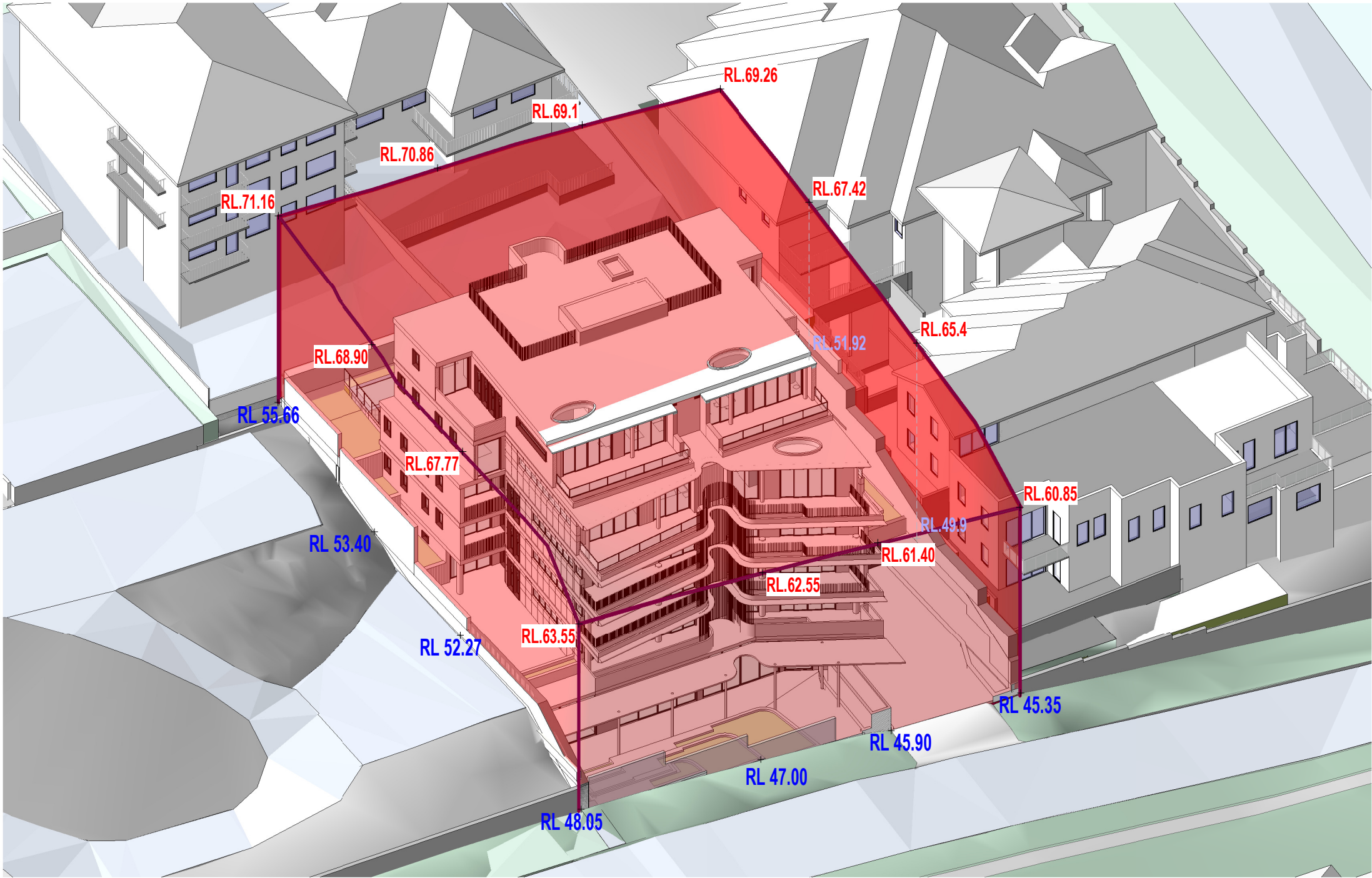
DRAWING:

ELEVATIONAL SHADOW DIAGRAMS- EXISTING BUILDING_ SHEET 1

Drawing Scale @ A1:	Date:	Drawn by:
1 : 100	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-532	



FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.	Orientation:				
THIS DRAWING WAS PREPARED FROM DRAWINGS AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS FOR COMMENCEMENT OF WORK ON SITE.					
ISSUE	DATE	DESCRIPTION	ISSUED BY		



1 15.5M BUILDING ENVELOPE

+RL.60.85 LEVEL OF THE 15.5M HEIGHT PLANE
+RL.60.85 NATURAL GROUND LEVEL AT THE BOUNDARY

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.				
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS, VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.				
Orientation:				
ISSUE	DATE	DESCRIPTION	ISSUED BY	

ARCHITECT:

DREW DICKSON ARCHITECTS
Registered Architect, Member of the
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2 GROUND FLOOR, 81 ALEXANDER STREET, CROWNS NEST NSW 2061 AUSTRALIA
Tel: +61 2 95813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

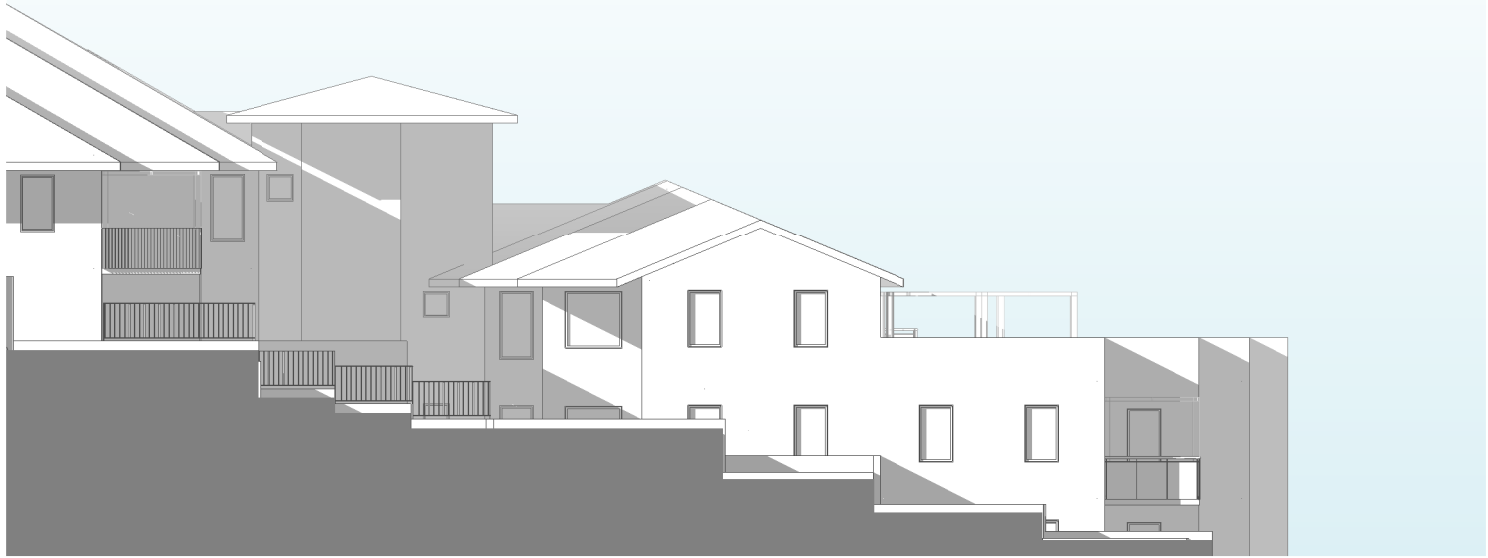
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**HEIGHT PLANE ENVELOPE
WITH PROPOSED BUILDING**

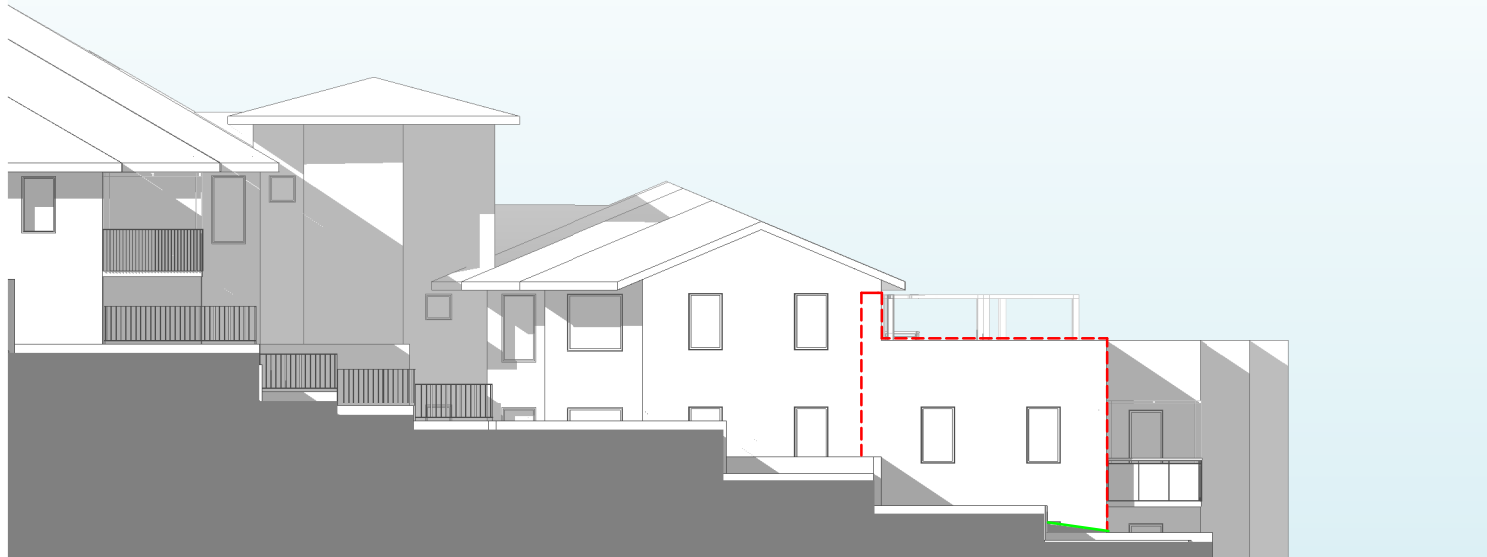
Drawing Scale @ A1:	Date:	Drawn by:
	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-536	



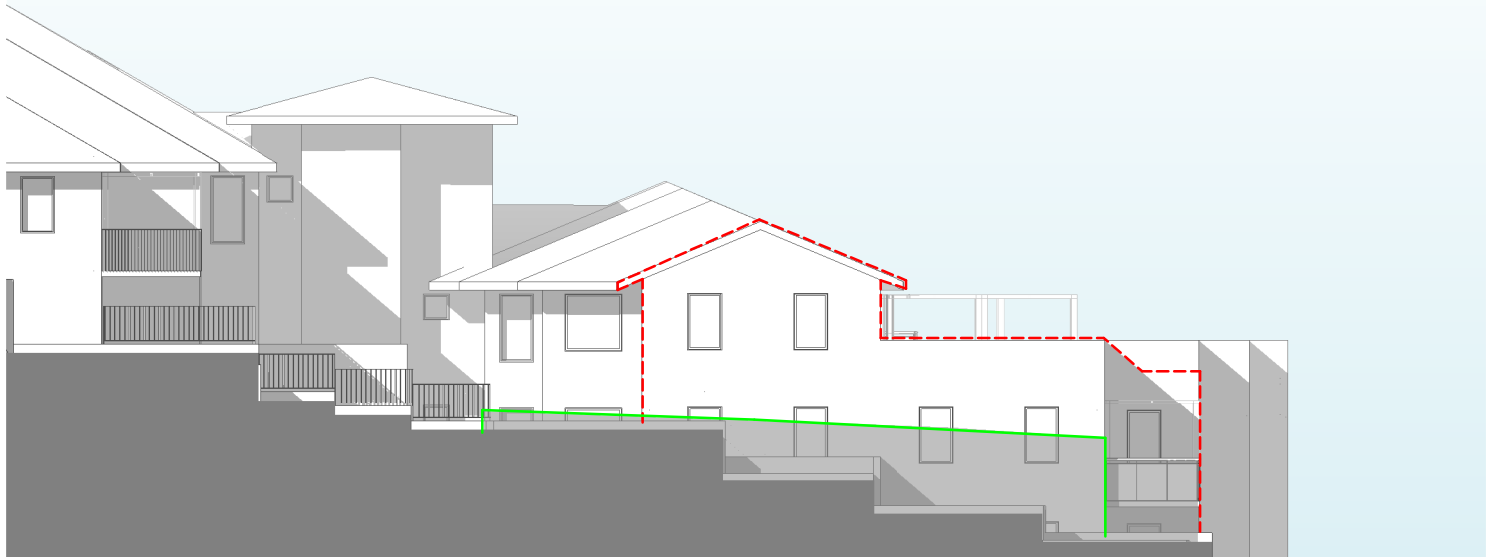
1 COMPARISON_9AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



2 COMPARISON_10AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



3 COMPARISON_11AM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



4 COMPARISON_12PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100

NOTE:
EXISTING TREES ALONG WESTERN BOUNDARY OF 15-19 GLADSTONE AVENUE WERE NOT INCLUDED IN THESE WINTER SOLSTICE SUN EYE VIEWS (SHADOWS STUDY).

LOCATION OF EXISTING WINDOWS ON WESTERN WALLS OF RESIDENTIAL BUILDING OF 15-19 GLADSTONE AVENUE ARE BASED ON SURVEY PLAN.

— SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM EXISTING BUILDING AT 28 EAGLE STREET, RYDE

- - - SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM PROPOSED BUILDING AT 28 EAGLE STREET, RYDE

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.			
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS, VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.			
Orientation:			
ISSUE	DATE	DESCRIPTION	ISSUED BY

ARCHITECT:

DREW DICKSON ARCHITECTS
Registered Architect, Member of the
DREW DICKSON ARCHITECTS PTY LIMITED
SUITE 2, GROUND FLOOR, 85 ALEXANDER STREET, CROWNS NEST NSW 2091 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

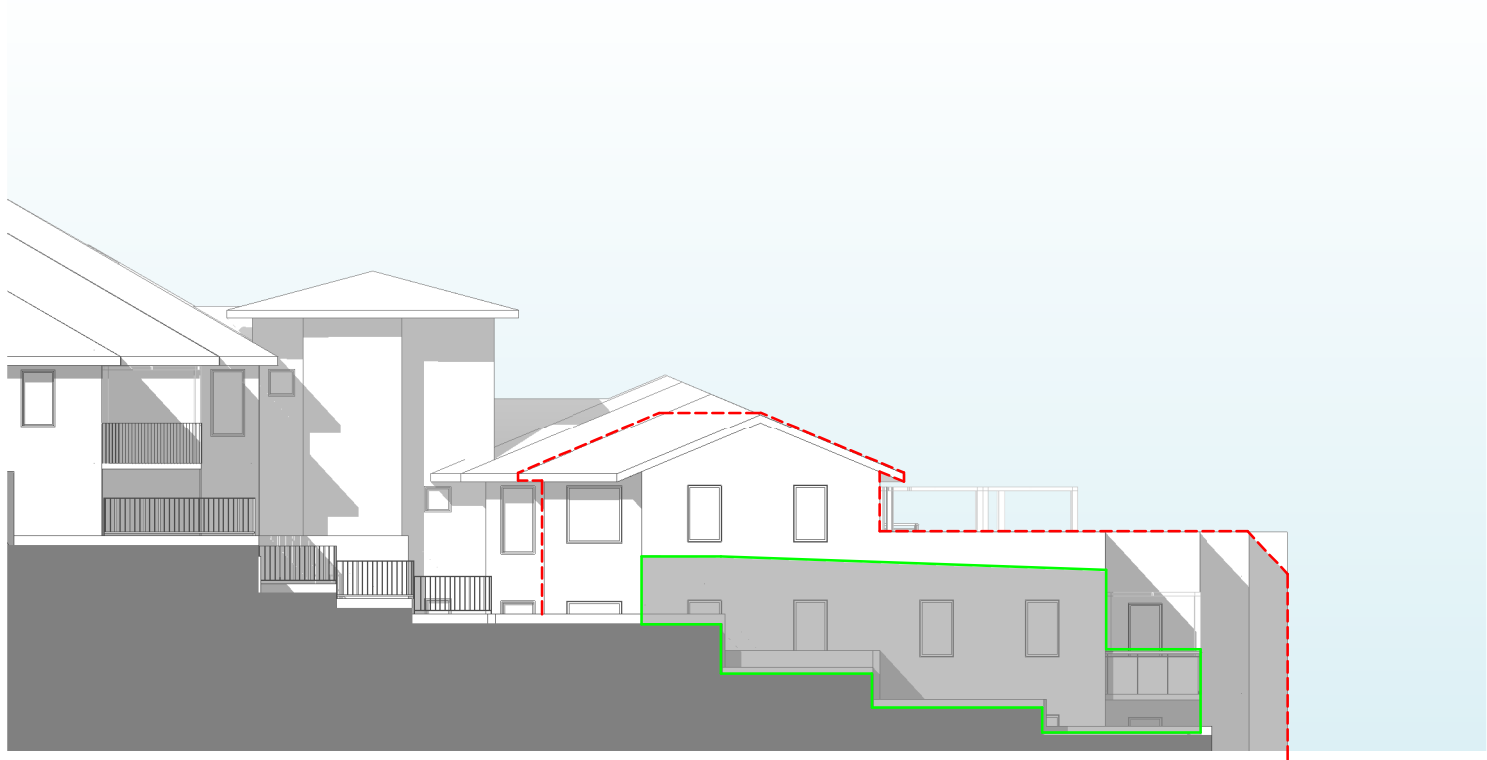
ARCHITECT'S REG. NO. 8230
A/NZ 12 188 892 153
A/NZ 12 188 892 153
A/NZ 12 188 892 153

CLIENT:
**EAGLE RYDE PTY LTD C/O
BILLBERGIA PTY LTD**

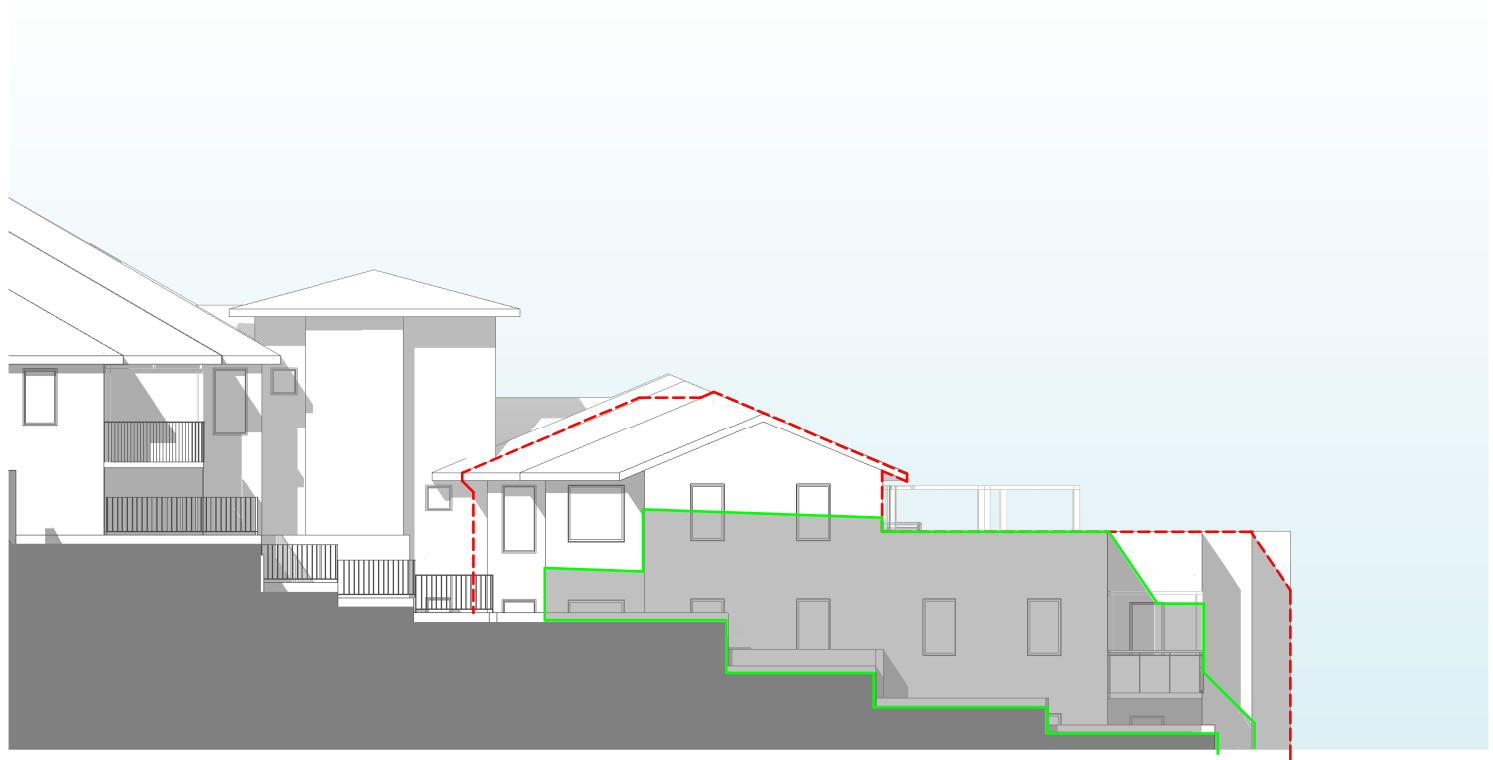
PROJECT:
**EAGLE STREET, RYDE
RESIDENTIAL
APARTMENTS**
28 EAGLE STREET, RYDE NSW 2112

DRAWING
**ELEVATIONAL SHADOW
DIAGRAMS- PROPOSED &
EXISTING BUILDING
COMPARISON SHEET 1**

Drawing Scale @ A1: 1 : 100	Date: AUG.2022	Drawn by: KL
Drawing Status: DA		
Project / Job No: 22029	Drawing No: SK-537	Revision:



1 COMPARISON_1PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



2 COMPARISON_2PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100



3 COMPARISON_3PM @21 JUNE_15-19 GLADSTONE AVE
1 : 100

NOTE:
EXISTING TREES ALONG WESTERN BOUNDARY OF 15-19 GLADSTONE AVENUE WERE NOT INCLUDED IN THESE WINTER SOLSTICE SUN EYE VIEWS (SHADOWS STUDY).

LOCATION OF EXISTING WINDOWS ON WESTERN WALLS OF RESIDENTIAL BUILDING OF 15-19 GLADSTONE AVENUE ARE BASED ON SURVEY PLAN.

— SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM EXISTING BUILDING AT 28 EAGLE STREET, RYDE
- - - SHADOW CAST ON 15-19 GLADSTONE AVENUE FROM PROPOSED BUILDING AT 28 EAGLE STREET, RYDE

FIGURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.			
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL. SITE MEASURED DIMENSIONS, VISIT ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.			
Orientation:			
ISSUE	DATE	DESCRIPTION	ISSUED BY

ARCHITECT:
DREW DICKSON ARCHITECTS
Registered Architect, Member of the Architects' Registration Board of Australia
DREW DICKSON ARCHITECTS PTY LIMITED ABN 12 158 862 153
SUITE 2 GROUND FLOOR, 85 ALEXANDER STREET, CROWS NEST NSW 2086 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

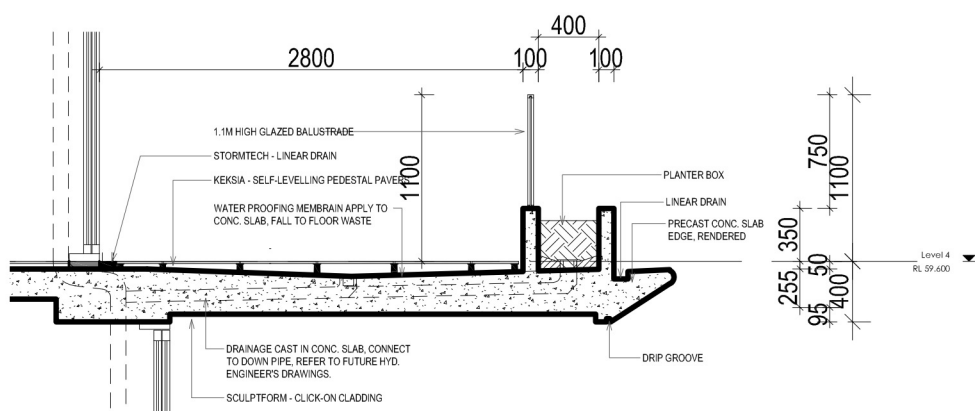
CLIENT:
EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD

PROJECT:
EAGLE STREET, RYDE RESIDENTIAL APARTMENTS
28 EAGLE STREET, RYDE NSW 2112

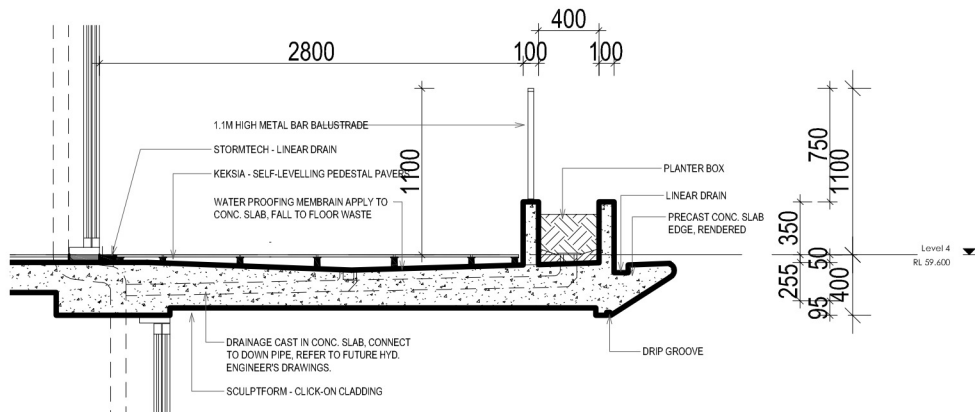
DRAWING
ELEVATIONAL SHADOW DIAGRAMS- PROPOSED & EXISTING BUILDING COMPARISON SHEET 2

Drawing Scale @ A1:	Date:	Drawn by:
1 : 100	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-538	

ADDITIONAL BALUSTRADE DETAILS



DETAILED SECTION 3



DETAILED SECTION 4

FOOTED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF. DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.			
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.			
Orientation:			
ISSUE	DATE	DESCRIPTION	ISSUED BY

ARCHITECT:

DREW DICKSON ARCHITECTS

Registered Architect, Alexander de Boro

DREW DICKSON ARCHITECTS PTY LIMITED ABN 12 158 892 153 SUITE 2 GROUND FLOOR, 8/4 ALEXANDER STREET CROWNS NEST NSW 2061 AUSTRALIA Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:

EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD

PROJECT:

EAGLE STREET, RYDE RESIDENTIAL APARTMENTS

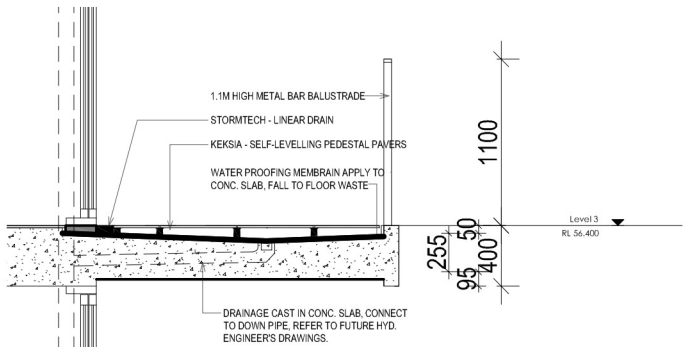
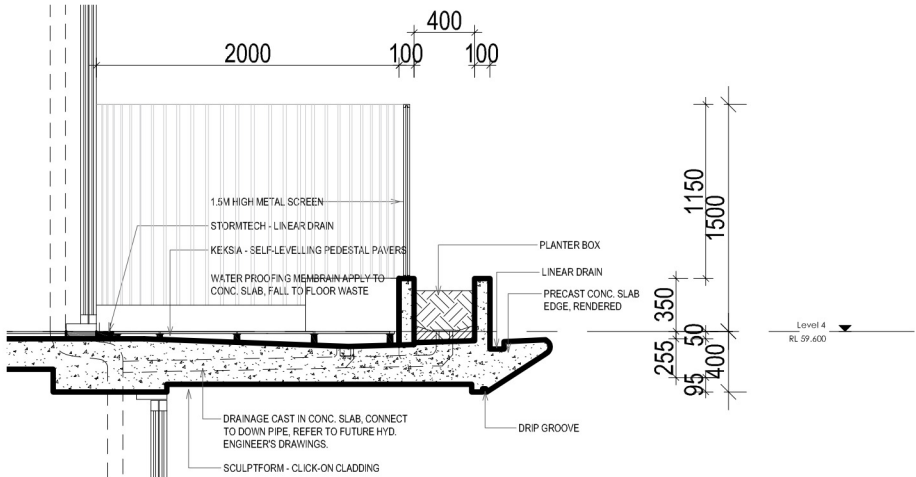
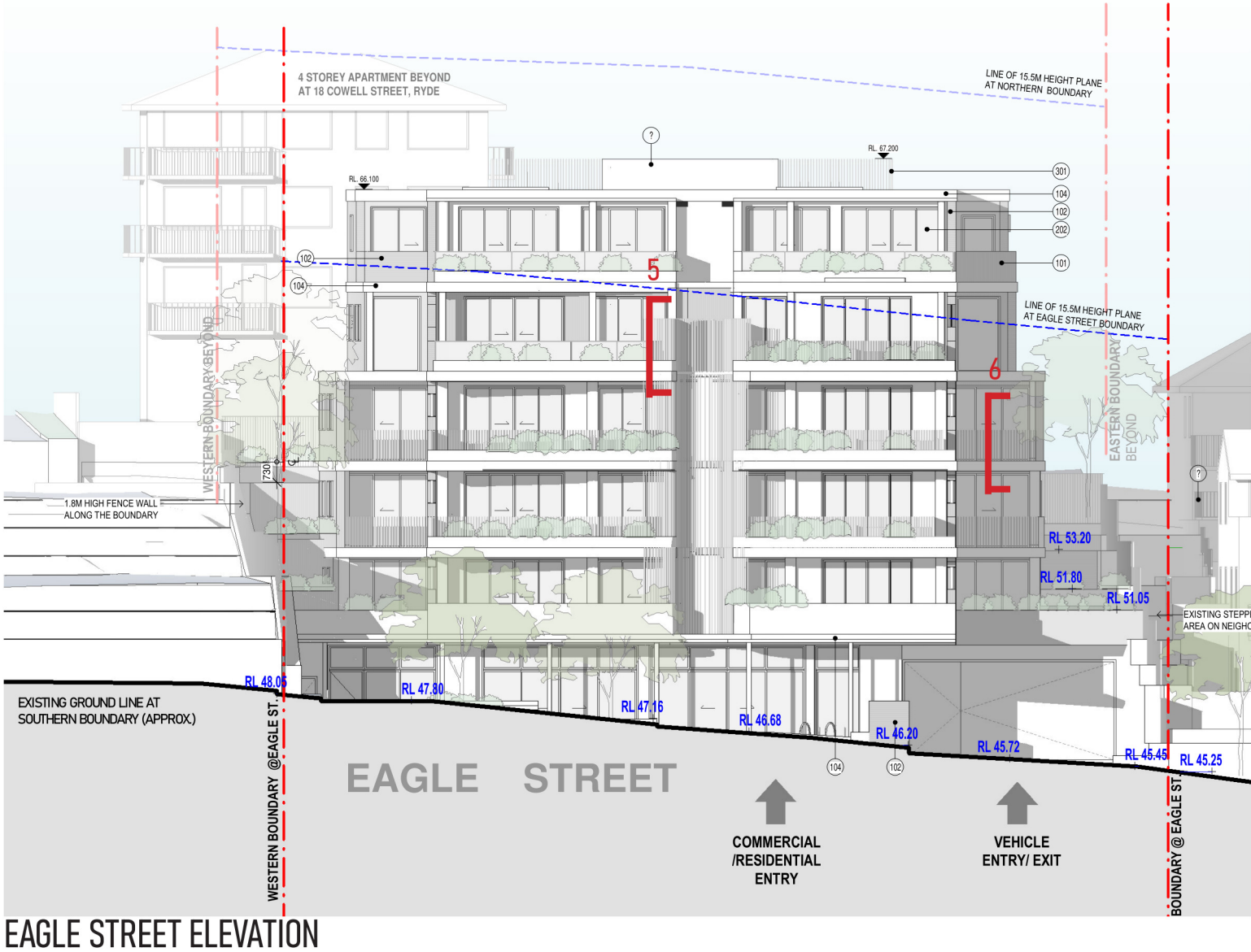
28 EAGLE STREET, RYDE NSW 2112

DRAWING:

ADDITIONAL BALUSTRADE DETAILS_ SHEET 1

Drawing Scale @ A1:	Date:	Drawn by:
	AUG.2022	KL
Drawing Status:		
DA		
Project / Job No:	Drawing No:	Revision:
22029	SK-539	

ADDITIONAL BALUSTRADE DETAILS



FOURED DIMENSIONS SHALL BE USED IN PREFERENCE TO THOSE SCALED OFF DETAIL DRAWINGS TO LARGER SCALES TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS			
THIS DRAWING WAS PREPARED FROM DRAWING AND SURVEY INFORMATION AVAILABLE AT THE TIME OF DRAFTING AND MAY VARY FROM ACTUAL SITE MEASURED DIMENSIONS. VERIFY ALL DIMENSIONS & LEVELS ON SITE PRIOR TO FABRICATION OF COMPONENTS OR COMMENCEMENT OF WORK ON SITE.			
Orientation:			
ISSUE	DATE	DESCRIPTION	ISSUED BY

ARCHITECT:

DREW DICKSON ARCHITECTS

Registered Architect, Member of the Architects' Association of Australia (AAA) and the Australian Institute of Architects (AIA)

DREW DICKSON ARCHITECTS PTY LTD
SUITE 2 GROUND FLOOR, 81 ALEXANDER STREET, CROWNS NEST NSW 2091 AUSTRALIA
Tel: +61 2 89813433 Email: info@dda-architects.com Web: www.dda-architects.com

CLIENT:

EAGLE RYDE PTY LTD C/O BILLBERGIA PTY LTD

PROJECT:

EAGLE STREET, RYDE RESIDENTIAL APARTMENTS

28 EAGLE STREET, RYDE NSW 2112

DRAWING

ADDITIONAL BALUSTRADE DETAILS_ SHEET 2

Drawing Scale @ A1:	Date:	Drawn by:
DA	AUG.2022	KL
Project / Job No:	Drawing No:	Revision:
22029	SK-540	

28 Eagle Street | Ryde NSW 2112

Landscape Development Application Resubmission
Prepared for Billbergia
Revision C
17 May 2023

















Contents

02	Contents
03	Landscape Masterplan
04	Landscape Character - Ground
05	Landscape Detail Plan - Ground
06	Landscape Character - Level 03 Communal Open Space
07	Landscape Detail Plan - Level 03 Communal Open Space
08	Levels Plan
09	Landscape Interface Sections 1 of 3
10	Landscape Interface Sections 2 of 3
11	Landscape Interface Sections 3 of 3
12	Planting on Structure and Deepsoil

Landscape Appendix

General Legend

400	Planting Schedule		Boundary Line		Proposed Trees		Existing Levels
401	Planting Plan - Ground Floor to Level 03						
402	Planting Plan - Level 01 - Balcony		Existing Trees to Retained		Shrubs and Groundcovers		Proposed Levels
403	Planting Plan - Level 02 - Balcony						
404	Planting Plan - Level 03 - Balcony		Existing Trees to Removed		Turf		Top of Wall
405	Planting Plan - Level 04 - Balcony						
406	Planting Plan - Level 05 - Balcony				Timber Decking		Top of Seat
					Water		Finished Floor Level (Architects)
701	Landscape Details						Structural Slab Level (Architects)
800	Landscape Specification						

Landscape Masterplan

Legend

- 01 Ground floor terraced landscape zone.
- 02 Basement entry
- 03 Commercial frontage entry
- 04 Residential lobby entrance
- 05 Level 1 terrace
- 06 Level 1 planter
- 07 Terrace planting with trees, shrubs & groundcovers
- 08 Level 3 Communal Open Space
- 09 Maintenance steps & ladders

Legend

	Boundary Line		Existing Levels
	Existing Trees to Retained		Proposed Levels
	Existing Trees to Removed		Finished Floor Level (Architects)
	Proposed Trees		Structural Slab Level (Architects)
	Proposed Shrubs		1.8m Colourbond Fence
	Feature Paver		1.2m Glass Balustrade
	Water		
	Timber Deck		



Scale 1:200 @ A3 0 1 4 6 8m



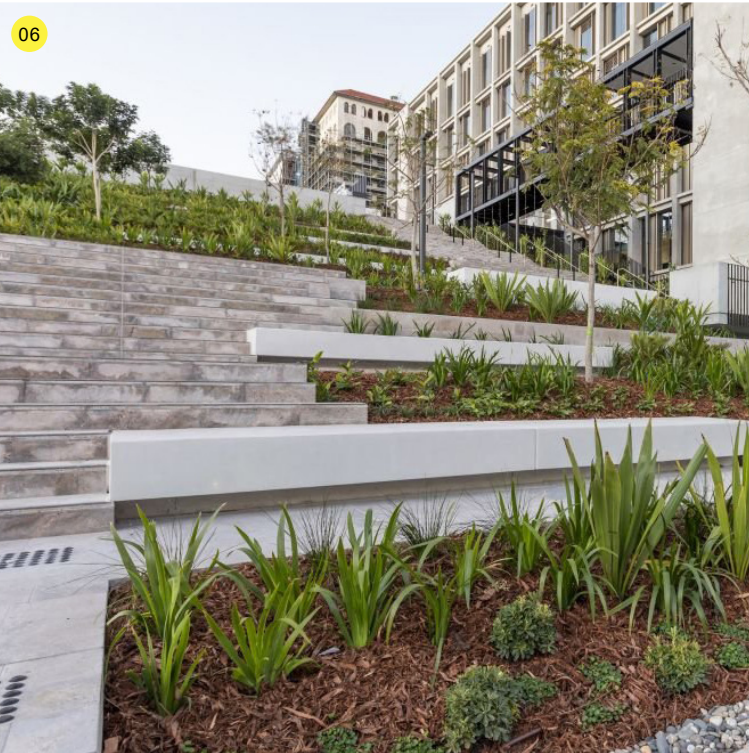
Landscape Character - Ground

Legend

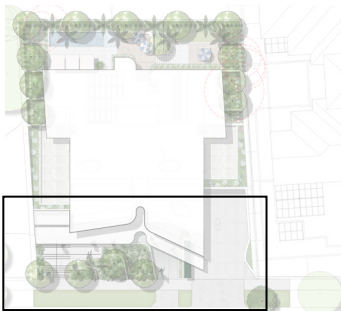
- 01 Concrete stairs with striking foliage
- 02 Concrete Seating elements
- 03 Native shade tree
- 04 Raised steel edge planter
- 05 Concrete Steps
- 06 Terraced landscape with native and one drop species



a
connection
to street



Landscape Detail Plan - Ground



Reference Plan

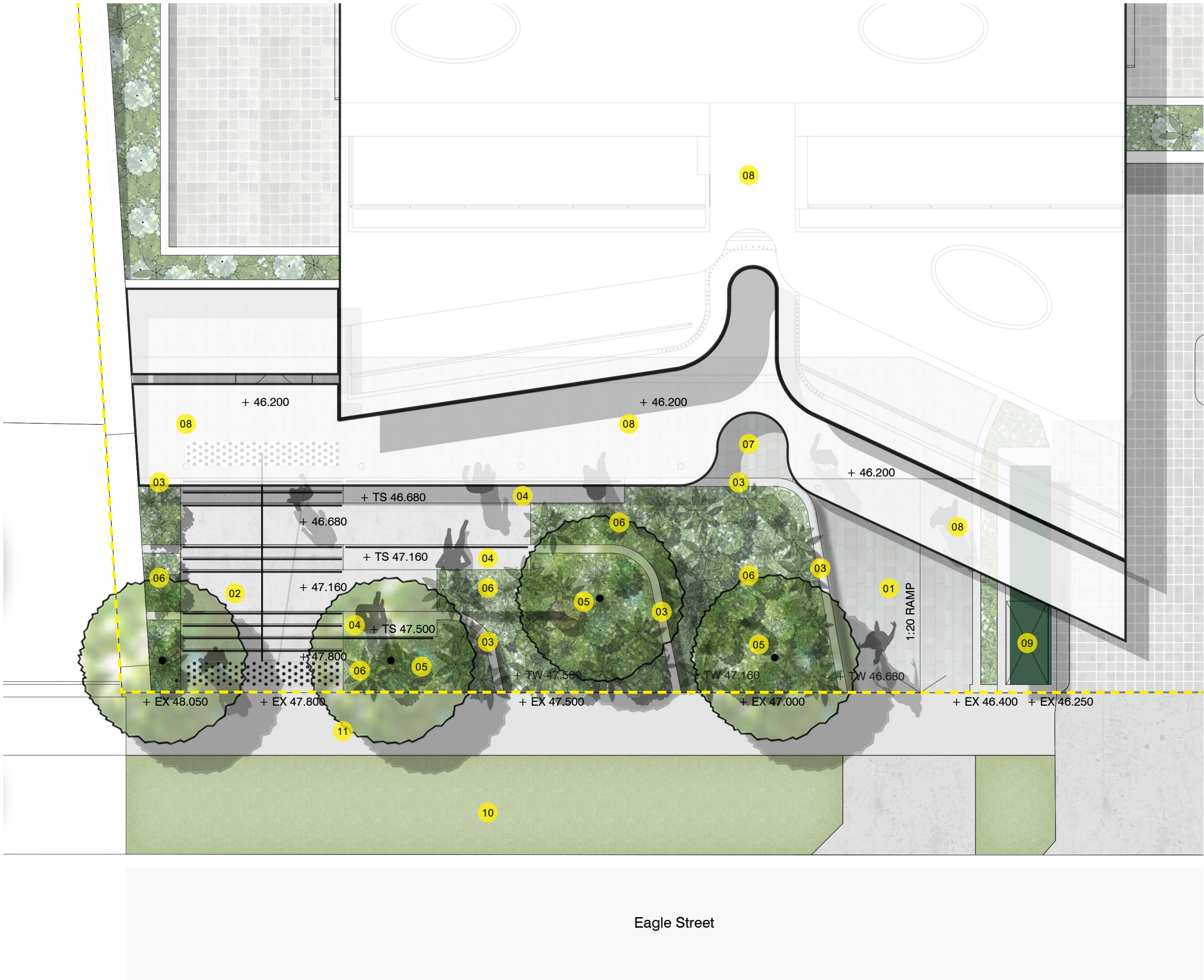
Legend

- 01 1:20 Ramp. (Equitable access)
- 02 Stair access to residential lobby
- 03 In situ concrete walls
- 04 Seating walls
- 05 Shade tree planting amongst planted terraces
- 06 Terraced planting with shrubs & groundcovers
- 07 Feature pavement to commercial frontage
- 08 Roof over
- 09 Fire hydrant
- 10 Council Verge
- 11 Council Footpath

Scale 1:100 @ A3



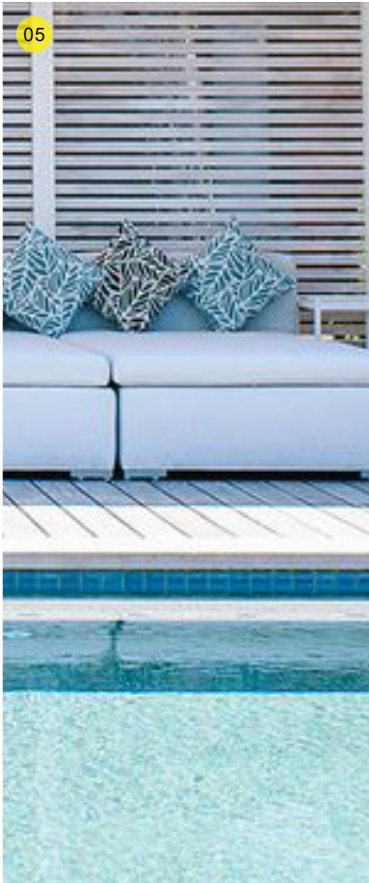
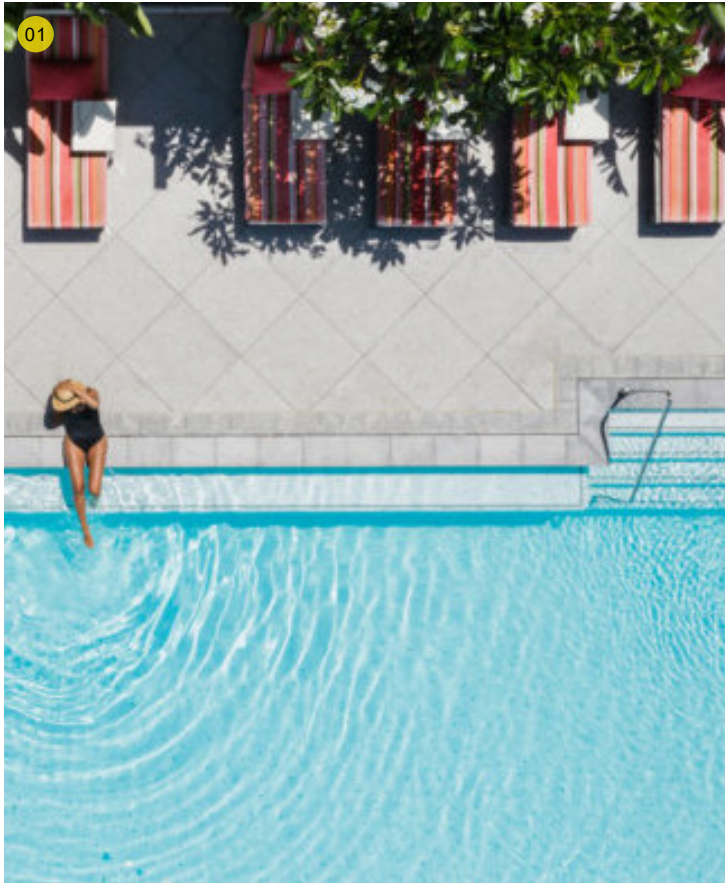
Precedent Image of stair access to residential



Landscape Character - Level 03 | Communal Open Space

Legend

- 01 Clean straight lines for simplicity and feeling of space
- 02 Light colour decking
- 03 Cascading planting
- 04 Native grasses
- 05 Cabanas / daybeds
- 06 Light paving tones to achieve sense of space
- 07 Colourbond boundary fencing
- 08 Native tree planting



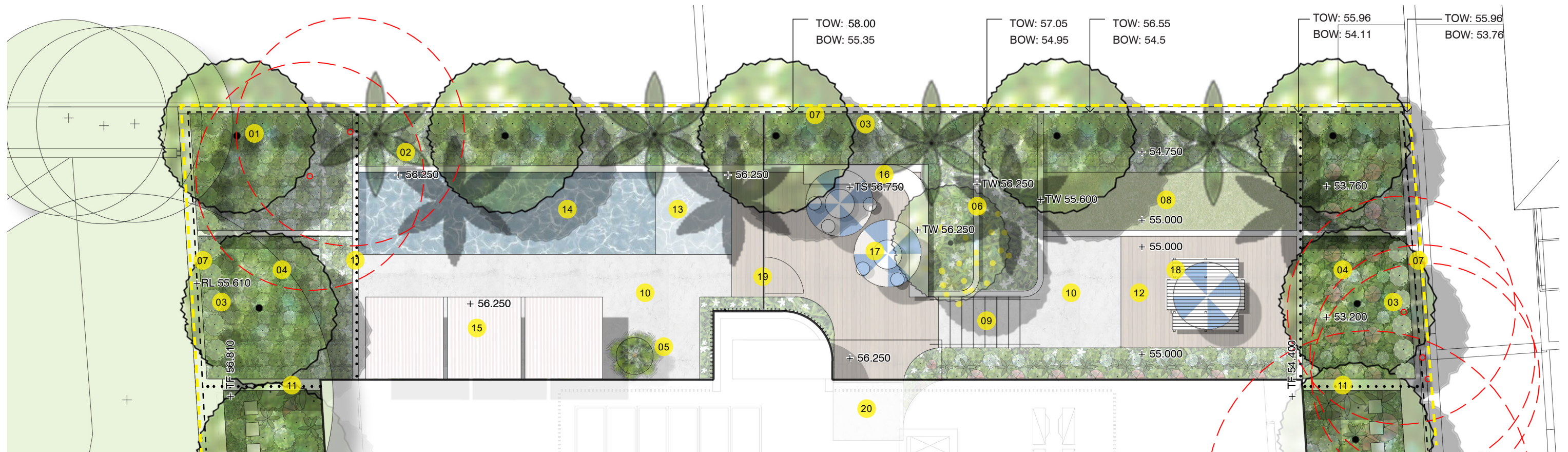
simplistic
lines



Legend

- Boundary Line
- - - - - Colourbond Fence
- Glass Balustrade
- Glass Pool Fence

- | | | | |
|----|---|----|------------------------------|
| 01 | Shade tree planting | 11 | 1.2m high balustrade |
| 02 | Feature tree planting (Native Palms) | 12 | Decking |
| 03 | Screen planting to boundaries | 13 | Pool (Shallow) |
| 04 | Garden beds with shrubs and ground-cover planting | 14 | Pool (Deep) |
| 05 | Feature pot plant | 15 | Pool side cabanas |
| 06 | Terrace planter wall | 16 | Feature seat |
| 07 | 1.8m high colourbond fence on boundary walls | 17 | Circular table and chairs |
| 08 | Natural turf on deepsoil | 18 | Outdoor dining table setting |
| 09 | Stairs | 19 | Pool gate and pool fencing |
| 10 | Feature pavement | 20 | COS entry / exit |



Scale 1:100 @ A3



Levels Plan

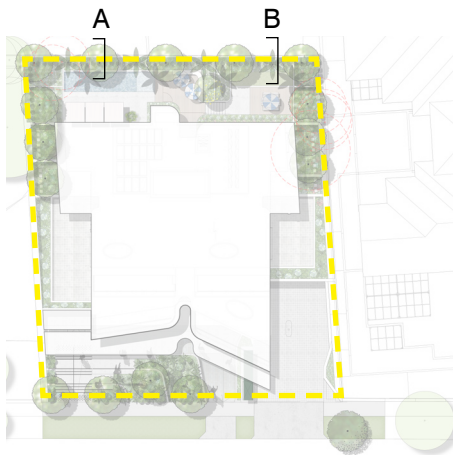
Boundary Interface Design Note:

Site levels designed to match neighbouring levels where possible with 1.8m high fence above boundary wall and 3 tier screen planting consistently along boundaries.

Refer Architects Plans for additional levels



Landscape Interface Sections 1 of 3



Section Reference Plan

Legend

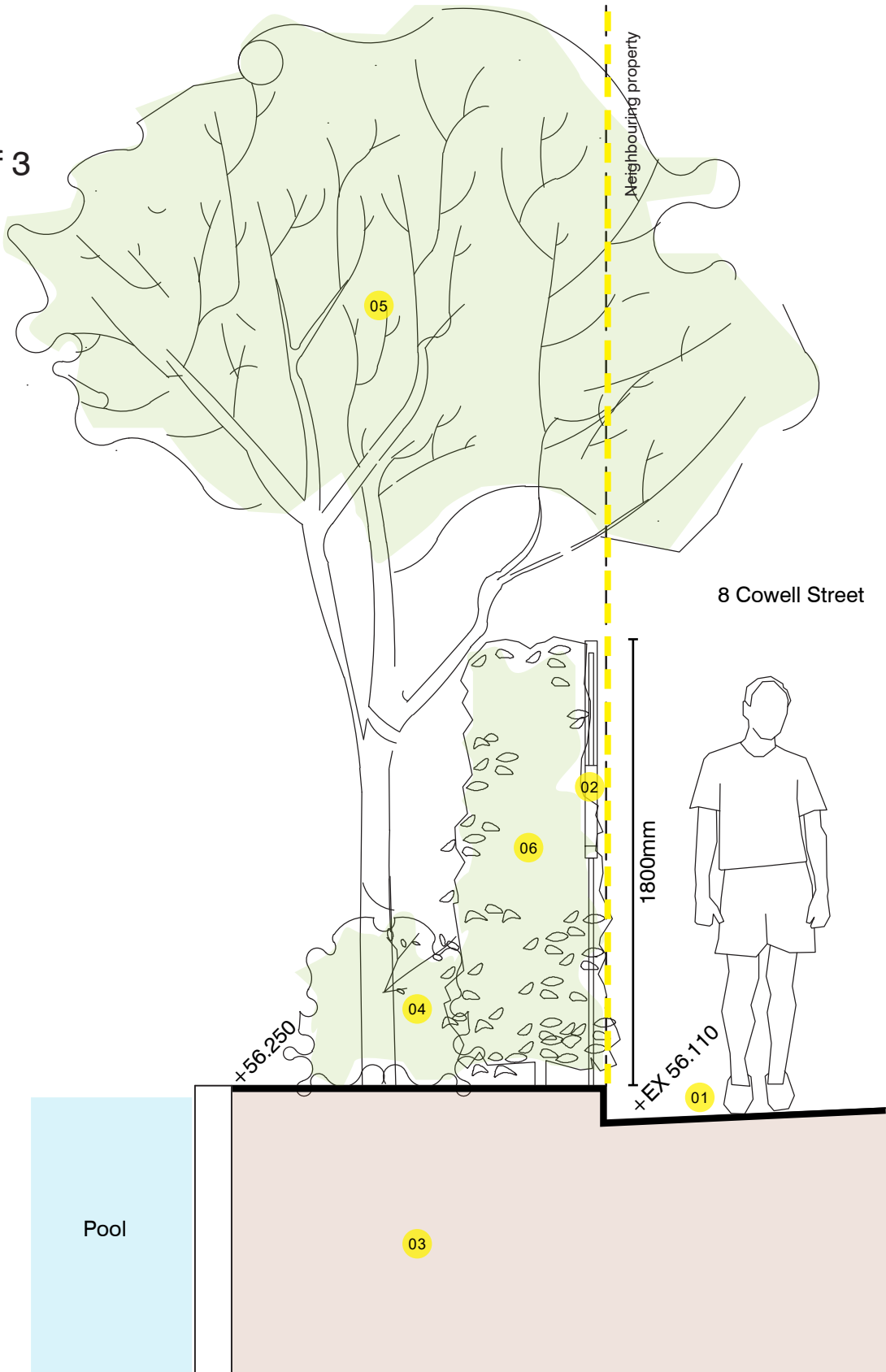
- 01 Neighbouring property ground plane
- 02 1.8m high colourbond fence
- 03 Deep Soil Zone
- 04 Buffer planting
- 05 Tree planting
- 06 Screening planting

Boundary Interface Design Note:

Site levels designed to match neighbouring levels where possible with 1.8m high fence above boundary wall and 3 tier screen planting consistently along boundaries.

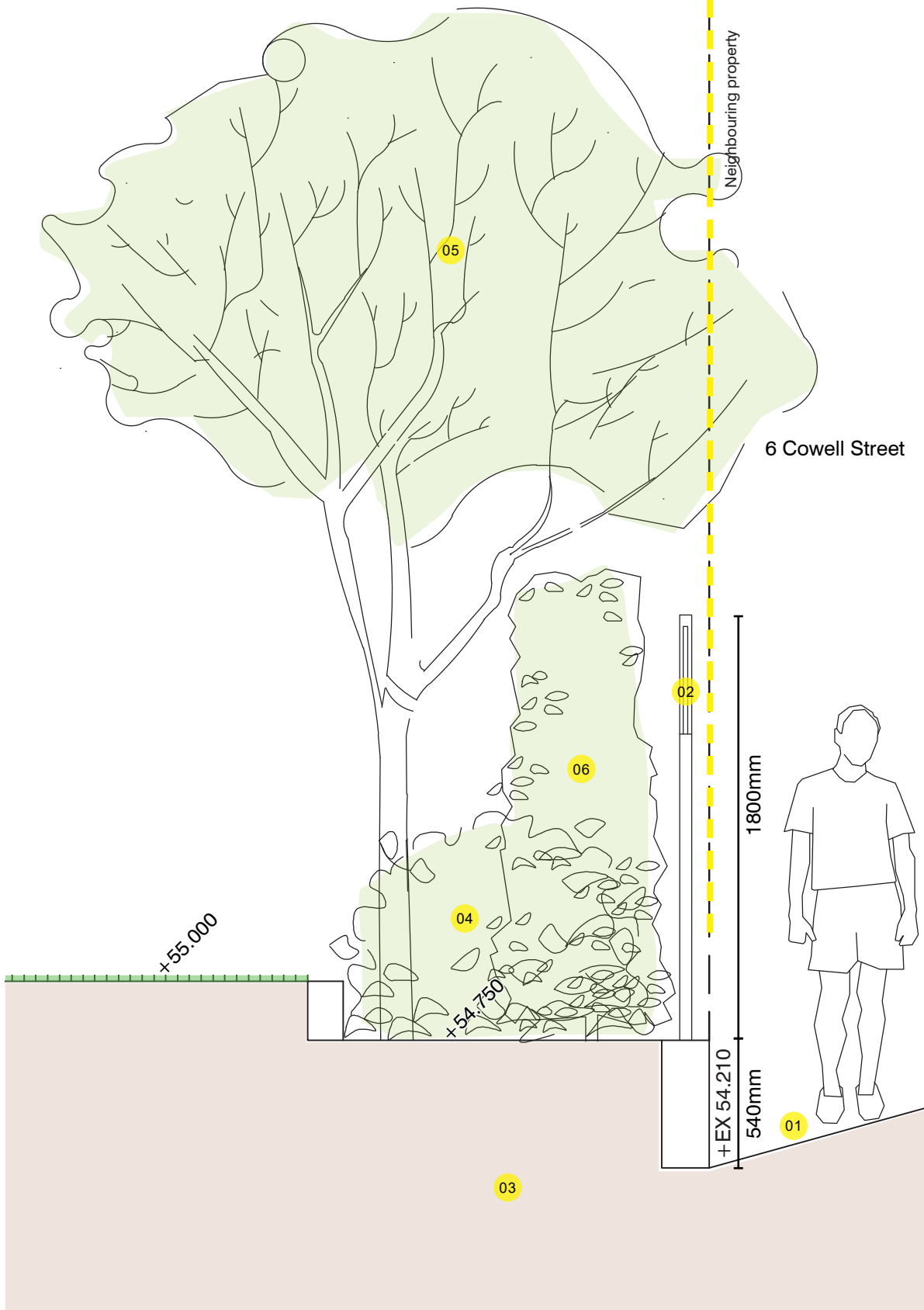


1.8m high colourbond fence



Site Section A - L3 Northern Boundary Interface

Scale 1:25 @ A3

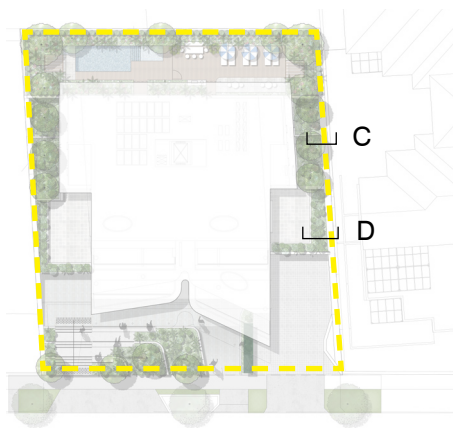


Site Section B - L3 B Northern Boundary Interface

Scale 1:25 @ A3



Landscape Interface Sections 2 of 3



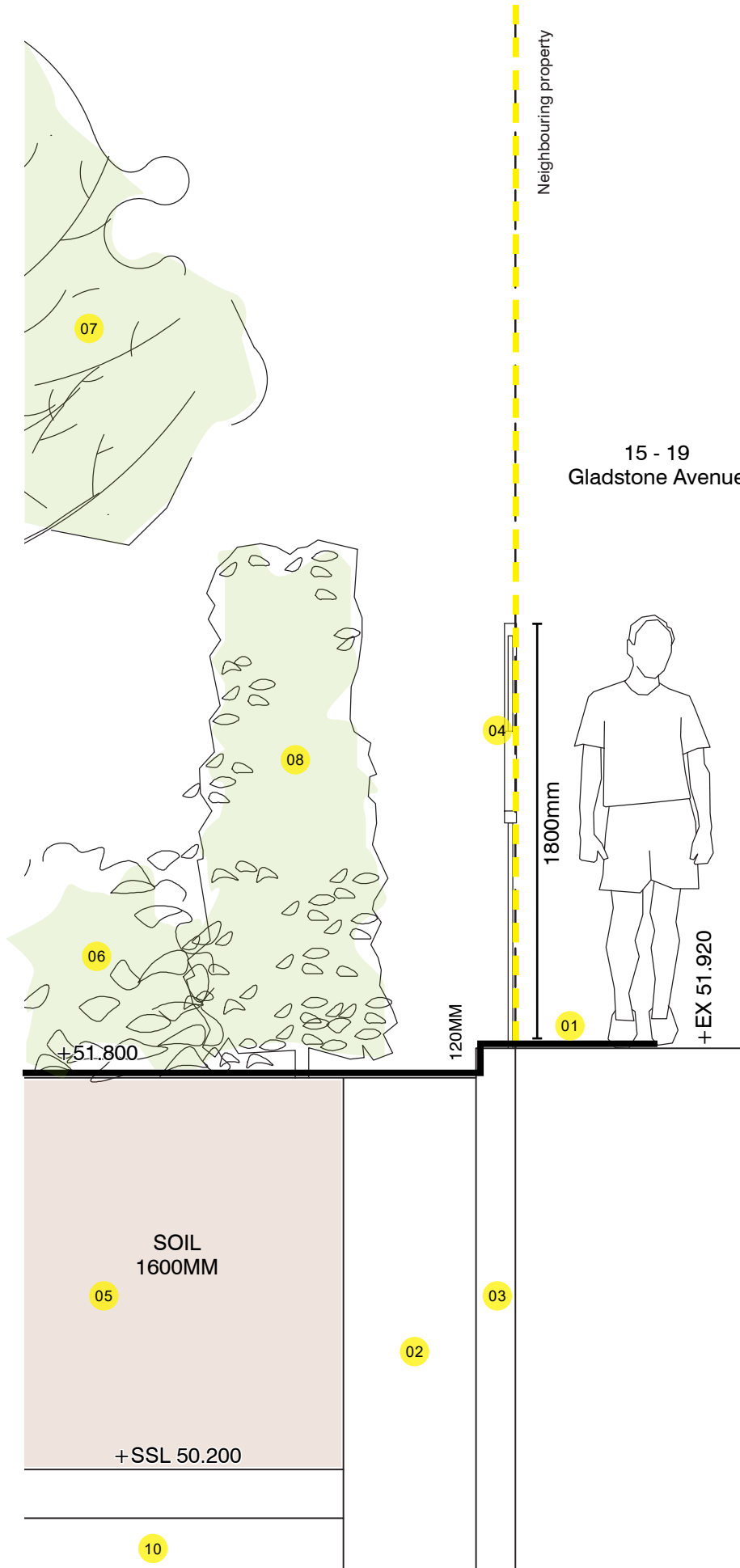
Section Reference Plan

Legend

- 01 Neighbouring property ground plane
- 02 Shoring wall
- 03 Additional retaining wall (height indicated)
- 04 1.8m high colourbond fence
- 05 Soil on structure(600mm / 1.6m deep)
- 06 Buffer planting
- 07 Tree planting
- 08 Screening planting
- 09 Terrace
- 10 Void

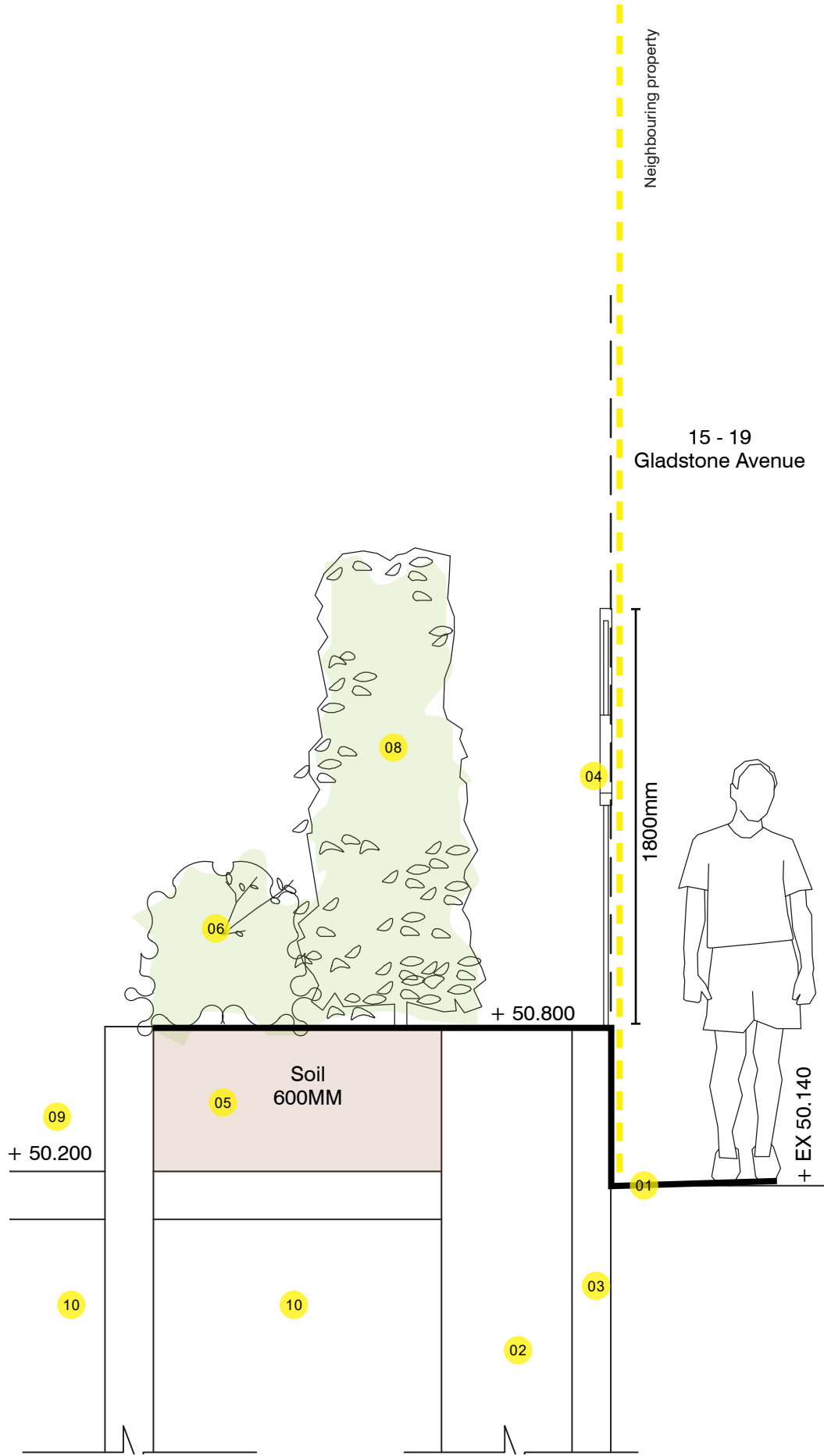
Boundary Interface Design Note:

Site levels designed to match neighbouring levels where possible with 1.8m high fence above boundary wall and 3 tier screen planting consistently along boundaries.



Site Section C - Eastern Boundary Interface

Scale 1:25 @ A3

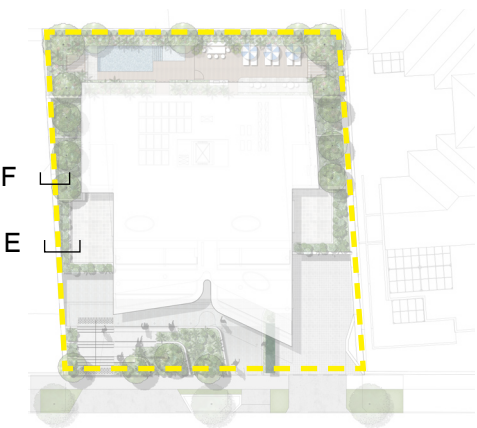


Site Section D - Eastern Boundary Interface

Scale 1:25 @ A3



Landscape Interface Sections 3 of 3



Section Reference Plan

Legend

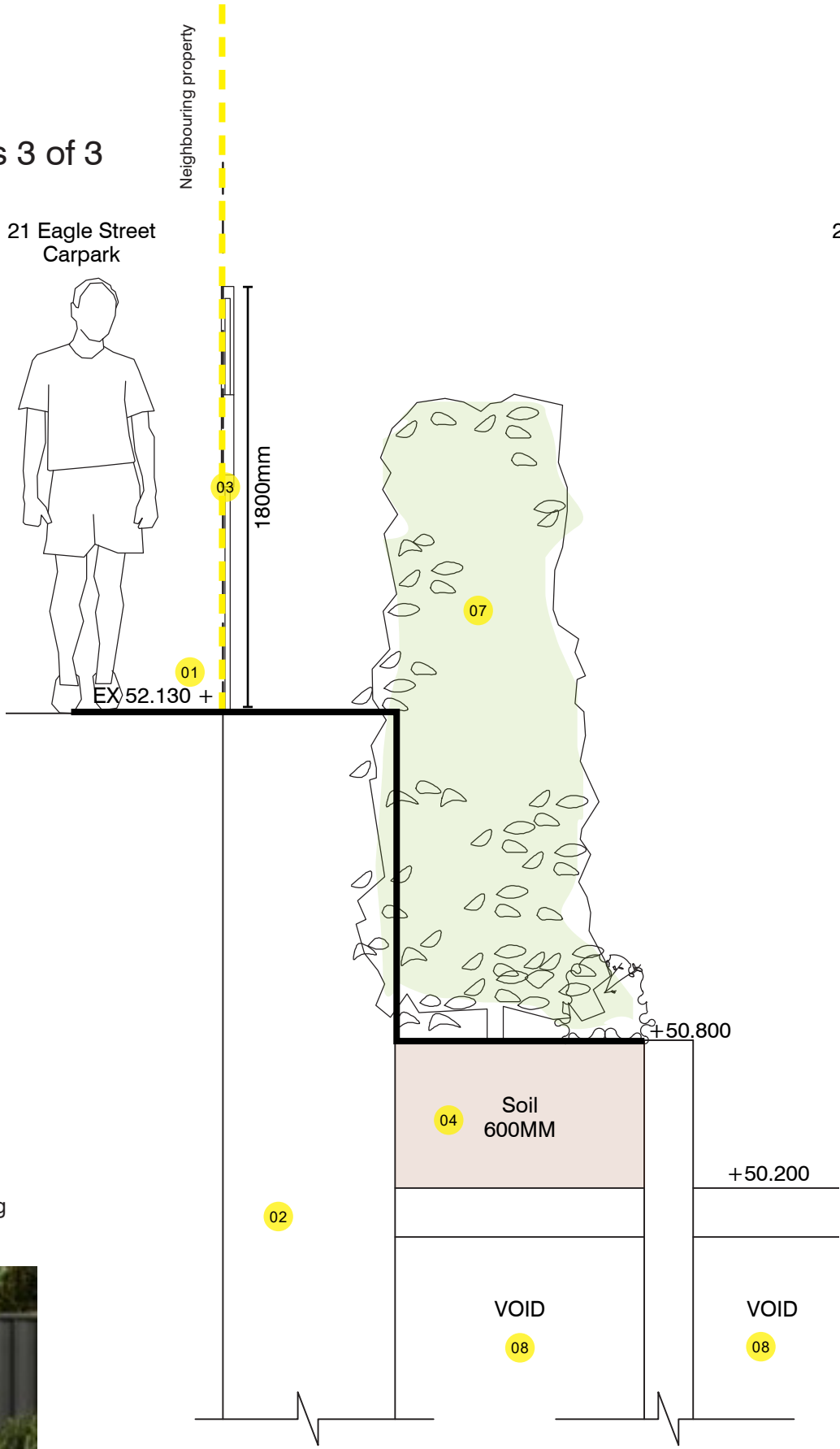
- 01 Neighbouring property ground plane
- 02 Shoring wall
- 03 1.8m high colourbond fence
- 04 Soil on structure
- 05 Buffer planting
- 06 Tree planting
- 07 Screening planting
- 08 Void

Boundary Interface Design Note:

Site levels designed to match neighbouring levels where possible with 1.8m high fence above boundary wall and 3 tier screen planting consistently along boundaries.

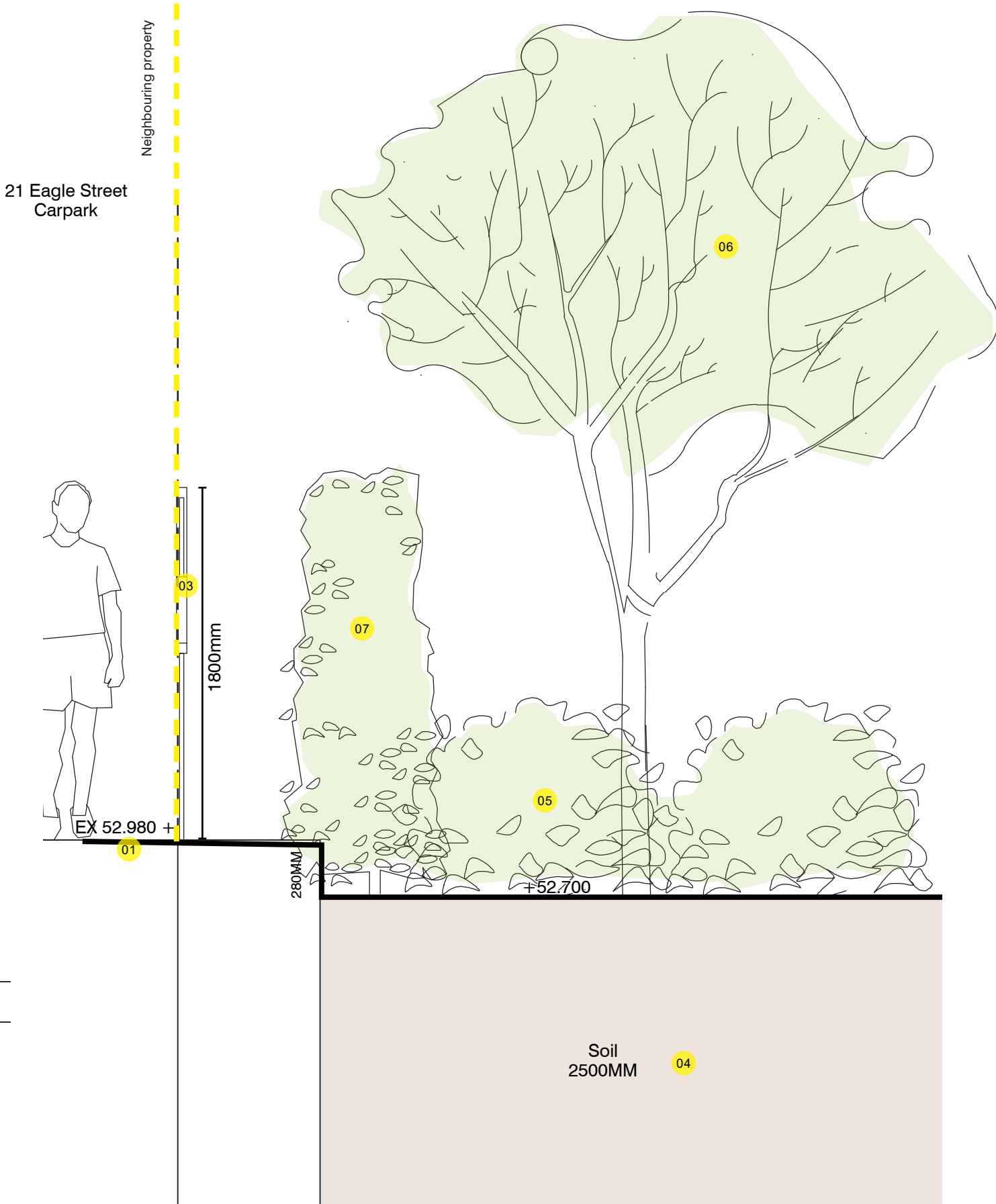


1.8m high colourbond fence



Site Section E - Western Boundary Interface

Scale 1:25 @ A3 0 0.50 1 2 4m



Site Section F - Eastern Boundary Interface

Scale 1:25 @ A3 0 0.50 1 2 4m

Planting on Structure and Deepsoil

All planting on top of podium will comply with ADG requirements, Ryde City Council and DCP Standards with drainage and waterproofing to Engineers Details.

Legend

- Planting on structure
- Allocated indigenous / low water use species
- Calculated Deepsoil (88.77m2)
- Non Calculated Deepsoil (31.6m2)

Deepsoil Compliance Calculations

Site Coverage: 1158.4m2

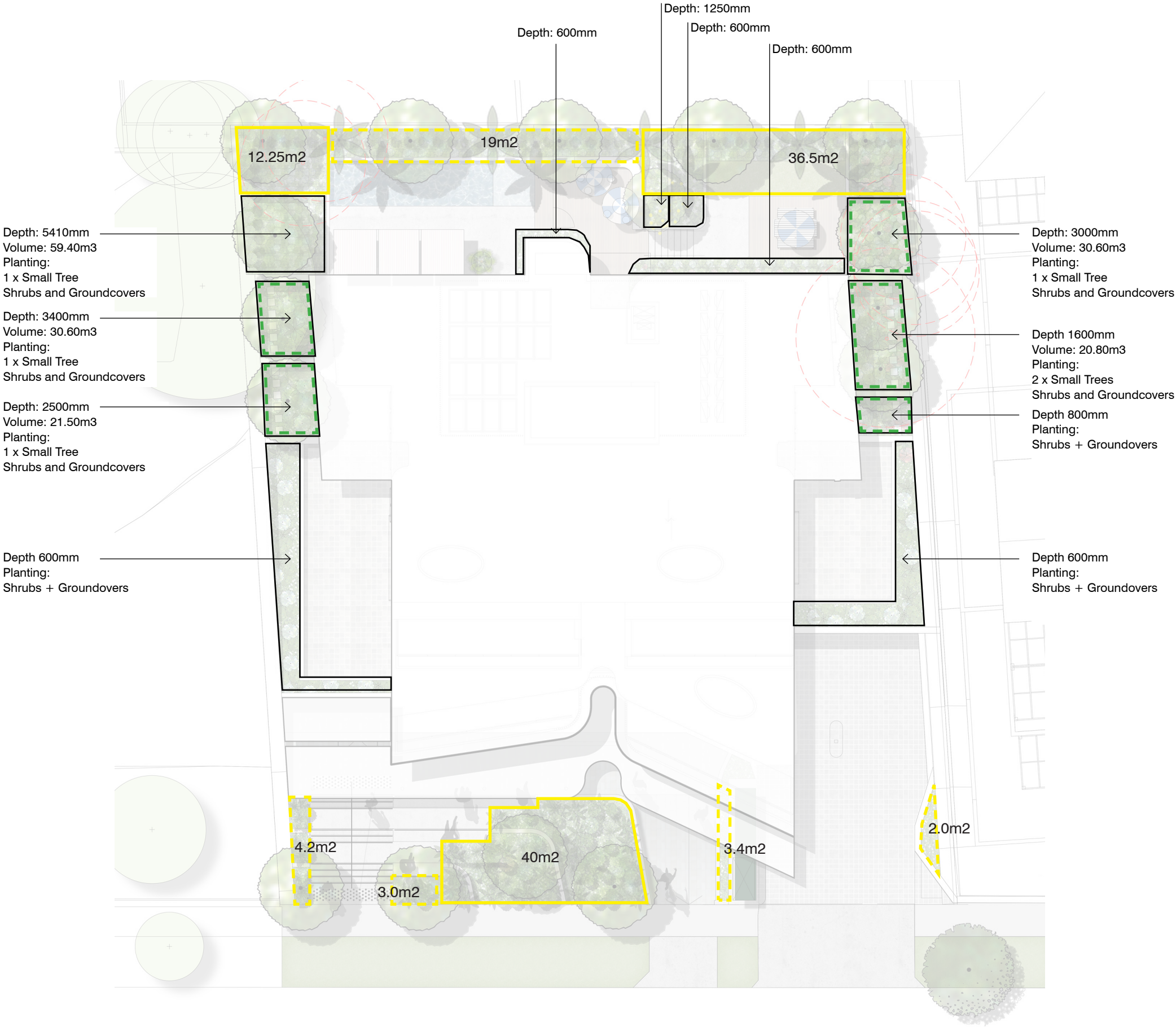
Required Deepsoil: 7% = 81m2

Calculated Deepsoil Area. (Minimum dimensions 3m): 88.77m2

Non Calculated Deepsoil Area. (Minimum dimensions less than 3m): 31.6m2

Total Deepsoil: 120.37m2

Indigenous/low water use species for Ryde City Council



28 Eagle Street | Ryde NSW 2112

Landscape Appendix

400	Planting Schedule
401	Planting Plan - Ground to L3
402	Planting Plan - Level 01
403	Planting Plan - Level 02
404	Planting Plan - Level 03
405	Planting Plan - Level 04
406	Planting Plan - Level 05

701	Landscape Details
800	Landscape Specification



Plant Schedule

Code	Botanic Name	Common Name	Mature Size (H x W)	Proposed Pot Size	Levels GF - L3	L1 - Balcony	L2 - Balcony	L3 - Balcony	L4 - Balcony	L5 - Balcony
Trees + Palms										
Er	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	8 X 4	100L	6					
La	<i>Livistona australis</i>	Cabbage Tree Palm	25 x 5	200L	4					
**TI	<i>Tristaniopsis laurina</i>	Water Gum	9 X 5	100L	9					
Shrubs + Accents										
De	<i>Doryanthes excelsa</i>	Gynea Lily	3 x 1.5	200mm	14					
Px	<i>Philodendron xanadu</i>	Xanadu	1 x 1	200mm	50					
Vo	<i>Viburnum odoratissimum</i>	Sweet Viburnum	3 x 2	200mm	48					
Grasses + Rushes										
**Ju	<i>Juncus usitatus</i>	Common Rush	0.6 x 0.5	150mm	29					
**LI	<i>Lomandra longifolia</i>	Spiny Mat Rush	1 x 1.5	150mm	20					
Lt	<i>Lomandra 'Tanika'</i>	Mat Rush	0.6 x 0.6	150mm	219	27	25	25	27	29
Lm	<i>Liriope muscari</i>	Lilyturf	0.4 x 0.4	150mm	99					
**Ta	<i>Themeda australis</i>	Kangaroo Grass	0.5 x 0.5	150mm	17					
Groundcovers										
Cg	<i>Casuarina glauca</i>	Cousin It	0.2 x spreading	150mm	58					
** Indigenous/low water use species										

Plant Palette

Low maintenance planting clearly defined garden beds and areas are proposed. Planting will be functional but also create an effective aesthetical outcome.

Feature plantings will reinforce the local character and bring rich texture and diversity to garden beds adjacent paths and common spaces.

Trees



Cupaniopsis anarcardioides



Tristaniopsis laurina

Shrubs + Accents



Doryanthes palmeri



Philodendron xanadu



Viburnum odoratissimum

Grasses + Rushes



Lomandra tanika



Liriope muscari

Groundcovers



Casuarina glauca

Indigenous/low water use species



Tristaniopsis laurina



Juncus usitatus



Lomandra longifolia



Themeda australis

LEGEND

ISSUE	REVISION DESCRIPTION	DRAWN	CHECK	DATE
A	LANDSCAPE DA	DO	CT	29.11.2022
B	LANDSCAPE DA	DO	CT	30.11.2022
C	LANDSCAPE DA	DO	CT	17.05.2023

PROJECT
28 EAGLE STREET
RYDE, NSW, 2112, AUSTRALIA

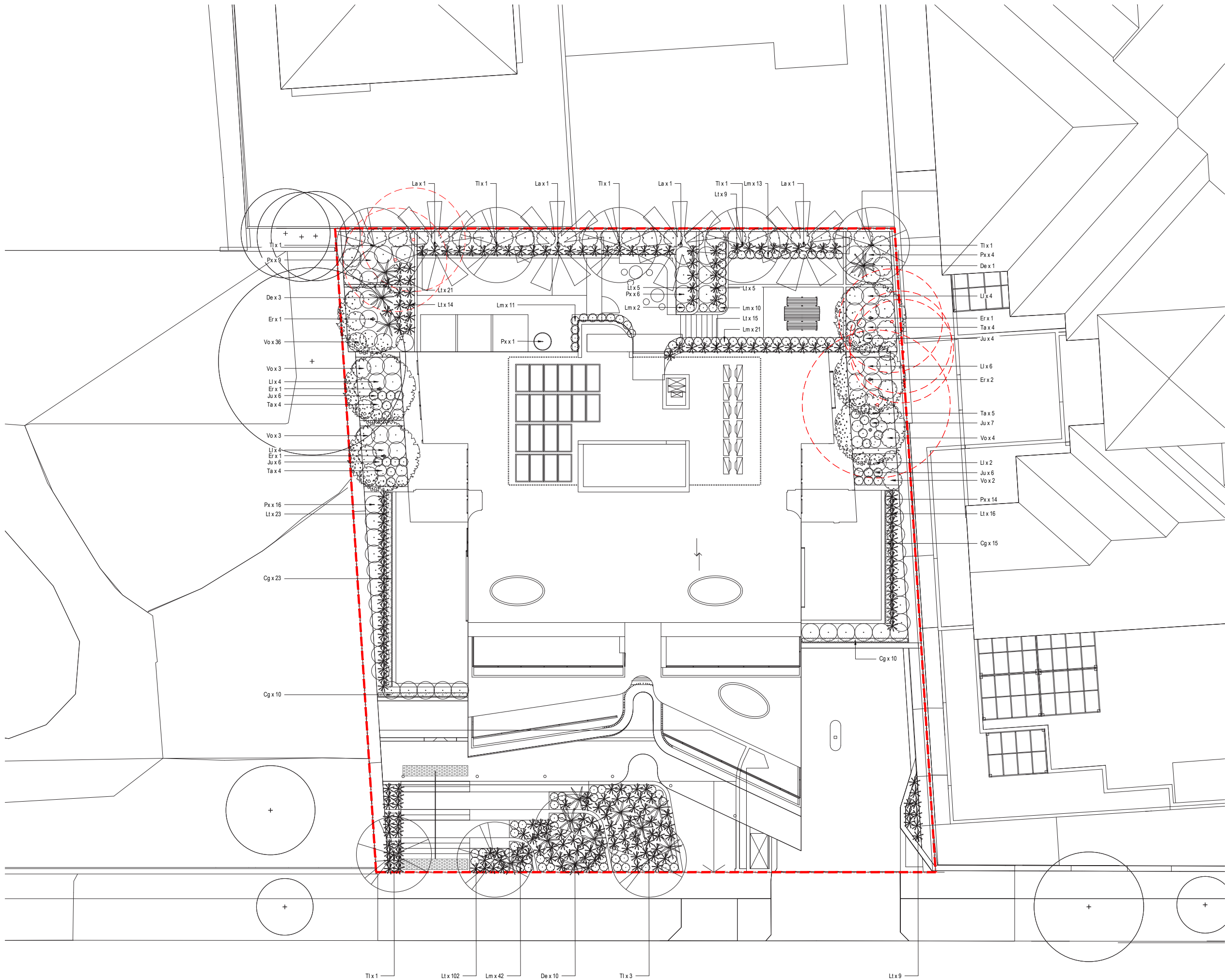
STAGE
DEVELOPMENT APPLICATION

CLIENT
BILLBERGIA

SHEET
PLANTING SCHEDULE

JOB # SHEET # ISSUE NORTH
22_288 C

SCALE



LEGEND

- EXTENT OF LANDSCAPE WORKS
Refer Landscape Plans
- TREES REMOVED
Refer Landscape Plans
- TREES RETAINED
Refer Landscape Plans
- PROPOSED TREE PLANTINGS
Refer Landscape Plans
- PROPOSED TREE PLANTINGS
Refer Landscape Plans
- PROPOSED PALM PLANTINGS
Refer Landscape Plans
- SCREEN SHRUB PLANTING
Refer Landscape Plans
- SHRUB / ACCENT PLANTING
Refer Landscape Plans
- GRASS PLANTINGS
Refer Planting Schedule
- INDIGENOUS / LOW WATER USE SPECIES
Refer Planting Schedule
- GROUNDCOVER PLANTINGS
Refer Planting Schedule

ISSUE	REVISION DESCRIPTION	DRAWN	CHECK	DATE
A	LANDSCAPE DA	DO	CT	29.11.2022
B	LANDSCAPE DA	DO	CT	30.11.2022
C	LANDSCAPE DA	DO	CT	17.05.2023

PROJECT
28 EAGLE STREET
RYDE, NSW, 2112, AUSTRALIA

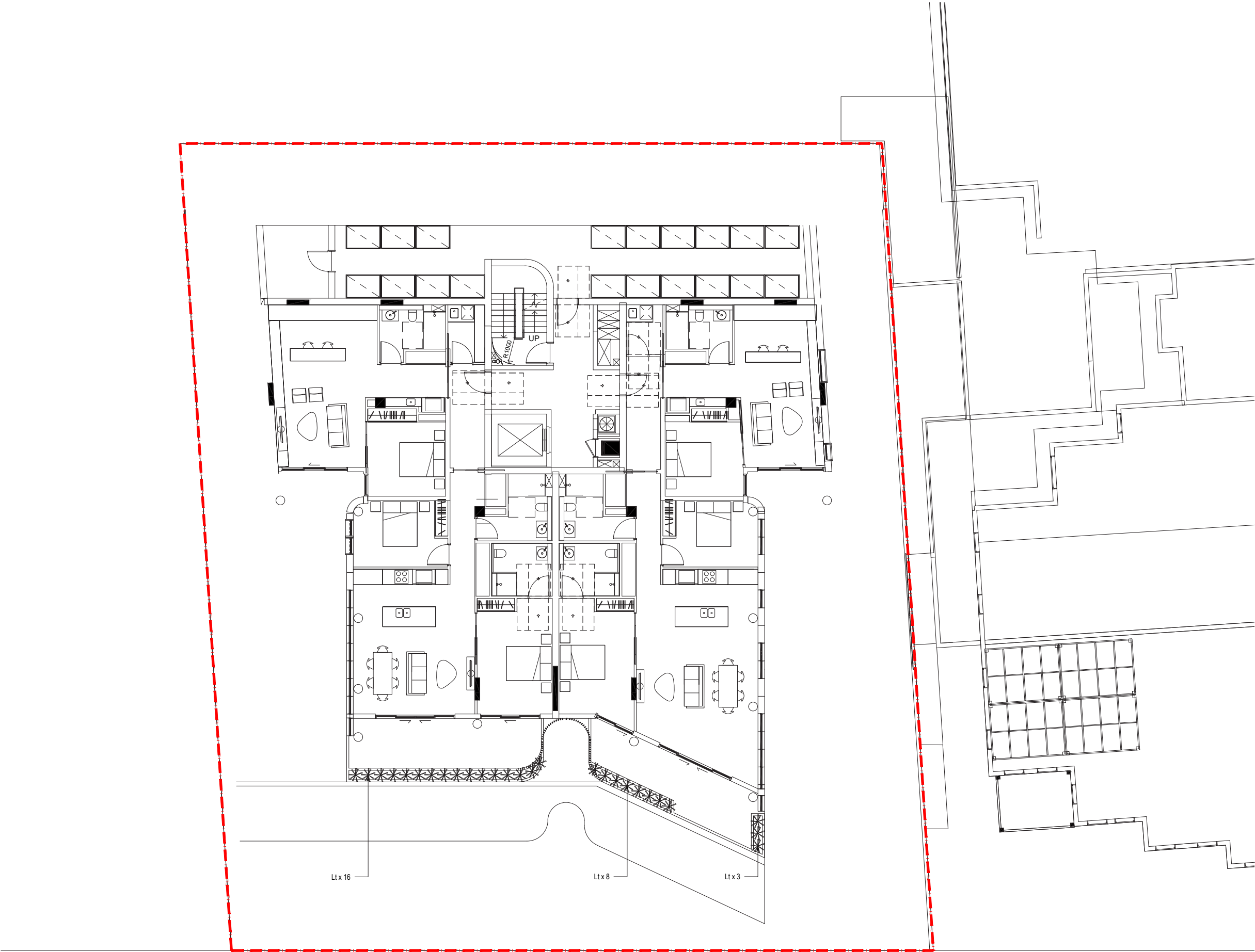
STAGE
DEVELOPMENT APPLICATION

CLIENT
BILLBERGIA

SHEET
PLANTING PLAN
GROUND TO LEVEL 3

JOB # SHEET # ISSUE NORTH
22_288 C

SCALE



LEGEND

- EXTENT OF LANDSCAPE WORKS
Refer Landscape Plans
- GRASS PLANTINGS
Refer Planting Schedule

ISSUE	REVISION DESCRIPTION	DRAWN	CHECK	DATE
A	LANDSCAPE DA	DO	CT	29.11.2022
B	LANDSCAPE DA	DO	CT	30.11.2022
C	LANDSCAPE DA	DO	CT	17.05.2023

PROJECT
28 EAGLE STREET
RYDE, NSW, 2112, AUSTRALIA

STAGE
DEVELOPMENT APPLICATION

CLIENT
BILLBERGIA

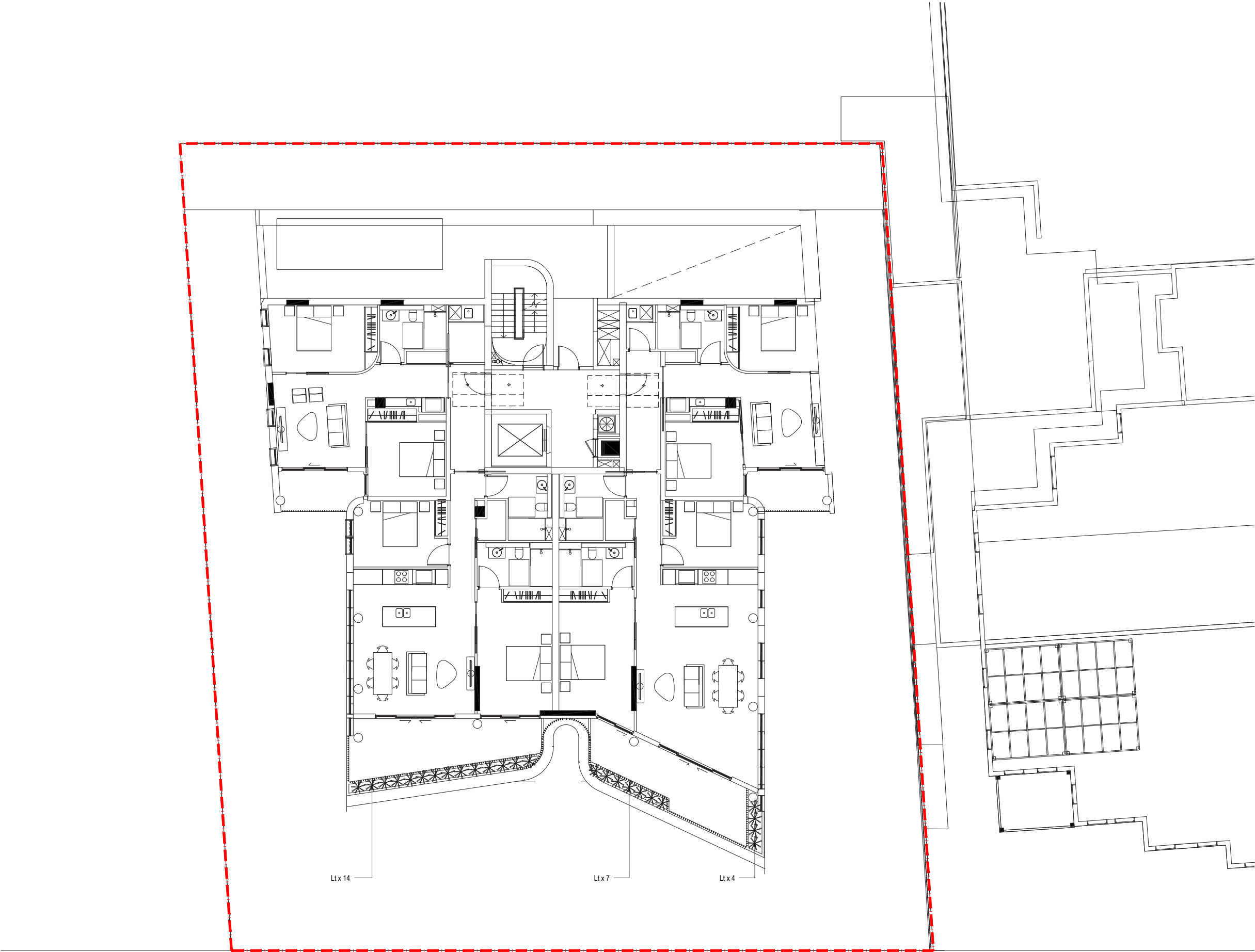
SHEET
PLANTING PLAN
LEVEL 01 BALCONY

JOB # SHEET # ISSUE NORTH
22_288 C

SCALE

LANDFX
LANDSCAPE ARCHITECTURE
Studio 7 | 37-38 East Esplanade Manly | Sydney | NSW 2095 | Australia
Phone +61 42476 9049 | Email info@landfx.com.au | Web www.landfx.com.au

General Note:
Copyright remains the property of LandFX Landscape Architecture. Use only dimensions. Any other required dimensions are to be referred to and supplied by the Landscape Architect. All discrepancies to be referred to the Project Manager and LandFX prior to construction. Ensure compliance with the building code of Australia and all relevant Australian Standards and Authorities.



LEGEND

- EXTENT OF LANDSCAPE WORKS
Refer Landscape Plans
- GRASS PLANTINGS
Refer Planting Schedule

ISSUE	REVISION DESCRIPTION	DRAWN	CHECK	DATE
A	LANDSCAPE DA	DO	CT	29.11.2022
B	LANDSCAPE DA	DO	CT	30.11.2022
C	LANDSCAPE DA	DO	CT	17.05.2023

PROJECT
28 EAGLE STREET
RYDE, NSW, 2112, AUSTRALIA

STAGE
DEVELOPMENT APPLICATION

CLIENT
BILLBERGIA

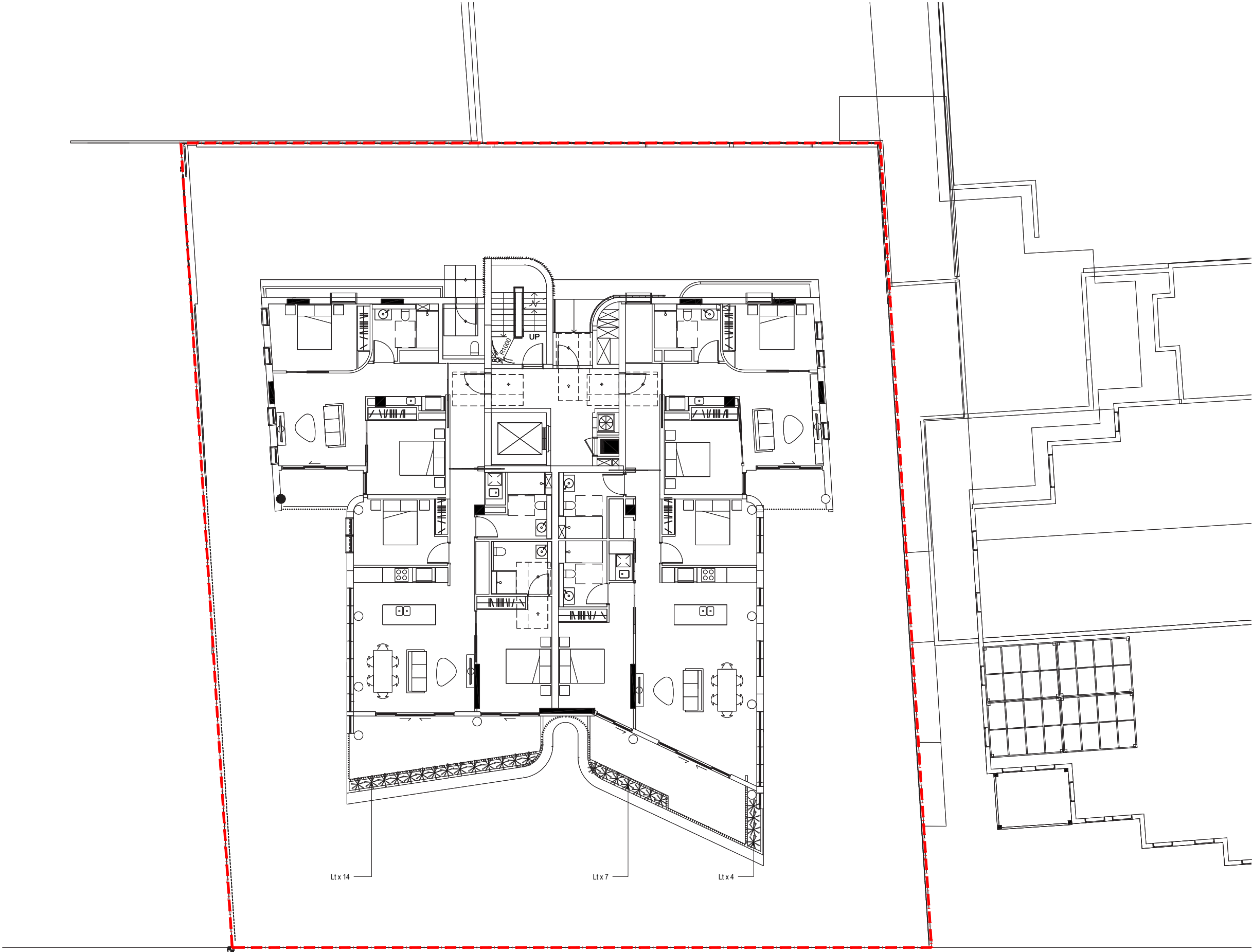
SHEET
PLANTING PLAN
LEVEL 02 BALCONY

JOB # SHEET # ISSUE NORTH
22_288 C

SCALE

LANDFX
LANDSCAPE ARCHITECTURE
Studio 7 | 37-38 East Esplanade Manly | Sydney | NSW 2095 | Australia
Phone +61 42476 9049 | Email info@landfx.com.au | Web www.landfx.com.au

General Note:
Copyright remains the property of LandFX Landscape Architecture. Use only dimensions. Any other required dimensions are to be referred to and supplied by the Landscape Architect. All discrepancies to be referred to the Project Manager and LandFX prior to construction. Ensure compliance with the building code of Australia and all relevant Australian Standards and Authorities.



LEGEND

- EXTENT OF LANDSCAPE WORKS
Refer Landscape Plans
- GRASS PLANTINGS
Refer Planting Schedule

ISSUE	REVISION DESCRIPTION	DRAWN	CHECK	DATE
A	LANDSCAPE DA	DO	CT	29.11.2022
B	LANDSCAPE DA	DO	CT	30.11.2022
C	LANDSCAPE DA	DO	CT	17.05.2023

PROJECT
28 EAGLE STREET
RYDE, NSW, 2112, AUSTRALIA

STAGE
DEVELOPMENT APPLICATION

CLIENT
BILLBERGIA

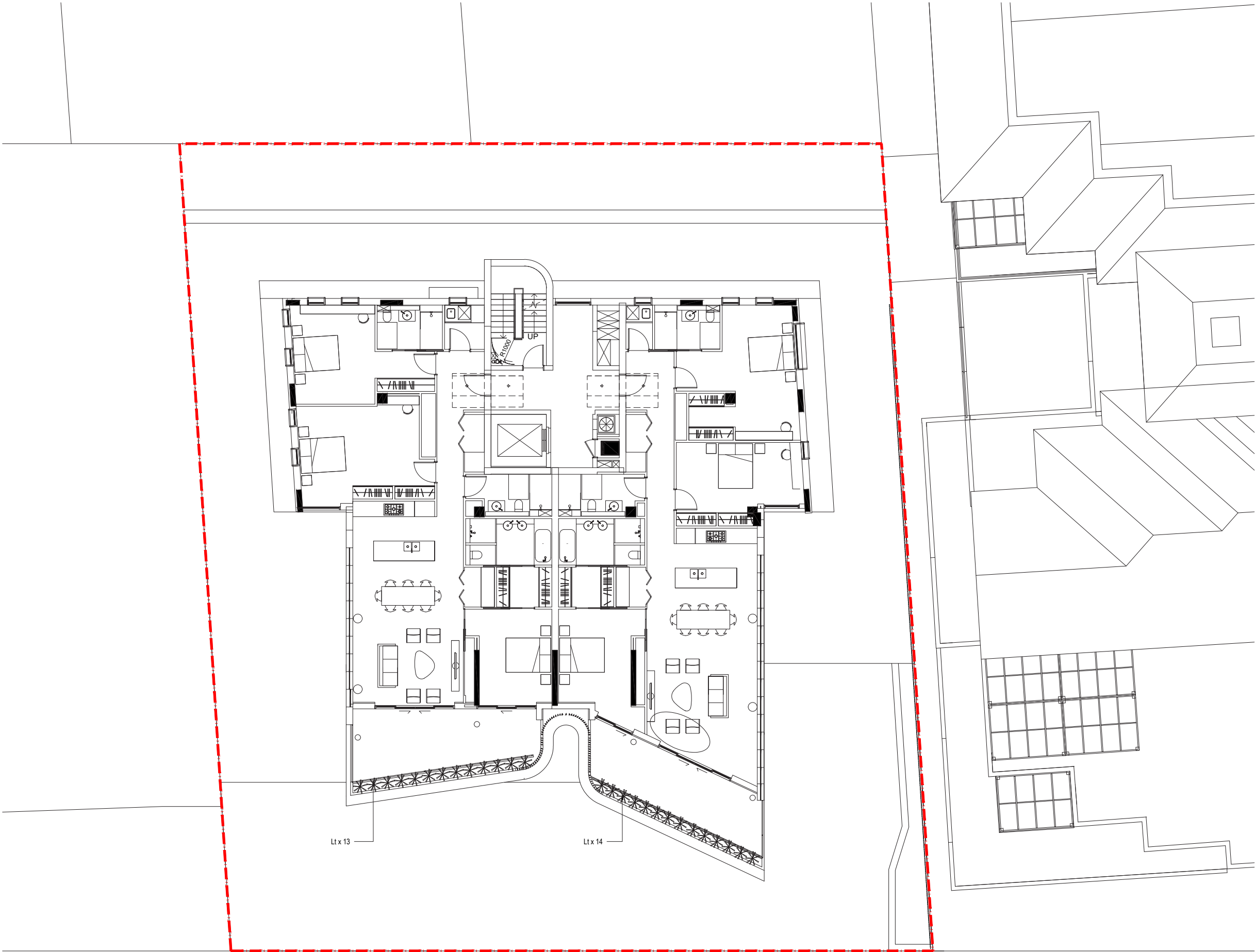
SHEET
PLANTING PLAN
LEVEL 03 BALCONY

JOB # SHEET # ISSUE NORTH
22_288 C

SCALE

LANDFX
LANDSCAPE ARCHITECTURE
Studio 7 | 37-38 East Esplanade Manly | Sydney | NSW 2095 | Australia
Phone +61 42476 9049 | Email info@landfx.com.au | Web www.landfx.com.au

General Note:
Copyright remains the property of LandFX Landscape Architecture. Use only dimensions. Any other required dimensions are to be referred to and supplied by the Landscape Architect. All discrepancies to be referred to the Project Manager and LandFX prior to construction. Ensure compliance with the building code of Australia and all relevant Australian Standards and Authorities.



LEGEND

- EXTENT OF LANDSCAPE WORKS
Refer Landscape Plans
- GRASS PLANTINGS
Refer Planting Schedule

ISSUE	REVISION DESCRIPTION	DRAWN	CHECK	DATE
A	LANDSCAPE DA	DO	CT	29.11.2022
B	LANDSCAPE DA	DO	CT	30.11.2022
C	LANDSCAPE DA	DO	CT	17.05.2023

PROJECT
28 EAGLE STREET
RYDE, NSW, 2112, AUSTRALIA

STAGE
DEVELOPMENT APPLICATION

CLIENT
BILLBERGIA

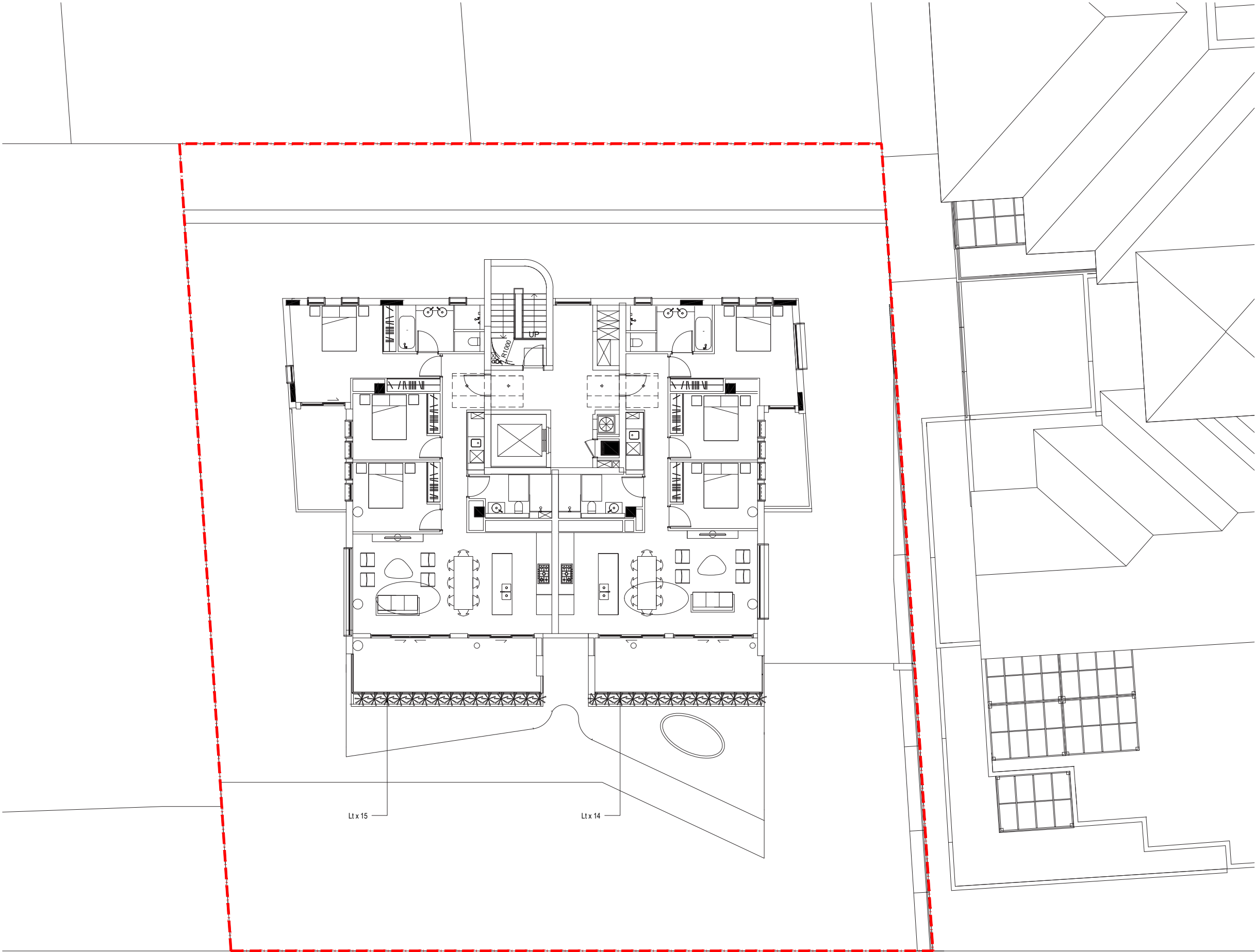
SHEET
PLANTING PLAN
LEVEL 04 BALCONY

JOB # SHEET # ISSUE NORTH
22_288 C

SCALE

LANDFX
LANDSCAPE ARCHITECTURE
Studio 7 | 37-38 East Esplanade Manly | Sydney | NSW 2095 | Australia
Phone +61 42476 9049 | Email info@landfx.com.au | Web www.landfx.com.au

General Note:
Copyright remains the property of LandFX Landscape Architecture. Use only dimensions. Any other required dimensions are to be referred to and supplied by the Landscape Architect. All discrepancies to be referred to the Project Manager and LandFX prior to construction. Ensure compliance with the building code of Australia and all relevant Australian Standards and Authorities.



LEGEND

- EXTENT OF LANDSCAPE WORKS
Refer Landscape Plans
- GRASS PLANTINGS
Refer Planting Schedule

ISSUE	REVISION DESCRIPTION	DRAWN	CHECK	DATE
A	LANDSCAPE DA	DO	CT	29.11.2022
B	LANDSCAPE DA	DO	CT	30.11.2022
C	LANDSCAPE DA	DO	CT	17.05.2023

PROJECT
28 EAGLE STREET
RYDE, NSW, 2112, AUSTRALIA

STAGE
DEVELOPMENT APPLICATION

CLIENT
BILLBERGIA

SHEET
PLANTING PLAN
LEVEL 05 BALCONY

JOB # SHEET # ISSUE NORTH
22_288 C

SCALE



General Note:
Copyright remains the property of LandFX Landscape Architecture. Use only dimensions. Any other required dimensions are to be referred to and supplied by the Landscape Architect. All discrepancies to be referred to the Project Manager and LandFX prior to construction. Ensure compliance with the building code of Australia and all relevant Australian Standards and Authorities.

Landscape specification notes

Services

Before landscape work is commenced the landscape contractor is to establish the Position of all service lines and ensure tree planting is carried out at least 3 metres Away from these services. Service lids, vents and hydrants shall be left exposed and not Covered by any landscape finishes (turfing, paving, garden beds etc.) Finish adjoining Surfaces flush with pit lids.

Aborist management of tree protection

A qualified and approved aborist is to be contracted to undertake or manage the Installation of protective fencing, and to undertake such measures as he deems appropriate to preserve the subject trees to be retained. The arborist is to be retained for the entire contract period to undertake ongoing management and review of the Trees.

Drainage cell and filter fabric

For on-slab areas install an approved 'drainage cell' product to comprehensively cover the bottom of all planters. Over drainage cell to on-slab areas, a polyfelt geotextile lining (as supplied by 'polyfelt ts' or approved equivalent) is to be installed to cover the bottom of all planters, turned up 300mm and taped to the planter sides to ensure soil mix does not escape into drainage outlets/holes. Install min. 50Mm coarse river sand over all geotextile lining prior to installation of soil mix.

Planting mixture

Shall be homogenous blend of soil and additives in the following proportions:
Existing site soil if suitable or imported topsoil 50% Compost 30% D/w sand 20% soil testing of existing site soil is to be undertaken to assess suitability of use as planting topsoil and compliance with australian standards.(As4419 - soils for landscaping)

Mulch application

Place mulch to the required depth, (refer to drawings) clear of plant stems, and rake to an even surface finishing 25mm below adjoining levels. Ensure mulch is watered in and tamped down during installation.

Mulch type

Forest litter or pine bark: from mature trees, graded in size from 15mm to 30mm, free from wood slivers. Dark brown in colour and texture.
All mulch to be free of deleterious material such as rock, soil, weeds and sticks

Compost

Shall be well rotted vegetative material or animal manure, or other approved material, free from harmful chemicals, grass and weed growth and with neutral ph. Provide a Certificate of proof of ph upon request.

Plant material

All plants supplied are to conform with those species listed in the plant schedule on the drawings. Generally plants shall be vigorous, well established, hardened off, of good form consistent with species or variety, not soft or forced, free from disease or insect pests with large healthy root systems and no evidence of having been restricted or damaged. Trees shall have a leading shoot. Immediately reject dried out, damaged or Unhealthy plant material before planting. All stock is to be container grown for a Minimum of six (6) months prior to delivery to site

Trees in grass and super advanced trees:

Pellets shall be in the form intended to uniformly release plant food elements for a period of approximately nine months equal to shirleys kokei pellets, analysis 6.3:1.8:2.9. Kokei pellets shall be placed at the time of planting to the base of the plant, 50mm minimum From the root ball at a rate of two pellets per 300mm of top growth to a maximum of 8 pellets per tree.
Tree trunks to be a minimum of 700mm from street kerb or guttering.
All tree planting holes are minimum 1.5M diameter and twice the depth of the rootball
Root directors
Install root directors to manufacturers specifikatons to protect assets, structures and underground servives

Staking and tying

Stakes shall be straight hardwood, free from knots and twists, pointed at one end. Size shall be 2x38x38x1800mm and shall sit 600mm within ground. Secure the tree firmly with 2no. Hessianties fitted to the stem separately in opposite directions.
Of plants to be staked.
A. 5-15 Litre size plant 1x(1200x25x25mm)
B. 35-75 Litre size plant 2x(1500x38x38mm)
C. 100-Greater than 200litre 3x(1800x50x50mm)
Ties shall be 50mm wide hessian webbing or approved equivalent nailed or stapled to stake. Drive stakes a minimum one third of their length, avoiding damage to the root system, on The windward side of the plant.

Irrigation system

Supply an automatic watering system using 'toro irrigation system' or similar approved, with micro-jet sprinkler heads and low density, rubber modified polypropylene reticulation, to include filters, bends junctions, ends and other ancillary equipment. The Landscaper shall nominate his source of supply for the watering system and obtain approval from the superintendent before placing orders for equipment or supply. A schematic plan of the proposed irrigation system is to be prepared by the contractor, showing solenoids, pipe diameters, and all nozzle and trickle attachment types (including spray/head angle), for review by the superintendent prior to installation
the contractor is to liaise with the hydraulic engineer and council as necessary, to ensure the irrigation system conforms with all the council and water board codes and requirements.
Provide an automatic controller that provides for two week scheduling and hourly multi-cycle operation. The controller shall manual override. Programming shall be undertaken by the contractor who shall advise on the operation of the system. provision of secure housing for the automatic irrigation controller to be located in association with the landscape contractor and location confirmed by the superintendent. Wiring to connect remote solenoid locations is to be provided. The controller shall be located in a dry place, protected from the weather, and all cable connections shall be made with waterproof connectors.

Installation shall be tested under known working conditions. Acceptance of the installed Plant and equipment shall be subject to these being satisfactory.
Timber or steel edging
N/a
Soft edges
All soft edges (mulch, turf, grassed) to be finished to appropriate falls and flush with Adjacent surface treatment.
Turf
Turf all landscape areas as shown on the landscape drawings. Turf is to have To prepare graded areas to receive turf, excavate the area and cultivate so as to allow For importing of 100mm of turf underlay soil. Remove all stones over 50mm ø and remove All weeds and foreign matter. Spread soil mix a.B.S to a depth of 100mm and grade to Appropriate levels to achieve general even grades to drainage outlets installed by Others.
Lay the turf along the land contours with staggered, close butted joints, so that the Finished turf surface is flush with adjacent finished surfaces of paving and the like. As Soon as practicable after laying, roll the turf with a roller weighing not more than 90kg Per metre of width for sandy or light soils.
Water as necessary to keep the soil moist to a depth of 100mm. Protect newly turfed Areas against traffic until grass is established. Fertilise two weeks after laying fertilise A.B.S
'Top dress' the turf when it is established to a depth of 10mm with coarse washed river Sand. Rub the dressing well into the joints and correct any unevenness in the turf Surfaces.

LEGEND

ISSUE	REVISION DESCRIPTION	DRAWN	CHECK	DATE
A	LANDSCAPE DA	DO	CT	29.11.2022
B	LANDSCAPE DA	DO	CT	30.11.2022
C	LANDSCAPE DA	DO	CT	17.05.2023

PROJECT
28 EAGLE STREET
RYDE, NSW, 2112, AUSTRALIA

STAGE
DEVELOPMENT APPLICATION

CLIENT
BILLBERGIA

SHEET
LANDSCAPE SPECIFICATION

JOB # SHEET # ISSUE NORTH

22_288 C

SCALE

The logo for URBIS, featuring the word "URBIS" in a bold, sans-serif font. The letters are contained within a square frame that is open on the right side. A thick vertical line extends upwards from the top of the frame, and a thick horizontal line extends to the right from the right side of the frame, intersecting at the top-right corner of the square.

URBIS

CLAUSE 4.6 REQUEST - HEIGHT OF BUILDINGS

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Jacqueline Parker
Assistant Planner	Zara Bennett
Project Code	P0041728
Report Number	FINAL

Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society.

We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

© Urbis Pty Ltd
50 105 256 228

All Rights Reserved. No material may be reproduced without prior permission.

You must read the important disclaimer appearing within the body of this report.

urbis.com.au

CONTENTS

1.	Introduction	1
2.	Site Context	2
	2.2 Site Description	2
	2.1. Locality Context	4
3.	Proposed Development	5
	3.1. Extent of Contravention	5
	3.2. Variation to maximum Building Height	5
4.	Relevant Assessment Framework.....	8
5.	Assessment of Clause 4.6 Variation	9
	5.1. Is The Planning Control A Development Standard That Can Be Varied? – Clause 4.6(2)	9
	5.2. Is Compliance With The Development Standard Unreasonable Or Unnecessary In The Circumstances Of The Case? – Clause 4.6(3)(A)	9
	5.3. Are There Sufficient Environmental Planning Grounds To Justify Contravening The Development Standard? – Clause 4.6(3)(B)	12
	5.4. Has The Written Request Adequately Addressed The Matters In Sub-Clause (3)? – Clause 4.6(4)(A)(I)	13
	5.5. Is The Proposed Development In The Public Interest? – Clause 4.6(4)(B)(Ii)	13
	5.6. Has The Concurrence Of The Planning Secretary Been Obtained? – Clause 4.6(4)(B) And Clause 4.6(5)	14
6.	Conclusion	16
	Disclaimer	17

FIGURES

Figure 1 Aerial Image of Site	3
Figure 2 Existing Building on Site	3
Figure 3 Location Map	4
Figure 4 LEP Height of Buildings Map.....	6
Figure 5 Building envelope height plane diagram	7

TABLES

Table 1 Site Description.....	2
Table 2 Assessment of Consistency with Clause 4.3 Objectives.....	9
Table 3 Assessment of Compliance with Land Use Zone Objectives	13

1. INTRODUCTION

This Clause 4.6 Variation Request (**this Request**) has been prepared on behalf of Billbergia Pty Ltd (**the applicant**) and accompanies a Development Application (**DA**) for the demolition of the existing buildings and the construction of a six-storey residential led, mixed use development.

This request seeks an exception from strict application of the maximum height of building standard prescribed for the site under Clause 4.3 of the *Ryde Local Environmental Plan 2014* (the **LEP**). This variation request is made pursuant to Clause 4.6 of the LEP.

This report should be read in conjunction with the Statement of Environmental Effects prepared by Urbis Pty Ltd and dated 7 December 2022 and accompanying design and technical documentation.

The following sections of the report include:

- **Section 2:** Description of the site and its local context, including key features relevant to the proposed variation.
- **Section 3:** Brief overview of the proposed development as outlined in further detail within the SEE and accompanying drawings.
- **Section 4:** Identification of the development standard, which is proposed to be varied, including the extent of the contravention.
- **Section 5:** Outline of the relevant assessment framework for the variation in accordance with Clause 4.6 of the LEP.
- **Section 6:** Detailed assessment and justification of the proposed variation in accordance with the relevant guidelines and relevant planning principles and judgements issued by the Land and Environment Court.
- **Section 7:** Summary and conclusion.

2. SITE CONTEXT

2.1. SITE DESCRIPTION

The site is located at 28 Eagle Street, Ryde which is legally described as Lot 59 and Lot 61 DP30343. The Inner West Bulls Basketball Club is currently located on the site. The existing Club Ryde site adjoins the subject site to the north-west. The site has a frontage to Eagle Street and is surrounded by Gladstone Avenue to the south-east and Cowell Street to the north-east.

The existing rectangular shaped parcel is approximately 1,158.4sqm in size and is subject to a level change of approximately 7.5-8m. The highest point of the site is along the rear of the property in the northeast of the site, falling towards the lowest point of the site which is along the Eagle Street frontage.

The key features of the site are summarised in **Table 1** below.

Table 1 Site Description

Feature	Description
Street Address	28 Eagle Street, Ryde
Legal Description	Lot 59 DP30343 and Lot 61 DP30343
Site Area	1,158 sqm
Site Dimensions	The site has a 31m frontage to Eagle Street and 37m site length.
Easements and Restrictions	N/A
Site Topography	There is a level change of approximately 7.5-8m. The highest point of the site is along the rear of the property in the northeast of the site, falling towards the lowest point of the site which is along the Eagle Street frontage.

Figure 1 Aerial Image of Site



Source: Urbis, 2022

Figure 2 Existing Building on Site



Source: Google Maps, 2022

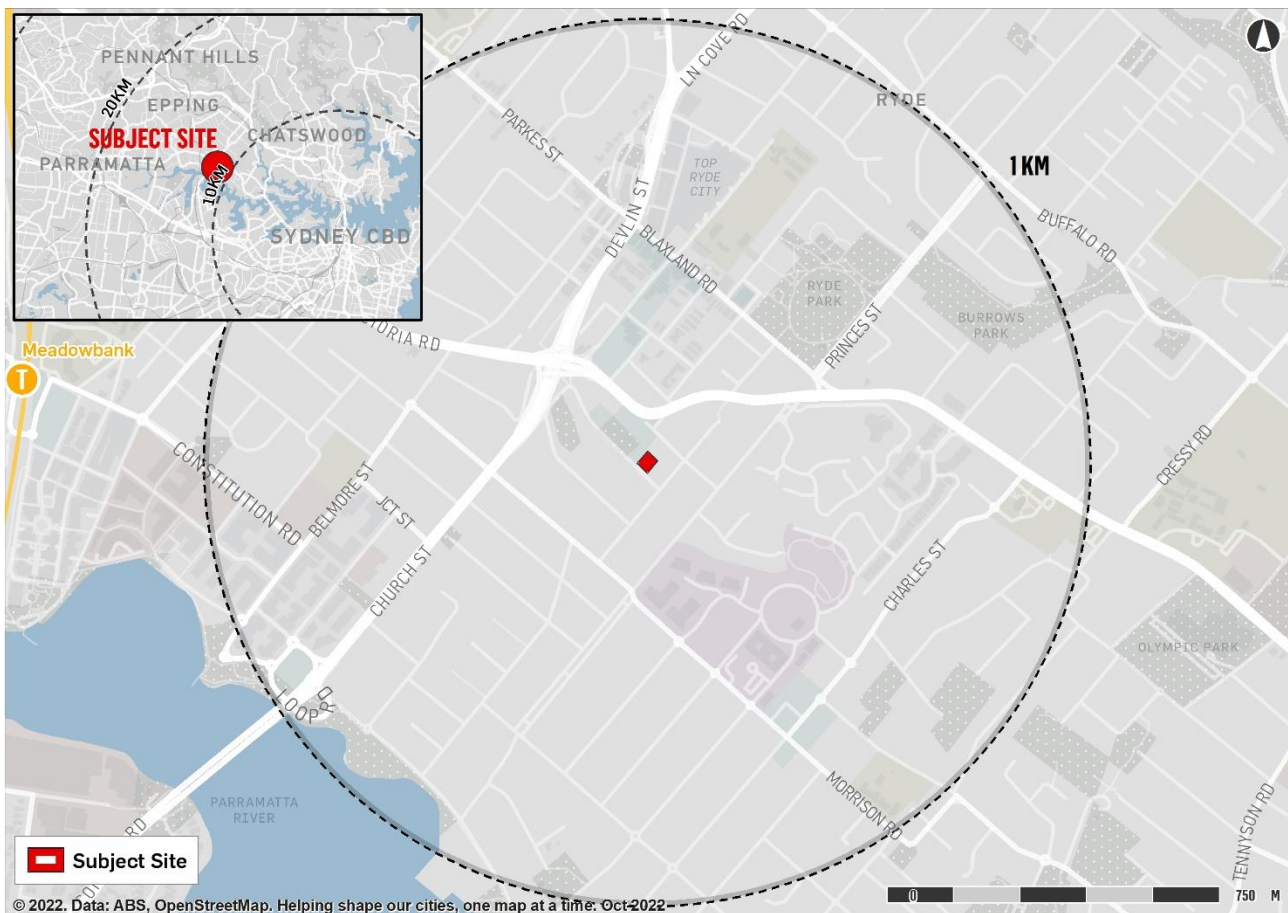
2.2. LOCALITY CONTEXT

The site benefits from access to public transport and bus services along Victoria Road, Church Street and Devlin Street. The site is also located approximately 1.4 km from Meadowbank Train Station and 600m from the Top Ryde Shopping Centre. (Refer **Figure 3**).

The surrounding development includes:

- **North:** Along Cowell Road to the rear of the site is a three-four storey residential flat building and a single storey red brick dwelling house.
- **East:** The corner of Eagle Street and Gladstone Ave to the east is a three-storey residential flat building
- **South:** on the opposite site of Eagle Street is single storey dwelling houses that slope to the south.
- **West:** The adjoining site to the east contains the club Ryde club and bowling greens.

Figure 3 Location Map



Source: Urbis, 2022

3. PROPOSED DEVELOPMENT

The proposed development includes a residential-led mixed use development which includes the following:

- Demolition of all existing structures on the site;
- Construction of one six storey residential building with a maximum building height of 15.95m;
- A total of 10 units are proposed on the site comprising:
 - 10 x three-bedroom units
 - Two (2) of the ten apartments are adaptable (Unit 101 and Unit 102)
- The building will have a total gross floor area of 2,316.8 sqm, comprising of predominately residential land uses as well as a single 200sqm commercial tenancy fronting Eagle Street;
- Large private balconies with landscaped areas will be located at all levels in addition to 216.8 sqm of communal space including a swimming pool and landscaped area on level three;
- Vehicular access is provided via Eagle Street to a shared basement;
- Excavation of one basement level is required for carparking, and;
- ESD and sustainability initiatives are incorporated including passive design, energy efficiency and water management principles.

The proposed development is an appropriate response to the density and employment opportunities envisaged for the Ryde Enterprise Corridor area. The mixed used development will facilitate additional population growth as well as providing a commercial element to the project to provide business, office or retail uses into the locality.

3.1. EXTENT OF CONTRAVENTION

This section of the report identifies the development standard, which is proposed to be varied, including the extent of the contravention. A detailed justification for the proposed variation is provided in **Section 5** of the report.

3.2. VARIATION TO MAXIMUM BUILDING HEIGHT

The site is subject to a maximum height of building control under the LEP of 15.5m (Refer **Figure 4**).

Figure 4 LEP Height of Buildings Map



Source: NSW Legislation (as modified by Urbis) (2022)

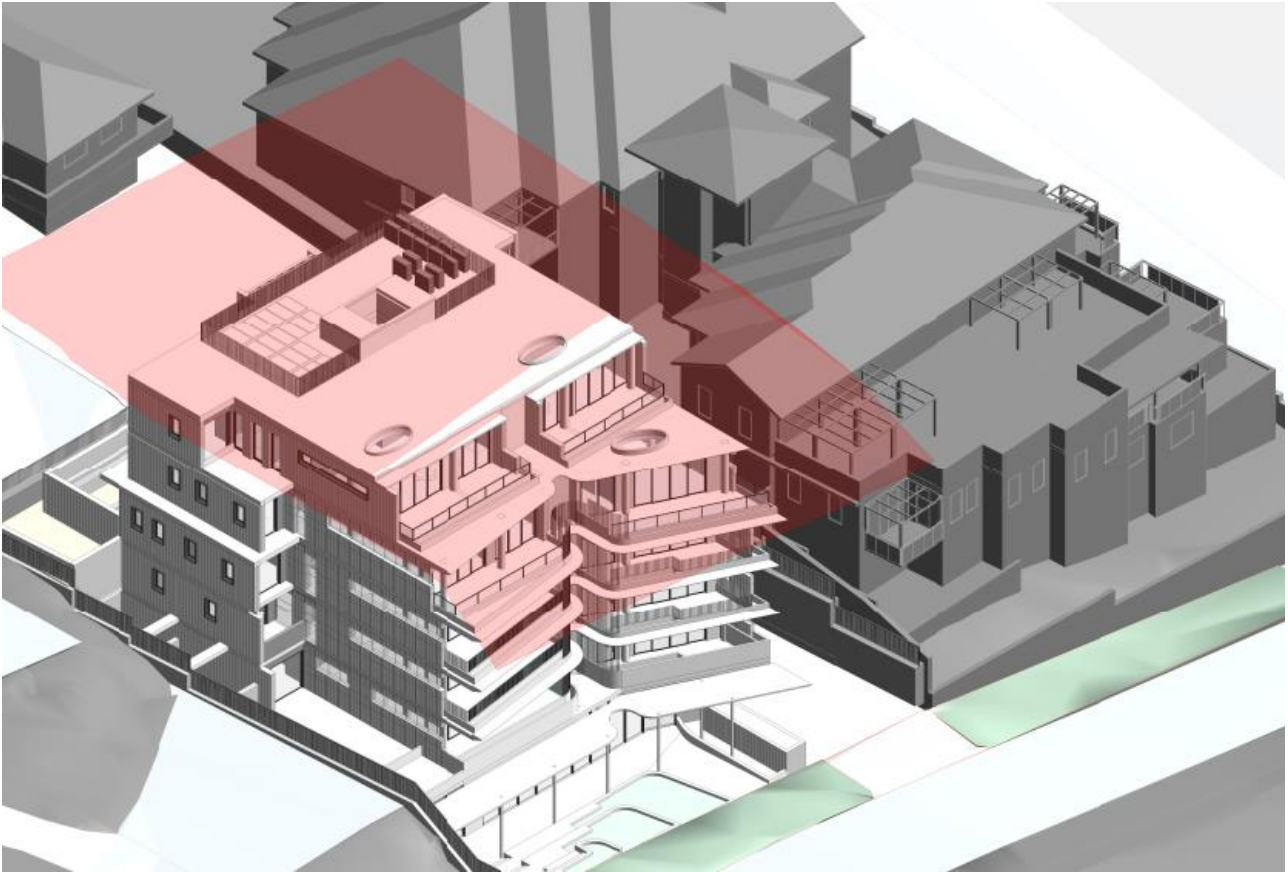
The extent of the proposed height variation is a result of the natural slope of the site, which has a fall of approximately 7.5-8m southwards towards Eagle Street

The roof lab of the proposed building will be located above the 15.5m building height plane as shown in

Figure 5. The extent of this exceedance is 100-450mm.

Importantly, the exceedance does not relate to any habitable spaces or gross floor area (GFA).

Figure 5 Building envelope height plane diagram



Source: Drew Dickson Architects, 2022

The 15.5m building height control has been measured in accordance with the LEP definition:

building height (or height of building) means –

(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or

(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

4. RELEVANT ASSESSMENT FRAMEWORK

Clause 4.6 of the LEP includes provisions that allow for exceptions to development standards in certain circumstances. The objectives of Clause 4.6 of the LEP are:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Clause 4.6 provides flexibility in the application of planning provisions by allowing the consent authority to approve a DA that does not comply with certain development standards, where it can be shown that flexibility in the particular circumstances of the case would achieve better outcomes for and from the development.

In determining whether to grant consent for development that contravenes a development standard, Clause 4.6(3) requires that the consent authority consider a written request from the applicant that seeks to justify the contravention of the development by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

Clause 4.6(4)(a) requires the consent authority to be satisfied that the applicant's written request adequately addresses each of the matters listed in Clause 4.6(3). The consent authority should also be satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which it is proposed to be carried out.

Clause 4.6(4)(b) requires the concurrence of the Secretary to have been obtained. In deciding whether to grant concurrence, subclause (5) requires that the Secretary consider:

- (c) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
- (d) the public benefit of maintaining the development standard, and*
- (e) any other matters required to be taken into consideration by the Secretary before granting concurrence.*

The concurrence of the Secretary can be assumed to have been granted for the purpose of this variation request in accordance with the Department of Planning Circular PS 18–003 'Variations to development standards', dated 21 February 2018. This circular is a notice under section 64(1) of the Environmental Planning and Assessment Regulation 2000 and provides for assumed concurrence. A consent granted by a consent authority that has assumed concurrence is as valid and effective as if concurrence had been given.

The Secretary can be assumed to have given concurrence if the matter is determined by an independent hearing and assessment panel or a Sydney district or regional planning panel in accordance with the Planning Circular.

This Clause 4.6 request demonstrates that compliance with the height of buildings standard prescribed for the site in Clause 4.3 of the LEP is unreasonable and unnecessary, that there are sufficient environmental planning grounds to justify the requested variation and that the approval of the variation is in the public interest because it is consistent with the development standard and zone objectives.

In accordance with Clause 4.6(3), the applicant requests that the height of buildings development standard be varied.

5. ASSESSMENT OF CLAUSE 4.6 VARIATION

The following sections of the report provide a comprehensive assessment of the request to vary the development standards relating to the height of buildings development standard in accordance with Clause 4.6 of the LEP.

Detailed consideration has been given to the following matters within this assessment:

- Varying development standards: A Guide, prepared by the Department of Planning and Infrastructure dated August 2011.
- Relevant planning principles and judgements issued by the Land and Environment Court.

The following sections of the report provides detailed responses to the key questions required to be addressed within the above documents and Clause 4.6 of the LEP.

5.1. IS THE PLANNING CONTROL A DEVELOPMENT STANDARD THAT CAN BE VARIED? – CLAUSE 4.6(2)

The height of buildings development standard prescribed by Clause 4.3 of the LEP is a development standard capable of being varied under Clause 4.6(2) of the LEP.

The proposed variation is not excluded from the operation of Clause 4.6(2) as it does not comprise any of the matters listed within Clause 4.6(6) or Clause 4.6(8) of the LEP.

5.2. IS COMPLIANCE WITH THE DEVELOPMENT STANDARD UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE? – CLAUSE 4.6(3)(A)

Historically, the most common way to establish a development standard was unreasonable or unnecessary was by satisfying the first method set out in *Wehbe v Pittwater Council* [2007] NSWLEC 827. This method requires the objectives of the standard are achieved despite the non-compliance with the standard.

This was recently re-affirmed by the Chief Judge in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 at [16]-[17]. Similarly, in *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC 7 at [34] the Chief Judge held that “establishing that the development would not cause environmental harm and is consistent with the objectives of the development standards is an established means of demonstrating that compliance with the development standard is unreasonable or unnecessary”.

This Request addresses the first method outlined in *Wehbe v Pittwater Council* [2007] NSWLEC 827. This method alone is sufficient to satisfy the ‘unreasonable and unnecessary’ requirement.

The Request also seeks to demonstrate the ‘unreasonable and unnecessary’ requirement is met because the burden placed on the community by not permitting the variation would be disproportionate to the non-existent or inconsequential adverse impacts arising from the proposed non-complying development. This disproportion provides sufficient grounds to establish unreasonableness (relying on comments made in an analogous context, in *Botany Bay City Council v Saab Corp* [2011] NSWCA 308 at [15]).

- ***The objectives of the standard are achieved notwithstanding non-compliance with the standard*** (the first method in *Wehbe v Pittwater Council* [2007] NSWLEC 827 [42]-[43])

The specific objectives of the height of buildings development standards as specified in Clause 4.3 of the LEP are detailed in **Table 2** below. An assessment of the consistency of the proposed development with each of the objectives is also provided.

Table 2 Assessment of Consistency with Clause 4.3 Objectives

Objectives	Assessment
(a) to ensure that street frontages of development are in proportion with	The proposed design seeks to provide a contemporary built form which will contribute to the immediate urban context of the neighbourhood and the emerging character of the Ryde Centre

Objectives	Assessment
and in keeping with the character of nearby development,	<p>locality as identified under the Ryde Development Control Plan 2014 (the DCP). The proposed development has been designed based on a clear knowledge of the spatial and contextual considerations.</p> <p>The proposed non-compliance relates to the rooftop slab protrusion which is setback from the street frontage ensuring it does not contribute to any perceivable bulk or visual impact when viewed from the street frontages and associated public domain. Further, the proposed design ensures the non-compliant section does not compromise the amenity of surrounding developments.</p> <p>The site is at the juncture of a change in height control, with sites to the north and east subject to a 9.5m height standard. Council has therefore deliberately sought to achieve a change in development scale in this specific location. As land to the west is developed in accordance with the planning framework the development character will change to align with the 15.5m height standard. Due to land topography, it is reasonable to expect that development to the west will be constructed to a higher overall RL than the subject development such that the minor protrusion beyond the 15.5m height limit in this location will be read in the context of those taller forms.</p> <p>It is therefore considered that, notwithstanding the minor non-compliance, the proposal is in keeping with the character of nearby development.</p>
(b) to minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area,	<p>Sun eye diagrams and shadow diagrams have been prepared for this application in the Architectural Plans and Architectural Design Report by DDA which demonstrates that in comparison to the proposed DCP, the site does not present significant overshadowing impacts as a result of the proposal.</p> <p>The roof slab where the exceedance is located will not contribute the shadow extent of the building which is a result of the massing of the broader building. The setback of the roof slab therefore reduces any significant overshadowing risks.</p> <p>The quality of the architectural design responds to the south facing orientation of the site, so to capture solar access to the proposed residential dwellings. The architectural style will contribute to the appearance of the urban form in this street.</p>
(c) to encourage a consolidation pattern and sustainable integrated land use and transport development around key public transport infrastructure,	<p>The site involves the consolidation of two allotments. The proposal will redevelop the existing underutilised recreational building to support the growth of the Ryde Local Centre within close proximity to essential services and transport routes. Therefore, this achieves the objective to supporting developments within proximity to key public transport infrastructure.</p>

Objectives	Assessment
(d) to minimise the impact of development on the amenity of surrounding properties,	<p>The proposed development is 5-storeys in scale which is consistent with the emerging context within Ryde Centre, as envisaged by the planning controls for this site and land to the west. The proposal allows for an appropriate transitional arrangement having regard to the building height of approved buildings in the area, especially in relation to the lower scale residential buildings to the east.</p> <p>The proposal remains consistent with the neighbouring apartment developments including three and four storey developments along Eagle Street, Gladstone Avenue and Cowell Street. Similarly mixed use residential led developments within the block including 734 Victoria Road, are of a similar scale. The minor height compliance does not materially contribute to building bulk and scale, as it is actually set below a higher building form which complies with the height standard. Nor does the protruding element result in additional overshadowing impacts to neighbouring sites. As such, the minor height non-compliance will in no way impact the amenity of the surrounding developments.</p>
(e) to emphasise road frontages along road corridors.	<p>Overall, the development remains compliant with the emerging medium-density form (approx. four to five storeys) to the public domain and ensures that the streets are clearly and physically defined.</p> <p>The design of the proposed development is consistent with its emerging context and is not overbearing in scale or form that would otherwise be enclosing to the street.</p> <p>The non-compliant section of the building is recessed to the greatest extent possible from the surrounding street frontages, therefore having no effect on the physical definition of the street network. The roof slab protrusion is minor and not perceivable.</p> <p>The built form is setback from the street frontage to provide physical separation at street level and to accommodate landscaped setback areas. Overall, the built form clearly delineates the street network and associated public domain areas along the street frontages.</p>

The objectives of the development standard are achieved, notwithstanding the non-compliance with the standard in the circumstances described in this variation report.

- **The burden placed on the community (by requiring strict compliance with the FSR standard) would be disproportionate to the (non-existent or inconsequential) adverse consequences attributable to the proposed non-compliant development** (cf *Botany Bay City Council v Saab Corp* [2011] NSWCA 308 at [15]).

Strict compliance could be obtained with the height of building standard in this location, through pulling back the roof slab to the uppermost residential floor. This would have the effect of reducing the floor area and apartment size of the two upper floor apartments, resulting in the provision of two x two-bedroom apartments rather than two x three-bedroom apartments.

This development has specifically targeted the three-bedroom apartment typology, to intentionally provide for larger or diverse family types, as is required by the local community. Three-bedroom apartments do not usually comprise a large proportion of residential apartment developments and this proposal provides 100% three-bedroom apartment typologies. These apartments will contribute to the broader availability of larger apartment sizes in this location.

This variation request demonstrates that the impacts resulting to neighbouring development as a result of the minor noncompliance are immaterial. Further, there are sufficient environmental planning grounds to justify contravening the development standard as set out in the section below.

Strict compliance in this instance would have a disproportionate adverse consequence on the local community, through reduced three-bedroom apartment supply, compared with the benefit to the community that would derive from strict compliance with the development standard.

5.3. ARE THERE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS TO JUSTIFY CONTRAVENING THE DEVELOPMENT STANDARD? – CLAUSE 4.6(3)(B)

The Land & Environment Court judgment in *Initial Action Pty Ltd v Woollahra Council* [2018] NSWLEC 2018, assists in considering the sufficient environmental planning grounds. Preston J observed:

“...in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6, the focus must be on the aspect or element of the development that contravenes the development standard and the environmental planning grounds advanced in the written request must justify contravening the development standard, not simply promote the benefits of carrying out the development as a whole; and

...there is no basis in Clause 4.6 to establish a test that the non-compliant development should have a neutral or beneficial effect relative to a compliant development”

There is an absence of environmental harm arising from the contravention and positive planning benefits arising from the proposed development as outlined in detail above. These include:

- The proposal is consistent with the objectives of the B6 Enterprise Corridor Zone and Height of Buildings standard.
- The Statement of Environmental Effects prepared by Urbis demonstrates that any impacts associated with the proposed development are acceptable, particularly with regard to solar access impacts on neighbouring properties or the public domain as a result of the height variation.
- The additional building height is confined to rooftop slab protrusion. All floor space is confined within the maximum 15.5 metre height control.
- The non-complaint section of the building will not be out of context with the streetscape and surrounding built form and does not contribute to any distinguishable bulk, scale or density of the building given the limited visibility from the public domain.
- The element of the variation is actually below the overall height of the building, which increases with the topography as it moves away from the street frontage. The protruding element will not read as the uppermost point of the building form, nor will it noticeably protrude above the otherwise compliant building form.
- The planning controls envisage redevelopment of land to the west of the site, also to a height of 15.5m. As the topography increases in height as it moves westward, it is reasonable to consider that future building forms will increase in relative height beyond that contemplated by the subject building. The subject building will therefore, in time, be read in the context of that taller development such that this minor height protrusion will not appear out of scale.
- The variation does not result in unreasonable adverse amenity impacts on adjacent land with regards to solar access, view sharing or visual impact and does not diminish the development potential of adjacent land in any way given it provides a suitable transition in height to the future medium-density built forms on neighbouring properties as afforded under the Ryde Local Centre.

- The rooftop slab protrusion is well setback from the parapet and will not be clearly visible from the public domain of Eagle Street.
- The proposed design scheme has been through a rigorous design process to ensure the overall development architecturally sound.

Based on the above, it has been demonstrated that there are sufficient environmental planning grounds to justify the proposed height of buildings standard non-compliance in this instance.

5.4. HAS THE WRITTEN REQUEST ADEQUATELY ADDRESSED THE MATTERS IN SUB-CLAUSE (3)? – CLAUSE 4.6(4)(A)(I)

Clause 4.6(4)(a)(i) states that development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3).

Each of the sub-clause (3) matters are comprehensively addressed in this written request, including detailed consideration of whether compliance with a development standard is unreasonable or unnecessary in the circumstances of the case. The written request also provides sufficient environmental planning grounds, including matters specific to the proposal and the site, to justify the proposed variation to the development standard.

5.5. IS THE PROPOSED DEVELOPMENT IN THE PUBLIC INTEREST? – CLAUSE 4.6(4)(B)(II)

Clause 4.6(4)(a)(ii) states development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied the proposal will be in the public interest because it is consistent with the objectives of the development standard and the objectives for the zone.

The consistency of the development with the objectives of the development standard is demonstrated in Table 2 above. The proposal is also consistent with the land use objectives that apply to the site under the LEP. The site is located within the B6 Enterprise Corridor Zone. The proposed development is consistent with the relevant land use zone objectives as outlined in **Table 3** below.

Table 3 Assessment of Compliance with Land Use Zone Objectives

Objective	Assessment
To promote businesses along main roads and to encourage a mix of compatible uses.	<p>The proposal provides for a residential led mixed use development fronting Eagle Street. The development includes a commercial tenancy space on the ground floor to promote business and employment opportunities within the locality, in accordance with the LEP provisions.</p> <p>The site is surrounded by similar mixed use and residential sites and is located within walking distance from the Top Ryde Shopping Centre. As such, the proposed development remains compatible with, and complementary to surrounding uses.</p>
To provide a range of employment uses (including business, office, retail and light industrial uses).	The proposal enables the ground floor of the site to be utilised for commercial use along the Eagle Street frontage to encourage employment generating uses within the zone. The space will have an area of 200 sqm and therefore may provide suitable space for an office, business or retail use.
To maintain the economic strength of centres by limiting retailing activity.	As mentioned, the ground floor commercial space will provide a single commercial tenancy and the upper levels of the building will be utilised for residential use. Complementing the surrounding character of the Eagle Street locality whilst ensuring

Objective	Assessment
	the site contributes the future growth of the enterprise corridor zone within the Ryde locality.
To provide for residential uses, but only as part of a mixed-use development.	The development will provide ten generous three-bedroom apartments to ensure apartment size variety within the locality more broadly is fulfilled in line with the LSPS priority of ensuring sufficient medium density housing opportunities for residents. The proposal successfully provides a large single commercial tenancy on the ground floor for future employment generating uses along the Eagle Street frontage within close proximity to the Top Ryde Shopping Centre.
To promote sustainable development, including public transport use, living and working environments.	The proposal allows a residential development within walking distance from the key public transport facilities such as the bus stops along Morrison Road, at Tope Ryde Shopping Centre and at Meadowbank Train Station. Having recognised the site's strategic and advantageous location within close proximity to public transport facilities, the proposal provides limited car parking spaces for the residents, to promote public transport patronage and encouraging walking and cycling.

5.6. HAS THE CONCURRENCE OF THE PLANNING SECRETARY BEEN OBTAINED? – CLAUSE 4.6(4)(B) AND CLAUSE 4.6(5)

The Secretary can be assumed to have concurred to the variation under Department of Planning Circular PS 18–003 'Variations to development standards', dated 21 February 2018. This circular is a notice under 64(1) of the *Environmental Planning and Assessment Regulation 2000*.

The Secretary can be assumed to have given concurrence as the matter will be determined by an independent hearing and assessment panel or a Sydney district or regional planning panel in accordance with the Planning Circular.

The matters for consideration under Clause 4.6(5) are considered below.

- **Clause 4.6(5)(a) – does contravention of the development standard raise any matter of significance for State or regional environmental planning?**

The proposed non-compliance with the height of buildings development standard will not raise any matter of significance for State or regional environmental planning. It has been demonstrated that the proposed variation is appropriate based on the specific circumstances of the case and would be unlikely to result in an unacceptable precedent for the assessment of other development proposals.

- **Clause 4.6(5)(b) - is there a public benefit of maintaining the planning control standard?**

The proposed development achieves the objectives of the height of buildings development standard and the land use zone objectives despite the technical non-compliance.

The height non-compliance allows for the continuation of the roof slab due to the sloping nature of the site. Further, the areas of non-compliance have been strategically set back from the building edge and away from the sites street frontage to Eagle Street meaning it is generally not perceived from the public domain and results in negligible overshadowing impacts.

As a result, it is concluded that there is no material impact or benefit associated with strict adherence to the development standard and there is no compelling reason or public benefit derived from maintenance of the standard.

- **Clause 4.6(5)(c) – are there any other matters required to be taken into consideration by the Secretary before granting concurrence?**

Concurrence can be assumed, however, there are no known additional matters that need to be considered within the assessment of the Clause 4.6 variation request prior to granting concurrence, should it be required.

6. CONCLUSION

For the reasons set out in this written request, strict compliance with the Height of Buildings standard contained within Clause 4.3 of the LEP is unreasonable and unnecessary in the circumstances of the case. Further, there are sufficient environmental planning grounds to justify the proposed variation and it is in the public interest to do so.

It is reasonable and appropriate to vary the Height of Buildings standard to the extent proposed for the reasons detailed within this submission and as summarised below:

- The proposal facilitates urban renewal within the Ryde Local Centre by replacing an underutilised recreation building with a blank brick face along the street frontage, with a contemporary, visually pleasing mixed-use development consistent with the emerging medium-density character of the locality.
- The economic benefits of the proposal are clear as it facilitates job creation during the construction phase as well as provides additional commercial tenancy space within the locality for future employment opportunities.
- There are no adverse consequences as a result of the non-compliance section of the building from the public domain as it is set well back from the street frontage to ensure that it has limited visual impact, while also providing a contemporary response at the subject location.
- The non-compliant section of the development does not significantly cast shadows on the surrounding developments and public domain.
- Despite the non-compliance, the proposed built form is appropriate to the contextual considerations of the site.
- The proposed height exceedance comprises the protrusion of the building slab and no floor space area is proposed above the height control. The non-compliant section of the development will in no way result in any significant detrimental amenity impacts (overshadowing, views or privacy) on adjoining residential developments.
- The non-compliance will not hinder the development's ability to satisfy the objectives of the B6 Enterprise Corridor zone, nor the objectives of the height of buildings standard.

For the reasons outlined above, the Clause 4.6 request is well-founded. The development standard is unnecessary and unreasonable in the circumstances, and there are sufficient environmental planning grounds that warrant contravention of the standard. In the circumstances of this case, flexibility in the application of the Height of Buildings standard should be applied.

DISCLAIMER

This report is dated 7 December 2022 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Eagle Ryde Pty Ltd (**Instructing Party**) for the purpose of Clause 4.6 Request (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.



VIEW IMPACT ASSESSMENT

28 EAGLE STREET, RYDE NSW 2112

MAY 2023



DREW DICKSON ARCHITECTS

Drew Dickson Architects Pty Ltd
Ground Floor, Suite 2, 83 Alexander Street
Crows Nest NSW 2065 Australia

ABN 12 168 892 153
Nominated Architect: ALEX DE BELIN . ARBN 8330

T+612 90613433

info@dda-australia.com
www.dda-australia.com

Title: VIEW IMPACT ASSESSMENT
28 Eagle Street, Ryde NSW
Revision: 01
Issue Date: May 2023
Project Number: 22029

Client: Eagle Ryde Pty Ltd c/o Billbergia Pty Ltd

Consultants:
Architect: Drew Dickson Architects
Planner: URBIS

Disclaimer:

The Scheme (drawings documents information and materials) contained within this brochure have been prepared by Drew Dickson Architects Pty Ltd solely for the purpose of providing information about potential schemes. The materials should not be considered to be error free or to include all relevant information. This document has been prepared in accordance with the agreement between Drew Dickson Architects and the Client. The document relies upon information provided at the time of the agreement. Any conclusions or recommendations only apply within the scope of the agreement and no greater reliance should be assumed or drawn by the client. This document has been prepared solely for use by the Client, and Drew Dickson Architects no responsibility for its use by other parties. Do not scale off drawings.



EAGLE RYDE PTY LTD



DREW DICKSON ARCHITECTS



1. INTRODUCTION

View Impact assessment has been prepared by Drew Dickson Architects on behalf of Billbergia - Eagle Ryde Pty Ltd to accompany to accompany the Statement of Environmental Effects prepared by Urbis in support of a Development Application in respect to redevelopment of the site at 28 Eagle Street, Ryde NSW 2112.

The purpose of this report is to provide further consideration and assessment of the impacts from the proposal to surrounding private views in accordance with the established planning principles of Tenacity Consulting v Warringah [2004] NSWLEC 140.

This report should be read in conjunction with the Statement of Environmental Effects and accompanying architectural drawings and DA design report, which set out details of the proposed building and the context of the site.

This report is structured as follows:

- 2. Provides an overview of the methodology adopted for this view impact analysis.
- 3. Identifies the various relevant planning principles with respect to views, view sharing and outlook.
- 4. DCP envelope analysis that has informed its applicability to the site
- 5. View impact analysis

2. METHODOLOGY

The proposed development is located at south-east of the 4 storey residential building at 8 Cowell Street and south of the residential house at 6 Cowell Street. High levels apartments within the residential building at 8 Cowell Street have south and south-east distant views which will be potentially impacted by the proposed development.

An assessment of potential view impact has been undertaken based on the following:-

- . Assessment of view impact on southern apartment at high level within the residential building at 8 Cowell Street and residential house at 6 Cowell Street has been undertaken based on 3 viewpoints provided by Council.
- . Floor plan of unit 8 of residential building at 8 Cowell street extracted from the domain website (www.domain.com.au) was reviewed to identify rooms to be selected for visual analysis based on their orientation and proximity to the site and the extent of existing view, vistas and outlook which are likely to be affected by the proposed development.
- . The view impact assessment was based on the fact that access into the 6-8 Cowell Street was not provided. Eagle Ryde Pty Ltd – on behalf of Billbergia (BBG), had attempted to get in touch with owners and tenants in the neighbouring buildings via email, telephone calls and door knocking and had not received any response from owners of 6-8 Cowell street regarding accessing the property for view impact assessment.
- . To assess the extent of views to be affected, 3D images have been generated to match the camera angle of the photos provided by Council as closely as possible. It is considered to be the best attempt at a view impact assessment using a 3D model to recreate those viewpoints.
- . 3 computer generated views used for the assessment represent the existing view, the view with DCP envelope and the proposed view. The location from which the view is taken, and the field of view, is overlain on the floor plan for the existing building at 6 and 8 Cowell Street. It is noted that existing and proposed trees are not included in these 3D views.

- . BBG have emailed owner of Unit 3, 8 Cowell Street, Ryde with no response - 10/05/2023
- . BBG have called owner of Unit 3, 8 Cowell Street, Ryde with no response - 10/05/2023
- . BBG have tried researching and getting in touch with property management & strata management of 8 Cowell Street, Ryde with no success – 08/05/2023 to 12/05/2023
- . BBG visited site on 11/05/2023 and 12/05/2023 in the afternoon with no success

From: Charles Hung <charles.hung@billbergia.com.au>
Sent: Wednesday, 10 May 2023 8:46 AM
To: Taz Sayed
Cc: Saul Moran; Donovan Sia
Subject: RE: 28 Eagle Street, Ryde NSW - VIA

Hi Taz,

Hope you've been well.

As you may be aware, we are currently undergoing a protracted post-DA process where Ryde Council have requested additional information on our Eagle Street development till date.

I'm reaching out as we require site photos from the balconies and living areas of 6 & 8 Cowell Street, looking towards our development site as part of a view loss assessment requested by Ryde Council. I understand from your email below, that you are currently the property owner of 3/8 Cowell Street, Ryde.

Is there any chance I could drop by to take a few site photos later this week?

Regards,

Charles Hung
Development Graduate

Suite 101 / 25 Angus St
Meadowbank NSW 2114
m. 0466 816 140
billbergia.com.au

Attention: The information contained in this message and/or attachments is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any system and destroy any copies.

From: Taz Sayed <taz@saycon.com.au>
Sent: Friday, January 13, 2023 12:15 PM
To: Charles Hung <charles.hung@billbergia.com.au>
Subject: 28 Eagle Street, Ryde NSW

Hi Charles,

Thanks for taking my call earlier.

As per our phone conversation, I am the property owner of 3/8 Cowell street, Ryde - the block of apartments directly behind the proposed development site at 28 Eagle Street Ryde.

We received a letter from Ryde council notifying us that the DA has been lodged for the Eagle Street development, as discussed earlier I have spoken to the Landlord at No 6, and some of the unit owners at No 8 and they would be open to the idea of selling.

I have attached a screenshot showing the footprint of properties 6 Cowell Street & 8 Cowell Street in relation to 28 Eagle Street. I am willing to help facilitate and organise meetings with all the owners if you wish to proceed with this. I am also happy to catch up on site or come into your office to gather some thoughts and go from there.

I appreciate your time with this and look forward to hearing from you.

Kind regards,

SAYCON

Taz Sayed
Founder & Builder

M: 0410 697 107
E: taz@saycon.com.au

saycon.com.au
Residential & Commercial Builders

3. PLANNING PRINCIPLES AND POLICIES APPLYING TO PRIVATE VIEWS

3.1 TENACITY CONSULTING V WARRINGAH COUNCIL [2004] NSWLEC 140

Tenacity establishes principles for view sharing and the approach that is to be taken in determining the extent and appropriateness of view impacts. This Planning Principle establishes a four-step assessment to assist in deciding whether view sharing is reasonable:

1. Step 1: Assessment of views to be affected
2. Step 2: Consider from what part of the property the views are obtained
3. Step 3: Assess the extent of the impact
4. Step 4: Assess the reasonableness of the proposal that is causing the impact.

Key considerations include:

Step 1: assessment of views to be affected

A hierarchy of views are developed. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

Step 2: consider from what part of the property the views are obtained
Consideration from what part of the property the views are obtained. For example, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

Step 3: assess the extent of the impact
Assessment of the extent of the impact

This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly

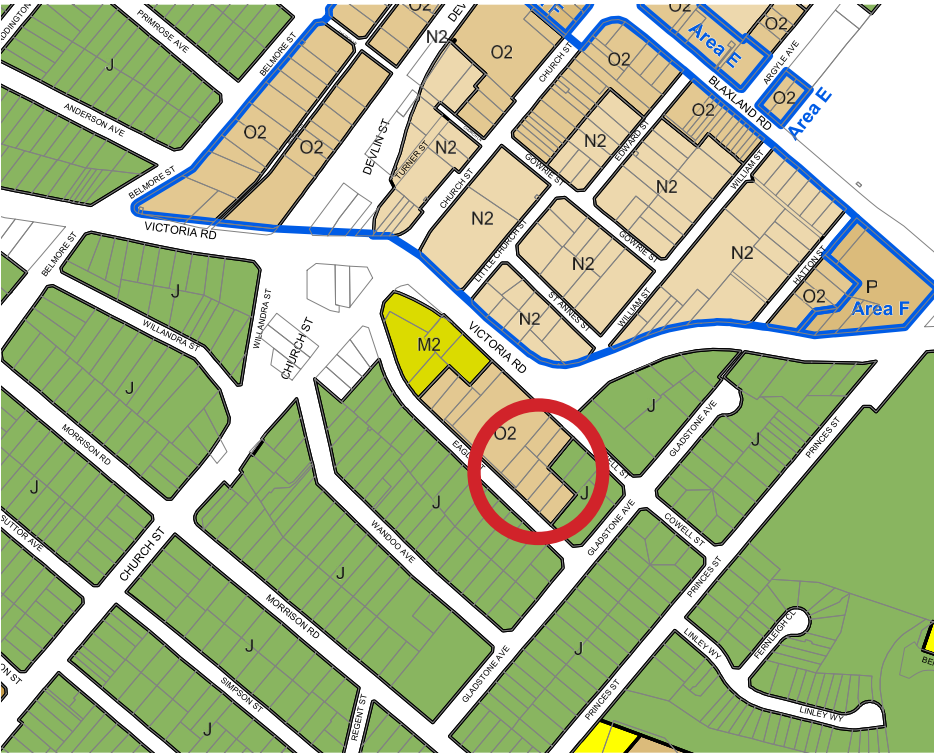
Valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Step 4: assess the reasonableness of the proposal that is causing the impact.

A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skillful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

3.2 RYDE LOCAL ENVIRONMENTAL PLAN (LEP) 2014

Ryle LEP 2014 applies to the site. Via the 'O2' designation, the LEP ascribes a building height control of 15.5m to the site. Building height is measured as the vertical distance from ground level (existing) to the highest point of the building.



Height of Buildings Map - Sheet HOB_006

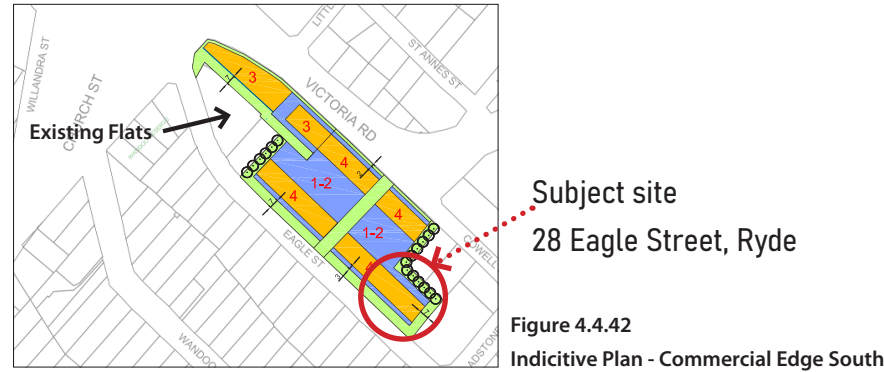
Maximum Building Height (m)

J	9.5	T2	27.5
K	10	U1	30
L	11.5	U2	30.5
M1	12	U3	33
M2	12.5	U4	33.5
N1	13	V	37
N2	14	W	44.5
O1	15	X	45
O2	15.5	Z	57
O3	16	AA1	65
P	18.5	AA2	75
Q	19	AB1	90
R1	21.5	AB2	92
R2	22	AB3	99
S1	23	AC	120
S2	24		
T1	26		

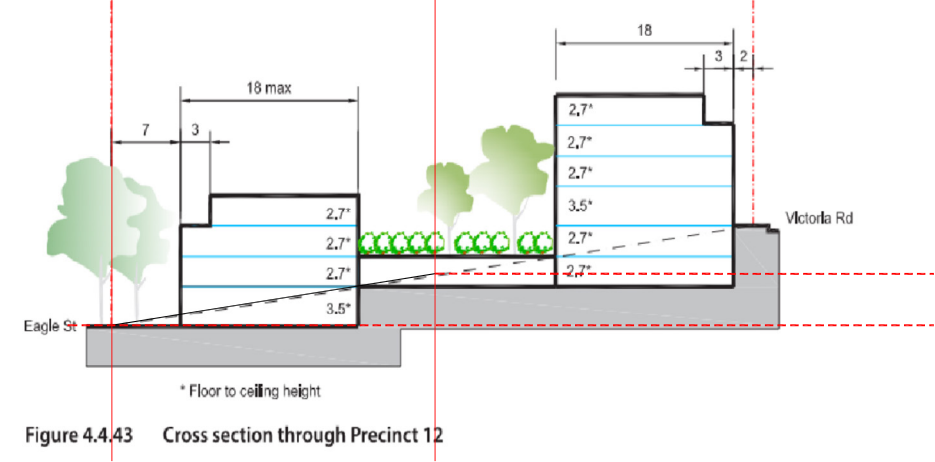
3.3 CITY OF RYDE DEVELOPMENT CONTROL PLAN 2014

- Setback requirements as indicated in DCP indicative key plan - Commercial Edge South:
- . 7m setback from Eagle Street (southern boundary of the subject site)
 - . 7m setback from eastern boundary of the subject site
 - . 7m setback from northern boundary of the subject site
 - . 0m setback on the western boundary of the subject site

DCP INDICATIVE KEY PLAN
CITY OF RYDE DEVELOPMENT CONTROL PLAN 2014

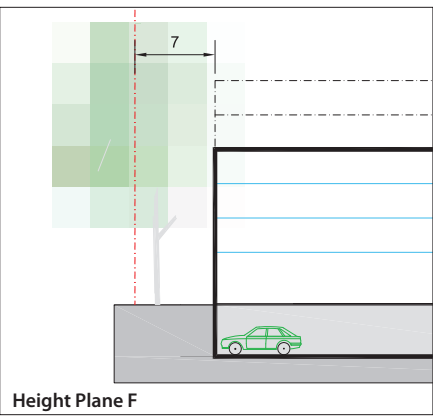


CROSS SECTION
CITY OF RYDE DEVELOPMENT CONTROL PLAN 2014



DCP key plan and relevant DCP diagrams in relation to building height, setback requirements for the subject site have been revisited. It is noted that the deep sloping site / topography (refer to survey plan) had not been considered in the current DCP's key plan and cross sections..It is understood that the DCP envelope is a guide, however the natural ground line of the cross section through Precinct 12 shows a 1.5m fall from north to south. This significantly differs from the actual topography of the subject land, which accommodates an approximate 3 storey fall from north to south.

DCP HEIGHT CONTROL PLANE F
CITY OF RYDE DEVELOPMENT CONTROL PLAN 2014



DCP Height Control Plane F indicates a 4 storey street wall height and a basement car parking level.

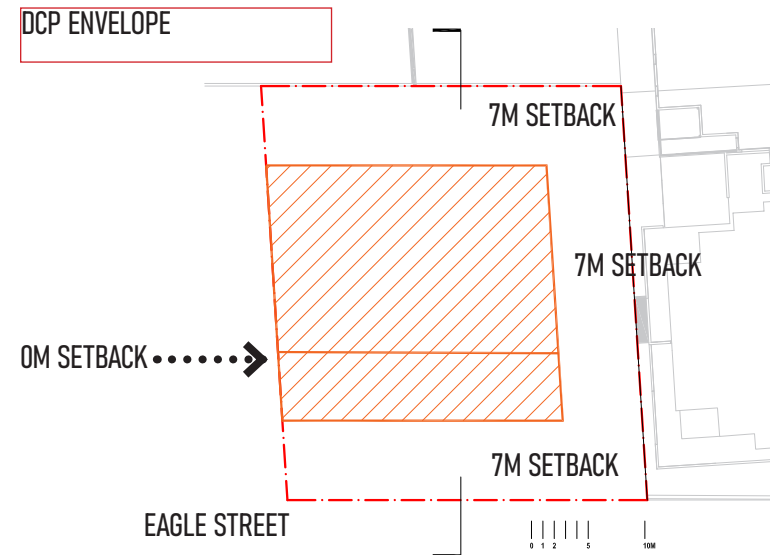
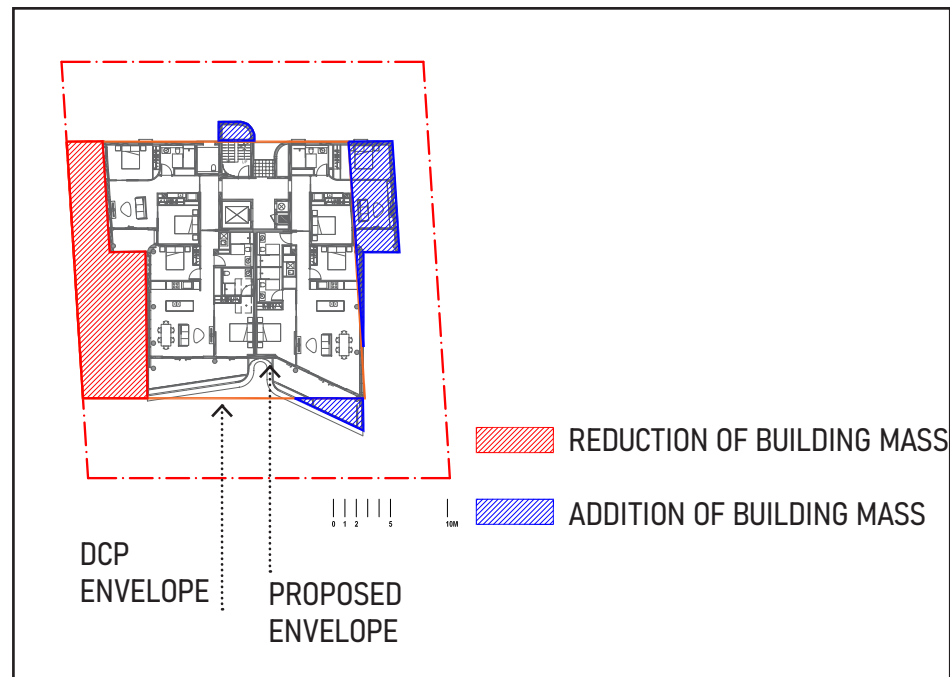
Analysis of the DCP envelope has been undertaken, which has informed the updated analysis for solar access, overshadowing and view sharing. It is noted that there are discrepancies in the building envelope provisions between the Height Controls Plan F (section 4.4 of the DCP - 4 storey street wall height) and the Cross Section through Precinct 12 (Fig 4.4.43 of the DCP - 3 storey street wall height). This inconsistency in the street wall height therefore has been considered for the revised design.

4. DCP ENVELOPE ANALYSIS

The DCP envelope requires a 7m setback to the southern, northern and eastern boundary and a 0m setback to the western boundary. Having regard to the site conditions, the building averages these side setbacks and provides a 3.2-7m setback to the east and 3.2-6m setback to the west, providing for building separation to both side boundaries. Building to a 0m setback at the western site boundary would not be a contextual response to the site or surroundings. The south-eastern corner of the building which encroaches on the 7m DCP front setback aligns with the average setback of the adjacent building.

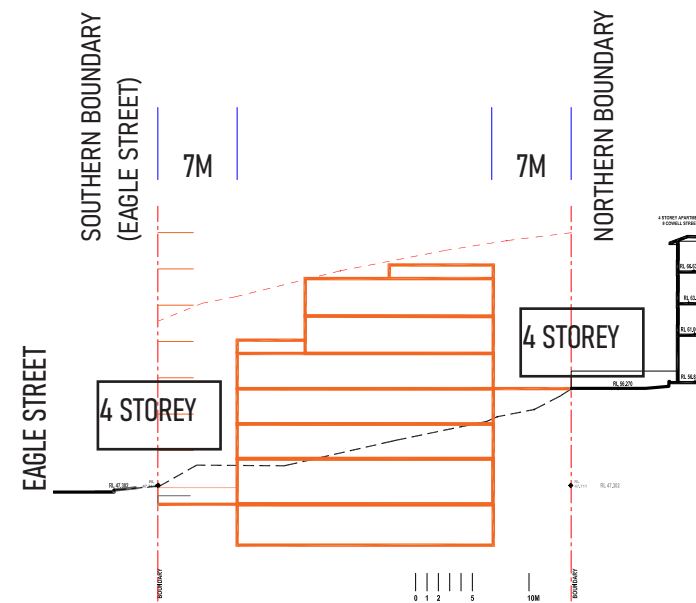
A 4-storey street wall has been adopted as indicated in the Height Control Plane F with a 3 storey plus plant area provided at the roof level to the north. It is noted that the proposed building envelope does not fully comply with the DCP, however for the purpose of this application it has been interpreted to respond to the site context and surrounding conditions.

Diagrams below and on the right of this page show proposed building footprint compared to DCP.

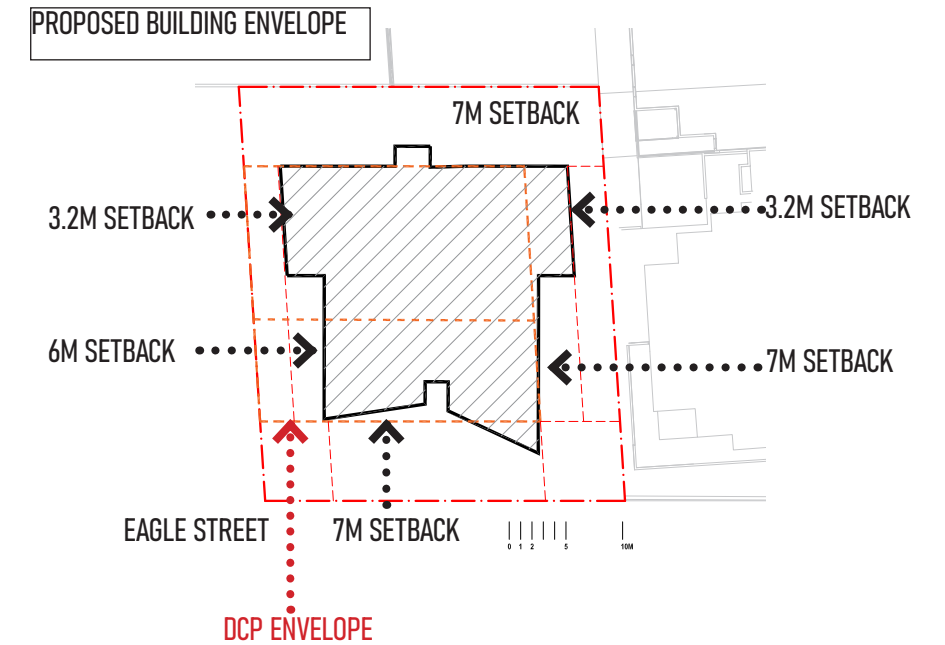


DCP setback requirements:

- . 7m setback from Eagle Street (southern boundary)
- . 7m setback from eastern boundary
- . 7m setback from northern boundary
- . 0m setback on the western boundary

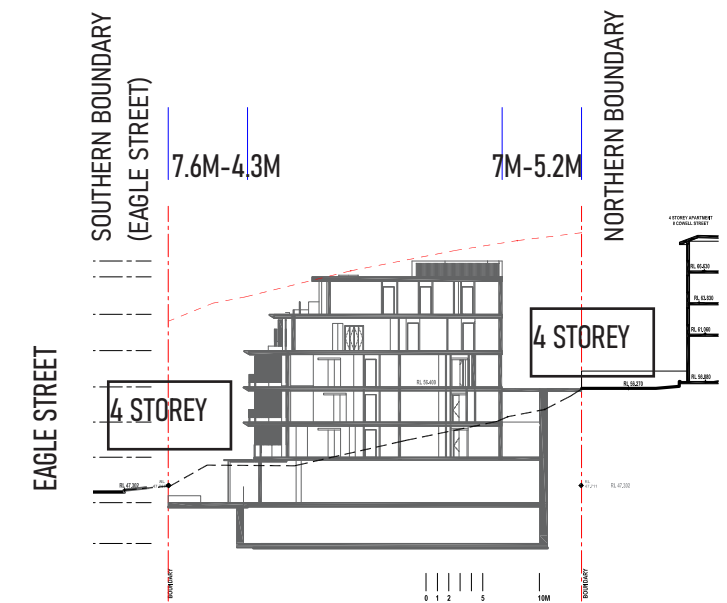


- . Adopted a 4 storey street wall as indicated in height control plane F
- . 4 storey building height on Eagle Street and 4 storey to the north
- . DCP envelope includes one level of basement
- . Height of Building: 15.5m



Proposed building setback

- . 7.6m TO 4.3M setback from Eagle Street (southern boundary)
- . 7m TO 3.2M setback from eastern boundary
- . 7M to 5.2M setback from northern boundary
- . 6M to 3.2M setback on the western boundary



- . Proposed building envelope includes a 4 storey street wall (Eagle Street) and 3 storey plus plant area at roof level
- . Proposed 1 basement level
- . Height of Building: 15.5m

5. VIEW IMPACT ANALYSIS

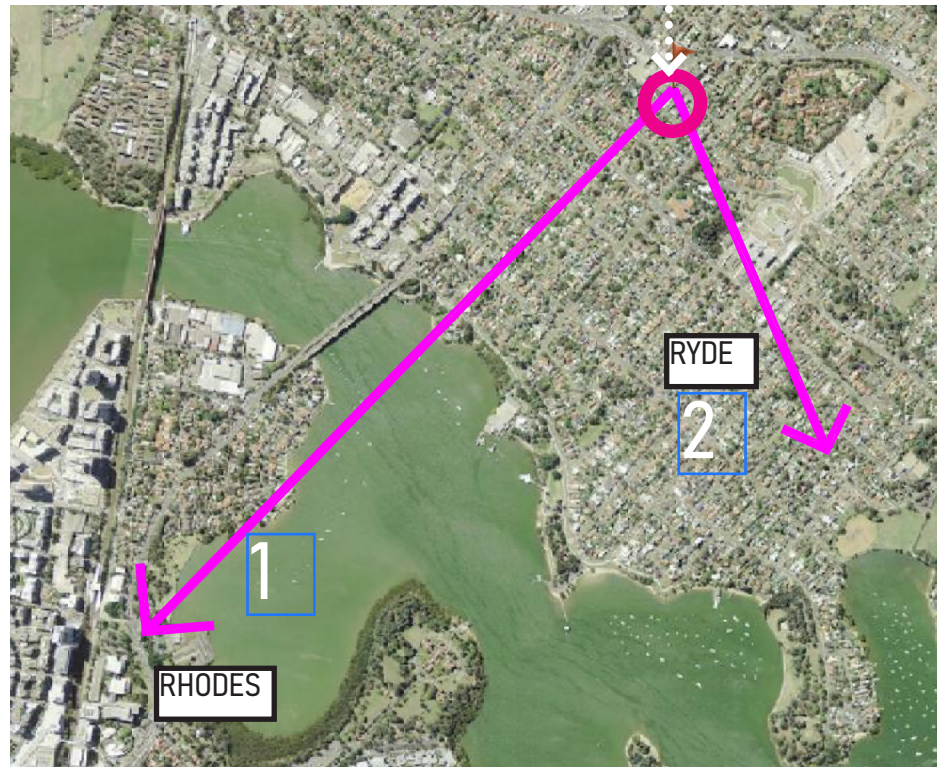
5.1 ASSESSMENT OF VIEWS TO BE AFFECTED

Proposed development is located at south-east of the 4 storey residential building at 8 Cowell Street and south of the residential house at 6 Cowell Street. Apartments at high levels within residential building at 8 Cowell Street has south and south-east distant views which will be potentially impacted by the proposed development.

DDA has assessed that the following existing views will potentially affected by the proposed development.

- 1. EXISTING VIEW 1 FROM 8 COWELL STREET**
Southern distant view to Rhodes, Wentworth Point, Concord West is available from bedroom balcony of high level apartment within residential building at 8 Cowell Street,
- 2. EXISTING VIEW 2 FROM 8 COWELL STREET**
South-eastern distant view is available from bedrooms, bedroom balcony of high level apartment within residential building at 8 Cowell Street,
- 3. EXISTING VIEW 3 FROM 6 COWELL STREET**
Southern view towards the northern elevation of the existing building of the subject site from the terrace of residential building at 6 Cowell Street.

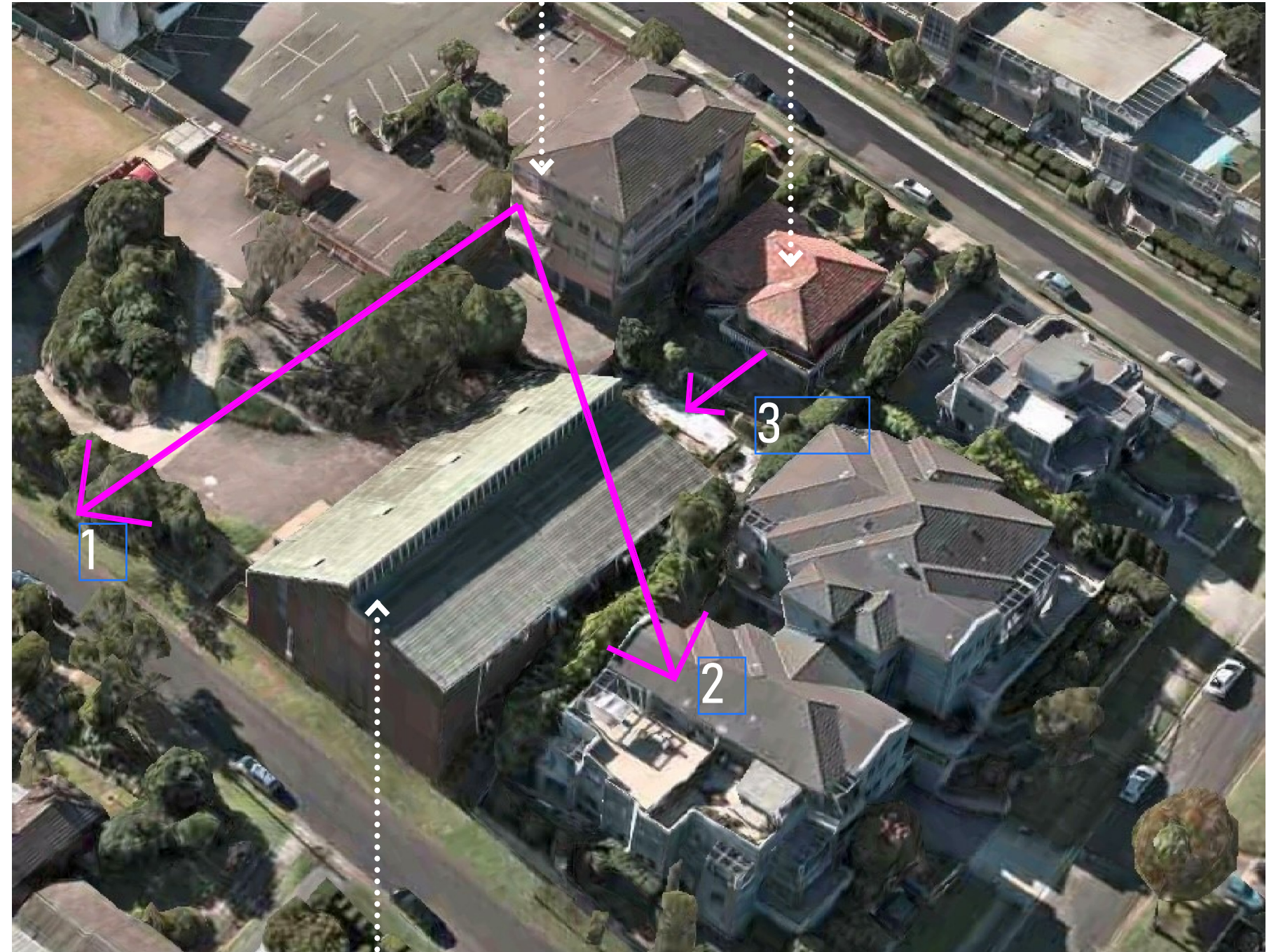
4 STOREY RESIDENTIAL BUILDING
8 COWELL STREET



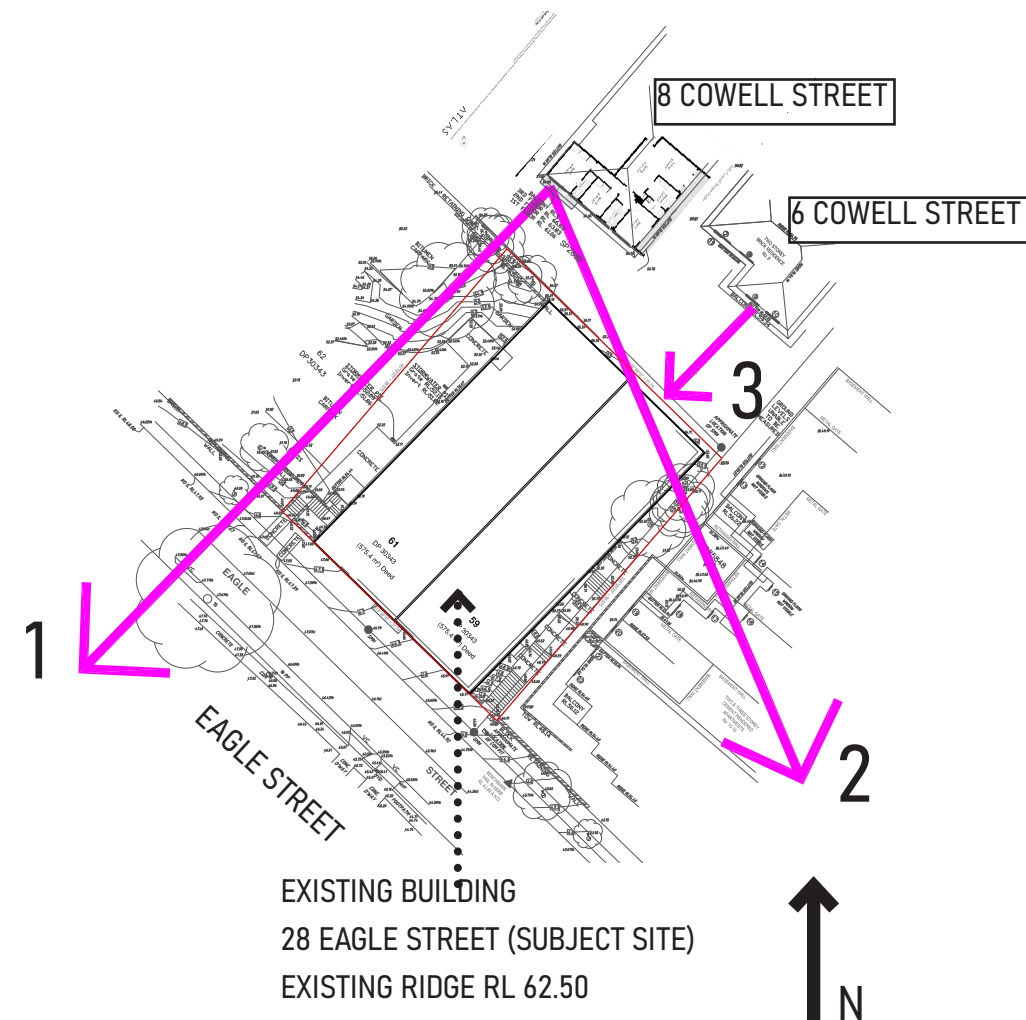
4 STOREY RESIDENTIAL BUILDING
LOCATION OF SOUTH-EAST BALCONIES
8 COWELL STREET

1ST FLOOR LEVEL RL 61.06
2ND FLOOR LEVEL RL 63.83
3RD FLOOR LEVEL RL 66.63

RESIDENTIAL HOUSE
6 COWELL STREET



EXISTING BUILDING
28 EAGLE STREET (SUBJECT SITE)
EXISTING RIDGE RL 62.50



1. EXISTING VIEWPOINT 1 FROM 8 COWELL STREET



2. EXISTING VIEWPOINT 2 FROM 8 COWELL STREET



3. EXISTING VIEWPOINT 3 FROM 6 COWELL STREET



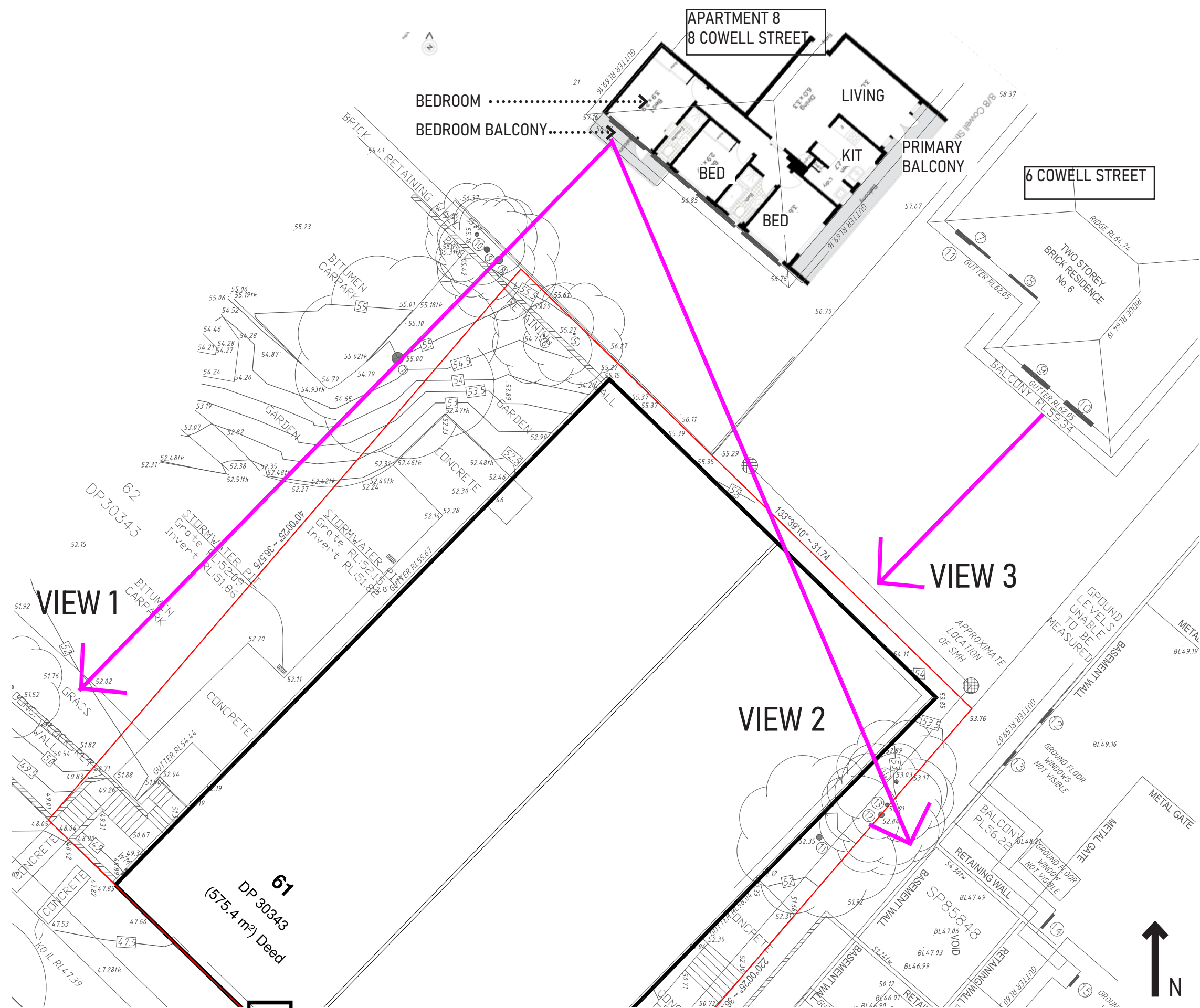
5.2 CONSIDERATION FROM WHAT PART OF THE PROPERTY THE VIEWS ARE OBTAINED.

The diagram on this page includes a typical floor plan for the proposed building, apartment plan at high level within residential building at 8 Cowell Street and residential house plan at 6 Cowell Street.

Locations have been identified as being indicative of the view 1,2 and 3 currently obtained that include:

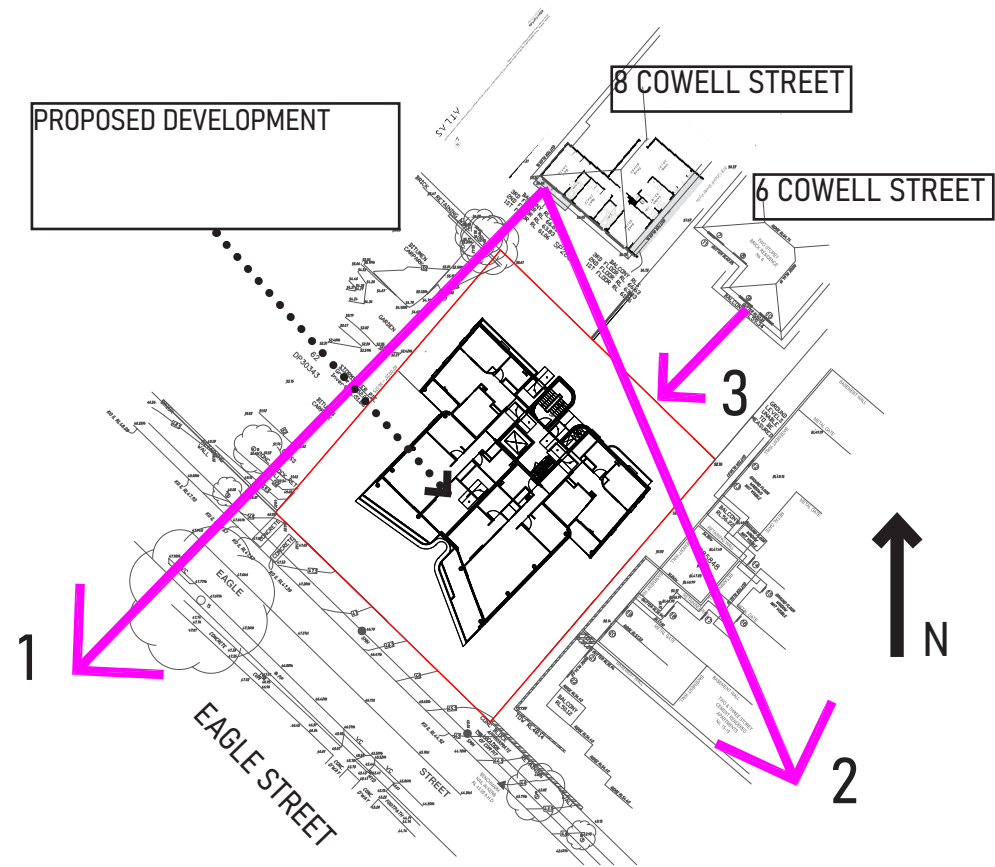
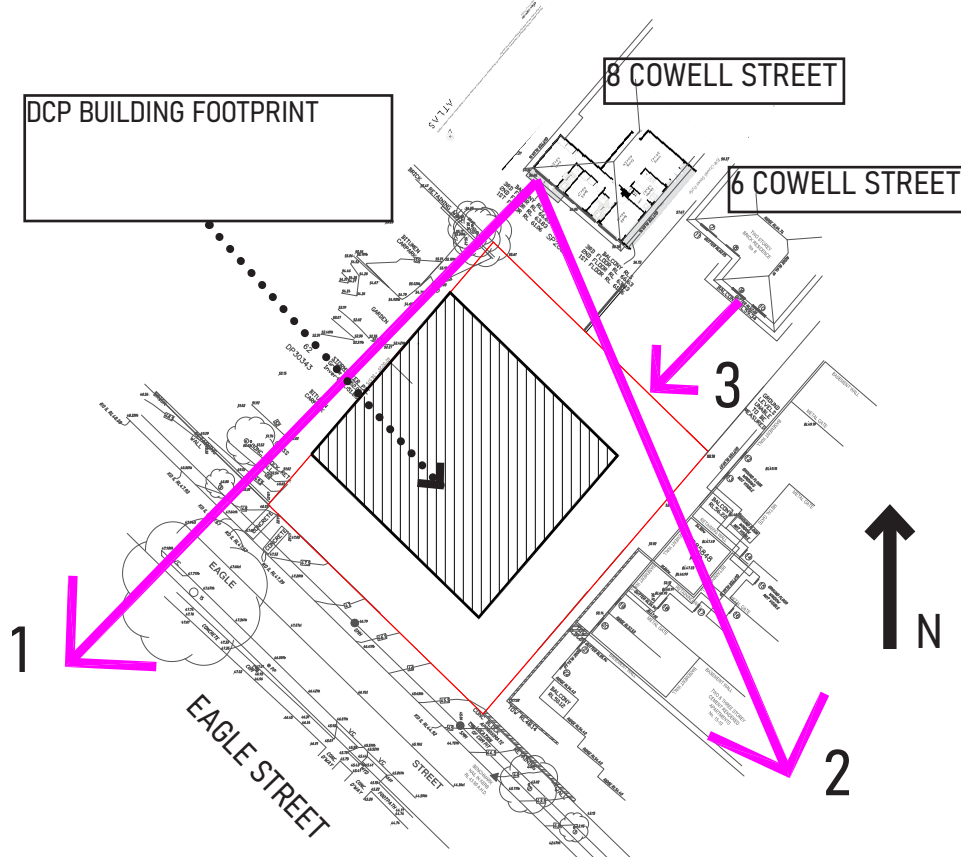
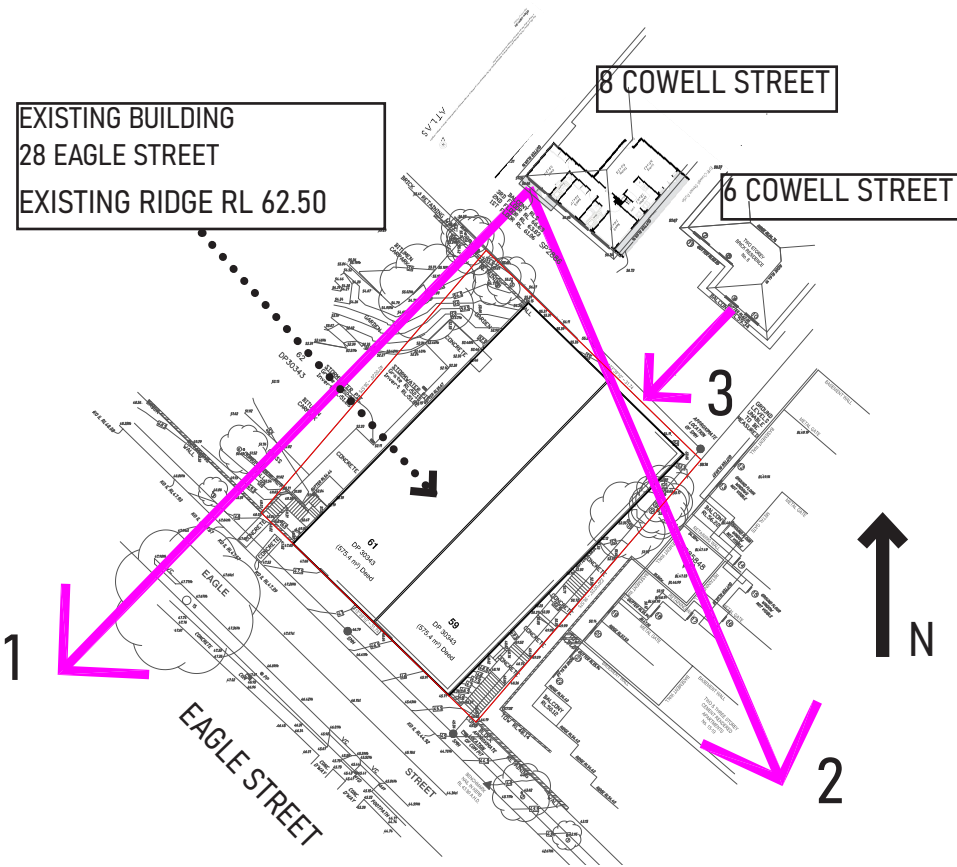
- . View 1 is obtained from south-west bedroom balcony of the high level apartment of the residential building at 8 Cowell Street looking south
- . View 2 is obtained from south-west bedroom balcony of the high level apartment of the residential building at 8 Cowell Street looking south-east
- . View 3 is obtained from the terrace of residential house at 6 Cowell Street looking south.

The following sections identify the nature of these views and assess extent of view impact of the proposed development compared to existing building and DCP building envelope.



5.3 ASSESS THE EXTENT OF THE IMPACT

To assess the extent of views to be affected, 3D images have been generated to match the camera angle of the photos provided by Council as close as possible. 3 views used for the assessment represent the existing view, the view with LEP height control and DCP setback envelope and the proposed view. The location from which the view is taken, and the field of view, is overlain on the floor plan for the existing building at 6 and 8 Cowell Street.



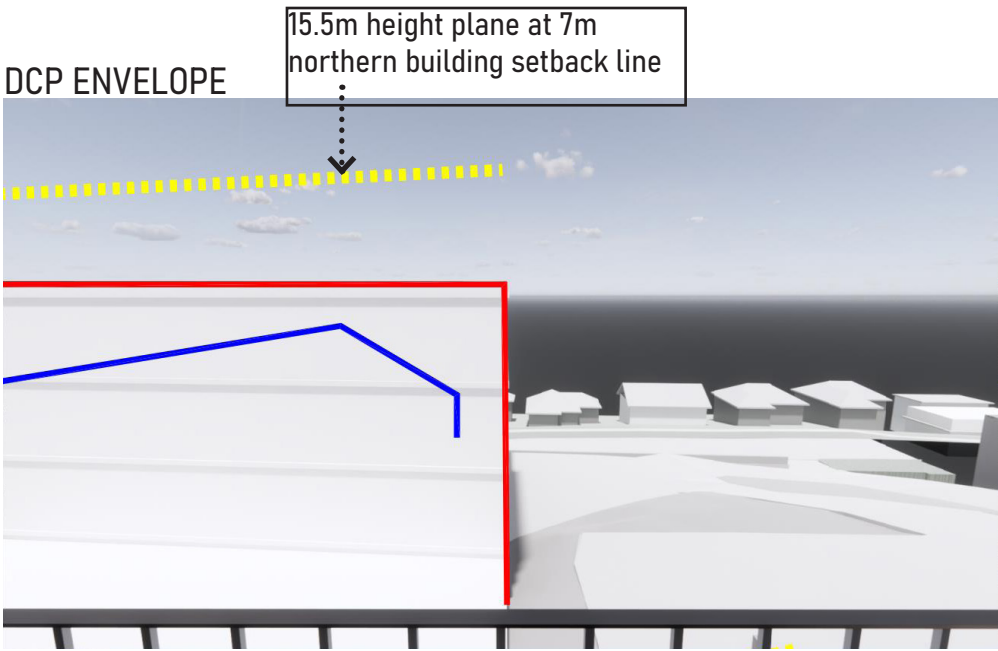
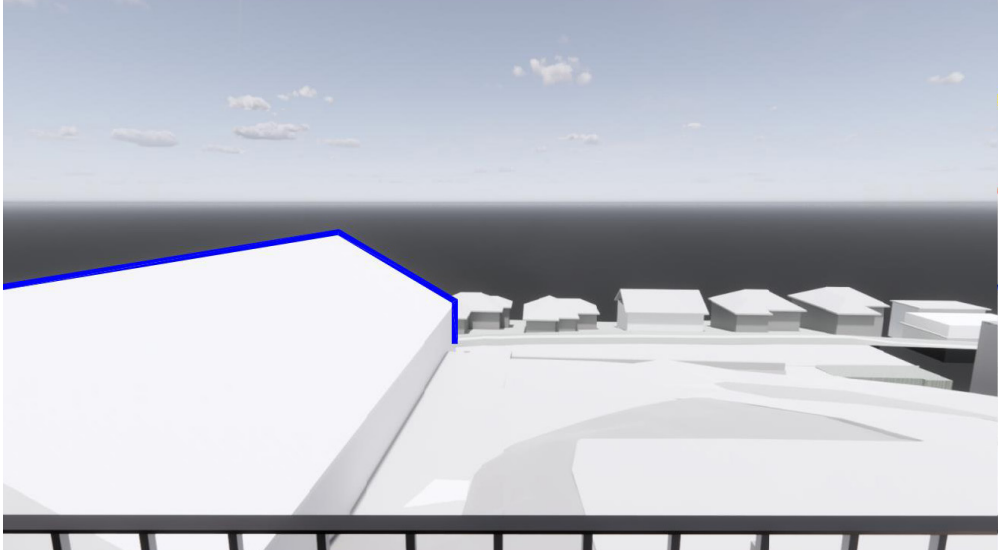
ASSESS THE EXTENT OF THE IMPACT - VIEWPOINT 1



To assess the extent of views to be affected, 3D images have been generated to match the camera angle of the above photo provided by Council as close as possible. 3 views used for the assessment represent the existing view, the view with DCP envelope and the proposed view. The location from which the view is taken, and the field of view, is overlain on the floor plan for the existing building at 8 Cowell Street. It is noted that existing and proposed trees are not included in these 3D views.

3D views on the right show the extent of proposed building envelope as compared to the existing building in blue and DCP envelope in red and the 15.5m LEP height line in yellow, taken above the building's 7m rear (northern) setback alignment. View assessment of existing building, DCP envelope and the proposed building seek to identify the extent of the view impact.

EXISTING BUILDING AT 28 EAGLE STREET



PROPOSED BUILDING



Provision of building setback from the western boundary will improve views and outlook obtained

VIEWPOINT 1 VISUAL ASSESSMENT

LOCATION FROM WHICH VIEWS ARE OBTAINED:
. Bedroom balcony of apartment at 8 Cowell Street looking south

EXISTING VIEW

VIEWS TO BE AFFECTED:
. View over south-west of existing building on the subject site
. Urban infill development and distant view of high-rise buildings at Rhodes and Concord West

DCP ENVELOPE

VIEWS TO BE AFFECTED:
. Lower sky view
. Outlook to DCP envelope western portion which has 0m setback from western boundary
. Extent of view of the urban infill development and distant view of high-rise buildings at Rhodes and Concord West will be reduced
EXTENT OF IMPACT: Severe

PROPOSED BUILDING ENVELOPE

VIEWS TO BE AFFECTED:
. Lower sky view
. Proposed building provides a minimum 3.2m setback from western boundary whereas the DCP envelope extends to the site boundary. View sharing to the site's western extent has been improved.

EXTENT OF IMPACT: Improvement of view sharing to the west

REASONABLENESS OF PROPOSAL:
Refer to Section 5.4 Conclusion and Findings

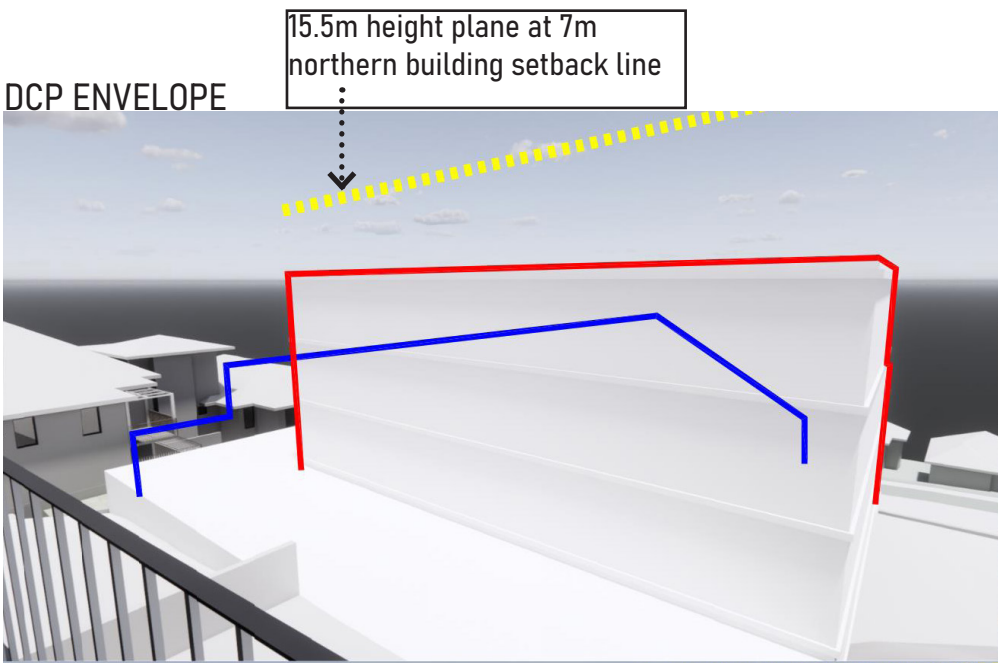
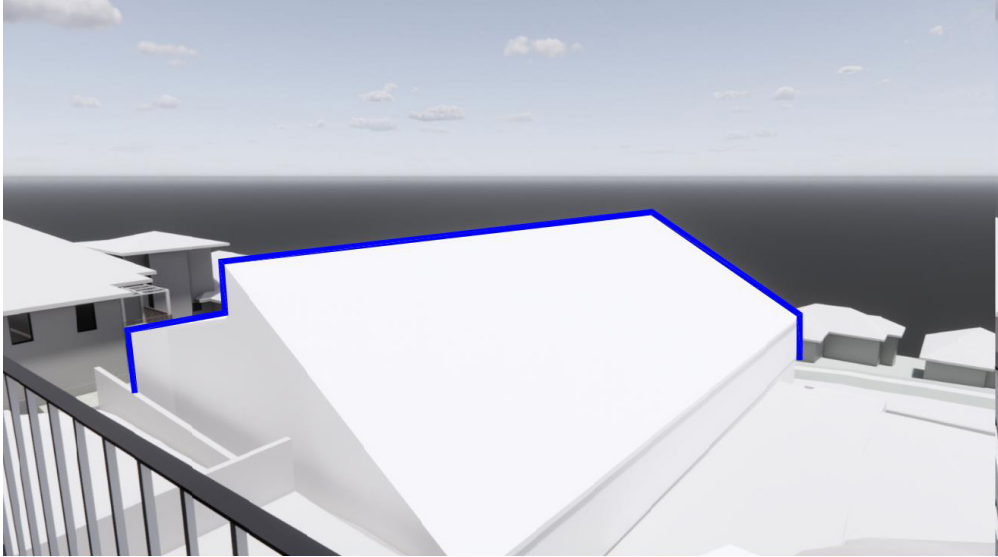
ASSESS THE EXTENT OF THE IMPACT - VIEW 2



To assess the extent of views to be affected, 3D images have been generated to match the camera angle of the above photo provided by Council as close as possible. 3 views used for the assessment represent the existing view, the view with DCP envelope and the proposed view. The location from which the view is taken, and the field of view, is overlain on the floor plan for the existing building at 8 Cowell Street. It is noted that existing and proposed trees are not included in these 3D views.

3D views on the right show the extent of proposed building envelope as compared to the existing building in blue and DCP envelope in red and the 15.5m LEP height line in yellow, taken above the building's 7m rear (northern) setback alignment. View assessment of existing building, DCP envelope and the proposed building seek to identify the extent of the view impact.

EXISTING BUILDING AT 28 EAGLE STREET



PROPOSED BUILDING



VIEWPOINT 2 VISUAL ASSESSMENT

LOCATION FROM WHICH VIEWS ARE OBTAINED:
. Bedroom balcony of apartment at 8 Cowell Street looking south-east

EXISTING VIEW

VIEWS TO BE AFFECTED:
. View over existing building on the subject site to south east
. Urban infill development and distant view of high-rise buildings at Ryde

DCP ENVELOPE

VIEWS TO BE AFFECTED:
. Lower sky view
. Outlook to DCP envelope western portion which has 0m setback from western boundary
. Urban infill development

PROPOSED BUILDING ENVELOPE

VIEWS TO BE AFFECTED:
. Lower sky view
. Proposed building provides a minimum 3.2m setback from western boundary whereas the DCP envelope extends to the site boundary. View sharing to the site's western extent has been improved.
. Impact on view generated by additional building mass to east of the proposed building is considered minimal as the proposed building form will only replace that of built form further in the distance. It in-fills an existing urban view that is not of high scenic quality.

EXTENT OF IMPACT: Negligible - Minor to the east and improvement of view sharing to the west

REASONABLENESS OF PROPOSAL:
Refer to Section 5.4 Conclusion and Findings

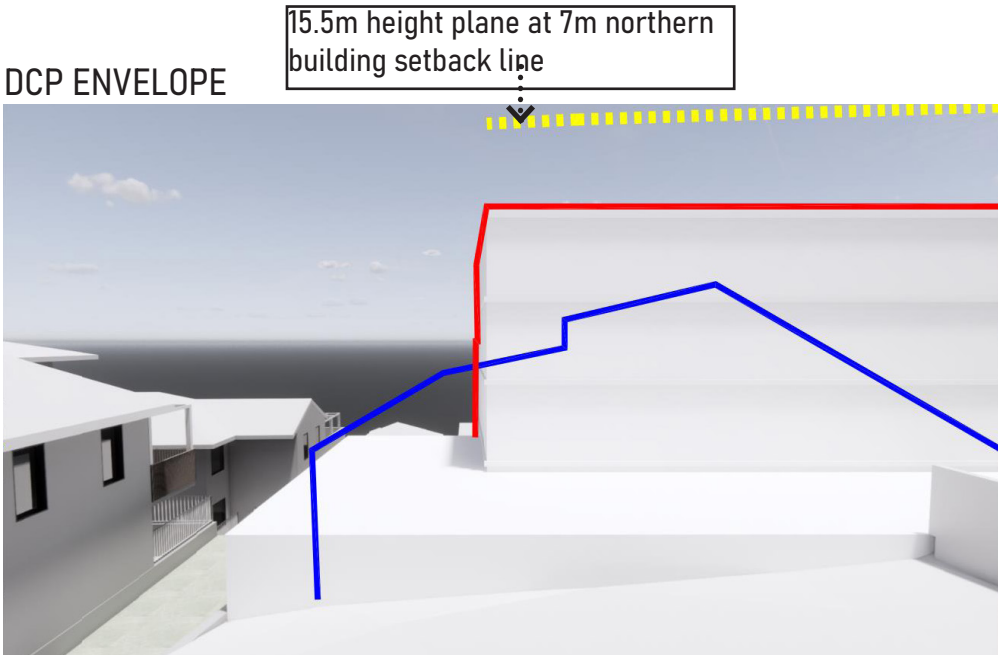
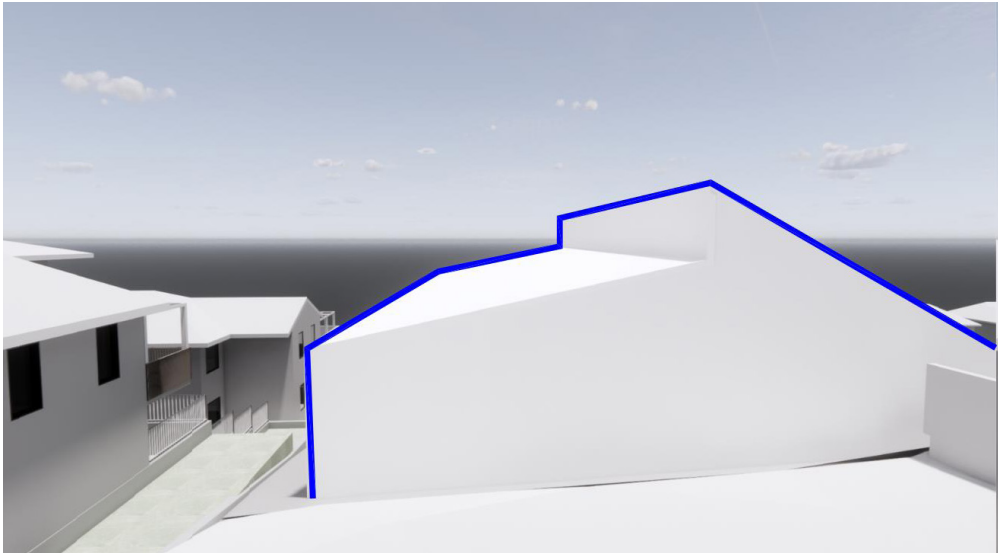
ASSESS THE EXTENT OF THE IMPACT - VIEW 3



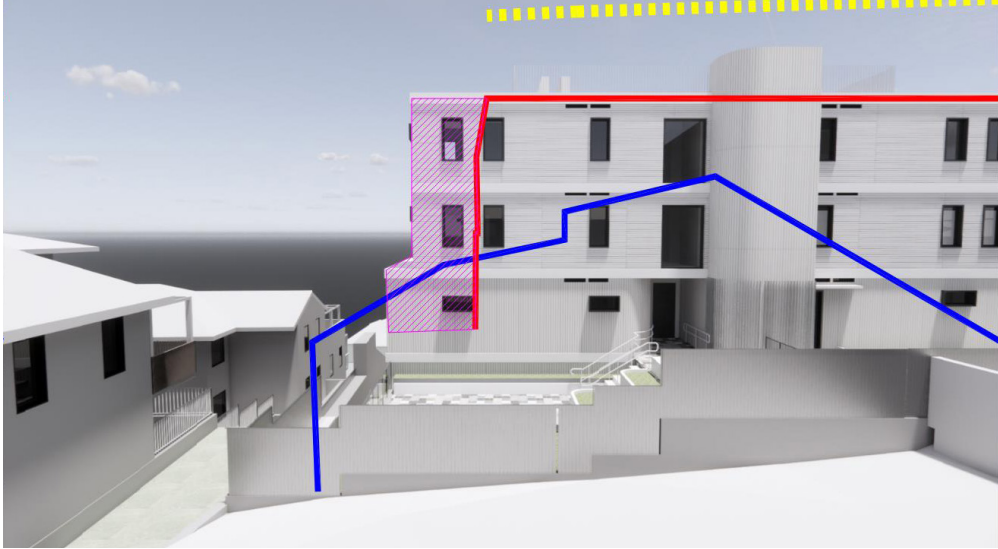
To assess the extent of views to be affected, 3D images have been generated to match the camera angle of the above photo provided by Council as close as possible. 3 views used for the assessment represent the existing view, the view with DCP envelope and the proposed view. The location from which the view is taken, and the field of view, is overlain on the floor plan for the existing building at 6 Cowell Street. It is noted that existing and proposed trees are not included in these 3D views.

3D views on the right show the extent of proposed building envelope as compared to the existing building in blue and DCP envelope in red and the 15.5m LEP height line in yellow, taken above the building's 7m rear (northern) setback alignment. View assessment of existing building, DCP envelope and the proposed building seek to identify the extent of the view impact.

EXISTING BUILDING AT 28 EAGLE STREET



PROPOSED BUILDING



VIEWPOINT 3 VISUAL ASSESSMENT

LOCATION FROM WHICH VIEWS ARE OBTAINED:

- . From terrace of residential house at 6 Cowell Street looking south

EXISTING VIEW

VIEWS TO BE AFFECTED:

- . View of north elevation of existing building on the subject site
- . Existing trees
- . Urban infill development

DCP ENVELOPE

VIEWS TO BE AFFECTED:

- . Outlook to north elevation of DCP envelope
- . Urban infill development
- . Lower sky view

PROPOSED BUILDING ENVELOPE

VIEWS TO BE AFFECTED:

- . Outlook to north elevation of the proposed building
- . Lower sky view
- . Impact on view generated by additional building mass to east of the proposed building is considered minimal as the proposed building form will only replace that of built form further in the distance. It in-fills an existing urban view that is not of high scenic quality.

EXTENT OF IMPACT:

The existing outlook to the south from 6 Cowell Street comprises predominantly sky view above the existing building form. There are no elements comprising that view that would be considered significant or iconic.

The proposal sits below the 15.5m limit on the land, and the proposed building within the eastern setback will not block any highly rated view element. Outlook from this location will still be achievable to the east from other locations on the balcony. Therefore it is considered that the impact on this view is negligible to minor.

REASONABLENESS OF PROPOSAL:

Refer to Section 5.4 Conclusion and Findings

5.4 FINDING AND CONCLUSION

The assessment in Section 5.3 finds that impacts on views to be affected the northern dwellings range from negligible to moderate when compared to the existing views obtained from the residential building at 6 and 8 Cowell Street. The proposed building envelope would be considered to improve the view sharing and outlook obtained from 8 Cowell Street. The provision of building setback from western boundary creates opportunity for view sharing. Some incursions into the DCP setback to the east result, however given the existing views in this location are to urban infill development, the proposed building in this location will not generate a significant loss of view from the assessed viewpoints. Further, views to the east will still be obtained from the balcony from 6 Cowell Street.

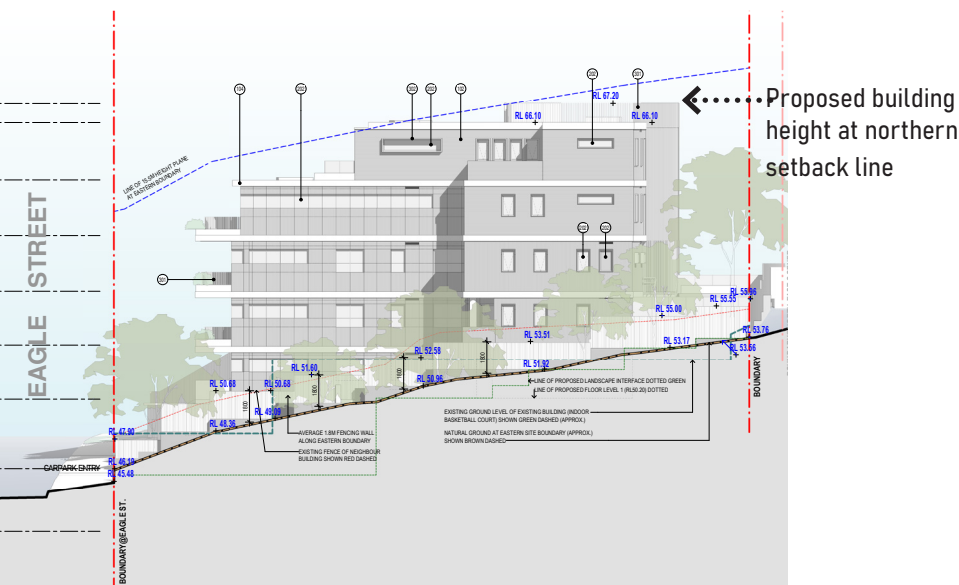
Section 5.1-5.3 addresses the first three steps in Tenacity, which seek to identify the views affected, determine where the views are obtained from, and assess the extent and severity of the view impact.

COMPLIANCE WITH PLANNING CONTROLS

The proposed development complies with the LEP height limit for 15.5m and the proposed GFA does not maximise the permissible FSR which is 2:1.

Whilst the proposed building envelope is broadly within the expected DCP envelope, there is a minor non-compliance with the building setback at the north-east corner of the proposed building, this variation does not generate a significant loss of view from the assessed viewpoints. It should be considered that reduced building mass on the western side of the proposed building as compared to the DCP envelope will create opportunity for view sharing.

Elevation below shown building height of the proposed building which sits within the LEP limit for height at northern setback line.



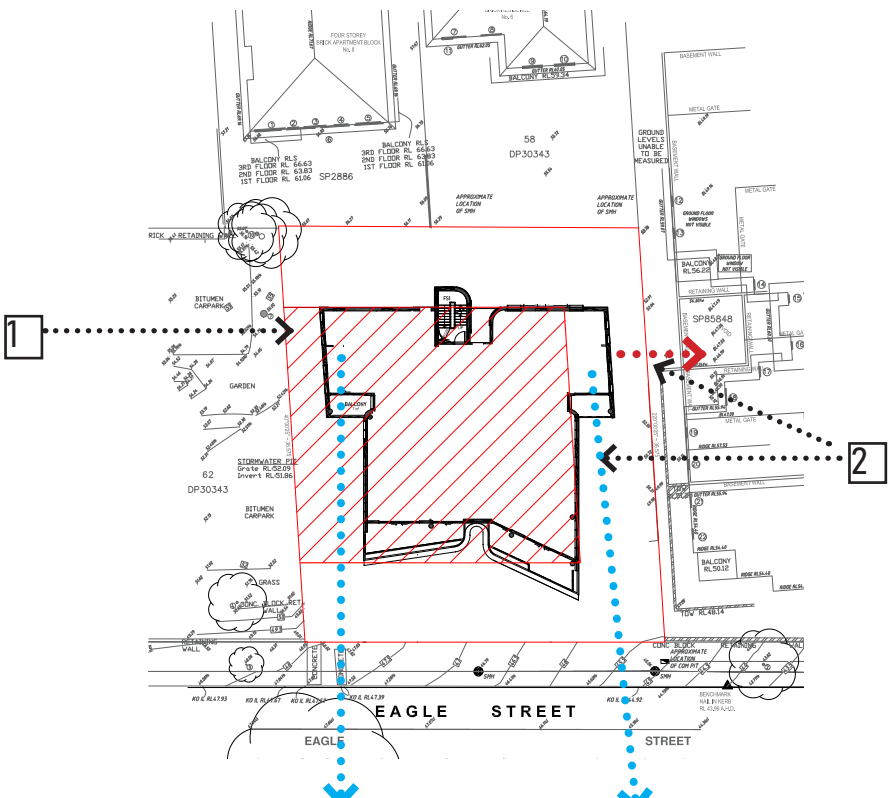
ARCHITECTURAL DESIGN

The proposed development has paid regard to a number of design considerations in response to the site context, that includes optimising the opportunities for view sharing and minimising the impact of visual privacy to adjoining property.

The proposed building envelope is broadly within the expected DCP envelope, there is a minor non-compliance with the building setback at the north-east corner of the proposed building, however, this variation does not generate a significant loss of view from the assessed viewpoints. This is considered to be reasonable that the reduced setback from the eastern boundary is to allow main windows to be orientated towards Eagle Street to capture southern view and minimise the potential impacts on visual privacy to adjoining property. (See diagram below)

Overall design of the proposed development is the most appropriate balance of the sum of these considerations and is considered to achieve appropriate design outcome in response to the site context.

Diagram below shown key architectural design considerations:-



- 1. 0m DCP envelope (red hatch) side setback from western boundary
- 2. Allow main windows to be orientated towards Eagle Street to capture southern view and minimise the potential impacts on visual privacy to adjoining property

CONCLUSION AND FINDINGS

The view assessment set out in this report finds that the proposed development would have some view impacts on adjoining northern residential dwellings. However, as compared to a fully compliant height and DCP envelope, the proposal demonstrates improvement in potential resultant view from 6 and 8 Cowell Street from that which may otherwise result, including:

- Reduced overall height towards the northern boundary, enabling retention of view to sky beyond that otherwise expected
- Improved building setback to the west enabling the retention of a view in this location, especially if the site to the west is redeveloped in the future. This will enable the provision of a 'slot' view between the subject building and development on 724-730 Victoria Road, which is not otherwise provided for in Council's planning controls.

The reduced DCP setback to the east allows for the view sharing to the west, and results in only a negligible or minor view impact from 6 Cowell Street balcony. It is noted that views will be retained from this balcony at 6 Cowell Street further to the east across the top of 15-19 Gladstone Avenue.

On balance, the proposed building form presents a reasonable view sharing outcome having regard to the existing outlooks from 6 and 8 Cowell Street, and the development opportunity provided for the subject land under Ryde LEP and DCP.



Drew Dickson Architects Pty Ltd
Ground Floor, Suite 2, 83 Alexander Street
Crows Nest NSW 2065 Australia

ABN 12 168 892 153
Nominated Architect: ALEX DE BELIN
ARBN 8330

T+612 90613433
info@dda-australia.com
www.dda-australia.com



EAGLE RYDE PTY LTD



DREW DICKSON ARCHITECTS

