

Item 1**2-6 Chatham Road, West Ryde**

Section 4.55(2) modification to LDA2022/0278 to increase the clearance height of the loading dock to satisfy conditions of the development consent, minor adjustments of retail areas to accommodate truck turning, minor adjustments of lift shaft lid to achieve lift overrun, minor adjustments to elevations, and levels to suit changes.

Report prepared by: Senior Town Planner

Report approved by: Senior Coordinator Development Assessment
Acting Manger Development Assessment

**City of Ryde
Local Planning Panel Report**

DA Number	MOD2024/0102
Site Address & Ward	2-6 Chatham Road, West Ryde Lot 24-26, DP8092
Zoning	MU1 Mixed Use
Proposal	Section 4.55(2) modification to LDA2022/0278 to increase the clearance height of the loading dock to satisfy conditions of the development consent, minor adjustments of retail areas to accommodate truck turning, minor adjustments of lift shaft lid to achieve lift overrun, minor adjustments to elevations, and levels to suit changes.
Property Owner	Hurstville Apartments Pty Ltd
Applicant	Daniel McNamara
Report Author	Mahbub Alam, Senior Town Planner
Lodgement Date	21 May 2024

Notification - No. of Submissions	Two (2) submissions received in objection to the proposed modifications
Cost of Works	\$27,470,575.00 (original cost)
Reason for Referral to LPP	Departure from development standards – Development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards. Schedule 1, Part 3 of Local Planning Panels Direction.
Recommendation	Approval
Attachments	<ol style="list-style-type: none"> 1. Amended Conditions of Consent 2. Proposed Amended Plans 3. Traffic Engineering Assessment 4. Applicant Letter – Height Justification

1. Executive Summary

In accordance with the *Environmental Planning and Assessment Act 1979*, Section 9.1 – Directions by the Minister, this application is reported to the Ryde Local Planning Panel (RLPP) for determination as the development departure from development standards (*Development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards. Schedule 1, Part 3 of Local Planning Panels Direction*).

This report considers a modification application to LDA2022/0278 under Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (the Act) on land at 2-6 Chatham Road, West Ryde.

The original development (LDA2022/0278) was approved on 14 September 2023 for the demolition of existing structures and construction of a shop top housing development comprising 5 retail tenancies and 62 residential units over two levels of basement car parking.

This subject modification application (MOD2024/0102) was lodged on 21 May 2024 and seeks to minor changes to an approved shop top housing development relating to increase the clearance height of the loading dock to satisfy conditions of the development consent, minor adjustments of retail areas to accommodate truck turning, minor adjustments of lift shaft lid to achieve lift overrun, minor adjustments to elevations, and levels to suit changes.

Under the provisions of Clause 4.3 of the Ryde Local Environmental Plan 2014, the subject site is mapped as having a maximum permitted building height of 24m. The original DA approved a 10% variation (overall building height 26.4m). The proposed

modification is seeking approval for a further 2.9% variation. The total variation of the Height of buildings development standard is now 12.9% (originally approved 10% and 2.9% under this modification).

As the subject application is lodged under Section 4.55(2) of the Act, a Clause 4.6 variation request does not need to accompany this application. Section 4.55(2) of the Act still however requires the consent authority to consider Section 4.15(1) of the Act, which includes consideration of the provisions within any Environmental Planning Instrument (EPI).

The amended proposal still achieves the objectives of Clause 4.3 despite the height exceedance. The amended proposal is still in keeping with the character of nearby development, with minimal overshadowing and privacy impacts and is compatible with the West Ryde Town Centre. It is also noted that the elements of the approved development that encroached the 24m maximum building height standard are limited to the roof top elements (including the roof parapet, planter boxes, landscape elements, WC, pergola and lift overrun). These elements are located towards the centre of the roof and will not be visible from the public domain or adjoining properties at ground level. Whilst some of the rooftop features do not comply, it is considered that strict compliance would not necessarily achieve a better outcome given the centralised location of the non-compliant features in the building footprint.

The application has been assessed against the Ryde Development Control Plan 2014, with particular reference to Part 4.3 – West Ryde Town Centre. The amended proposal is consistent with the objectives and controls of this part of the DCP 2014.

In accordance with Council's Community Participation Plan and Procedures, the application was publicly exhibited between 22 May and 7 June 2024 to the same properties as those notified under LDA2022/0278. In response, 2 submissions were received objecting to the proposed modifications.

Key concerns raised in the submissions included traffic and pedestrian safety issues, concerns in relation to adequacy of infrastructure, potential structural defects for the nearby existing development, and amenity impacts (including privacy) from the development. The concerns raised in the submissions are addressed in this report and do not warrant refusal of the application.

Having regard to the matters for consideration under sections 4.15 and 4.55(2) of the Act, it is recommended Modification Application No. MOD2024/0102 be approved subject to draft recommended conditions.

2. The Site and Locality



Source: Nearmap, Dated 09 January 2023



Source: Nearmap, Dated 14 September 2024

Figure 1 Aerial photographs of the site and locality

The subject site is legally described as Lots 24-26 DP8092 and is known as 2-6 Chatham Road, West Ryde. The site comprises 3 allotments which are proposed to be amalgamated to form a single lot. The site is irregular in shape and has 3 street frontages being located on the corner of Chatham Road, Dickson Avenue and Dickson Lane. The site has an area of 1,972.4m² and a frontage of 54.93m to Chatham Road, 41.3m to Dickson Avenue and 33.82m to Dickson Lane. The site has a western boundary length of 46.12m.

The existing structures are recently demolished and currently excavation works are being undertaken. The subject site previously contained a service station building (incorporating motor vehicle servicing) with associated canopy and petrol pumps and a separate car wash building which contained a restaurant.

The site is generally flat but has a minor fall from the west to east of approximately 1.5 metres.



Figure 2 View of subject site from opposite side of Chatham Road. Note: the structures have already been demolished.

The surrounding locality is characterised by a mix of developments comprising single storey shops on the opposite side of Chatham Road (**Figure 3**), an eight storey mixed-use development to the north-east (**Figure 4**), a child care centre to the north (on the opposite side of Dickson Avenue) (**Figure 5**), a Council owned family day care centre to the west with single detached dwellings further to the west (**Figure 6**) and the West Ryde Hotel to the south (which contains an outdoor dining area fronting Dickson Lane (**Figure 7**)).



Figure 3 – View from subject site of opposite side of Chatham Road



Figure 4 – View of mixed-use development to the north-east of the site



Figure 5 – View of child care centre located on opposite side of Dickson Avenue



Figure 6 – View of streetscape of Dickson Avenue looking to the west



Figure 7 – View of rear of West Ryde Hotel located to south of site (opposite side of Dickson Lane)

3. The Proposal

The proposal involves modification of Local Development Application No. LDA2022/0278 approved on 14 September 2023 for demolition of the existing structures and construction of a shop top housing development comprising 5 retail premises and 62 dwellings over 2 levels of basement car parking.

The proposed s4.55(2) modification application (MOD2024/0102) includes the following:

Item 1A – Ground Floor Changes

- Amendments to loading bay to achieve 3.8m clearance height to satisfy Conditions of the original development consent. It is noted, as part of the original DA approval, the approved waste loading bay is located adjacent to Dickson Lane and vehicle access is to be wholly from Dickson Lane.
- Minor adjustments to elevations to suit changes (adjusting floor height only).
- Retail areas amended to accommodate truck turning. Retail Tenancies 4 and 5 have been amalgamated and reduced in area to accommodate the swept path requirements for the loading dock. Retail Tenancies 4 and 5 previously had a combined area of 94.1m². The proposed modification results in an area of 76.2m².

Item 1B & 1C – Height Changes

The proposal seeks to increase the overall height of the building by 430mm, and the lift overrun by 780mm with following:

- Amendments to levels to satisfy Engineering & Apartment Design Guide (ADG) requirements and also satisfy Conditions of the development consent which requires a clearance height of 3.8m for waste trucks.
- Lift shaft lid required to be raised to achieve lift overrun.

4. Background

4.1 History of the site

18 January 2021	<p>A Voluntary Planning Agreement (VPA) under the provisions of Section 7.4 of the Environmental Planning and Assessment Act 1979 was executed between City of Ryde Council and Tesco Projects as part of the Planning Proposal for the site. The VPA detailed three key contribution works which comprise:</p> <ul style="list-style-type: none"> • The provision of three affordable housing units designed to be adaptable Class C. These units are to be transferred free of cost to Council within five business days of the issue of any Occupation Certificate. • Road works including the provision of six parking bays on Chatham Road and the upgrading of Chatham Road to Council's specifications and requirements spanning the length of the land. • Public domain works comprising full width granite banding along the entire Chatham Road frontage and including kerbs and gutters, street trees, kerb ramps, vehicle crossover, driveways, lighting, street furniture and bins, pit lids and signage in accordance with the requirements of the Ryde Public Domain Manual. <p>It is noted that the VPA does not exclude the application of Sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, therefore development contributions under these Sections are still required for the development.</p>
26 March 2021	<p>Amendment No. 27 of the Ryde Local Environmental Plan 2014 was gazetted. The amendment resulted in the increase in the maximum building height for the subject site from 15.5 metres to 24 metres and the increase in the maximum permitted floor space ratio from 1.25:1 to 2.70:1. There was no change to the zoning of the site as a result of the amendment.</p>
14 September 2024	<p>LDA2022/0278 was approved by RLPP for the demolition of existing structures and construction of a shop top housing development comprising five retail/commercial tenancies and 62 residential units over two levels of basement car parking.</p>

27 June 2024	<p>Modification application (MOD2024/0130) of DA2022/0278 has been lodged. This modification application is for reconfiguration of the design including a revision to the façade, minor modification to the landscape design, addition of lift lobbies at the roof top, addition of the skylight, basement modifications and minor internal changes to the ground floor level to improve forecourt connectivity and access to the amenity of the retail tenancies of the approved mixed-use development. This application is currently under assessment.</p> <p>This modification application is still under assessment.</p>
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4.2 Application History

21 May 2024	Modification Application No. MOD2024/0102 was formally lodged with Council.
22 May to 7 June 2024	In accordance with Council's Community Participation Plan and Procedures, the application was publicly exhibited between 22 May 2024 and 07 June 2024 to the same properties as those notified under LDA2022/0278. In response, 2 submissions were received objecting to the proposed modifications.
01 July 2024	A request for additional information was sent to the applicant requesting that the submitted swept path analysis appears to have an error and does not demonstrate that a waste service vehicle could efficiently enter and exit the site in a forward manner.
08 July 2024	The applicant submitted additional information including Swept Path Assessment, Loading Dock Details, Ground Floor Plan, and Elevation.
30 July 2024	A further request for additional information letter was sent to the applicant outlining comments provided by Council's Traffic and Waste Management Team, requesting redesign the loading dock to ensure that the truck movements have an adequate buffer between the vehicle body and the building structure/street furniture.
14 August 2024	The applicant submitted additional information including Swept Path Assessment, Loading Dock Details, Ground Floor Plan, and Elevation.
02 September 2024	A meeting was held between applicant and Council's Officers to discuss the outstanding issues (e.g. waste truck manoeuvring issues).

13 September 2024	Amended plans and an amended Traffic Report were submitted in response to the meeting (Attachment 3). The amended plans and details either maintained or reduced the impacts compared to the original application. A re-notification was not required.
23 October 2024	The applicant agreed to include two new conditions (Conditions were recommended by Council's Waste Management Team).

5. Planning Assessment

5.1 Environmental Planning and Assessment Act 1979

Section 4.55(2): Other Modifications

Section 4.55 (2) of the Act allows a consent authority to modify a development consent granted by it, if:

- (a) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) *it has notified the application in accordance with—*
 - (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

In considering the above:

- The modified proposal is considered to be substantially the same development as the development for which consent was originally granted.
- There are no changes proposed to the number of residential apartments, the number of bedrooms or the building footprint at ground level and above except reduction of retail premises from 5 to 4. The approved retail tenancies 4 and 5 are proposed to be combined and reduced in area from 94.1m² to 76.2m² to accommodate the swept path requirements for the loading dock area. Despite a minor loss in retail area (-17.9m²), the amount of glazing to the Chatham Road frontage is maintained. Similarly, there are no changes proposed to the use of

the building as an approved shop top housing development. The general external appearance of the development will remain substantially the same as originally approved by the RLPP, with the exception of the minor adjustments to elevations to suit changes (adjusting floor height only).

- The proposed modification is seeking approval for a further 2.9% variation to provide an adequate height clearance for the loading bay area and lift overrun. The total variation of the height of buildings development standard is now 12.9% (originally approved 10% and 2.9% under this modification). However, the amended proposal still achieves the objectives of Clause 4.3 despite the height exceedance. The amended proposal is still in keeping with the character of nearby development, with minimal overshadowing and privacy impacts and is compatible with and improves the appearance of the West Ryde Town Centre. The elements of the building which exceed the building height standard are located towards the centre of the roof and will not be visible from the public domain or adjoining properties at ground level. It is also to be noted that the changes are to enable suitable operation of waste collection and safe access to the rooftop common area.
- The proposal does not change any conditions imposed by an approval authority (Ausgrid only).
- The application was notified in accordance with the Ryde Community Participation Plan and Procedures and 2 submissions were received objecting to the development. The submissions are addressed later in this report and do not warrant refusal of the application.

Section 4.55(3): Planning Assessment in accordance with Section 4.15(1) Matters for consideration

The modifications sought are considered against the relevant environmental planning instruments, proposed instruments and relevant parts of the DCP in accordance with Section 4.15(1)(a)(i), (ii) and (iii).

5.2 State Environmental Planning Instruments

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

The original application was considered against the provisions of SEPP 65. The SEPP 65 was repealed and merge into SEPP (Housing) 2021 (Chapter 4) since the determination of the original application but their content remains substantially the same. The proposed modifications do not substantially alter the external appearance of the building or the amenity or functionality of the apartments and non-residential tenancies. The proposed modifications are to enable suitable operation of waste collection and safe access to the rooftop common area. An assessment of the modified development against chapter 4 of the Housing SEPP is not warranted.

State Environmental Planning Policy (Building Sustainability Index BASIX) 2004

The original application was considered against the provisions of SEPP (Building Sustainability Index BASIX) 2004. The application was accompanied by a letter prepared by MX Architects, dated 19 April 2024 regarding the amended BASIX Certificate. The letter has confirmed that the building as modified as part of this application, does not require an amended BASIX certificate given the proposed changes do not impact any environmental ratings or windows of the residential parts of the building.

Other SEPPs

The original application was also assessed against the provisions of SEPP (Resilience and Hazards) 2021, SEPP (Biodiversity and Conservation) 2021, and SEPP (Transport and Infrastructure) 2021. The proposal does not result in any implications on the compliance of the development with these instruments. There are no changes proposed to the extent of excavation, tree removal and general ground disturbance.

5.3 Ryde Local Environmental Plan 2014 (RLEP 2014)

The original development approved by the RLPP was defined as a shop top housing under the Ryde Local Environmental Plan 2014.

Under the following clauses:

- Clause 4.3(2): Height of Buildings;
- Clause 4.4(2): Floor Space Ratio;
- Clause 4.6: Exception of Development Standards;
- Clause 6.2: Earthworks;
- Clause 6.4: Stormwater Management; and
- Clause 6.6: Environmental Sustainability.

The modification does not result in any further RLEP 2014 non-compliances beyond that already considered and approved under LDA2022/0278 except the following further variation:

Clause	Proposal	Compliance
4.3(2) Height of Buildings		
24m	The proposed modification seeks to increase the floor to ceiling height of the loading dock to satisfy Condition 69 of the original development consent, minor adjustments of lift shaft lid to achieve lift overrun, and minor adjustments to levels to suit changes. As a result, the height of the roof is proposed to increase by 430mm, and the lift overrun is proposed to increase by 780mm, resulting in a maximum building height of 27.18m. This represents a 2.9% increase upon the originally approved maximum building height.	No, variation sought as addressed below.

Clause	Proposal	Compliance
	The maximum building height of the approved development was 26.4m, being a 10% variation. This modification proposes a total variation of 12.9% (originally approved 10% and 2.9% under this modification).	
4.4(2) Floor Space Ratio (GFA)		
2.7:1 (5,325.48m ²)	The approved GFA of the development is 5,290.4m ² (2.682:1), which complies with the maximum 2.7:1 FSR requirement. The proposed modification will result in a reduction to the total approved retail floor space, from 336.6m ² to 318.7m ² which equates to a loss of 17.9m ² . The total GFA of the modified proposal is 5,274.3m ² , which equates to a compliant FSR of 2.674:1.	Yes

Merit assessment of variation - Clause 4.3 Height of buildings

As the subject application is lodged under Section 4.55(2) of the Act, a Clause 4.6 variation request does not need to accompany this application. Section 4.55(2) of the Act still however requires the consent authority to consider Section 4.15(1) of the Act, which includes consideration of the provisions within any Environmental Planning Instrument (EPI). As such, an assessment of Clause 4.3(2) has been undertaken below.

The applicant has stated the following key points in their Statement of Environment Effects (SoEE) regarding the proposed increase of the building height:

- A Clause 4.6 variation accompanied the original Development Application to support the existing variation to the prescribed maximum building height, and despite a Clause 4.6 variation not being required to support a modification application, the same logic can be applied when considering the impacts of the proposal.
- The reason for the further variation to the maximum building height results from the necessity to increase the floor to floor height of the ground level in order to accommodate the waste requirements prescribed by Condition No. 69 of the development consent, and to enable the manufacturer's specified lift to service the building.
- Further contravention of the development standard by the proposal does not give rise to any adverse environmental impact and enables service of the building by Council and its authorised waste contractors, consistent with Council's engineering specifications.

- A degree of flexibility is however sought in the circumstances, as the building height breach is a result of the requirement to accommodate on-site waste collection, noting also the site's flood affectation which resulted in the original application requiring a higher finished ground floor level. It is important to note the finished roof level of the development is compliant with the prescribed maximum building height.
- The building elements that contravene the development standard are setback from the outer extremities of the roof, and the communal open space located upon the roof is capable of achieving direct and unobstructed northern sunlight, providing residents with multiple areas for communal recreation. A total of 858m² of communal open space is provided on site, representing 44% of the site's area (minimum required by the ADG is 25%). Both active and passive opportunities are provided for recreation, greatly enhancing the amenity of future residents. The minor breach to the building height which accommodates these generous communal open space amenities is therefore suggested to represent a good planning outcome.
- Alternative options to raising the building height were explored including:
 - A truck to entering and exiting from the same point, however, this option resulted in deletion of Retail 5 and most of Retail 4, which would negatively impact the development's address to the street and the activated frontage of Chatham Road.
 - Requesting a reduced height for the loading dock from Council based on Council's Waste Truck being 3.4 metres in height. However, our traffic engineer spoke to Council Traffic and Waste Management Department, and their response was that height cannot be reduced to allow for Council to change waste collection contractors in the future. Separately, private waste contractors were considered, however it is noted Council is opposed to private waste contractors.
 - Reduction in the area of Level 1 and the number of units provided, however, this option was not feasible as it would result in significant reduction to Level 1 footprint, with flow on effects such as the deletion of affordable and adaptable housing unit no. 101 and significant impacts to façade. It was also investigated if any other units could be amended to be assigned as the affordable and adaptable unit, however this was not achievable without impacts to adjacent units and maintaining ADG compliance with regards to Unit Sizes and room dimensions.

Comment

The total variation of the Height of buildings development standard is 12.9% (originally approved 10% and 2.9% under this modification). The elements of the building which

exceed the building height standard are located towards the centre of the roof form and will not be visible from the public domain or adjoining properties at ground level.

Figure 8 -12 below showing the proposed height changes.



Figure 8 – Approved 24m Building Height Plane shown in orange.



Figure 9 – Proposed 24m Building Height Plane shown in yellow.

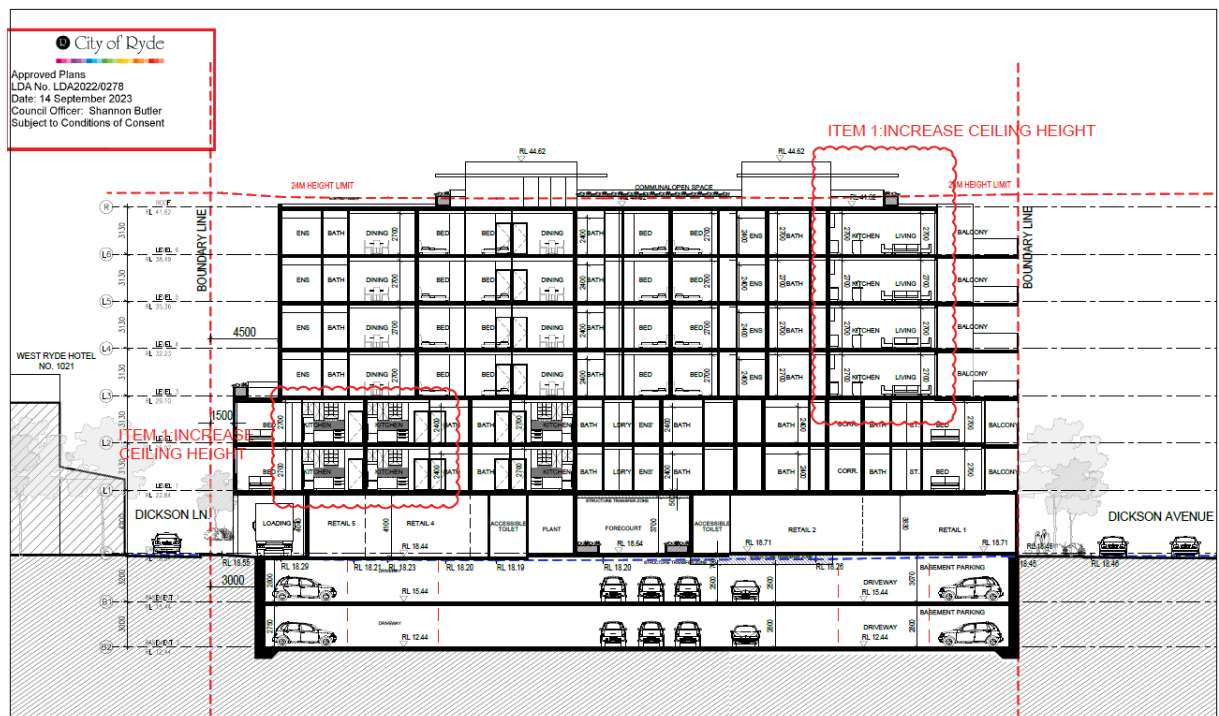


Figure 10 – Approved Section Plan showing 24m maximum building height as red dashed line



Figure 11 – Proposed Section Plan showing the 24m maximum building height as red dashed line

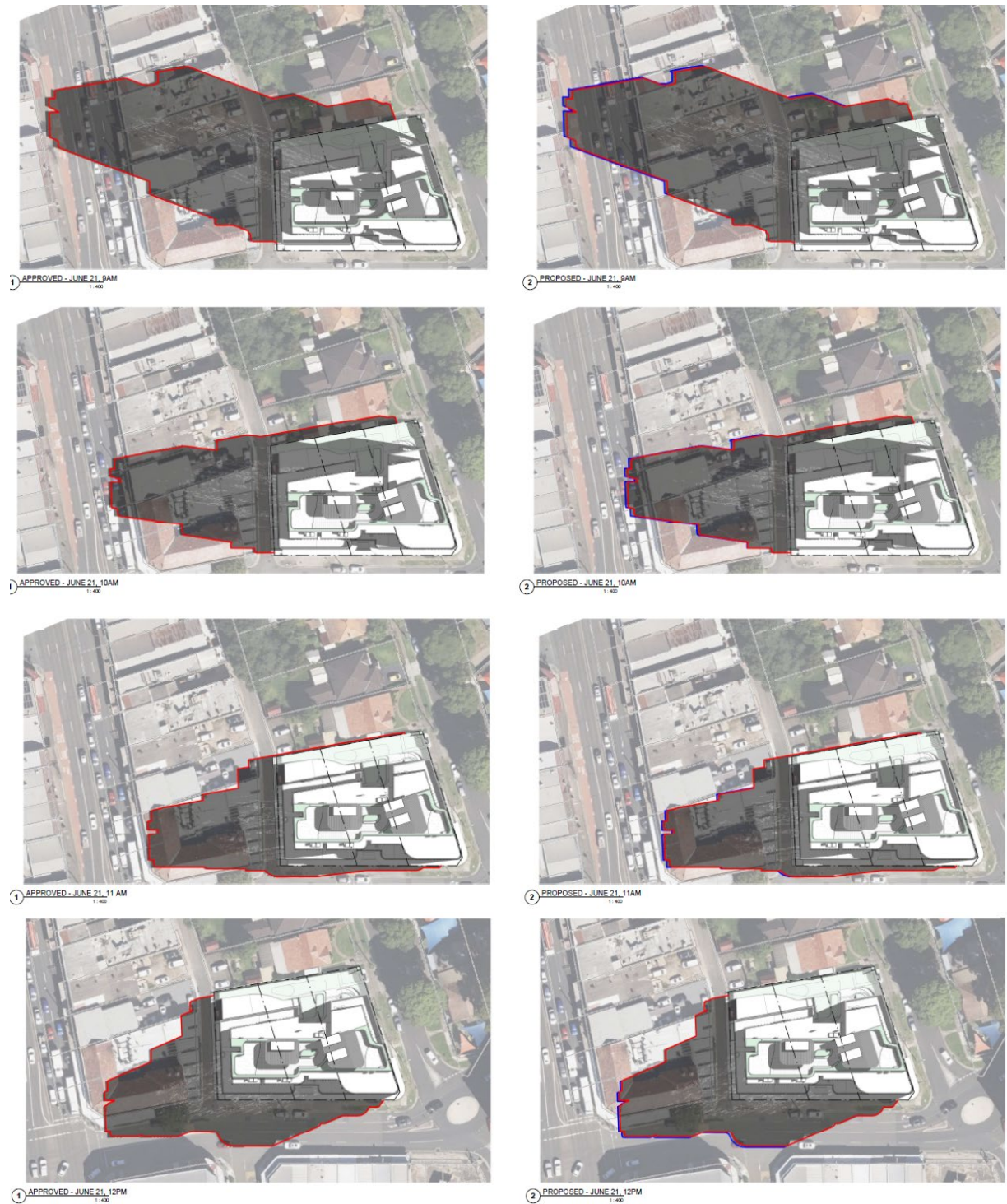


Figure 12 – Image of the proposed development as viewed from the ground level demonstrating that the rooftop elements above the prescribed maximum building height are not readily visible from the street.

Furthermore, the proposed building height exceedance will generate very minimal overshadowing within the existing retail / commercial properties. The submitted comparative shadow diagrams demonstrate that any additional overshadowing is

negligible and does not additional impact upon any adjoining property or the public domain and the amenity of surrounding properties.

Figures 13 in below showing amended overshadowing impact.



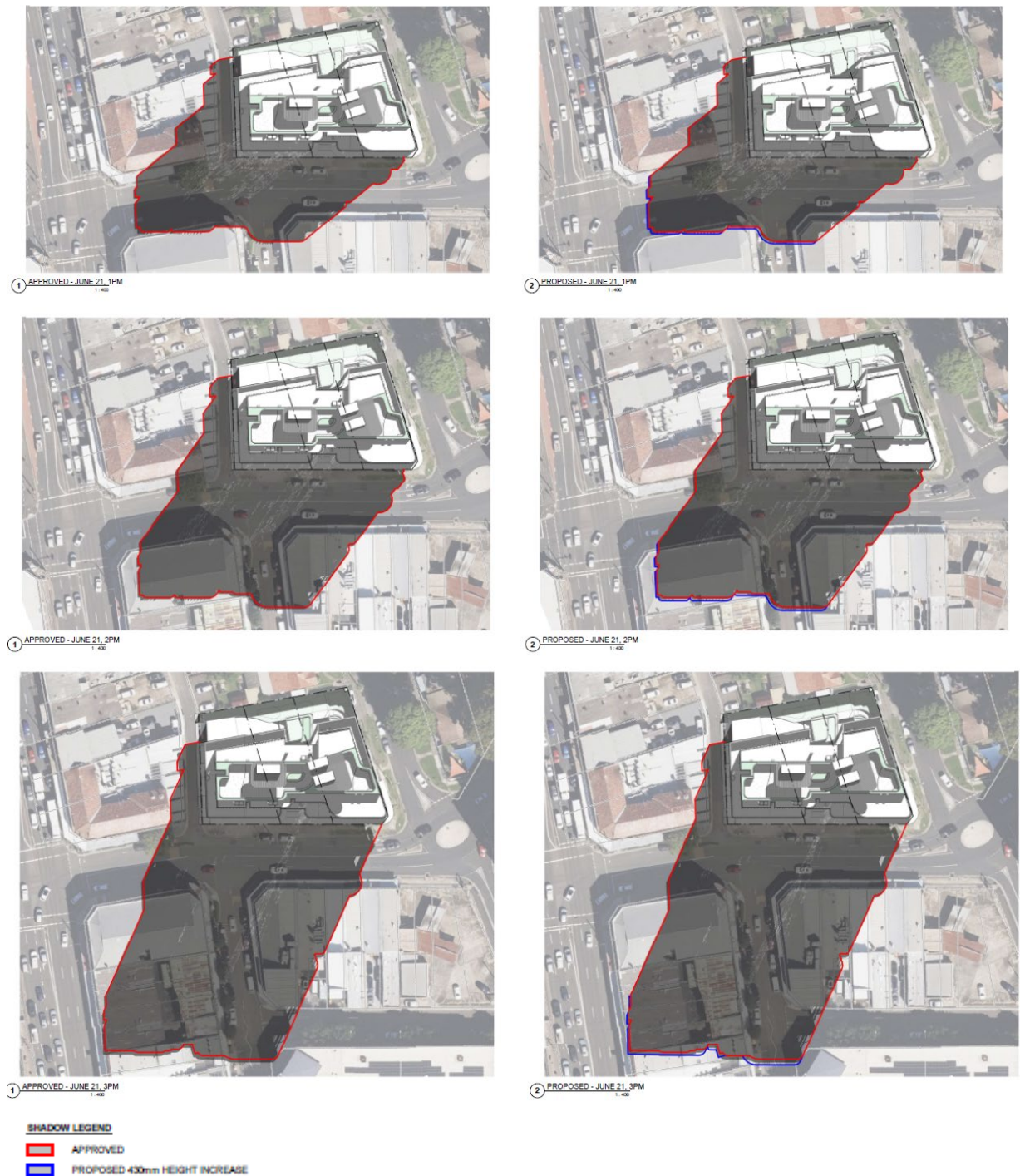


Figure – 13 Comparative shadow diagrams - showing the shadows cast at 9.00am to 3.00pm on 21 June (note: approved shadows are shaded red while the modified/additional shadows are shaded in blue).

Give the above discussion, it is concluded the following:

- The proposed additional height remains consistent with the zone objectives which seek to facilitate a diverse mixed-use environment, that successfully manages relationships between land uses in and outside of the zone. The proposal will not have any adverse impact on residential amenity and surrounding streetscape.

- The amended height clearance for the loading dock and lift overrun will provide better functionality of the approved building use as the changes are to enable suitable operation of waste collection and safe access to the rooftop common area.
- The features exceeding the standard facilitate access to the rooftop for the use of this area for the purpose of common open space for the residential units with ample solar access. This rooftop common open space area will enhance the amenity of the residential units and is well set back from the western, southern and eastern boundaries to minimise the privacy impacts on surrounding properties.

On the basis of the above points the development is in the public interest because it remains consistent with the objectives of the building height standard, and the objectives of the MU1 Mixed Use zone, noting that the numerical departure from the building height control is minor.

5.4 Draft Environmental Planning Instruments

There are no draft Environmental Planning Instruments for consideration.

5.5 Ryde Development Control Plan 2014 (RDCP 2014)

The original application was assessed under the following parts of RDCP 2014:

- Part 4.3: West Ryde Town Centre
- Part 7.2: Waste Minimisation and Management;
- Part 8.2: Stormwater & Floodplain Management;
- Part 8.3: Driveways;
- Part 9.2: Access for People with Disabilities; and
- Part 9.3: Parking Controls.

The modification does not result in any further RDCP 2014 non-compliances beyond that already considered and approved under LDA2022/0278 except the following further variation:

Part 4.3: West Ryde Town Centre

The approved retail tenancies 4 and 5 are proposed to be combined and reduced in area from 94.1m² to 76.2m² to accommodate the swept path requirements for the loading dock area. Despite a minor loss in retail area (-17.9m²), the amount of glazing to the Chatham Road frontage is maintained. Access to Retail 4 continues to be from Chatham Road, consistent with the requirements of Part 3.1.6 Active Street Frontages and Street Address of Part 4.3 West Ryde Town Centre of the RDCP 2014. In this regard, the reduction in retail area is minor and the proposed modification has been appropriately designed to ensure the appearance of the building is not diminished, thereby mitigating any potential impacts that could result from a loss in retail area.

5.6 Planning Agreements OR Draft Planning Agreements

A Voluntary Planning Agreement (VPA) under the provisions of Section 7.4 of the Environmental Planning and Assessment Act 1979 was executed between City of Ryde Council and Tesco Projects as part of the Planning Proposal which increased the height of buildings and floor space ratio on the site. It is important to note that the VPA was part of the planning proposal and not the subsequent development application being LDA2022/0278 to which this modification application relates. The proposed modifications will not alter the development compliance with the existing VPA agreement.

5.7 City of Ryde Section 7.11- Development Contributions Plan 2020

Development contributions for the development was levied and conditioned as part of the original development consent. No additional contribution is triggered by the proposed modifications.

5.8 Any matters prescribed by the Regulation

The proposed modified development satisfies the relevant requirements of the *Environmental Planning and Assessment Regulation 2021*.

6. The likely impacts of the development

All relevant issues regarding environmental impacts of the proposed development are discussed throughout this report.

The modifications proposed by this application will not exacerbate any environmental impacts already considered and supported under LDA2022/0278.

The development is considered satisfactory in terms of environmental impacts.

7. Suitability of the site for the development

The site continues to be suitable for this mixed-use development.

The modifications do not increase the overall scale of the development to what was originally approved and will not impact upon the locality.

As such, the site is considered to continue to be suitable for the development as amended.

8. Public Notification and Submissions

In accordance with Council's Community Participation Plan and Procedures, the application was publicly exhibited between 22 May and 7 June 2024 to the same properties as those notified under LDA2022/0278. In response, 2 submissions were received objecting to the proposed modifications.

The following issues were raised in the submissions received and have formed part of the assessment:

Issue Raised	Comment
<p>There is already a dangerous amount of traffic at the roundabout of Chatham Rd / Dickson Ave. I have seen numerous pedestrians almost getting run over on a daily basis and adding a new development so close by will definitely not help. Furthermore, the additional traffic caused by the development will not just consist of the residential trips but also trips visiting the (five) retail stores since it is a mixed use development.</p>	<p>The proposed modifications will not increase the overall intensity of the approved development (noting a minor 17.90m² reduction in retail space). The issue raised in the submission is not relevant to the proposed modification.</p>
<p>From having lived here a number of years, it is quite obvious that the pedestrian desire lines run across all legs of the roundabout at Chatham Road and Dickson Avenue. To ensure and maintain pedestrian safety with the additional vehicular and pedestrian traffic, the upgrade of this intersection needs to be strongly considered (perhaps to signals).</p>	<p>No changes are proposed to the pedestrian and vehicular arrangement under this modification application. Therefore, this issue is outside the scope of this modification application.</p>
<p>In recent years, there have been a lot of news about building / construction woes e.g. Mascot Towers, Opal Towers, Toplace apartments, etc. Some of these apartments had apparently been fine up until the construction of new apartment blocks nearby. This then caused a series of issues and defects to arise for those apartments leaving owners to lose out on their entire life savings. My concern is that something similar may happen here. What precautions have been taken to mitigate this from happening?</p>	<p>It is the responsibility of the applicant /person acting on this consent and their Principal Certifier to manage construction activities.</p> <p>Relevant precautionary conditions are imposed in the original consent.</p>
<p>The increase in height above the prescribed maximum height will further encourage peeping of surrounding neighbours from the balconies and especially the roof terrace, with the proposed seating in the Dickson Avenue and Chatham Road corner, reducing</p>	<p>The height of the roof is proposed to increase by 430mm, and the lift overrun is proposed to increase by 780mm. The amended height clearance for the loading dock and lift overrun area, is to provide better functionality of the building for day to day use. It is noted</p>

privacy and safety, especially of very young children of nearby preschools.	<p>that the majority of the building complies with the maximum permitted 24 metre height for the site under Clause 4.3 of the Ryde Local Environmental Plan 2014. However, it is also noted that the elements of the approved development that encroached the 24 metre maximum building height standard are limited to the roof top elements (including the roof parapet, planter boxes, landscape elements, WC, pergola and lift overrun).</p> <p>It is considered that the minor height increase will result in a negligible impact on the overlooking of the adjoining and surrounding properties (including childcare centre and nearest residential properties).</p>
The loading dock should not be on Chatham Road as it is already very congested and unable to cope, adding further to the congestion impeding traffic entering and exiting the area. On 16 April 2024, the old restaurant on the site was crashed into by a vehicle, causing blockage and bringing traffic to a standstill in the surrounding area, including Victoria Road.	The approved loading dock is via Dickson Lane, and is clear of Chatham Road. This modification application does not seek to change the location of the loading dock.

The issues raised in the submissions are considered in the above table and do not warrant refusal of this DA.

9. Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Traffic Engineering	<p>No objection. Comments provided:</p> <p>The submitted swept path plans prepared by Genesis Traffic in support of the proposed modification application confirms that the proposed alternative loading area access arrangement will satisfy the manoeuvring requirement of a 10.8m waste truck into and out of the loading bay.</p> <p>It is noted that the revised layout of the loading dock requires additional reverse manoeuvre associated with the truck's</p>

	<p>departure to allow exiting the loading dock in a forward direction. This additional reverse manoeuvre associated with the truck's departure is considered acceptable in an isolated environment (away from other user groups).</p> <p>The proposed modification to the loading dock also provides the required 3.8m headroom in compliance with Condition 69 of LDA2022/278.</p>
Waste Management	<p>No objection, subject to additional conditions as follows:</p> <p>77a. Waste collection on private driveways and roads. Prior to issue of a relevant construction certificate, details of the private roads / driveways to be used for waste collection are to be submitted to, and approved by, Council's Waste Department to verify that they are rated for 24 tonne trucks. Evidence of this Council approval is to be provided to the principal certifier.</p> <p>Condition reason: To ensure driveways are designed for continues impact from heavy waste collection vehicles.</p> <p>77b. Sightlines for waste collection vehicles. Before the issue of a relevant construction certificate, construction certificate plans are to notate traffic signals or mirrors to ensure the waste collection vehicles can safely enter and exit the site. A statement is to be submitted by a suitably qualified and experienced traffic engineer verifying suitable sightlines are achieved for the waste vehicle. The plans and traffic statement are to be to the satisfaction of the principal certifier.</p> <p>Condition reason: To ensure waste collection vehicles can safely access the site for servicing.</p>
Public Domain	No objection.
Development Engineering	No objection.

10. The Public Interest

Having regard to the assessment contained in this report, it is considered that approval of the modified development is not contrary to the public interest.

Section 4.55(3): Reasons consent to be modified was originally granted

The original application was assessed under the requirements of Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended), Ryde Local

Environmental Plan 2014 and Ryde Development Control Plan 2014. The proposed modifications would not alter any of the reasons why the approval was originally granted as follows:

- The proposal is consistent with the objectives for MU1 Mixed Use zoned land.
- The proposal has been supported by a satisfactory Clause 4.6 written variation to Clause 4.3 which demonstrates compliance is both unreasonable and unnecessary and has provided sufficient environmental planning grounds to support the variation.
- The proposal does not result in any significant adverse impacts upon adjoining properties or the streetscape.
- The proposal is not contrary to the public interest.

11. Conclusion

The application has been assessed under the matters for consideration of section 4.15 and section 4.55(2) of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions. The site continues to be suitable for this mixed use development and is not contrary to the public interest. Therefore, it is recommended that the application be approved for the following reasons:

- The modification satisfies the provisions of Section 4.55(2) of the Environmental Planning and Assessment Act 1979.
- The development continues to be a permissible use and is consistent with the objectives of the zone and relevant development standards under RLEP 2014.
- The amended proposal still achieves the objectives of Clause 4.3 despite the height exceedance.
- The modification is substantially the same as the original approval.
- The proposal is not contrary to the public interest.
- The issues raised in submissions are addressed in the body of the report and the issues raised do not warrant the refusal of this application.

12. Recommendation

That the RLPP grant consent to MOD2024/0102 to modify the consent for Local Development Application No. LDA2022/0278 on land at 2-6 Chatham Road, West Ryde as follows:

a) Amend Condition 1 as follows:

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 the recommendations and requirements of the following support documents:

Document Description	Plan No./	Date
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	Reference	
Site Plan, Prepared by Tony Owen Partners	A006	16 December 2022, Revision E
Demolition Plan, Prepared by Tony Owen Partners	A012	3 August 2022, Revision C
Basement Level 2 Floor Plan, Prepared by Tony Owen Partners	A100	22 June 2023, Revision H
Basement Level 1 Floor Plan, Prepared by Tony Owen Partners	A101	23 January 2023, Revision F
Ground Floor Plan, Prepared by Tony Owen Partners	A102	22 June 2023, Revision H
Level 1 – Level 2 Floor Plan, Prepared by Tony Owen Partners	A103	23 January 2023, Revision F
Affordable Housing Diagram, Prepared by Tony Owen Partners	A417	23 January 2023, Revision F
Level 3 Floor Plan, Prepared by Tony Owen Partners	A104	23 January 2023, Revision F
Level 4 – Level 6 Floor Plan, Prepared by Tony Owen Partners	A105	23 January 2023, Revision F
Roof Terrace Plan, Prepared by Tony Owen Partners	A106	16 December 2022, Revision E
Roof Plan, Prepared by Tony Owen Partners	A107	16 December 2022, Revision E
Awning Detail, Prepared by Tony Owen Partners	A310	12 April 2023, Revision G
Vertical Battens Detail 1, Prepared by Tony Owen Partners	A311	23 January 2023, Revision F
Vertical Battens Detail 2, Prepared by Tony Owen Partners	A312a	12 April 2023, Revision G
East Elevation, Prepared by Tony Owen Partners	A200	12 April 2023, Revision G
West Elevation, Prepared by Tony Owen Partners	A201	12 April 2023, Revision G
North Elevation, Prepared by Tony Owen Partners	A202	12 April 2023, Revision G
South Elevation, Prepared by Tony Owen Partners	A203	12 April 2023, Revision G
Section A-A, Prepared by Tony Owen Partners	A300	23 January 2023, Revision F
Section B-B, Prepared by Tony Owen Partners	A301	23 January 2023, Revision F
Ramp Section 1, Prepared by Tony Owen Partners	A302	23 January 2023, Revision F
Ramp Section 2, Prepared by Tony Owen Partners	A303	22 June 2023, Revision H
Adaptable/Affordable Housing Plans 1, Prepared by Tony Owen Partners	A400	23 January 2023, Revision F
Adaptable/Affordable Housing Plans 2, Prepared by Tony Owen Partners	A401	23 January 2023, Revision F

Silver Level Units, Prepared by Tony Owen Partners	A405	23 January 2023, Revision F
On-going Waste Management Plan, Prepared by Tony Owen Partners	A415	16 December 2022, Revision E
Construction Waste Management Plan, Prepared by Tony Owen Partners	A416	3 August 2022, Revision C
External Finishes Schedule, Prepared by Tony Owen Partners	A000	12 April 2023, Revision G
Cover Sheet, Prepared by A Total Concept Landscape Architects	L/00B	5 December 2022, Revision B
Proposed Ground Floor, Prepared by A Total Concept Landscape Architects	L/01B	5 December 2022, Revision B
Proposed Ground Floor Planting Plan, Prepared by A Total Concept Landscape Architects	L/02B	5 December 2022, Revision B
Proposed Roof Terrace, Prepared by A Total Concept Landscape Architects	L/03B	5 December 2022, Revision B
Proposed Roof Terrace Planting Plan, Prepared by A Total Concept Landscape Architects	L/04B	5 December 2022, Revision B
Landscape Details and Specification, Prepared by A Total Concept Landscape Architects	L/05B	5 December 2022, Revision B
Green Wall Detail, Prepared by A Total Concept Landscape Architects	L/06B	5 December 2022, Revision B

REPORTS			
Document Description	Prepared By	Date	Plan No/Reference
Operational Waste Management Plan	Elephants Foot Consulting	17/10/2022	3801, Revision D
Public Art Plan	Vertebrae	Undated	-
Flood Study Report	SGC	23/04/2023	20210011-R03, Issue B
Traffic Impact Assessment	Genesis Traffic	19 August 2022	T21419, Version 4
Remediation Action Plan	EI Australia	15 January 2019	E22810.E06, Rev 0
Detailed Site Investigation	EI Australia	15 November 2018	E22810.E02, Rev 1
Geotechnical Investigation	EI Australia	12 August 2022	E22810.G03
Energy Efficiency and Sustainability Report	Senica Consultancy Group	9 August 2022	PJ22/07124
Crime Risk Assessment	NEAL Consulting Solutions	19 August 2022	Final v0.3
Arboricultural Impact Assessment	CPS	19 July 2022	F147, Rev A
Acoustic DA Assessment	Acouras Consultancy	10/08/2022	SYD2021-1172-R001C

And as amended by the following plans and report under MOD2024/0102:

Document Description	Plan No./ Reference	Date
Cover Page, Prepared by MX Architects	DA001	11/10/2024, Revision L
Ground Floor Plan, Prepared by MX Architects	DA102	11/10/2024, Revision L
Level 1-2 Floor Plan, Prepared by MX Architects	DA103	11/10/2024, Revision I
Level 3 Floor Plan, Prepared by MX Architects	DA104	11/10/2024, Revision I
Level 4-6 Floor Plan, Prepared by MX Architects	DA105	11/10/2024, Revision I
Roof Terrace Floor Plan, Prepared by MX Architects	DA106	11/10/2024, Revision I
Roof Plan, Prepared by MX Architects	DA107	11/10/2024, Revision G
Building Elevation – North (Dickson Ave), Prepared by MX Architects	DA400	11/10/2024, Revision I
Building Elevation – East (Chatham Rd) Prepared by MX Architects	DA401	11/10/2024, Revision I
Building Elevation – South (Dickson Ln), Prepared by MX Architects	DA402	11/10/2024, Revision L
Building Elevation – West, Prepared by MX Architects	DA403	11/10/2024, Revision H
Building Section 1, Prepared by MX Architects	DA601	11/10/2024, Revision G
Building Section 2, Prepared by MX Architects	DA602	11/10/2024, Revision G
Loading Dock & Active Frontage Section, Prepared by MX Architects	DA611	19/04/2024, Revision C
Loading Dock Details – Sheet 1, Prepared by MX Architects	DA612	13/09/2024, Revision H
Loading Dock Details – Sheet 2, Prepared by MX Architects	DA613	13/09/2024, Revision E
Traffic Engineering Assessment, Prepared by Genesis Traffic	EW22066	13/09/2024

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

- (a) The roof terrace plan shall be amended to depict a sink adjacent to the BBQ area.
- (b) Additional plans are to be prepared for the approval of the Manager Development Assessment, addressing the integration of A/C enclosures (external A/C units are to be located on the respective floor levels and not elevated), integration of balcony drainage, junctions between primary wall types, balustrading and fenestration on the facades. 1:50 sections through each primary facade type are required.

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

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

b) Insert new Condition no. 77a as under:

77a. Waste collection on private driveways and roads:

Prior to issue of a relevant construction certificate, details of the private roads / driveways to be used for waste collection are to be submitted to, and approved by, Council's Waste Department to verify that they are rated for 24 tonne trucks. Evidence of this Council approval is to be provided to the principal certifier.

Condition reason: To ensure driveways are designed for continues impact from heavy waste collection vehicles.

As inserted under MOD2024/0102

c) Insert new Condition no. 77b as under:

77b. Sightlines for waste collection vehicles:

Before the issue of a relevant construction certificate, construction certificate plans are to notate traffic signals or mirrors to ensure the waste collection vehicles can safely enter and exit the site. A statement is to be submitted by a suitably qualified and experienced traffic engineer verifying suitable sightlines are achieved for the waste vehicle. The plans and traffic statement are to be to the satisfaction of the principal certifier.

Condition reason: To ensure waste collection vehicles can safely access the site for servicing.

As inserted under MOD2024/0102

d) THAT the objectors are advised of the decision.

Attachments:

- 1. Amended Conditions of Consent**
- 2. Proposed Amended Plans**
- 3. Traffic Engineering Assessment**
- 4. Applicant Letter – Height Justification**

Report prepared by: 28 October 2024

Mahbub Alam
Senior Town Planner

Report approved by:

Holly Charalambous
Senior Coordinator Development Assessment

Sohail Faridy
Acting Manager Development Assessment

Attachment 1 – Draft Conditions of Consent

GENERAL CONDITIONS

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 the recommendations and requirements of the following support documents:

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Loading Dock Details – Sheet 2, Prepared by MX Architects	DA613	13/09/2024, Revision E
Traffic Engineering Assessment, Prepared by Genesis Traffic	EW22066	13/09/2024

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

- (a) The roof terrace plan shall be amended to depict a sink adjacent to the BBQ area.
- (b) Additional plans are to be prepared for the approval of the Manager Development Assessment, addressing the integration of A/C enclosures (external A/C units are to be located on the respective floor levels and not elevated), integration of balcony drainage, junctions between primary wall types, balustrading and fenestration on the facades. 1:50 sections through each primary facade type are required.

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

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

2. **Inconsistency between documents.** In the event of any inconsistencies between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

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

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 1316011M_02 dated 24 August 2022.

Reason: Statutory requirement.

5. **Ausgrid Requirements.** The development shall be undertaken in accordance with the Ausgrid requirements attached to this consent as Appendix 1.

(Reason: To require compliance with Ausgrid requirements).

6. **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 during the construction process.

7. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

Reason: To ensure the safety of the public and hoarding/fencing is removed at the completion of the development.

8. **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 the safety of the public.

9. **Public space** - The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

Reason: To ensure public spaces are unobstructed during construction.

10. **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.)

11. **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)

12. **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)

13. **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.)

14. **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)

15. **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)

16. **Compliance with Acoustic DA Assessment Report** – All control measures and procedures nominated in the Acoustic DA Assessment report by Acouras Consultancy, Report No. SYD2021-1172-R001C, 10 August 2022 must be implemented.

(Reason: To ensure the appropriate use of the site)

17. **Compliance with Operational Waste Management Plan** – All control measures and procedures nominated in the Operational Waste Management Plan Report No. 3801, dated 23 August 2022, prepared by EF Consulting must be implemented.

(Reason: To ensure the appropriate use of the site)

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

(Reason: To ensure provision of adequate waste collection arrangements)

19. **Remediation Action (RAP)** - Remediation works shall be carried out in accordance with the Remediation Action Plan Report No. 3801 Rev C prepared by EI Australia dated 15 January 2019. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

(Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021)

20. **Validation Report** - A validation report prepared by a suitability qualified person shall be provided to the principal certifier and Council within 30 days following completion of the remediation works, which demonstrates:

- a. compliance with the approved RAP;
- b. that the remediation acceptance criteria (in the approved RAP) has been fully complied with;
- c. that all remediation works undertaken comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997*, State Environmental Planning Policy (Resilience and Hazards) 2021 and Council's Management of Contaminated Lands Policy; and includes:
- d. Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
- e. a "notice of completion of remediation work" as required under Clause 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021; and
- f. a statement confirming that the site following remediation of contamination is suitable for the intended use.

Note. 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.

(Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021)

21. **Imported fill (validated)** - All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 2022) by an experienced environmental consultant, and a copy of the validation report must be submitted to the principal certifier (and Council, if Council is not the PCA) before the fill is used.

(Reason: To ensure imported fill poses no risk to the environment and human health)

22. **Requirement to notify about new contamination evidence** - Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifier immediately.

(Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health)

23. **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.)

24. **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.)

25. **Vehicle Egress.** Vehicles exiting from the site are to be restricted to right turns only (i.e. no left turning vehicle movements out of the site is permitted). Regulatory "ALL TRAFFIC (RIGHT SYMBOLIC) ONLY" sign facing exiting drivers are to be installed within the property boundary, prior to the basement car park and loading dock being open to any user.

(Reason: Dickson lane is a one-way road. Therefore all vehicles exiting the site must turn right.)

26. **Removal of Redundant Driveways.** Existing driveways on Chatham Road are to be removed in accordance with the "Ground Floor Setback Diagram" prepared by Tony Owen Partners (Drawing No. A009 Rev. E dated 23 January 2023).

(Reason: This condition is to ensure that on-street parking provision is maximised.)

27. **Voluntary Planning Agreement (VPA).** Any person having the benefit of this consent is to comply with all of the obligations of the voluntary planning agreement that was entered into between Council of the City Ryde and Tesco Projects Pty Ltd executed 18 January 2021, and as registered on the title of the land; and as subsequently novated to Hurstville Apartments Pty Ltd in accordance with the Deed of Novation dated 20 May 2022.

(Reason: To require compliance with the executed Voluntary Planning Agreement.)

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.

28. **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)

29. **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).
30. **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).
31. **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).
32. **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).
33. **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).
34. **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).
35. **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).
36. **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).

37. **Demolition Pedestrian and Traffic Management Plan.** A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

Truck movements are to be restricted to outside of peak weekday commuter periods between 7:00am – 9:00am and 4:00pm – 6:00pm to minimise impact on public road network servicing the West Ryde Town Centre. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the DPTMP.

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

The DPTMP must include but not limited to the following:

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. The DPTMP is to be adhered to at all times during the project.
- iii. Specify that all demolition vehicles are to enter & exit the site and/or work zone in a forward direction
- iv. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- v. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- vi. Include Traffic Control Plan(s)/Traffic Guidance Scheme(s) prepared by a SafeWork NSW accredited designer for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vii. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- viii. Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- ix. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- x. Take into consideration the combined construction activities of other development(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the DPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- xi. Specify spoil management process and facilities to be used on site.
- xii. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xiii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: This condition is to ensure that a plan is prepared to address traffic impacts during demolition works to minimise any inconvenience and safety risks to the general public.)

38. **Implementation of Demolition Pedestrian and Traffic Management Plan.** All works and demolition activities are to be undertaken in accordance with the approved Demolition Pedestrian and Traffic Management Plan (DPTMP). All controls in the DPTMP 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 DPTMP be impacted by surrounding major development not encompassed in the approved DPTMP, the DPTMP measures and controls are to be revised accordingly and submitted to Council's Transport Department for approval. A copy of the approved DPTMP is to be kept onsite at all times and made available to the principal certifier or Council on request.

(Reason: This condition is to ensure that the measures/protocols stated in the approved DPTMP are carried out by the builder when demolition works are being undertaken.)

39. **Tip Dockets.** 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.

(Reason: To ensure compliance with Waste Management Plan)

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a principal certifier 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 certifier 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 certifier.

40. **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	\$319,930.31
Open Space & Recreation Facilities	\$550,905.46
Roads & Traffic Management Facilities	\$169,126.21
Plan Administration	\$15,599.25
The total contribution is	\$1,055,561.23

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: To ensure the provision, extension or augmentation of the key community infrastructure identified in the Ryde Contributions Plan 2019 that will, or is likely to be required as a consequence of the development.

41. **Validation Report** - Following the preparation of the validation report, Council will require that the applicant engage an accredited auditor under the *Contaminated Land Management Act 1997* to review the Validation Report prepared by the contaminated land consultant and issue a **Site Audit Statement**. The accredited auditor shall consult with Council prior to finalising and issuing the Site Audit Statement. The Site Audit Statement should allow for soil access to occur to ground level courtyards and communal open space areas within the development. The accredited auditor shall provide Council with a copy of the Site Audit Report and Site Audit Statement, prior to the issuing of the Construction Certificate. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of the inconsistency and a Section 4.55 Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979* will be required.

(Reason: To ensure that the development complies with the Remedial Action Plan and that the works are in accordance with the *Contaminated Land Management Act 1997*.)

42. **Electric Vehicle Charging Points.** Prior to a Construction Certificate being issued, amended basement plans are to be submitted to the principal certifier demonstrating that the building is 100% capable of charging electric vehicles in all parking spaces. This is to include future cabling needs, control point installation and adequate electricity capacity being provided. The cabling infrastructure is to be located in such a way that the installation of a car charger will not impact on parking space dimensions. Certification is to be provided to the Certifier prior to the issue of the Construction Certificate in relation to this requirement from a suitably qualified person.

(Reason: To ensure that the development adequately caters for owners of electric vehicles.)

43. **Design verification.** Prior to a Construction Certificate being issued with respect to this development, the principal certifier 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 Apartment Development*. This condition is imposed in accordance with Clause 143 of the *Environmental Planning and Assessment Regulation 2000*.

Reason: To ensure compliance with the *Environmental Planning and Assessment Regulation 2000*.

44. **Access for people with disabilities (residential).** Prior to the issue of any Construction Certificate, the principal certifier shall be satisfied that access for people with disabilities to and from and between the public domain, residential units and all common open space areas is provided. Consideration must be given to the means of dignified and equitable access.

Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided prior to the issue of any Construction Certificate. All details shall be prepared in consideration of the Disability Discrimination Act, and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS 1735.12.

Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

45. **Adaptable units.** Prior to the issue of any Construction Certificate, the principal certifier shall be satisfied that the nominated adaptable units nominated in the development application are designed as Class C Adaptable Housing in accordance with the provisions of Australian Standard AS4299-1995: Adaptable Housing and a notice placed on the power box identifying these units as adaptable.

Note: Evidence from an appropriately qualified professional demonstrating compliance with this standard is to be submitted to and approved by the Certifier prior to the issue of any Construction Certificate.

Reason: To ensure disabled access and amenity for future occupants of adaptable units.

46. **Storage.** Each residential unit is to be provided with the minimum internal storage area as required by the Apartment Design Guide. 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 relevant **Construction Certificate**.

Reason: To ensure the required storage areas as approved are provided within each unit.

47. **Compliance with Australian Standards** - The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the principal certifier prior to the issue of the **Construction Certificate**.

Reason: To ensure compliance with the Australian Standards.

48. **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: To ensure the structural integrity of the approved development.

49. **Security deposit** - The Council must be provided with security for the purposes of section 4.17 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 development involving the delivery of bricks and heavily machinery).

Reason: Statutory requirement.

50. **Fees** - The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:

(a) Infrastructure Restoration and Administration Fee

Reason: Statutory requirement.

51. **Long Service Levy** - Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the principal certifier prior to the issuing of the **Construction Certificate**.

Reason: Statutory requirement.

52. **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.

53. **Public Art.** Prior to the issue of the relevant Construction Certificate, including prior to the issue of any Construction Certificate, a detailed Public Art Plan is to be approved by Council's Centres Coordinator. This plan is to be prepared by an arts and cultural planner, should align with the City of Ryde's Public Art Principles outlined in the City of Ryde Public Art Planning Guide for Developers and will be required to address the following:

- a. Specific project description
 - Aims and objectives
 - Statement of artistic intent
- b. Thematic framework
 - How the artwork is developed in relation to the site
 - Response and interpretation of urban fabric and local culture
 - Explanation of the range of art forms and design applications
- c. Concept drawings / descriptions of proposed public artworks (which correspond with architect drawings/plans approved as part of the relevant stage(s) of the development)
 - Integrated artworks
 - Site specific artworks
 - Proposed use of materials – robustness and durability
- d. Project parameters and implementation
 - Arts management
 - Scope of works
 - Schedule of works and timeframe
 - Public art budget and budget breakdown
 - Engineering works
 - Construction schedule
 - Maintenance requirements and schedule
 - Decommissioning procedures.

(Reason: To ensure integrated artwork is provided and complies with the Ryde DCP 2014.)

54. **Soil Volume over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Apartment Design Guide. Information verifying that the development complies with these requirements to be provided on the Construction Certificate plans.

(Reason: To ensure the sufficient depth of soil for the proposed plants.)

55. **Irrigation.** An automatic watering system is to be supplied to all landscape areas including common areas, private open spaces to ensure adequate water is available to lawns and vegetation. Irrigation systems shall be fully automated and capable of

seasonal adjustments. Details are to be submitted prior to the issue of Construction Certificate.

(Reason: To provide sufficient water for the proposed plants.)

56. **Construction Noise Management Plan (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 principal certifier 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

Reason: To ensure the amenity of surrounding properties is protected during construction works.

57. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of any Construction Certificate satisfactory evidence is to be provided to the principal certifier 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: To ensure provision of services.

58. **Noise impact on residential building** - Prior to the issue of a Construction Certificate written certification from a suitably qualified person(s) shall be submitted to the principal certifier and Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on **residential buildings** from rail corridors and/or busy roads:

- (a) In any bedroom in the building: 35dB(A) between 10pm – 7am

- (b) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time.

Reason: Compliance with relevant noise amenity criteria in Infrastructure SEPP.

59. **Compliance with BASIX Certificate.** Prior to the issue of any Construction Certificate, the principal certifier shall be satisfied that all commitments listed in approved BASIX Certificate (referred to under Condition 4) have been complied with.

Reason: To ensure consistency with the approved BASIX Certificate.

60. **Certification of external materials, colours and finishes.** The principal certifier shall not issue any Construction Certificate unless the external materials, colours and finishes specified in the Construction Certificate application are consistent with the approved plans and documents referred to in Condition No. 1 of the Development Consent. Roofing and other external materials must be of low glare and reflectivity.

Reason: To ensure consistency with the approved façade details and materials as considered as part of the development assessment.

61. **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:
- a. Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.
 - b. the payment of all fees in accordance with Council's Schedule of Fees & Charges at the time of the issue of the approval, and
 - c. 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)

62. **Public Domain Improvements – Design for Construction Certificate** - The public domain is to be upgraded in all Chatham Road, Dickson Avenue and Dickson Lane frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 4 – West Ryde. The works shall include paving, multifunction light poles, street furniture 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.

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Public Domain Technical Manual Section 4. Refer to Council Street Tree Master Plan. The designated species are "Platanus digitata" (Saw-edged Plane tree).

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. The proposed street lights will have priority over the street trees. All costs associated with the removal of existing street trees, where required, will be borne by the Developer.

- (c) All telecommunication and utility services are to be placed underground along the Chandler Road, Dickson Avenue and Dickson Lane frontages. 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.

- (d) Existing location of and luminance provided by the multi function poles, along the Chatham Road frontage are to be assessed by a suitably qualified Electrical design consultant in reference to AS1158 *Lighting for Roads and Public Spaces*, the Public lighting requirements as specified within the City of Ryde Public Domain Technical Manual Section 4-West Ryde and City of Ryde Lighting Design Guide

In the case this assessment identifies that new or upgraded street lighting serviced by metered underground power and on multi function poles (MFPs) is required, they shall be designed and installed to Australian Standard AS1158 *Lighting for Roads and Public Spaces* along Chatham Road.

Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 4 – West Ryde. The consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.

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.

Note: Council has prepared a design guide and schema for the provision of the street lighting on MFPs. A copy of the design guide including the design template and checklist, and the street lighting schema can be made available to the Electrical Design Consultant upon request to Council's City Works Directorate.

- (e) New street lighting using LED luminaires is to be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with vehicular luminance category in accordance with the standards. The street lighting will remain on the Ausgrid street lighting network.

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

63. **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 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 Chatham Road and Dickson Avenue frontages 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) Road works are to be carried out within Dickson Lane with the scope of works equivalent to half road width reconstruction along the laneway frontage, and is to be agreed with Council following inspection. These works are required under the City of Ryde DCP 2014 *Part 8.5 - Public Civil Works*, Clause 1.1.4 – *Constructing Half Road*
- (c) The construction of new kerb and gutter along the Chatham Road and Dickson Avenue frontages of the development site.
- (d) Construction of 600 mm width roll kerb along the frontage Dickson Lane with a concrete refuge provided between the boundary line and roll kerb.
- (e) Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Chatham Road, Dickson Avenue and Dickson Lane.
- (f) Construction of full width granite footway along the Chatham Road frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 4 – West Ryde.
- (g) Reconstruction of 1.2m wide footpath along the full frontage of Dickson Avenue.
- (h) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (i) Signage and linemarking details.
- (j) Any works required within the public domain to facilitate safe vehicular access to the site and manoeuvring along the frontages of the site.
- (k) Staging of the public civil works, if any, and transitions between the stages.
- (l) 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)

64. **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 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)

65. **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 \$150,000 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)

66. **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)

67. **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)

68. **Construction Pedestrian and Traffic Management Plan.** A Construction Pedestrian and Traffic Management Plan (CPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

Truck movements are to be restricted to outside of peak weekday commuter periods between 7:00am – 9:00am and 4:00pm – 6:00pm to minimise impact on public road network servicing the West Ryde Town Centre. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the DPTMP.

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

The CPTMP must include but not limited to the following:

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- v. Include Traffic Control Plan(s)/Traffic Guidance Scheme(s) prepared by a SafeWork NSW accredited designer for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vi. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- vii. Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- viii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- ix. Take into consideration the combined construction activities of other development(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- x. Specify spoil management process and facilities to be used on site.
- xi. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.

xii. Comply with relevant sections of the following documents:

- The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
- TfNSW' *Traffic Control at Work Sites* technical manual; and
- Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

Reason: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CPTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent to the site.

69. **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 10.8m long garbage truck, as a minimum requirement. The minimum height clearance required is 3.8m, 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 10.8m long garbage 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.

70. **Changes to Waste Management Arrangements.** Any changes to the Waste Management Plan dated 17/10/2022 or Revision D of the Architectural Plans which were utilised to evaluate the waste collection by Council, are 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.

(Reason: To ensure that waste management arrangements are satisfactory.)

71. **Waste Storage Area Doorways.** 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.
- 660L Bins – width 1.3m, depth 0.8m, height 1.3m
 - 240L Bins – width 600mm, depth 800mm, height 1100mm

(Reason: To ensure that waste storage areas are of adequate dimensions.)

72. **Waste Vehicle Clearance.** A height clearance of 3.8m is required for the waste truck to enter service bins and exit the loading dock which should be measured from the floor to the lowest point of any overhead structures including roller shutter doors. This will ensure that there will be no issues in servicing the waste within the development

(Reason: To ensure that the development can be serviced by Council's Waste Contractor).

73. **Waste Storage in Dwellings.** 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.

(Reason: To ensure that adequate storage space is provided in each unit for waste and recycling.)

74. **Garbage and Recycling Rooms.** 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

(Reason: To ensure that garbage and recycling rooms are constructed to Council's standards.)

75. **Amended Waste Management Plan.** An amended Waste Management Plan is to be submitted for consideration and approval by the City of Ryde Council illustrating how all tenancies will provide a Food Organics and Garden Organics (FOGO) service which demonstrates a 75% diversion rate from landfill in accordance with the 'NSW Waste Avoidance and Resource Recovery Strategy 2014-2021' and Councils Waste DCP provisions.

The Waste Management Plan is to outline the operational details of the FOGO service that is to be provided for all tenancies within the development site including (but not limited to):

- Storage requirements
- Required waste infrastructure and equipment (within individual tenancies and communal waste storage areas)
- Collection infrastructure

Storage of the bin lifter needs to be shown on the plans.

(Reason: To ensure that FOGO are accounted for in terms of operational waste management).

76. **Environmental Management Plan** - Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the principal certifier (for approval) and provide a copy to Council. The CEMP must include, but not be limited to, the following:

(a) Details of:

- (i) hours of work (the hours of work are to be consistent with the requirements of Condition No. 6);
- (ii) 24-hour contact details of site manager;
- (iii) management of dust and odour to protect the amenity of the neighbourhood;
- (iv) stormwater control and discharge;
- (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
- (vi) groundwater management plan including measures to prevent groundwater

- contamination;
- (vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
- (viii) community consultation and complaints handling;
- (b) Construction Noise and Vibration Management Sub-Plan;
- (c) Construction Waste Management Sub-Plan;
- (d) Construction Soil and Water Management Sub-Plan;
- (e) Flood Emergency Response;
- (f) an unexpected finds protocol for contamination and associated communications procedure;
- (g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site

Reason: To ensure that the business establishes a commitment to the protection of the environment.

- 77. 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) Wheel stop locations for tandem parking spaces (shown in the rear space, preventing access to the forward most space) are to be corrected on the Construction Certificate plans.
- b) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.
- c) To ensure that waste and service vehicles have sufficient headroom clearance when accessing the loading bay area from Dickson Lane, an accessway / ramp and height clearance profile must be produced along the vehicle path of travel for all service vehicles on both the architectural and structural plans submitted with the application for a Construction Certificate. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance of 3.8m is achieved along this path.
- d) In association with the above, the roller door of the western-most access to this waste/ service dock must be designed to ensure it is flush with the ceiling, so as to maximise the clearance and ensure a 3.8m of clearance is provided.

These amendment(s) must be clearly marked on the plans submitted to the principal 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.)

77a. Waste collection on private driveways and roads:

Prior to issue of a relevant construction certificate, details of the private roads / driveways to be used for waste collection are to be submitted to, and approved by, Council's Waste

Department to verify that they are rated for 24 tonne trucks. Evidence of this Council approval is to be provided to the principal certifier.

Condition reason: To ensure driveways are designed for continuous impact from heavy waste collection vehicles.

As inserted under MOD2024/0102

77b. Sightlines for waste collection vehicles:

Before the issue of a relevant construction certificate, construction certificate plans are to notate traffic signals or mirrors to ensure the waste collection vehicles can safely enter and exit the site. A statement is to be submitted by a suitably qualified and experienced traffic engineer verifying suitable sightlines are achieved for the waste vehicle. The plans and traffic statement are to be to the satisfaction of the principal certifier.

Condition reason: To ensure waste collection vehicles can safely access the site for servicing.

As inserted under MOD2024/0102

78. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the inground drainage infrastructure in Chatham Road, generally in accordance with the plans by SGC Consulting Engineers (Refer to Project No. 20210011 SW200, SW201, SW202, SW203, SW300-SW302 Rev B dated 29 June 2023) subject to any variations marked in red on the approved plans or noted following;

- a) The pump-sump storage in the basement must be upsized in accordance with Council's DCP requirements. Refer to the condition "*Stormwater Management – Pump System.*"
- b) A dual line discharge must be provided from the above ground basin in the western side of the site. This is to ensure that a failsafe failure mode is provided in the event of blockage from any of the lines.
- 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)

79. **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)

80. **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 principal certifier, 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.)

81. **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;

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.

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 principal certifier prior to the issue of the Construction Certificate.

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

82. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work. As a minimum, the scope of the report is to include;

- 2 Dickson Avenue

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.)

83. **Site Dewatering Plan.** A Site Dewatering Plan (SDP) must be prepared for the approval of the principal certifier 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 Management Act 2000 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.)

84. **Erosion and Sediment Control Plan.** An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant and submitted to the principal certifier for approval, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for a Construction Certificate and generally in accordance with the plans by SGC Consulting Engineers (Refer to Project No. 20210011 SW400 Rev B dated 29 June 2023). 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 and access arrangement, pending on approved Construction Traffic Management Plans.
- 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.)

85. **Flooding - Flood and Overland Flow Protection.** The property has been identified as being susceptible to flooding and overland flow during large storm events. In accordance with the floodplain management controls started within Council's DCP Part 8.2 (Stormwater and Floodplain Management), the following measures must be implemented in the development.

A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the principal certifier stating compliance with this condition prior to the issue of the Construction Certificate for the following items:

- a) The applicant shall comply with the flood recommendations provided in the Flood Study Report prepared by S&G Consultants Pty Limited (Issue C) dated 31 May 2023.
- b) The habitable floor levels of all dwellings encompassed under this approval must not be constructed less than the approved Flood Study Report prepared by S&G Consultants Pty Limited (Issue C) dated 31 May 2023.
- c) All electrical connections and flood sensitive equipment shall be located above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard. Where it is not practical and feasible to install the equipment above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard, the installations shall generally be in accordance with the recommendations in ABCB Construction

of Buildings in Flood Hazard Areas (2012) Section C2.9 - Requirements for Utilities.

- d) All basement carpark areas shall be designed to resist floodwater ingress for up to the Probable Maximum Flood (PMF) event. This includes protection of lifts, stairwells, ventilation shafts and other components which may otherwise create a water ingress risk.

A certificate from a suitably qualified Chartered Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the principal certifier stating compliance with this condition prior to the issue of the Construction Certificate for the following items:

- a) All structures subject to flooding and overland flows must be constructed of flood compatible building components below the 1% AEP (100 year ARI) flood plus 500 mm freeboard.
- b) All structures subject to flooding and overland flows must be structurally designed to withstand the forces of floodwaters having regard to hydrostatic pressure, hydrodynamic pressure, the impact of debris and buoyancy forces up to the Probable Maximum Flood (PMF) event.

(Reason: to ensure flood protection measures are as per approved flood report.)

86. **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 certifier, 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.)

87. **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 certifier 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.)

88. **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.)

89. **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 Plans prepared by SGS Consulting Engineers P/L Drawing No. SW202 (Project No. 20210011, Revision P4, 02 December 2022)} 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) 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.

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

90. **Services and Fire Hydrant Enclosure.** Prior to the issue of the relevant Construction Certificate, the principal certifier is to be provided with plans indicating that all services (gas meter, water meter, fire hydrant and sprinkler booster valves and the like) are enclosed in a manner that compliments the building and in accordance with the requirements of EP1.3 & EP1.4 of the BCA.

(Reason: To ensure essential services are appropriately screened.)

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.

91. 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 certifier 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.

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

Reason: To ensure the site is safely secured.

93. **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.)

94. **Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the established verge and footpath level, adequate measures are to be taken, either by means of constructing approved retaining structures or batters entirely on the subject property, to support the subject land/footpath and prevent harm to the public / occupants of the site due to the abrupt level differences.

(Reason: To preserve public safety and the support of property due to abrupt level differences between the site and public domain land.)

95. **Work Zones and Permits.** Prior to commencement of any construction works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane.

Reason: Specific activities on public roads where Council is the consent authority require Council approval prior to such activities being undertaken.

96. **Road Occupancy Licence.** Prior to commencement of any construction works, the applicant shall obtain a Road Occupancy License from Transport Management Centre for any works that may impact on traffic flows on a State Road (e.g. lane closures, etc.) and/or within 100m of a signalised intersection.

Reason: Transport for NSW requirement.

97. **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)

98. **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)

99. **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)

100. **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)

101. **Road Activity Permits** - To carry out work in, on or over a public road, the Consent of Council is required as per the *Roads Act 1993*. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Council's website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Public Domain Works*.

- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.**
- c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.

- d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
- e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period be extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

(Reason: Legal requirement)

- 102. Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the established verge and footpath level, adequate measures are to be taken, either by means of constructing approved retaining structures or batters entirely on the subject property, to support the subject land/footpath and prevent harm to the public / occupants of the site due to the abrupt level differences.

(Reason: To preserve public safety and the support of property due to abrupt level differences between the site and public domain land.)

- 103. 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 application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

(Reason: To minimise the imposition of soil / rock anchors on the public domain.)

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.

- 104. Critical stage inspections** - The person having the benefit of this consent is required to notify the principal certifier during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A of the *Environmental*

Planning and Assessment Regulation 2000. (Note: this condition does not relate to the staging of construction certificates or occupation certificates).

Reason: Statutory requirement.

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

Reason: To ensure protection of residential amenity during works.

- 106. 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 for the approval of the principal certifier 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 ensure protection of residential amenity during works.

- 107. 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 all works are located on the subject site.

- 108. 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 protect the environment.

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

Reason: To protect the environment and the amenity of surrounding properties.

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

Reason: To ensure safety and amenity of the area.

- 111. Site Facilities**

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

Reason: Statutory requirement.

112. 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.

113. Tree Removal. As identified in the Arboricultural Impact Assessment (AIA) prepared by Creative Planning Solutions dated 19/07/2022. The following trees on site are to be removed:

Tree No.	Species "Common name"
1	<i>Syagrus romanzoffiana</i> (Cocos Palm)
2	<i>Syagrus romanzoffiana</i> (Cocos Palm)
3	<i>Syagrus romanzoffiana</i> (Cocos Palm)
4	<i>Syagrus romanzoffiana</i> (Cocos Palm)
5	<i>Syagrus romanzoffiana</i> (Cocos Palm)

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

114. Contaminated soil disposal - 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.

Reason: To ensure appropriate disposal of contaminated soil.

115. Contaminated waste to licensed EPA landfill - Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

116. Implementation of the Construction Pedestrian and Traffic Management Plan. All construction works including demolition are to be undertaken in accordance with the approved Construction Traffic and Pedestrian Management Plan (CPTMP). All controls in the CPTMP 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 CPTMP be impacted by surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and submitted to Council.

Reason: This condition is to ensure that the measures/protocols stated in the approved CPTMP are carried out by the builder during construction.

117. 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)

118. Stormwater - Hold Points during construction – {Council Drainage Connection 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 connection works.}

The Applicant shall submit to the principal certifier, 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 connection to Council's existing kerb inlet pit/s.

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

119. 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.)

120. Truck Shaker. A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.

(Reason: To prevent soil and sediment spill in the public domain.)

121. Stormwater Management - Construction. The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by SGC Consulting Engineers (Refer to Project No. 20210011 SW200, SW201, SW202, SW203, SW300-SW302 Rev B dated 29 June 2023) 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)

- 122. 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.)

- 123. 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.)

- 124. 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.)

- 125. Tip Dockets.** 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.

(Reason: To ensure compliance with the waste management plan).

- 126. Maintenance of Construction Site.** 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.

(Reason: to reduce the incidence of illegal dumping of waste).

- 127. Inspection by Waste and Resource Recovery.** Councils Waste and Resource Recovery Department are to conduct a site inspection to review all equipment and infrastructure required for the FOGO service, as detailed in the approved Waste Management Plan, is to be installed and accessible for all future tenancies within the development.

(Reason: To ensure compliance with approved waste management plan).

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a principal certifier prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.
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Prior to issue, the principal certifier 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 certifier 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 certifier.

128. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 1316011M_02 dated 24 August 2022.

Reason: Statutory requirement.

129. **Landscaping** - All landscaping works approved by this consent are to be completed prior to the issue of any **Occupation Certificate** for each stage.

Reason: To ensure that the landscape works are consistent with the Development Consent.

130. **Sydney Water – Section 73** - A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application, a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the principal certifier prior to the issue of any Occupation Certificate.

Reason: Statutory requirement.

131. **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 certifier is to be provided with a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential apartment 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 Apartment Development. This condition is imposed in accordance with Clause 154A of the *Environmental Planning and Assessment Regulations 2000*.

Reason: Statutory requirement.

132. **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 ensure there is a record of neighbouring sites and infrastructure after the completion of construction.

133. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.

Reason: To ensure consistency with Council's requirements for street numbering.

134. **Clotheslines and clothes dryers.** Prior to the issue of an Occupation Certificate, the principal certifier shall be satisfied that the units either have access to an external clothes line located in common open space or will have a mechanical clothes dryer installed.

Reason: To ensure all apartments have access to an external drying area.

135. **Accessibility.** Prior to the issue of an Occupation Certificate, the principal certifier shall be satisfied that:

- the lift design and associated functions are compliant with AS 1735.12 & AS 1428.2
- the level and direction of travel, both in lifts and lift lobbies, is audible and visible
- the controls for lifts are accessible to all persons and control buttons and lettering are raised
- international symbols have been used with specifications relating to signs, symbols and size of lettering complying with AS 1428.2
- the height of lettering on signage is in accordance with AS 1428.1 – 2009 and the signs and other information indicating access and services incorporate tactile communication methods in addition to the visual methods

136. **Public Art.** The artwork in the approved Public Art Plan shall be installed prior to the issue of the Occupation Certificate and maintained for the life of the development.

(Reason: To ensure integrated artwork is provided and maintained.)

137. **Dedication of Affordable Housing Units to Council.** Prior to the issue of any Occupation Certificate, Council's Property Team are to issue a Compliance Certificate to verify that Units 101, 111 and 211 (affordable housing units) have been appropriately fitted out and are acceptable for the dedication to Council. Dedication is to occur as required by the Voluntary Planning Agreement between Council and Tesco Projects P/L, executed on 18 January 2021. In accordance with the VPA, each of the units to be dedicated is to be allocated with one standard sized car parking space, located in the secured basement.

(Reason: To require the dedication of the affordable housing units to Council in accordance with the executed VPA.)

138. **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 endorsement by Ryde Traffic Committee and subsequent approval by Council, prior to the issue of any Occupation Certificate.

Note: The applicant is advised that Ryde Traffic Committee 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: This condition is 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.

139. **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 prior to the issue of any Occupation Certificate.

Reason: This condition is to ensure that the works outlined in the approved signage and linemarking plan are installed, prior to the development being occupied.

140. **Loading Dock Management Plan.** An updated Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by Council's Transport 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 10.8m in length.

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.

Note: the Loading Dock Management Plan is to be required to provide information on how the loading area will be managed to ensure that an incoming service vehicle will not block the intersection of Chatham Road and Dickson Lane if the loading dock roller shutter is closed. This shall be in accordance with the advice outlined in the letter prepared by Genesis Traffic, dated 21 December 2022.

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: This condition is intended to assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on the surrounding public roads.

141. **Positive Covenant - Overland Flow -** A positive covenant shall be created for the existing overland flow path through the subject site, under Section 88E of the Conveyancing Act 1919. All associated costs shall be borne by the applicant.

This is to place a restriction on the title that the overland flow path and flood storage areas are maintained and kept free of debris/weed to allow unobstructed passage of overland flow of water through the site and underneath the residence. The new buildings shall not have the subfloor area enclosed or utilised for storage.

The wording of the Instrument shall be submitted to, and approved by Council's City Works Directorate prior to lodgement at NSW Land Registry Services. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate/use of the building.

(Reason: To ensure the overland flow and flood storage areas are maintained and unobstructed.)

142. **Flooding – Engineering Compliance Certificate –** A certificate from a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, shall be provided to the principal certifier, prior to the issue of the Occupation Certificate, confirming that all requirements of condition *"Flooding - Flood and Overland Flow Protection"* have been satisfied.

The qualified and practising Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) shall have experience in the area respective of the certification unless stated otherwise.

(Reason: To ensure that all flood and overland flow protection requirements are satisfied.)

143. **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.)
144. **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)
145. **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)
146. **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)
147. **Electricity accounts for new street lighting** - Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Council’s Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.

(Reason: Public amenity and safety)
148. **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)

149. **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)

150. **Public Access and Right of Way.** Prior to the issue of any Occupation Certificate, a Right of Way (ROW) shall be created over the strip of private land at the splay at the intersection of Dickson Lane and Chatham Road in favour of Council for public access. Terms regarding the creation of the ROW are to be submitted to and approved by Council prior to the lodgement at the Lands and Property Information Office. Evidence regarding effective registration of the ROW shall be submitted to Council and the PCA prior to the issue of the Occupation Certificate.

The terms of the Right of Way must ensure that:

- a) The footpath is accessible at all times to the Public;
- b) The footpath will be adequately maintained by the occupier/ owner of the site at all times; and
- c) The Council is the only authority empowered to release, vary or modify the terms of the Public Access.
- d) The levels and finished of the ROW surface must facilitate safe and functional pedestrian access.

151. **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)

152. **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)

153. **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)

154. **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)

155. **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)

156. **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)

157. **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)

158. **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)

- 159. 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.)

- 160. 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 and WSUD 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, 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).)

- 161. Drainage System Maintenance Plan.** A drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

- a) The DSMP must contain the following;
- b) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
- c) 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.
- d) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
- e) 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.
- f) 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.
- g) 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)

162. 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 principal 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 conditions of this consent relating to parking, 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.)

163. 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, prior to the issue of an Occupation Certificate. 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.)

164. **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 principles 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 principal 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.)

165. **Final Inspection by Waste Officer.** An authorised Council waste officer is to ensure that the development can be accessed and 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.

(Reason: To ensure that the completed development is capable of being serviced by Council's waste collection vehicle).

166. **Arrangements for Waste Services.** 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. Once the registered Occupation Certificate has been provided to Council, waste services will be provided to the development.

(Reason: To facilitate the commencement of waste servicing for the development).

167. **Positive Covenant - Onsite Waste Collection.** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), ensuring that future owners provide and maintain the access driveway and loading bay accommodating waste collection services undertaken by Council. The terms of the instrument are to be generally in accordance with Council's current standard terms (available from Council) and any amendments necessary drafted in accordance with the City of Ryde DCP 2014 - Part 8.4 (*Title Encumbrances*), to Council's satisfaction. The drafted instrument must be accompanied by a Works-As-Executed plan of the service area ensuring there is adequate swept path and height clearances so as to accommodate Council waste vehicles. A swept path analysis may also be required to clarify this. The instrument and works-as-executed plans are to be submitted to Council with a completed "*Application Form for Endorsement of Title Encumbrances*" (available from Council's website) for review and the covenant must be registered on the title prior to the release of any Occupation Certificate for the development works.

(Reason: To allow for the ongoing accessibility of the site for Council's waste vehicles.)

168. **Access to Waste Collection Area.** Where there will be secure access in place to access the waste collection area, a lock box accessed by the Council universal key will need to be provided on the outside of the roller shutter doors. The building access fob will be housed in the lock box for use by the contractor to enable access to service the bins.

(Reason: To ensure accessibility for waste servicing.)

169. **Amalgamation of Lots.** Prior to the issue of an Occupation Certificate, Lots 24, 25 and 26 DP 8092 are to be amalgamated to form one single allotment by way of registration with NSW Land Registry Services.

(Reason: To require orderly arrangement of lots.)

- 170. Waste Signage.** Signs will be required to be placed within the bin area to encourage correct recycling and reduce contamination, prior to the issue of an Occupation Certificate. City of Ryde will provide the required signage.

(Reason: to reduce contamination of recycling.)

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.

- 171. Parking Allocation.** Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows;
- 63 residential spaces
 - 13 visitor spaces
 - 3 Commercial parking spaces (1 allocated to each of tenancies RETAIL 3 to 5).
 - 10 Retail parking spaces (distributed evenly to RETAIL 1 & 2). Retail parking spaces must be made available to customers/ patrons at all times these tenancies are open.
 - 6 bicycle parking spaces.
 - Each tandem parking spaces must be allocated to a sole residential tenancy, as per the DCP.
 - Small residential parking spaces must only be allotted as the second space for residential units being allocated more than 1 space. It is required that any parking being allocated to residential tenants have access to at least 1 full size (standard) parking space.

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

- 172. Stormwater Management – Implementation of maintenance program.** The stormwater management system components are to be maintained for the ongoing life of the development by the strata management/ owners corporation, as per the details in the approved drainage system maintenance plan (DSMP).

(Reason: To ensure the stormwater management system is appropriately maintained for the life of the development.)

- 173. 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 *New South Wales Industrial Noise Policy* (EPA, 2000).
 - b. An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
 - c. The transmission of vibration to any place of different occupancy.

(Reason: To prevent loss of amenity to the area)

174. **No 'offensive noise'** - Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined by the Protection of the Environment Operations Act 1997.

(Reason: To reduce noise levels)

175. **Maintenance of Waste Storage Areas.** All waste storage areas must be maintained in a clean and tidy condition at all times.

(Reason: To ensure that waste areas are maintained.)

176. **Residential Bin Holding Room.** The residential bin holding room and chute rooms on the ground floor should not be able to be accessed by residents or retail tenancies.

(Reason: To prevent contamination and illegal dumping of waste).

177. **Household Clean-Up Collections.** The building manager or Strata Manager will be required to pre-book household clean-up collections for the building. Unwanted household items must be stored onsite until the night prior to a Pre-booked household clean-up collection.

(Reason: To provide suitable arrangements for household clean-up collections.)

178. **Air Conditioners in Residential Buildings** - The air conditioner/s must not:
(1) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):

- (a) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
- (b) before 7.00am and after 10.00pm on any other day.

- (2) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).

The source noise level must be measured as a LAeq 15 minute.

Reason: To prevent loss of amenity to the area.

179. **Flood Emergency Response Matters** - The development must at all times comply with the recommendations made within the Flood Emergency Response Plan (FERP) formulated as part of the Occupation Certificate for the proposed development. Implementation and maintenance of the FERP shall be the responsibility of building management and all owners, tenants and users of the building must be made aware of the FERP. FERP shall include details of the proposed 'on-site' refuge area. Permanent signage shall be installed in the common areas informing the future occupants of the emergency evacuation procedures and refuge areas

(Reason: to ensure Flood Emergency Response Plan is in place during and after construction is completed.)

180. **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: This condition is to ensure that the measures outlined in the approved loading dock management plan is implemented.

181. **Delivery and Waste Collection Times** – All delivery and privately operated waste collection vehicles shall not service the premises:

- a. Before 8am or after 8pm on Saturdays, Sundays and public holidays
- b. Before 7am or after 8pm on any other day.

(Reason: To prevent loss of amenity to the area)

182. **Storage of bins between collection periods** - Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.

(Reason: To ensure waste is adequately stored within the premises)

End of Consent

APPENDIX 1 – AUSGRID REQUIREMENTS

TELEPHONE: (02) 9394 6932
EMAIL: development@ausgrid.com.au
REFERENCE: TRIM 2017/36/63

ATTN: Shannon Butler

Locked Bag 2069
North Ryde NSW 1670



24 Campbell St,
Haymarket NSW 2000

All mail to:

GPO Box 4009,
Sydney, NSW 2001

T: 131365

Web: ausgrid.com.au

**Re: LDA2022/0278 - 2-6 CHATHAM ROAD WEST RYDE -
demolition of the existing commercial buildings and construction of a shop top housing development
comprising 5 retail premises and 62 dwellings over 2 levels of basement car parking..**

I refer to City of Ryde Council development application LDA2022/0278.

This letter is Ausgrid's response under clause 45(2) of the State Environmental planning Policy (Infrastructure) 2007.

The assessment and evaluation of environmental impacts for a new development consent (or where a development consent is modified) is undertaken in accordance with requirements of Section 79C of the Environmental Planning and Assessment Act 1979. One of the obligations upon consent authorities, such as local councils, is to consider the suitability of the site for the development which can include a consideration of whether the proposal is compatible with the surrounding land uses and the existing environment.

In this regard, Ausgrid requires that due consideration be given to the compatibility of proposed development with existing Ausgrid infrastructure, particularly in relation to risks of electrocution, fire risks, Electric & Magnetic Fields (EMFs), noise, visual amenity and other matters that may impact on Ausgrid or the development.

With Regard to:

**demolition of the existing commercial buildings and construction of a shop top housing development
comprising 5 retail premises and 62 dwellings over 2 levels of basement car parking. at 2-6 CHATHAM
ROAD WEST RYDE**

- Architectural Plans (Revision F)
- 2-6 Chatham Road - Architectural
- 2-6 Chatham Road - Survey Plan

Ausgrid consents to the above mentioned development subject to the following conditions:-

Supply of Electricity

It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:

- The existing network can support the expected electrical load of the development
- A substation may be required on-site, either a pad mount kiosk or chamber style and;
- site conditions or other issues that may impact on the method of supply.

Please direct the developer to Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

Conduit Installation

The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.

Streetlighting

The developer is to consider the impact that existing streetlighting and any future replacement streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact the development, the developer should either review the development design, particular the placement of windows, or discuss with Ausgrid the options for relocating the streetlighting. The relocating of any streetlighting will generally be at the developers cost. In many cases is not possible to relocate streetlighting due to its strategic positioning.

Service Mains

It appears the existing overhead electricity service mains, that supply the subject property, may not have sufficient clearance to the proposed construction as per the requirements of "The Installation and Service Rules of NSW".

It is recommended that the developer engage a Level 2 Accredited Service Provider (ASP) Electrician to ensure that the installation will comply with the Service Rules.

Proximity to Existing Network Assets

Overhead Powerlines

There are existing overhead electricity network assets in Dickson Ave.

Safework NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.

The "as constructed" minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website, www.ausgrid.com.au

The proposed development may encroach the statutory clearances of nearby powerlines as per the requirements set out in AS7000 and Ausgrid Standard NS220. The developer is required to either:

- Engage an Accredited Service Provider Level 3 (ASP3) to confirm that the development does maintain the statutory clearances to the powerlines (this must include wind impacts). If the ASP3 determines that the proposed structure does encroach the statutory clearances, suitable arrangements must be made to ensure that the structure will not encroach the powerline statutory clearance either by redesign of the encroaching structure or relocation of the powerlines away from the proposed structure.
- Make suitable arrangements to have powerlines relocated prior to the commencement of construction so that statutory clearances are not encroached.

Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost.

It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

Underground Cables

There are existing underground electricity network assets in Chatham Rd & Dickson Ave.

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

Substation

There is a proposal substation S34805 within 2-6 Chatham Rd.

The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Any portion of a building other than a BCA class 10a structure constructed from non combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 Hz – 100 kHz) (ICNIRP 2010).

For further details on fire segregation requirements refer to Ausgrid's Network Standard 141.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.

For further details refer to Ausgrid's Network Standard 143.

For Activities Within or Near to the Electricity Easement:

Purpose Of Easement

This easement was acquired for the 11,000 volt distribution assets currently owned and operated by Ausgrid. The purpose of the easement is to protect the distribution assets and to provide adequate working space along the route of the cables for construction and maintenance work. The easement also assists Ausgrid in controlling works or other activities under or near the distribution cables which could either by accident or otherwise create an unsafe situation for workers or the public, or reduce the security and reliability of Ausgrid's network.

The Following Conditions Apply for any Activities Within the Electricity Easement:

Please do not hesitate to contact Wei Yao on Ph: (02) 9394 6932 (please quote our ref: Trim 2017/36/63) should you require any further information.

Regards,

Wei Yao
Asset Protection Officer
Ausgrid - Field Services



SHOP TOP HOUSING DEVELOPMENT

2 CHATHAM ROAD, WEST RYDE

ARCHITECTURAL DOCUMENTATION

DRAWING LIST (\$4.55)

DRAWING NO.	DRAWING TITLE	REVISION	DATE
DA001	COVER PAGE	L	11/10/2024
DA005	HEIGHT PLANE DIAGRAM	G	19/04/2024
DA006	SHADOW DIAGRAMS SHEET 1	F	19/04/2024
DA007	SHADOW DIAGRAMS SHEET 2	F	19/04/2024
DA008	COMPARISON SHADOW DIAGRAM - 9AM	G	19/04/2024
DA009	COMPARISON SHADOW DIAGRAM - 10AM	G	19/04/2024
DA010	COMPARISON SHADOW DIAGRAM - 11AM	G	19/04/2024
DA011	COMPARISON SHADOW DIAGRAM - 12PM	G	19/04/2024
DA012	COMPARISON SHADOW DIAGRAM - 1PM	G	19/04/2024
DA013	COMPARISON SHADOW DIAGRAM - 2PM	G	19/04/2024
DA014	COMPARISON SHADOW DIAGRAM - 3PM	G	19/04/2024
DA020	FSR DIAGRAM - GROUND FLOOR	E	19/04/2024
DA102	GROUND FLOOR PLAN	L	11/10/2024
DA103	LEVEL 1-2 FLOOR PLAN	I	11/10/2024
DA104	LEVEL 3 FLOOR PLAN	I	11/10/2024
DA105	LEVEL 4-6 FLOOR PLAN	I	11/10/2024
DA106	ROOF TERRACE FLOOR PLAN	I	11/10/2024
DA107	ROOF PLAN	G	11/10/2024

DRAWING LIST (\$4.55)

DRAWING NO.	DRAWING TITLE	REVISION	DATE
DA400	BUILDING ELEVATION - NORTH (DICKSON AVE)	I	11/10/2024
DA401	BUILDING ELEVATION - EAST (CHATHAM RD)	I	11/10/2024
DA402	BUILDING ELEVATION - SOUTH (DICKSON LN)	L	11/10/2024
DA403	BUILDING ELEVATION - WEST	H	11/10/2024
DA601	BUILDING SECTION 1	G	11/10/2024
DA602	BUILDING SECTION 2	G	11/10/2024
DA611	LOADING DOCK & ACTIVE FRONTAGE SECTION	C	19/04/2024
DA612	LOADING DOCK DETAILS - SHEET 1	H	13/09/2024
DA613	LOADING DOCK DETAILS - SHEET 2	E	13/09/2024

\$4.55 MODIFICATION - SCHEDULE OF CHANGES (HEIGHT)

ITEM NO.	DESCRIPTION	JUSTIFICATION	DRAWING REFERENCE
GROUND FLOOR CHANGES			
ITEM 1-A	Loading Dock Area revised. Elevations and Retail adjusted to suit.	Amendments to Loading Area to achieve 3.8m height clearance per DA conditions. Minor adjustments to Elevations to suit changes. Retail Areas amended to accommodate truck turning. Levels of rooms adjacent area revised to suit.	DA020, DA102, DA401, DA402
HEIGHT CHANGES			
ITEM 1-B	Levels amended.	Amendments to levels to achieve compliance with SEPP requirements and to satisfy Council Conditions of Consent.	DA103, DA104, DA105, DA106, DA107, DA400, DA401, DA402, DA403, DA601, DA602
ITEM 1-C	Lift Overrun RL raised.	Lift shaft lid required to be raised to achieve clear overrun height per manufacturer's requirements and preliminary lift shop drawing. Schindler Product Line: ES1_R2 and provide sufficient allowance for structural enclosure of the lift shaft..	DA107, DA400, DA401, DA402, DA403, DA601, DA602



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. main@mxdesigns.com.au
Nominated Architect - Mainie Mouawad
NSW Registration No. 13950

REVISION		
NO.	DATE	DESCRIPTION
B	25/10/2023	ISSUED FOR COORDINATION
C	27/10/2023	ISSUED FOR COORDINATION
D	18/01/2024	ISSUED FOR REVIEW
E	31/01/2024	DRAFT MOD SET
F	12/02/2024	ISSUED FOR APPROVAL
G	08/04/2024	ISSUED FOR APPROVAL
H	17/04/2024	ISSUED FOR APPROVAL
I	19/04/2024	ISSUED FOR APPROVAL
J	11/09/2024	COUNCIL RFI
K	13/09/2024	COUNCIL RFI
L	11/10/2024	ISSUED FOR APPROVAL

NOTES

CLIENT
SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DOCUMENT NOTES

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COVER PAGE

DRAWING NO.

DATE
11/10/2024

SCALE
A1

DRAWN BY
CG

SHEET SIZE
A1

APPROVED BY
MM

PROJECT NO.
2305

REVISION NO.
L

STATUS
FOR APPROVAL

NOT FOR CONSTRUCTION

APPROVED LIFT OVERRUN ENCROACHMENT:
PROPOSED ADDITIONAL HEIGHT

PROPOSED MINOR PARAPET ENCROACHMENT

APPROVED PERGOLA STRUCTURE ENCROACHMENT

APPROVED PLANTER WALL ENCROACHMENT



1 3D HEIGHT PLANE DIAGRAM



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. maxine@mxdesigns.com.au
Nominated Architect - Maxine Mouawad
NSW Registration No. 10950

REVISION	NO.	DATE	DESCRIPTION	BY	NOTES
A	27/10/2023	ISSUED FOR REVIEW	CG		
B	18/01/2024	ISSUED FOR REVIEW	CG		
C	31/01/2024	DRAFT MOD SET	CG		
D	12/02/2024	ISSUED FOR APPROVAL	CG		
E	08/04/2024	ISSUED FOR APPROVAL	CG		
F	17/04/2024	ISSUED FOR APPROVAL	CG		
G	19/04/2024	ISSUED FOR APPROVAL	CG		

CLIENT
SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
HEIGHT PLANE DIAGRAM

DRAWING NO.
DA005

DATE
19/04/2024

DRAWN BY
CG

APPROVED BY
MM

SCALE
A1

SHEET SIZE
2305

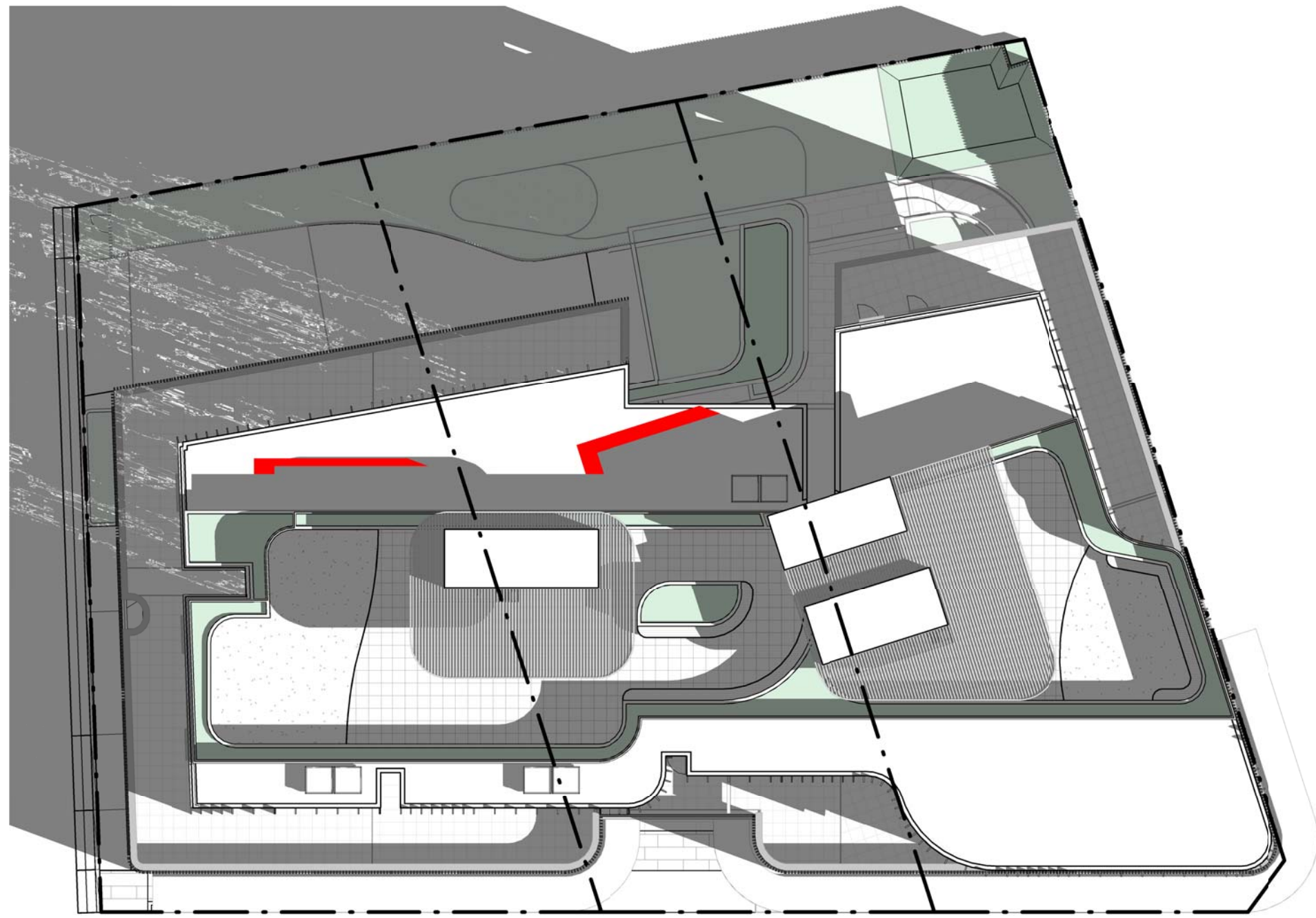
PROJECT NO.
2305

REVISION NO.
G

STATUS
FOR APPROVAL

NOT FOR CONSTRUCTION

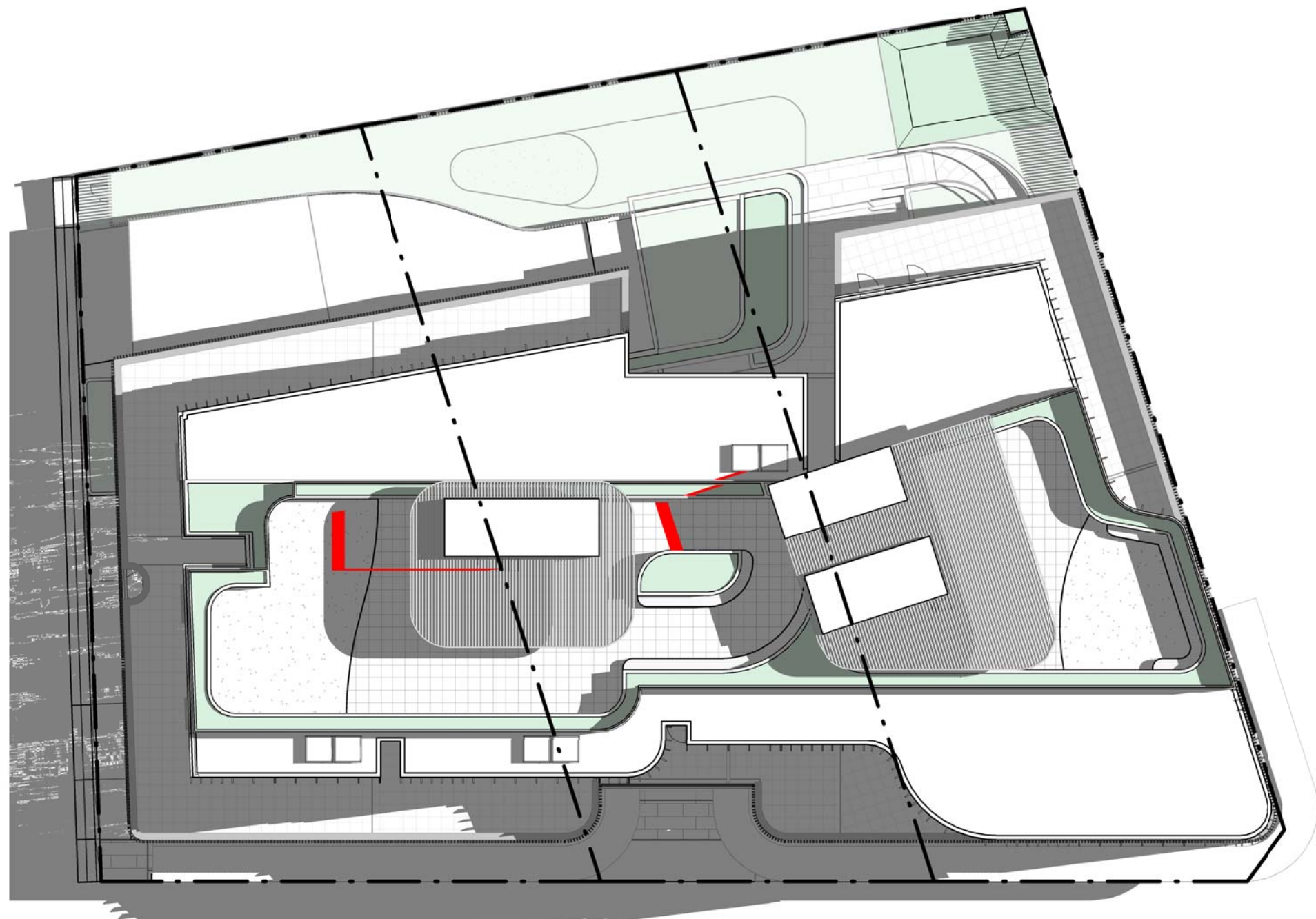
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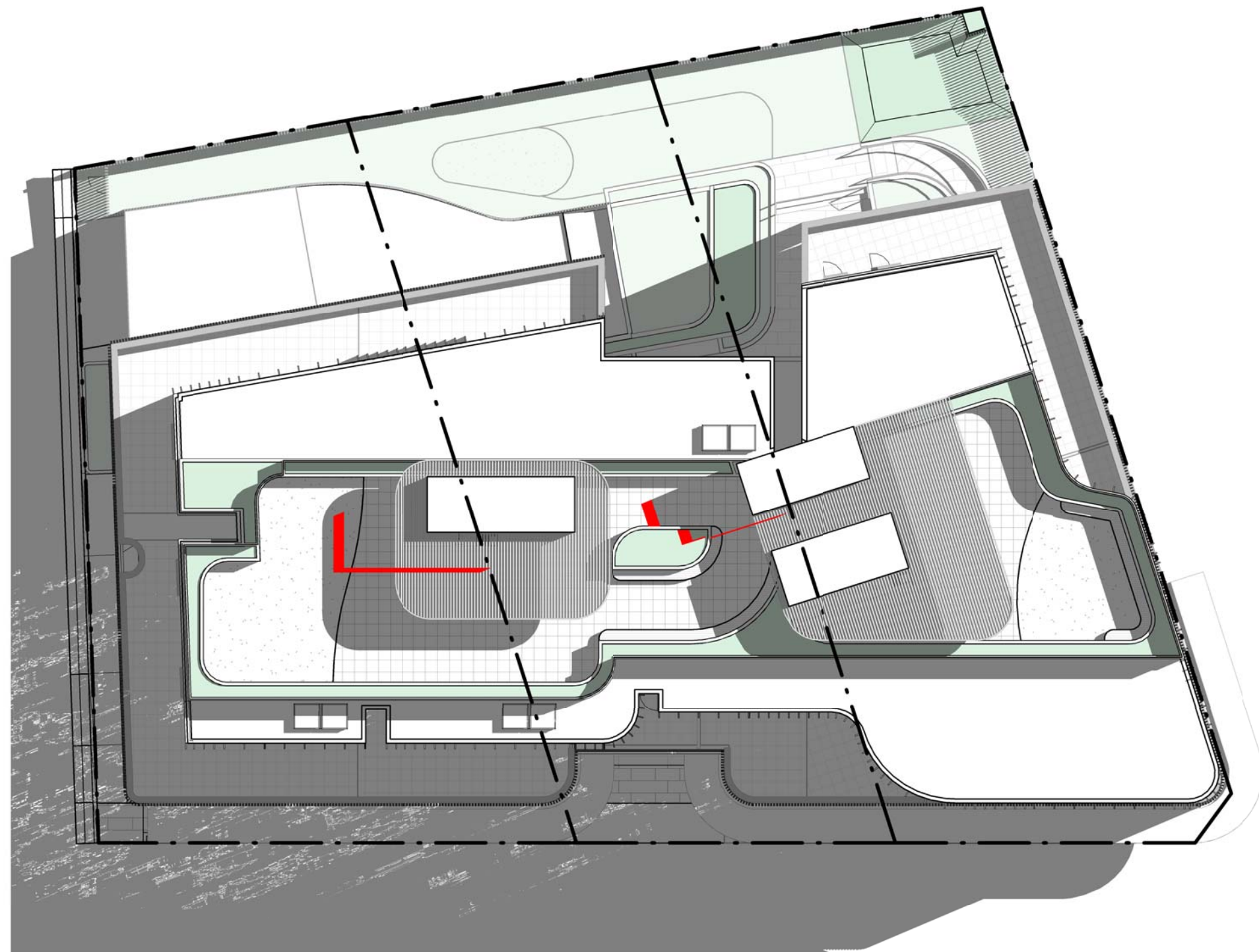
1 SHADOW DIAGRAM - JUNE 21, 9AM
1 : 250



2 SHADOW DIAGRAM - JUNE 21, 10AM
1 : 250



3 SHADOW DIAGRAM - JUNE 21, 11AM
1 : 250



4 SHADOW DIAGRAM - JUNE 21, 12PM
1 : 250



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. maine@mxarchitects.com.au
Nominated Architect - Mainie Mouawad
NSW Registration No. 10950

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NO.	DATE	DESCRIPTION
A	27/10/2023	ISSUED FOR REVIEW
B	18/01/2024	ISSUED FOR REVIEW
C	31/01/2024	DRAFT MOD SET
D	12/02/2024	ISSUED FOR APPROVAL
E	17/04/2024	ISSUED FOR APPROVAL
F	19/04/2024	ISSUED FOR APPROVAL

NOTES	BY
SHADOW LEGEND	CG
Red line	CG
LIFT OVERRUN HEIGHT INCREASE	CG

CLIENT
SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
SHADOW DIAGRAMS SHEET 1

DRAWING NO.
DA006

DATE
19/04/2024

DRAWN BY
CG

APPROVED BY
MM

SCALE
As Indicated

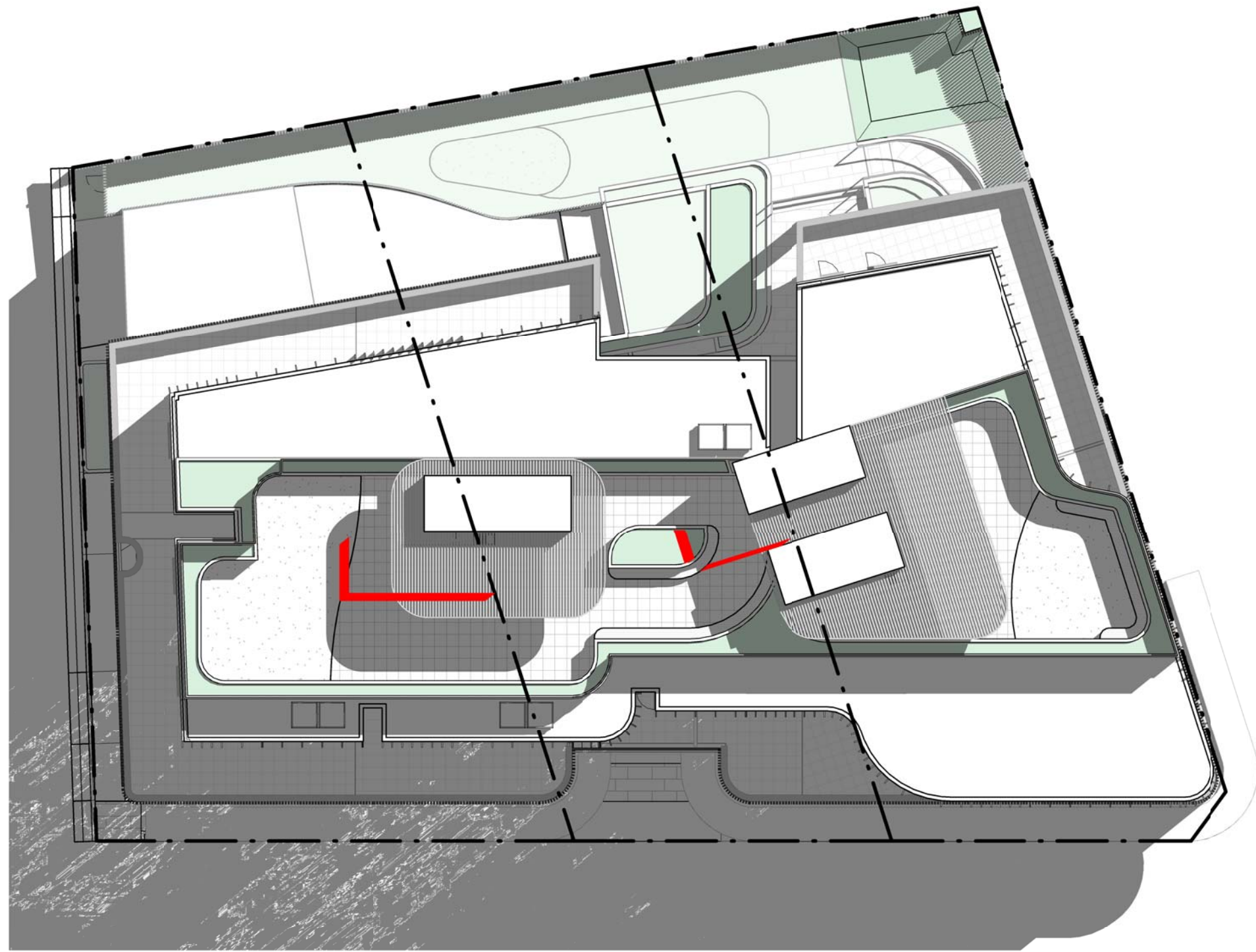
SHEET SIZE
A1

PROJECT NO.
2305

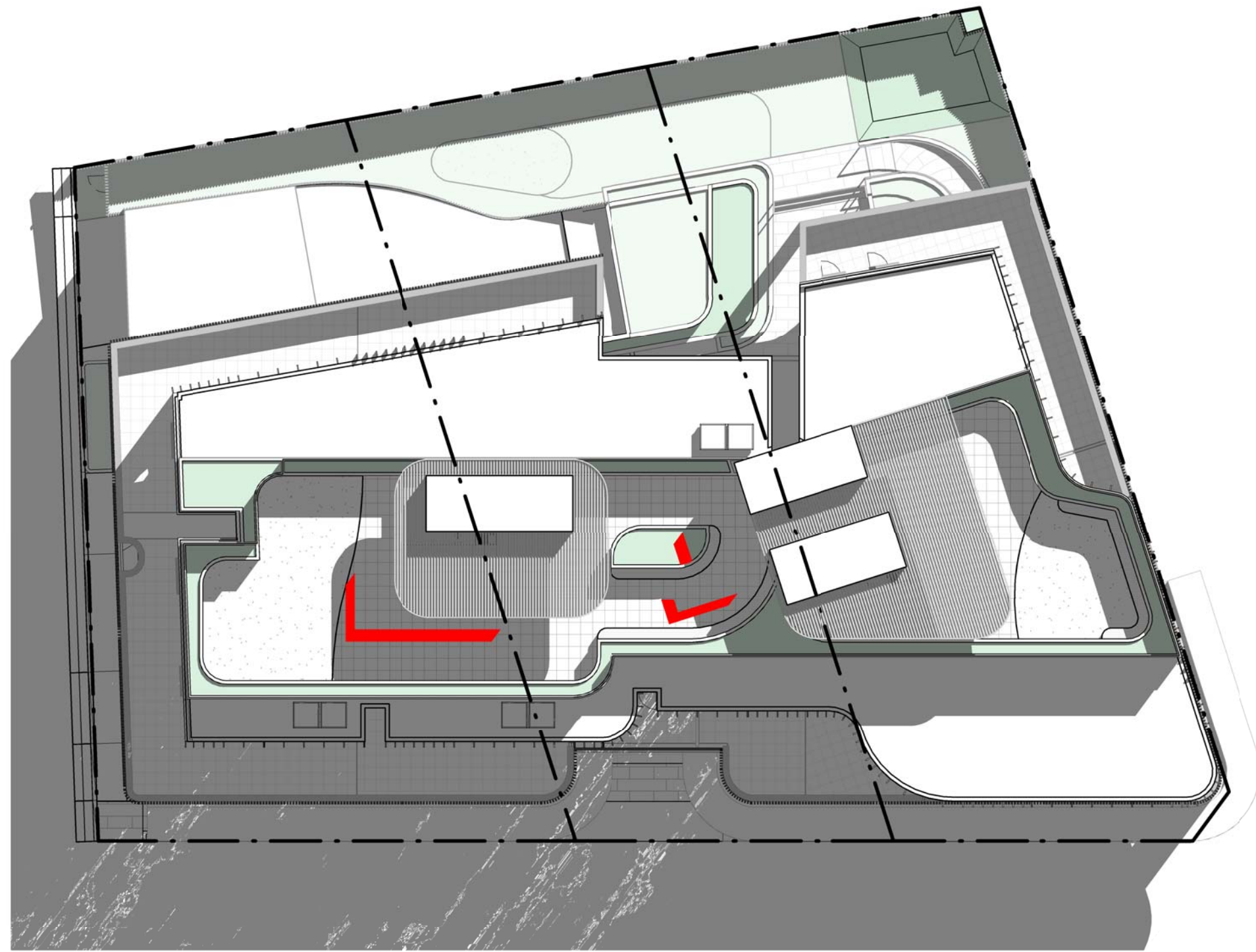
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FOR APPROVAL

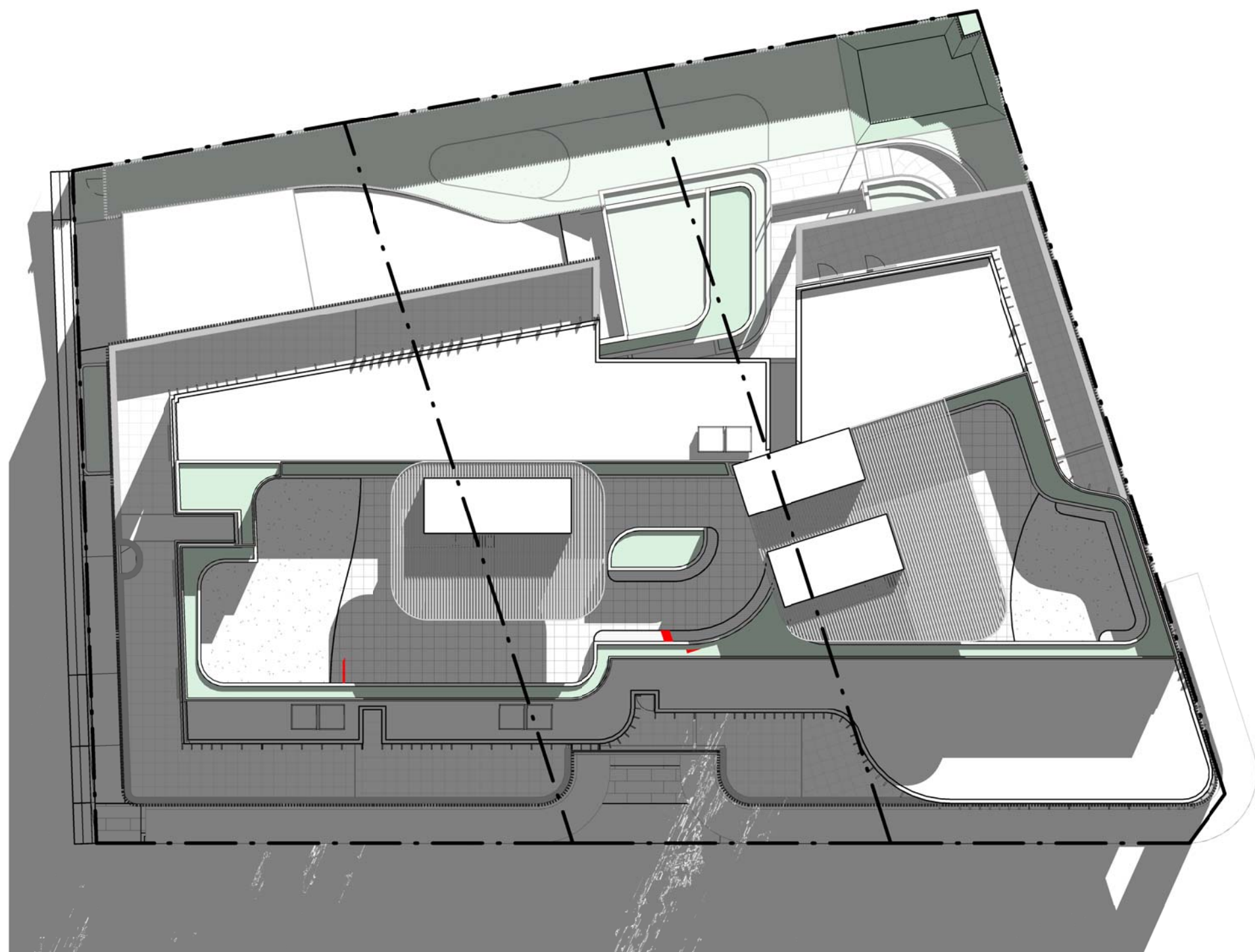
NOT FOR CONSTRUCTION



5 SHADOW DIAGRAM - JUNE 21, 1PM
1 : 250



6 SHADOW DIAGRAM - JUNE 21, 2PM
1 : 250



7 SHADOW DIAGRAM - JUNE 21, 3PM
1 : 250



MX ARCHITECTS
1 Mary Street, Marrrose Park, NSW 2114
t. +614 24 535 607
e. maxine@mxarchitects.com.au
Nominated Architect - Maxine Mousawad
NSW Registration No. 10950

REVISION		
NO.	DATE	DESCRIPTION
A	27/10/2023	ISSUED FOR REVIEW
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C	31/01/2024	DRAFT MOD SET
D	12/02/2024	ISSUED FOR APPROVAL
E	17/04/2024	ISSUED FOR APPROVAL
F	19/04/2024	ISSUED FOR APPROVAL

NOTES	
SHADOW LEGEND	
	LIFT OVERRUN HEIGHT INCREASE

CLIENT
SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
SHADOW DIAGRAMS SHEET 2

DRAWING NO.
DA007

DATE 19/04/2024	DRAWN BY CG	APPROVED BY MM	TRUE NORTH
SCALE As Indicated	SHEET SIZE A1	PROJECT NO. 2305	

REVISION NO.
F

STATUS
FOR APPROVAL

NOT FOR CONSTRUCTION



1 APPROVED - JUNE 21, 9AM
1 : 400



2 PROPOSED - JUNE 21, 9AM
1 : 400

SHADOW LEGEND

- APPROVED
- PROPOSED 430mm HEIGHT INCREASE



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. maine@mxarchitects.com.au
Nominated Architect - Mainie Mousawad
NSW Registration No. 10950

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B	18/01/2024	ISSUED FOR REVIEW	CG		
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D	12/02/2024	ISSUED FOR APPROVAL	CG		
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F	17/04/2024	ISSUED FOR APPROVAL	CG		
G	19/04/2024	ISSUED FOR APPROVAL	CG		

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SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
COMPARISON SHADOW DIAGRAM - 9AM

DRAWING NO.
DA008

DATE
19/04/2024

DRAWN BY
CG

APPROVED BY
MM

SCALE
1 : 400

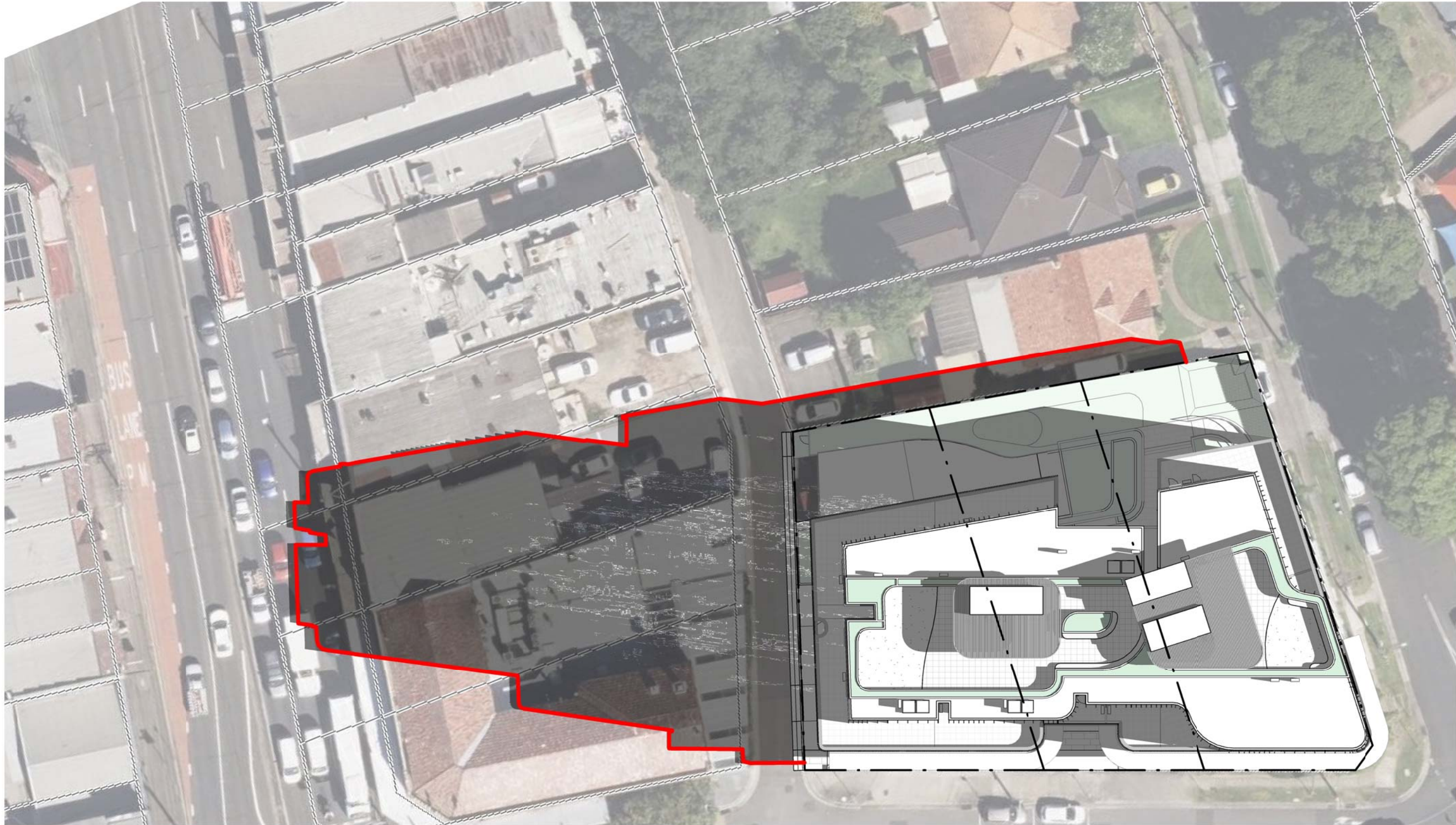
SHEET SIZE
A1

PROJECT NO.
2305

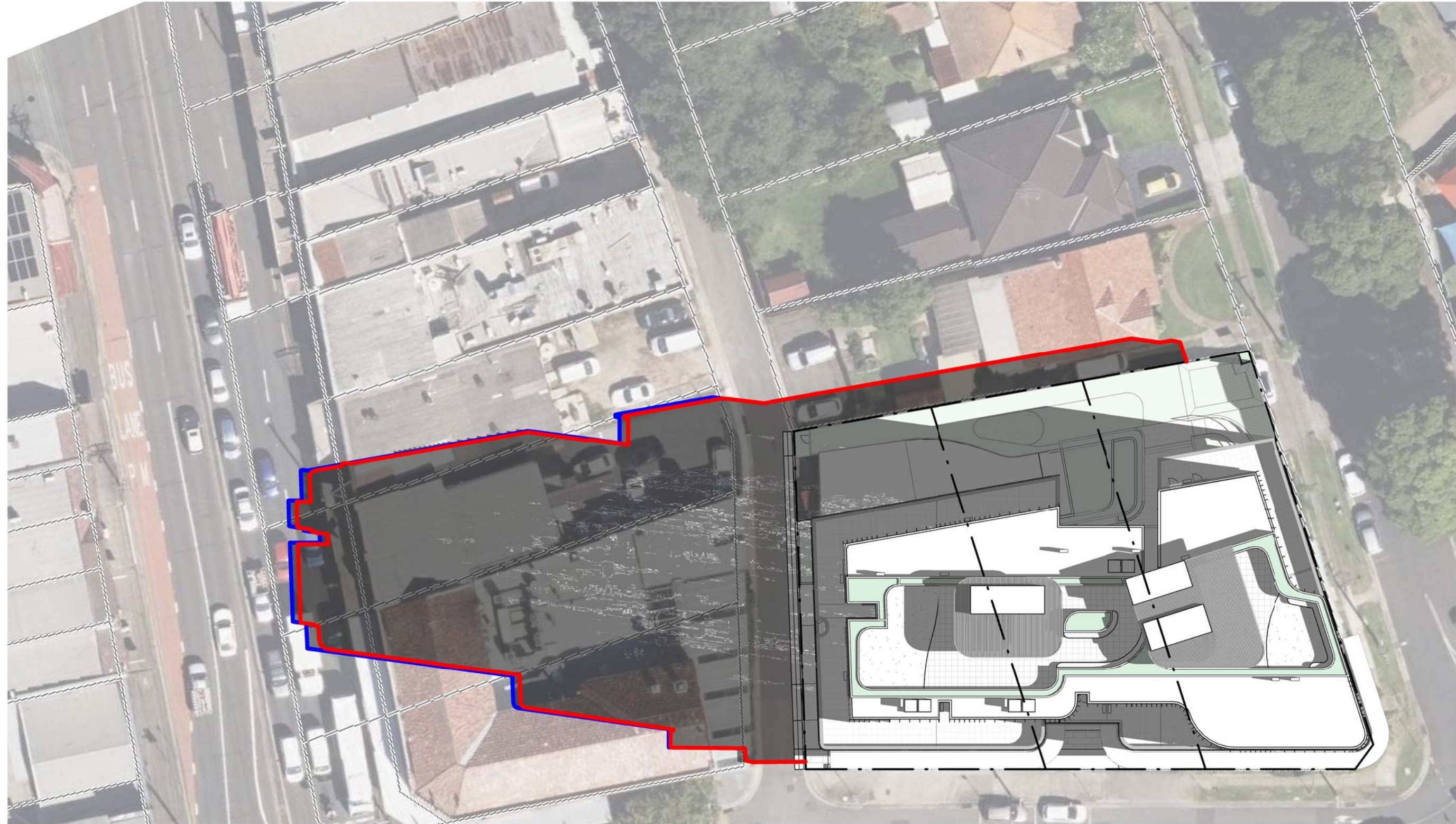
REVISION NO.
G

STATUS
FOR APPROVAL

NOT FOR CONSTRUCTION



1 APPROVED - JUNE 21, 10AM
1 : 400



2 PROPOSED - JUNE 21, 10AM
1 : 400

SHADOW LEGEND

- APPROVED
- PROPOSED 430mm HEIGHT INCREASE



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. maine@mxdesigns.com.au
Nominated Architect - Mainie Mouawad
NSW Registration No. 10950

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F	17/04/2024	ISSUED FOR APPROVAL	CG		
G	19/04/2024	ISSUED FOR APPROVAL	CG		

CLIENT
SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
COMPARISON SHADOW DIAGRAM - 10AM

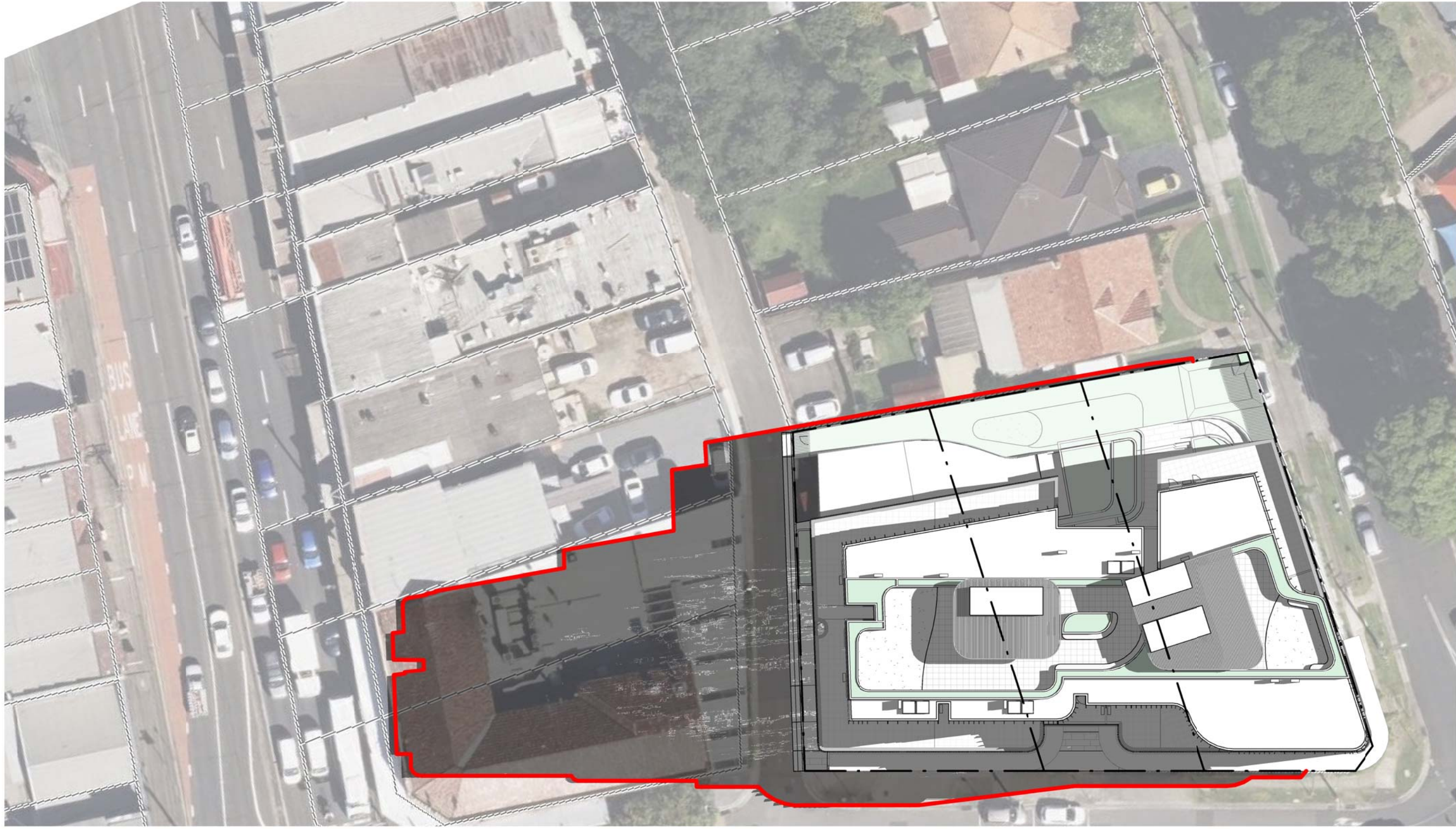
DRAWING NO.
DA009

DATE	DRAWN BY	APPROVED BY	TRUE NORTH
19/04/2024	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
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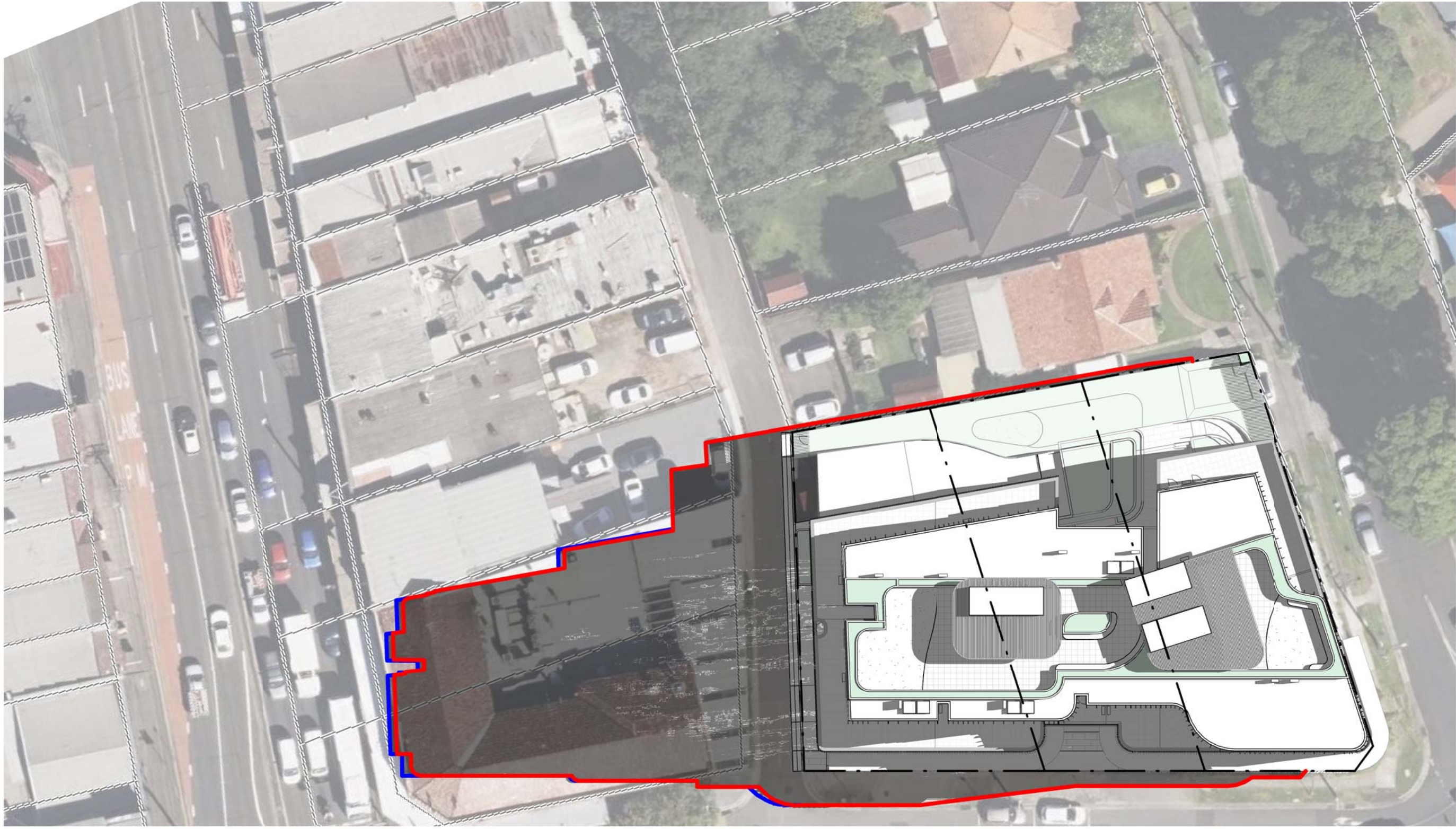
REVISION NO. **G**

STATUS **FOR APPROVAL**

NOT FOR CONSTRUCTION



1 APPROVED - JUNE 21, 11 AM
1 : 400



2 PROPOSED - JUNE 21, 11AM
1 : 400



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. maxine@mxdesigns.com.au
Nominated Architect - Maxine Mouawad
NSW Registration No. 10950

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C	31/01/2024	DRAFT MOD SET	CG		
D	12/02/2024	ISSUED FOR APPROVAL	CG		
E	08/04/2024	ISSUED FOR APPROVAL	CG		
F	17/04/2024	ISSUED FOR APPROVAL	CG		
G	19/04/2024	ISSUED FOR APPROVAL	CG		

CLIENT
SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
COMPARISON SHADOW DIAGRAM - 11AM

DRAWING NO.
DA010

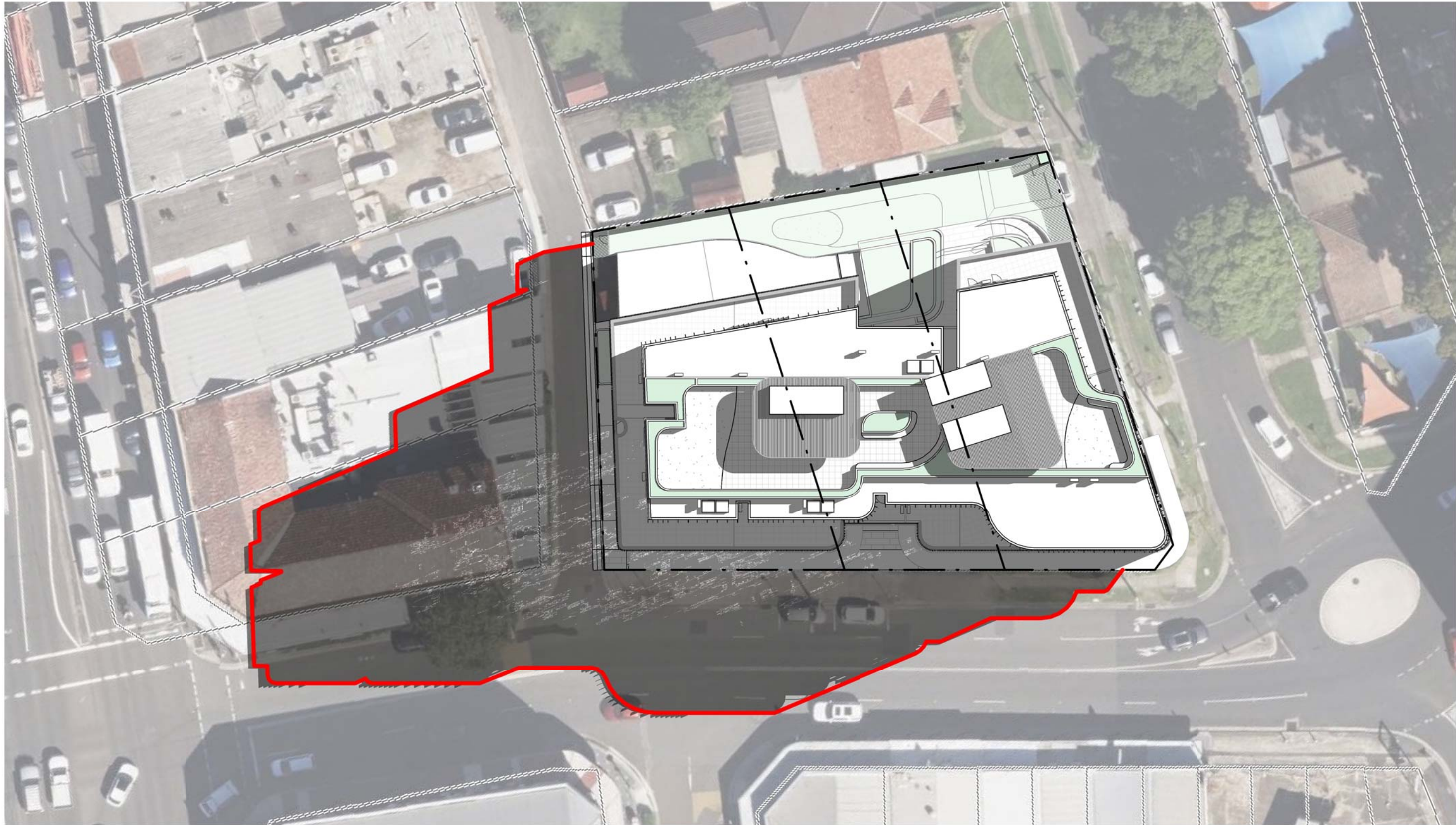
DATE	DRAWN BY	APPROVED BY	TRUE NORTH
19/04/2024	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
1 : 400	A1	2305	

SHADOW LEGEND
 APPROVED
 PROPOSED 430mm HEIGHT INCREASE

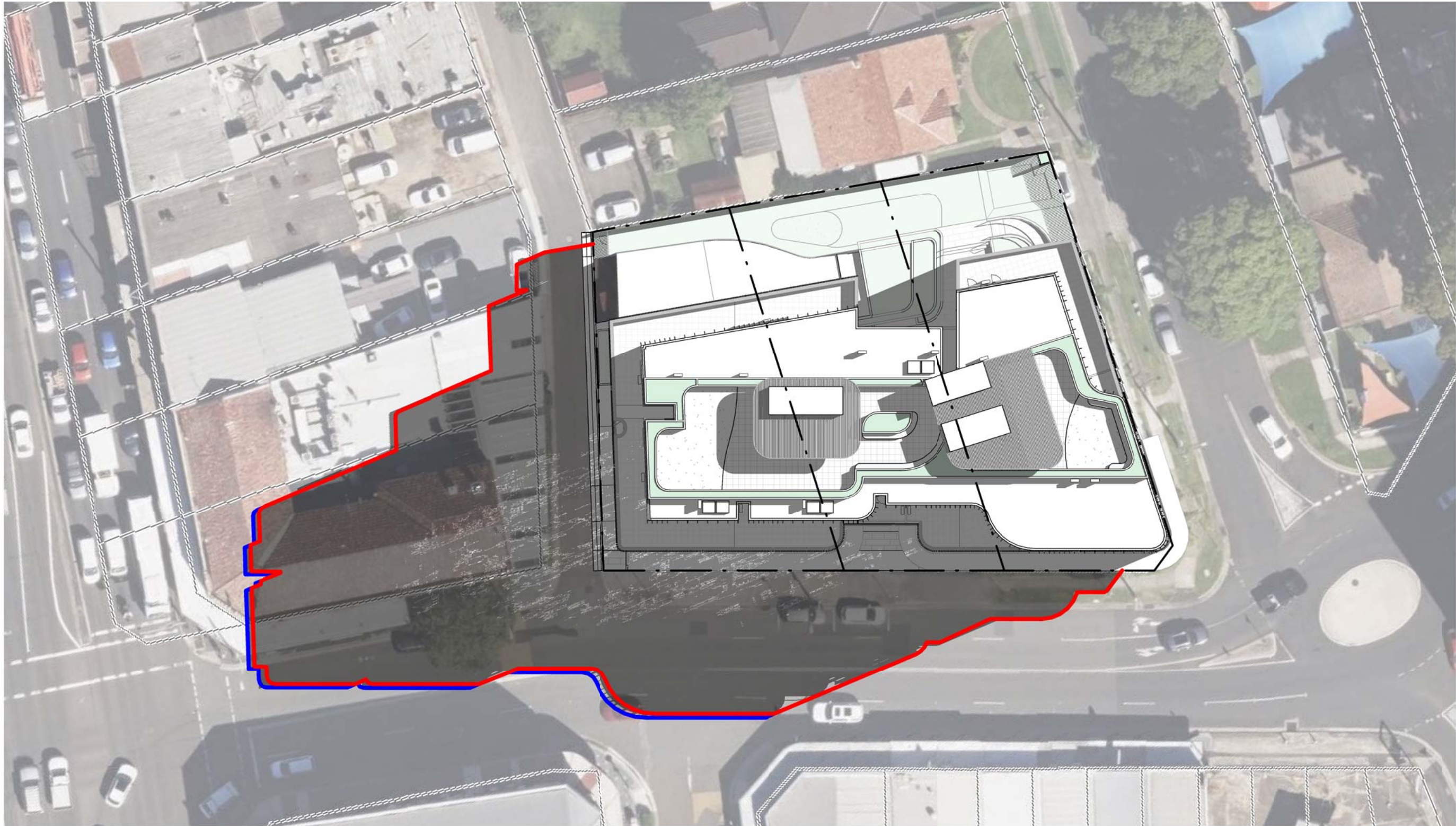
FOR APPROVAL

G

NOT FOR CONSTRUCTION



1 APPROVED - JUNE 21, 12PM
1 : 400



2 PROPOSED - JUNE 21, 12PM
1 : 400

SHADOW LEGEND

- APPROVED
- PROPOSED 430mm HEIGHT INCREASE



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. maine@mxarchitects.com.au
Nominated Architect - Mainie Mouawad
NSW Registration No. 10950

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A	21/11/2023	ISSUED FOR REVIEW	CG		
B	18/01/2024	ISSUED FOR REVIEW	CG		
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F	17/04/2024	ISSUED FOR APPROVAL	CG		
G	19/04/2024	ISSUED FOR APPROVAL	CG		

CLIENT
SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

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2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
COMPARISON SHADOW DIAGRAM - 12PM

DRAWING NO.
DA011

DATE
19/04/2024

DRAWN BY
CG

APPROVED BY
MM

SCALE
1 : 400

SHEET SIZE
A1

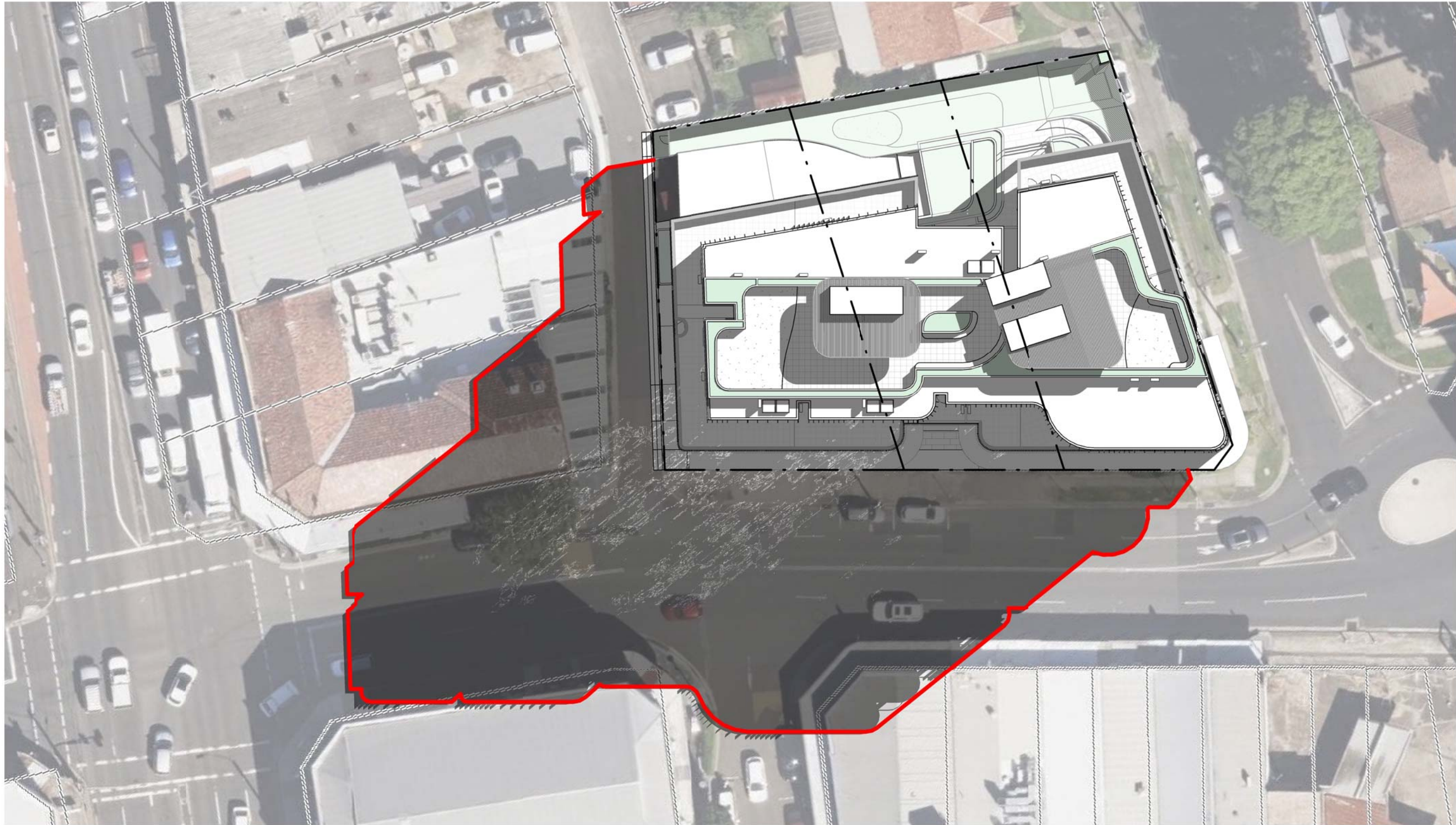
PROJECT NO.
2305

REVISION NO.
G

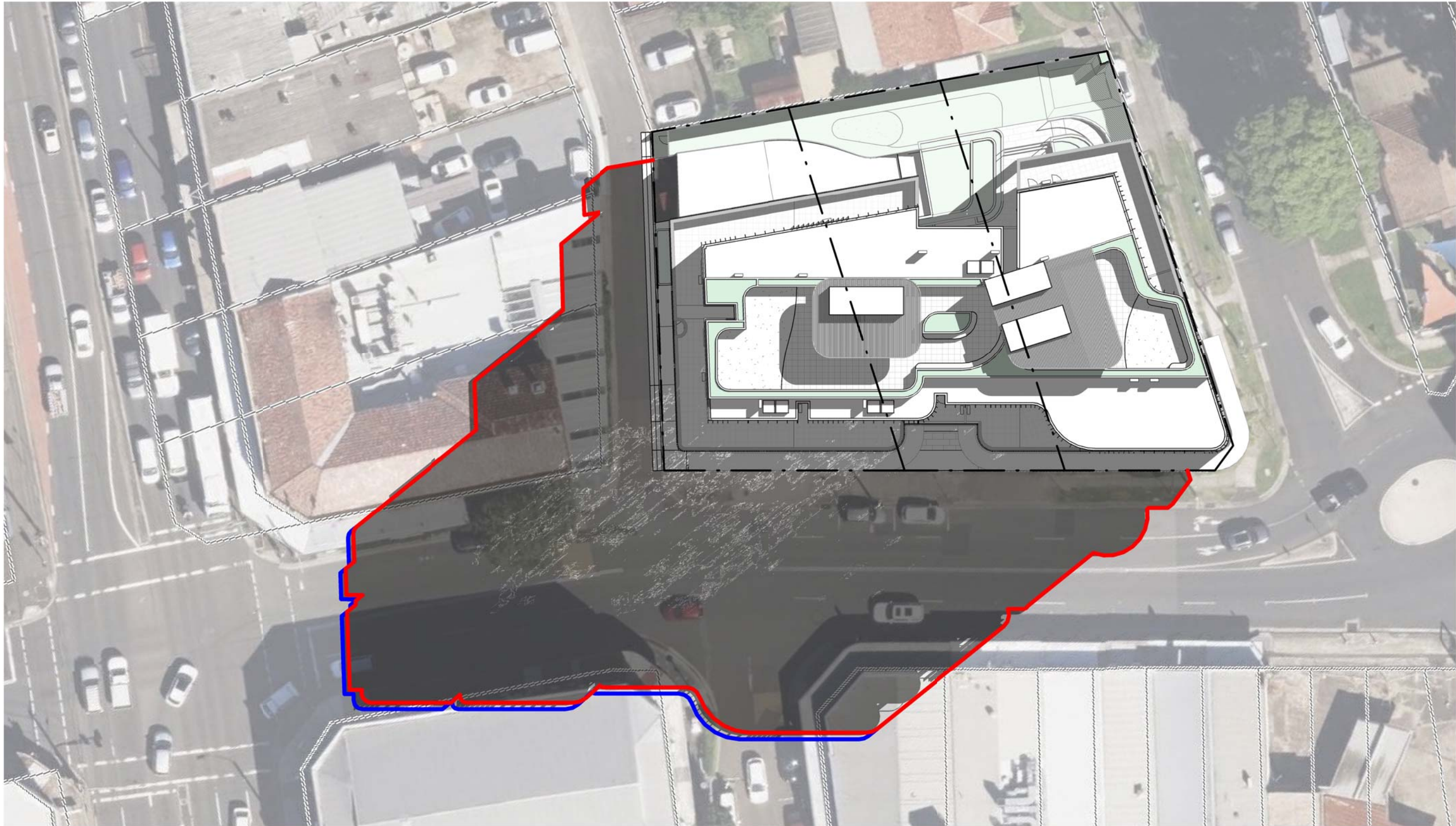
STATUS
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1 APPROVED - JUNE 21, 1PM
1 : 400



2 PROPOSED - JUNE 21, 1PM
1 : 400

SHADOW LEGEND

- APPROVED
- PROPOSED 430mm HEIGHT INCREASE



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. maine@mxdesigns.com.au
Nominated Architect - Mainie Mouawad
NSW Registration No. 10950

REVISION	NO.	DATE	DESCRIPTION	BY	NOTES
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F	17/04/2024	ISSUED FOR APPROVAL	CG		
G	19/04/2024	ISSUED FOR APPROVAL	CG		

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SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
COMPARISON SHADOW DIAGRAM - 1PM

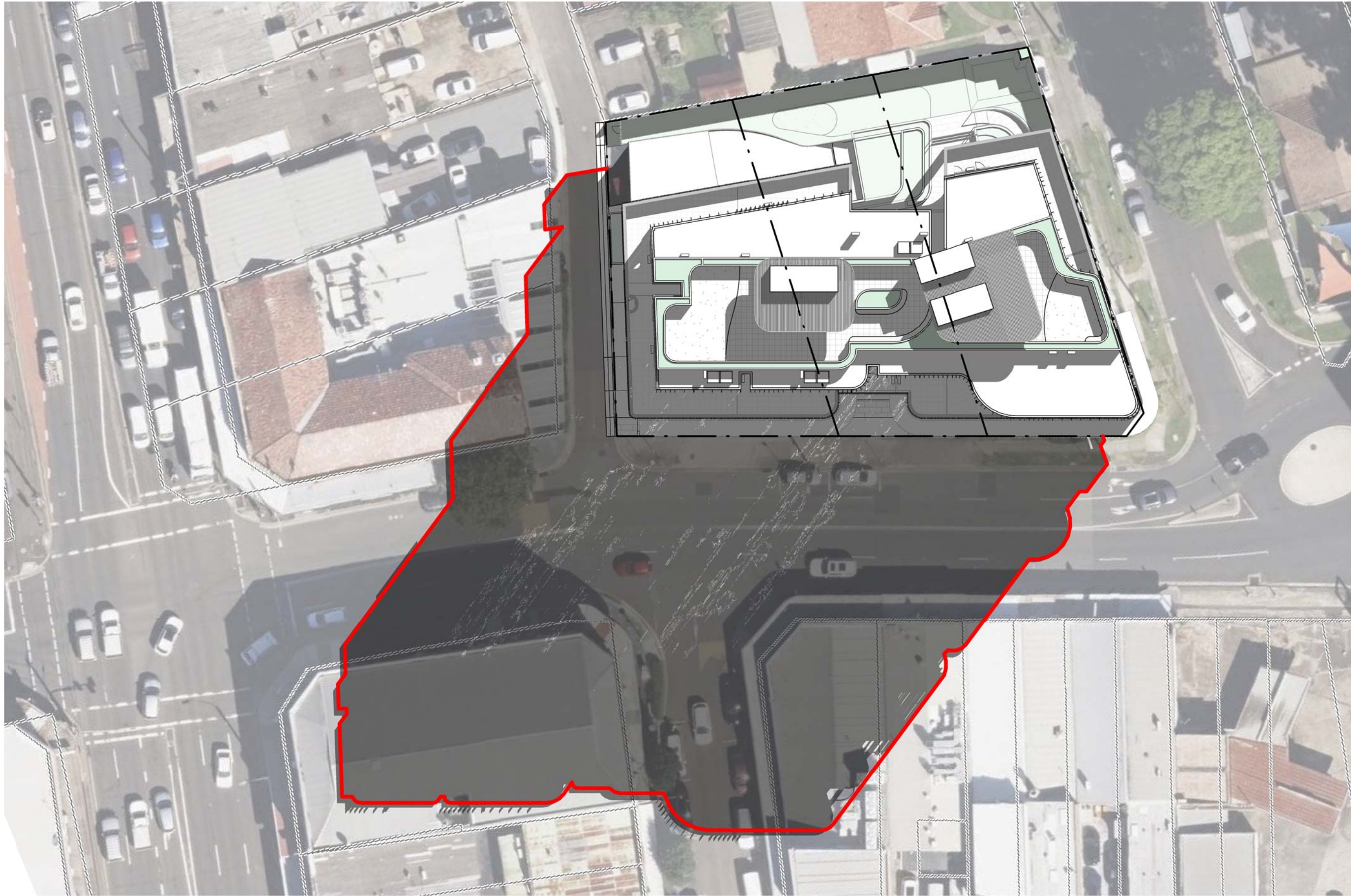
DRAWING NO.
DA012

DATE	DRAWN BY	APPROVED BY	TRUE NORTH
19/04/2024	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
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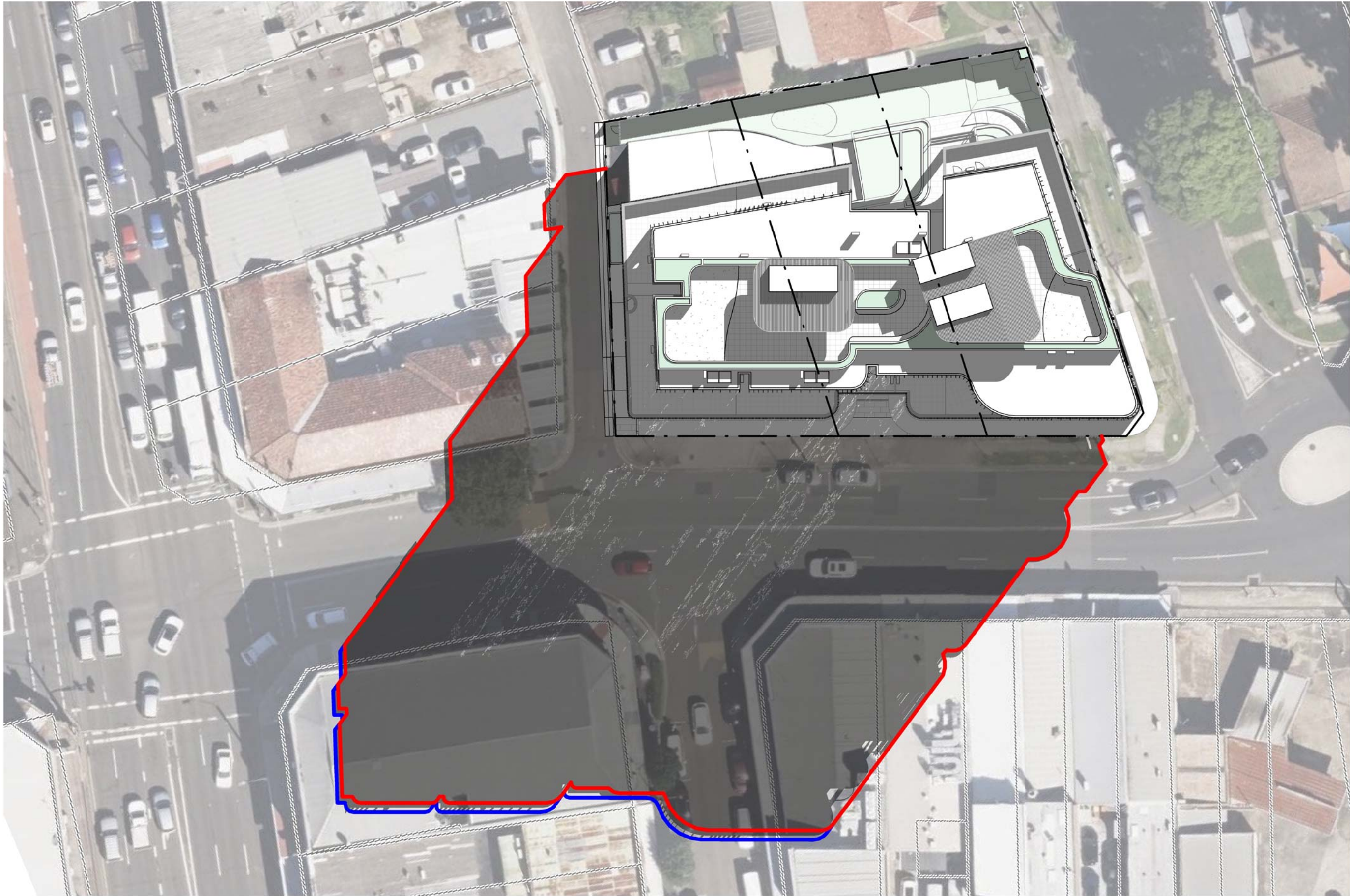
REVISION NO.
G

STATUS
FOR APPROVAL

NOT FOR CONSTRUCTION



1 APPROVED - JUNE 21, 2PM
1 : 400



2 PROPOSED - JUNE 21, 2PM
1 : 400

SHADOW LEGEND

- APPROVED
PROPOSED 430mm HEIGHT INCREASE



MX ARCHITECTS
1 Mary Street, Maitland Park, NSW 2114
t. +614 24 535 607
e. maine@mxarchitects.com.au
Nominated Architect - Mainie Mousawed
NSW Registration No. 10950

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G	19/04/2024	ISSUED FOR APPROVAL	CG		

CLIENT
SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
COMPARISON SHADOW DIAGRAM - 2PM

DRAWING NO.
DA013

DATE	DRAWN BY	APPROVED BY	TRUE NORTH
19/04/2024	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
1 : 400	A1	2305	

REVISION NO.
G

STATUS
FOR APPROVAL

NOT FOR CONSTRUCTION



1 APPROVED - JUNE 21, 3PM
1 : 400



2 PROPOSED - JUNE 21, 3PM
1 : 400

SHADOW LEGEND

- APPROVED
■ PROPOSED 430mm HEIGHT INCREASE



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. maine@mxdesigns.com.au
Nominated Architect - Mainie Mousaw
NSW Registration No. 10950

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D	12/02/2024	ISSUED FOR APPROVAL	CG		
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G	19/04/2024	ISSUED FOR APPROVAL	CG		

CLIENT
SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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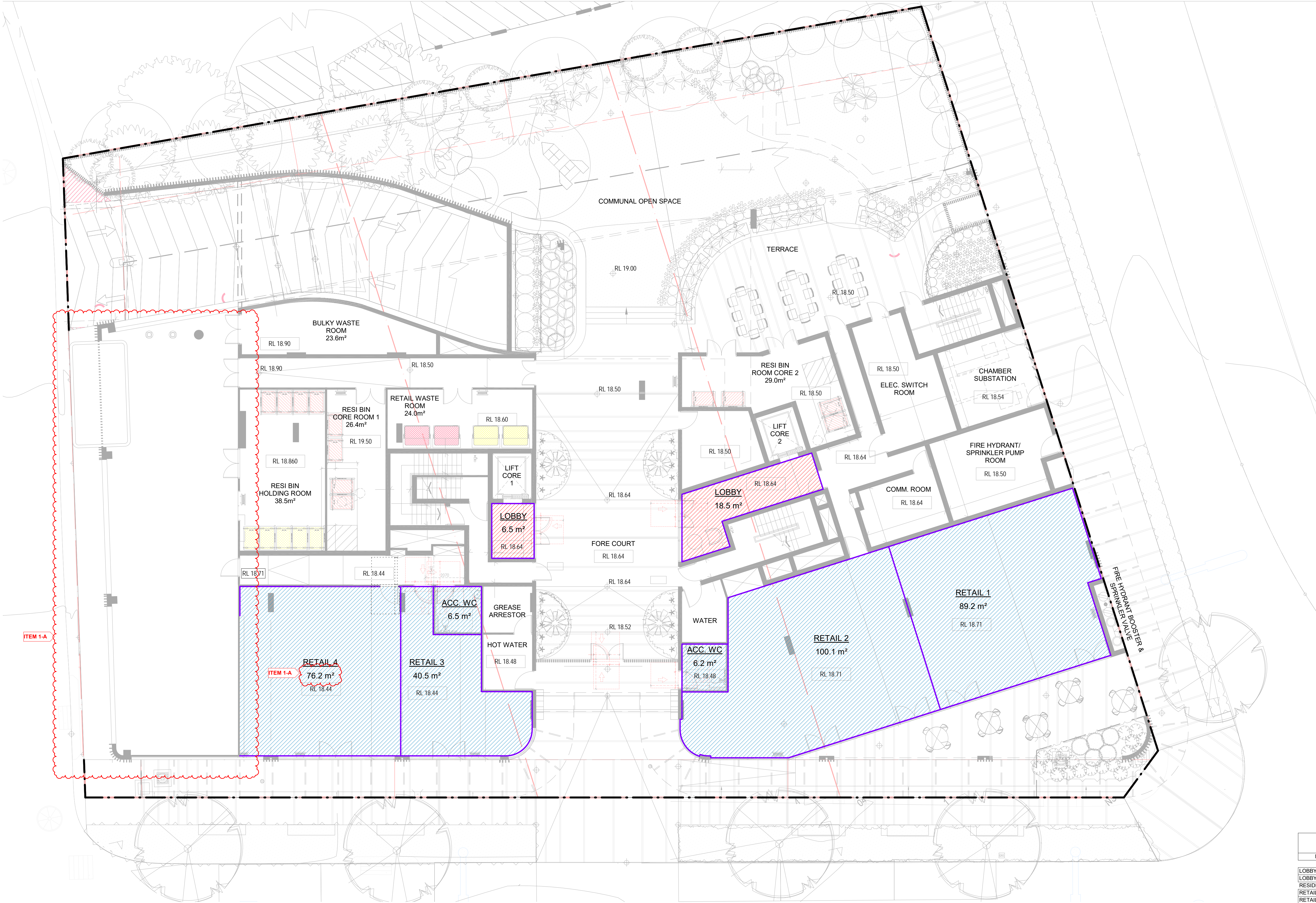
DRAWING TITLE
COMPARISON SHADOW DIAGRAM - 3PM

DRAWING NO.
DA014

DATE 19/04/2024	DRAWN BY CG	APPROVED BY MM	TRUE NORTH
SCALE 1 : 400	SHEET SIZE A1	PROJECT NO. 2305	

REVISION NO.
G

STATUS
FOR APPROVAL
NOT FOR CONSTRUCTION



Area Schedule (FSR Compliance (MOD))		
Name	Department	Area
LOBBY	RESIDENTIAL	18.5 m²
LOBBY	RESIDENTIAL	6.5 m²
RESIDENTIAL: 2		25.0 m²
RETAIL 2	RETAIL	100.1 m²
RETAIL 4	RETAIL	76.2 m²
RETAIL 3	RETAIL	40.5 m²
RETAIL 1	RETAIL	89.2 m²
ACC. WC	RETAIL	6.5 m²
RETAIL: 6	RETAIL	318.7 m²

1 GROUND FLOOR 1 : 100



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +61 2 24 535 607
e. maxine@mxarchitects.com.au
Nominated Architect - Maxine Mousaw
NSW Registration No. 10950

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D	17/04/2024	ISSUED FOR APPROVAL	CG
E	19/04/2024	ISSUED FOR APPROVAL	CG

NOTES

CLIENT

SCION GROUP
a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION

SHOP TOP HOUSING DEVELOPMENT
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE

FSR DIAGRAM - GROUND FLOOR

DATE

19/04/2024

DRAWN BY

CG

APPROVED BY

MM



SCALE

1 : 100

SHEET SIZE

A1

PROJECT NO.

2305

DRAWING NO.

DA020

REVISION NO.

E

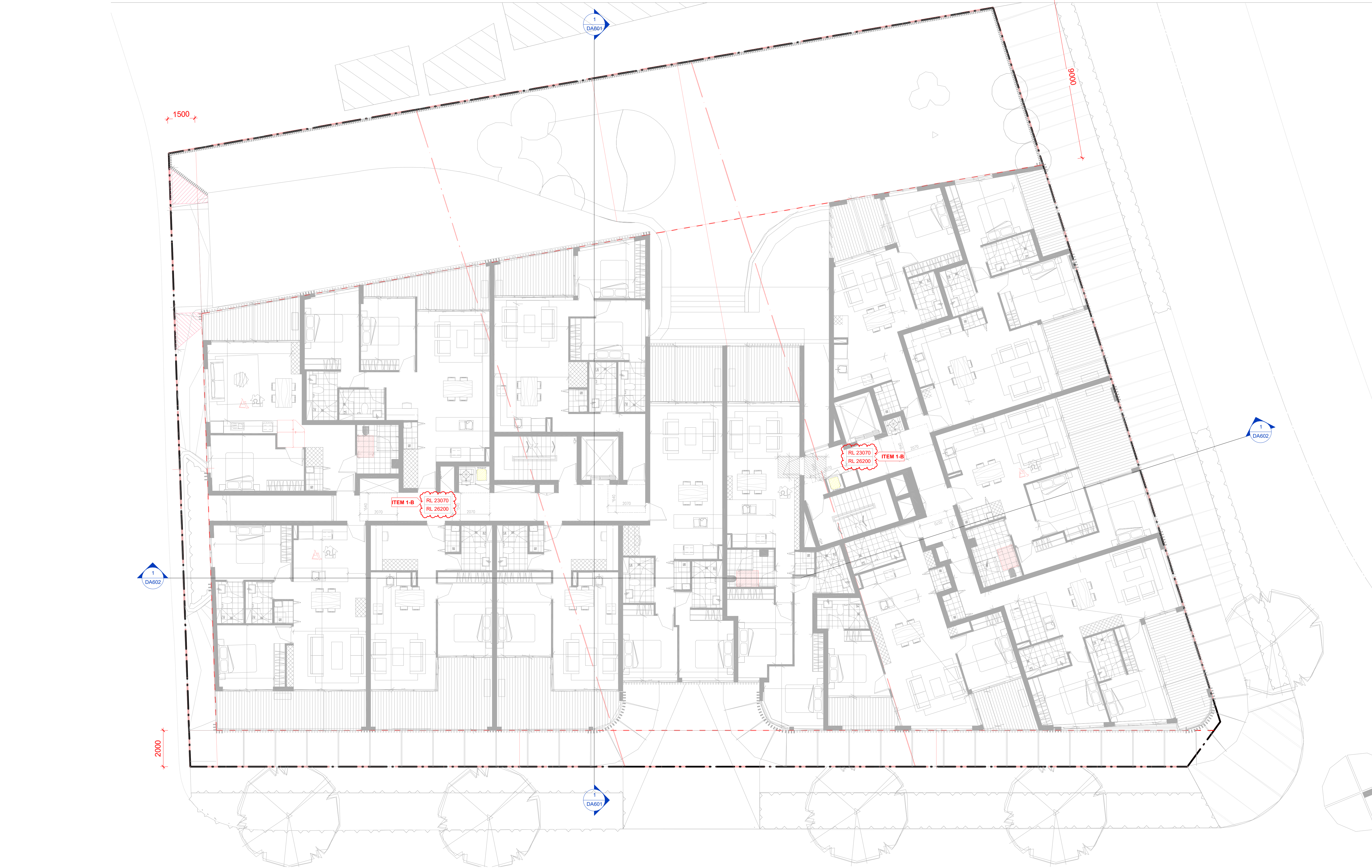
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1 LEVEL 1-2 PLAN
1 : 100

PLANS AS PER APPROVED DA LDA2022/0278,
UNLESS CLOUDED OTHERWISE.



MX ARCHITECTS
1 Mary Street, Marrs Park, NSW 2114
t. +61 2 24 535 607
e. main@mxarchitects.com.au
Nominated Architect - Mainie Mousaw
NSW Registration No. 13950

REVISION	NO.	DATE	DESCRIPTION	BY	NOTES
A	20/10/2023	ISSUED FOR REVIEW	CG		
B	25/10/2023	ISSUED FOR COORDINATION	CG		
C	18/01/2024	ISSUED FOR REVIEW	CG		
D	31/01/2024	DRAFT MOD SET	CG		
E	12/02/2024	ISSUED FOR APPROVAL	CG		
F	08/04/2024	ISSUED FOR APPROVAL	CG		
G	17/04/2024	ISSUED FOR APPROVAL	CG		
H	19/04/2024	ISSUED FOR APPROVAL	CG		
I	11/10/2024	ISSUED FOR APPROVAL	CG		

CLIENT
SCION GROUP
a. Shop 2/50-52 Harbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
LEVEL 1-2 FLOOR PLAN

DRAWING NO.
DA103

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1 : 100	A1	2305	

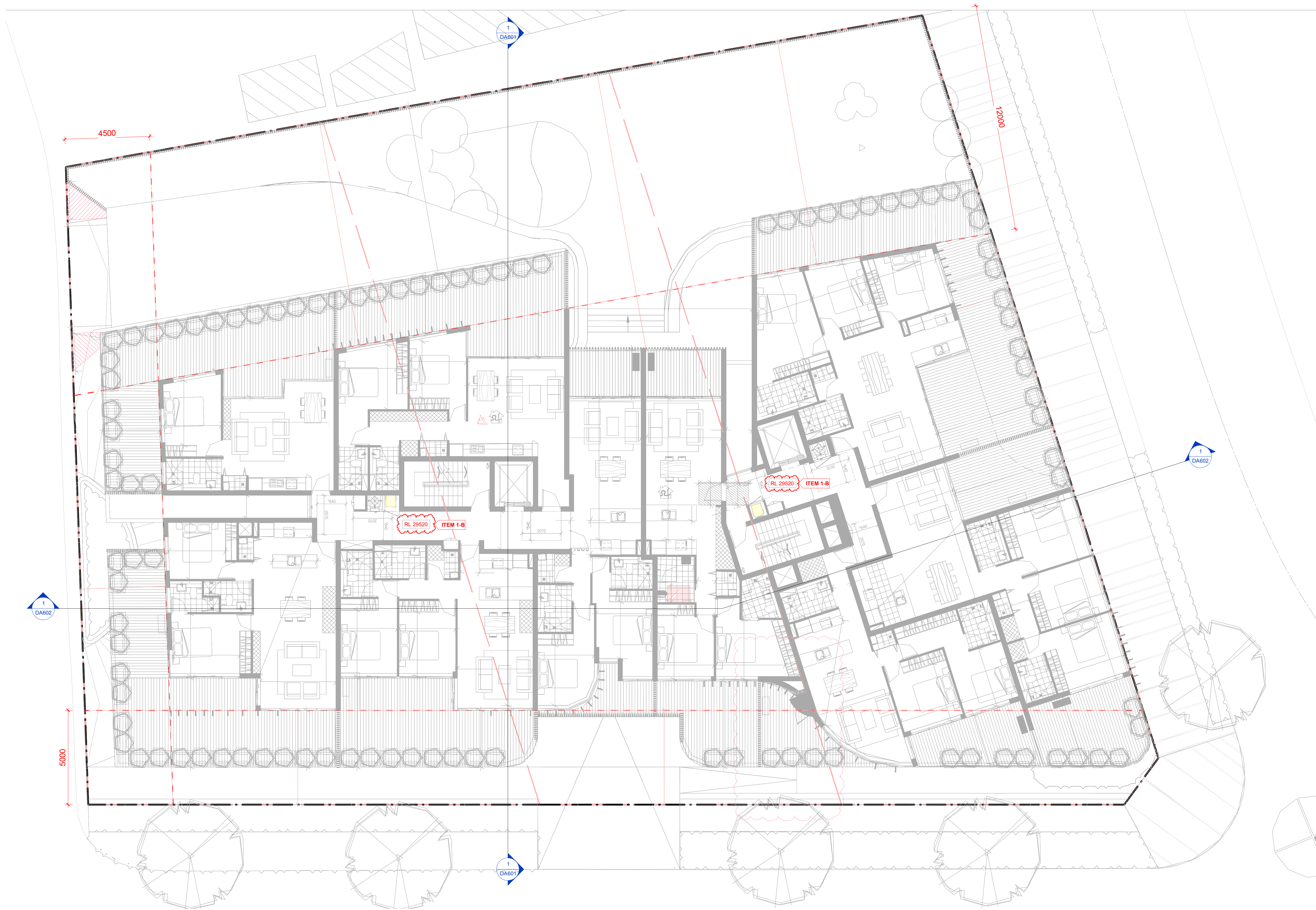
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1 LEVEL 3 PLAN
1 : 100

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MX ARCHITECTS
1 Mary Street, Marrs Park, NSW 2114
t. +61 2 24 535 607
e. main@mxarchitects.com.au
Nominated Architect - Mairine Mousaw
NSW Registration No. 13950

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CLIENT
SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
LEVEL 3 FLOOR PLAN

DRAWING NO.
DA104

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1 : 100	A1	2305	

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1 LEVEL 4-6 PLAN
1 : 100

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MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. main@mxdesigns.com.au
Nominated Architect - Mawne Mawne
NSW Registration No. 10950

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SCION GROUP
a. Shop 2/50-52 Harbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
LEVEL 4-6 FLOOR PLAN

DRAWING NO.
DA105

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a. Shop 2/30-32 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

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PROJECT DESCRIPTION

SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS

2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE

ROOF TERRACE FLOOR PLAN

DRAWING NO.

DA106

DATE _____

11/10/2024

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1 : 100

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CG

SHEET SIZE

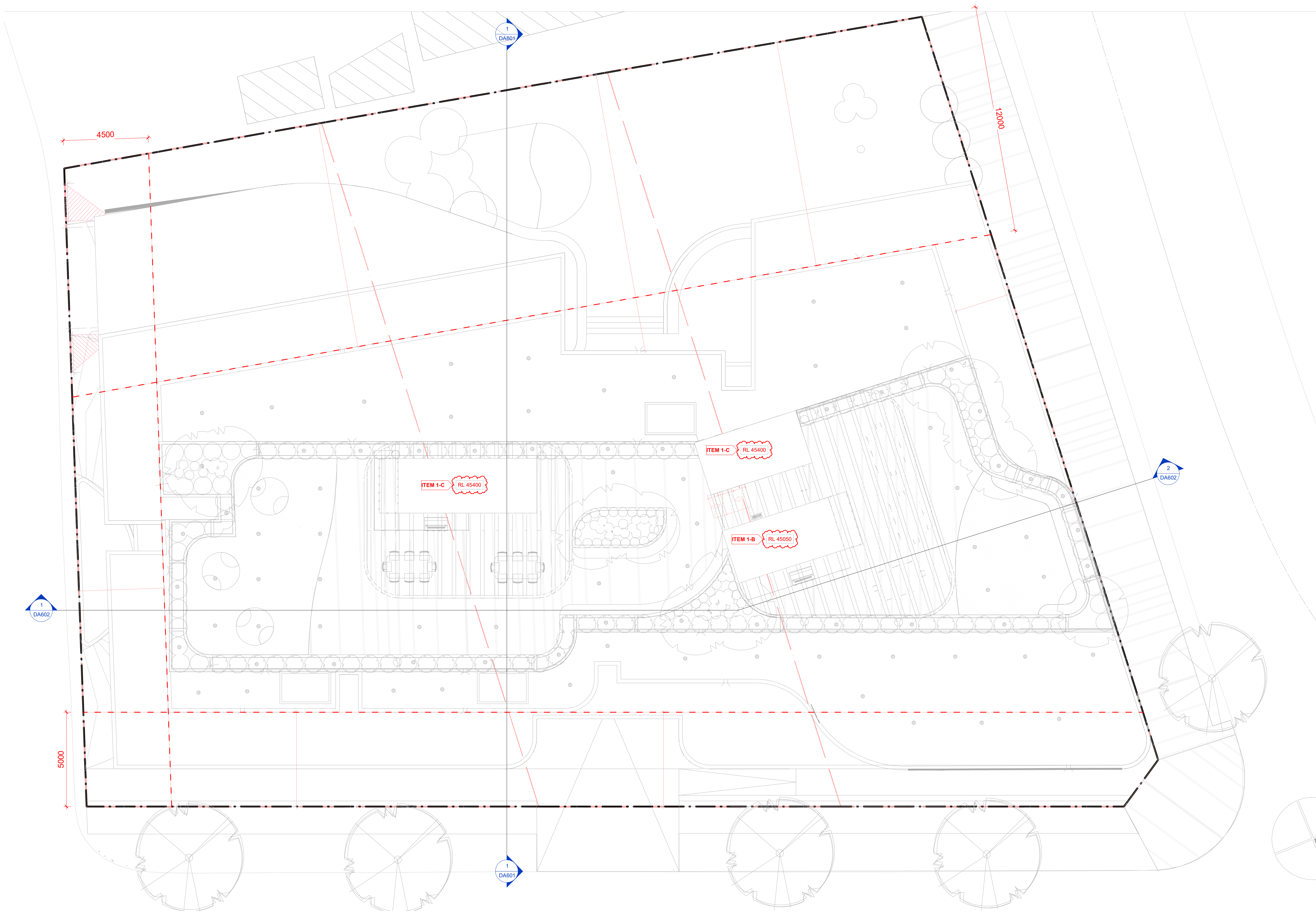
A1 2305

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1 ROOF PLAN
1 : 100

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MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. main@mxdesigns.com.au
Nominated Architect - Maima Mousawad
NSW Registration No. 13950

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SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
ROOF PLAN

DRAWING NO.
DA107

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1 : 100	A1	2305	

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1 NORTH ELEVATION (DICKSON AVENUE)
1 : 100

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1 Mary Street, Marrise Park, NSW 2114
t. +614 24 535 607
e. main@mxdesigns.com.au
Nominated Architect - Mainie Mousawad
NSW Registration No. 13950

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t. +612 9808 6836
e. info@scion.com.au
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PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
**BUILDING ELEVATION - NORTH
(DICKSON AVE)**

DRAWING NO.
DA400

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1 : 100	A1	2305	

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1 SOUTH ELEVATION (DICKSON LANE)
1 : 100

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1 Mary Street, Marrose Park, NSW 2114
t. +61 2 24 535 607
e. main@mxdesigns.com.au
Nominated Architect - Mawne Mawne
NSW Registration No. 13550

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t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE
**BUILDING ELEVATION - SOUTH
(DICKSON LN)**

DRAWING NO.
DA402

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11/10/2024	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
1 : 100	A1	2305	

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1 WEST ELEVATION
1:100

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1 Mary Street, Marrickville Park, NSW 2114
t. +61 2 24 535 607
e. main@mxarchitects.com.au
Nominated Architect - Mainie Mousaw
NSW Registration No. 13550

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a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
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PROJECT DESCRIPTION

SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS

2 CHATHAM ROAD, WEST RYDE

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DRAWING TITLE

BUILDING ELEVATION - WEST

DRAWING NO.

DA403

DATE

11/10/2024

SCALE

1:100

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1 BUILDING SECTION 1
1 : 100

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1 Mary Street, Marooch Park, NSW 2114
t. +61 2 24 535 607
e. main@mxarchitects.com.au
Nominated Architect - Mawne Mawne
NSW Registration No. 13550

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SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
BUILDING SECTION 1

DRAWING NO.
DA601

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1 BUILDING SECTION 2
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1 Mary Street, Murrumbidgee Park, NSW 2114
t. +61 2 24 535 607
e. main@mxarchitects.com.au
Nominated Architect - Mairine Mousawad
NSW Registration No. 13950

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a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
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PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

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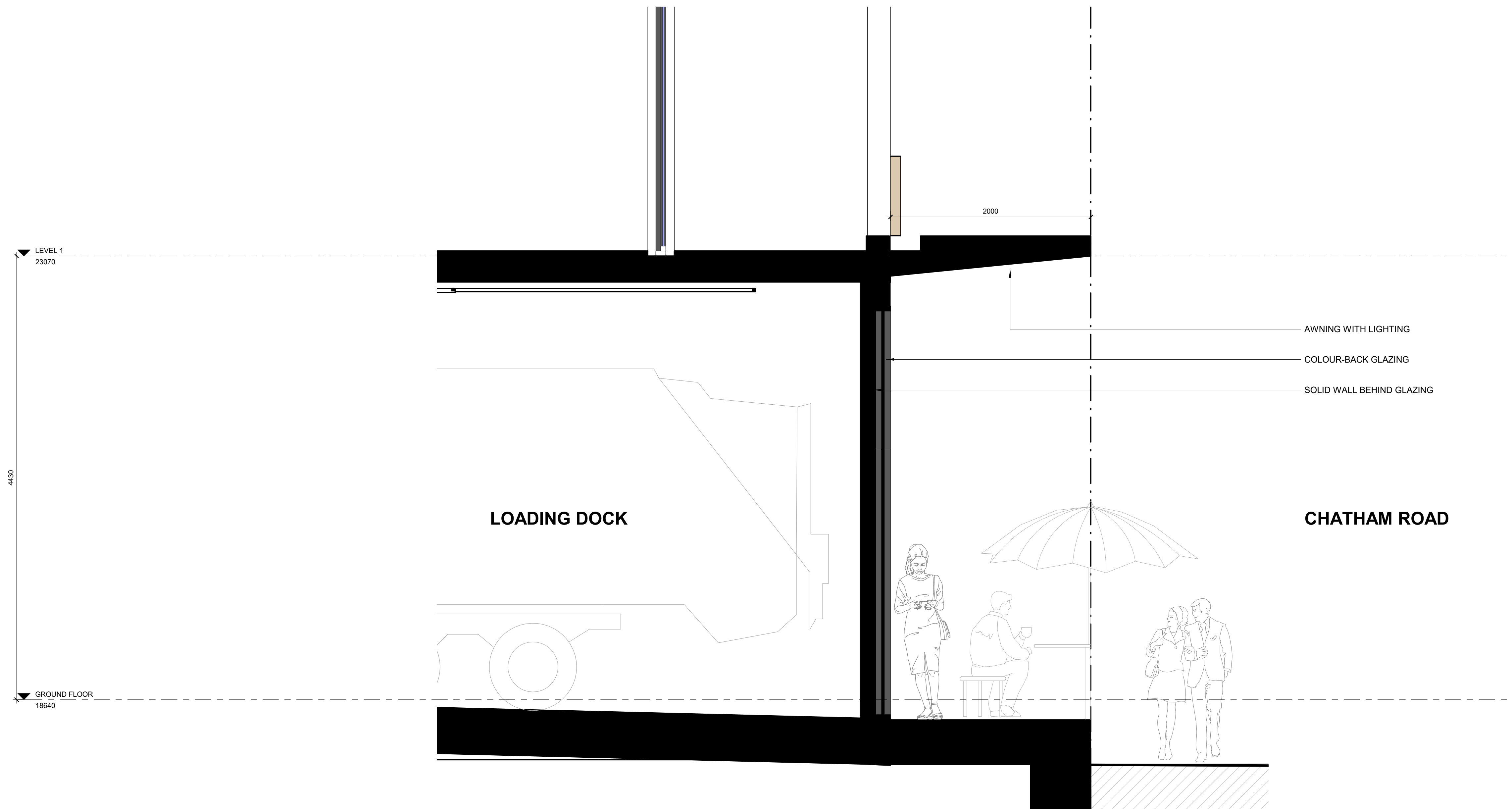
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DICKSON LANE

DICKSON LANE

1 LOADING DOCK - PLAN DETAIL
1 : 50

2 LOADING LOAD - SECTION 1
1 : 50

3 LOADING DOCK - SECTION 2
1 : 50



MX ARCHITECTS
1 Mary Street, Marooch Park, NSW 2114
t. +61 2 24 535 607
e. main@mxarchitects.com.au
Nominated Architect - Mairine Mousawed
NSW Registration No. 13550

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G	11/09/2024	COUNCIL RFI	CG		
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SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
LOADING DOCK DETAILS - SHEET 1

DATE
13/09/2024

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MM

SCALE
1 : 50

SHEET SIZE
A1

PROJECT NO.
2305

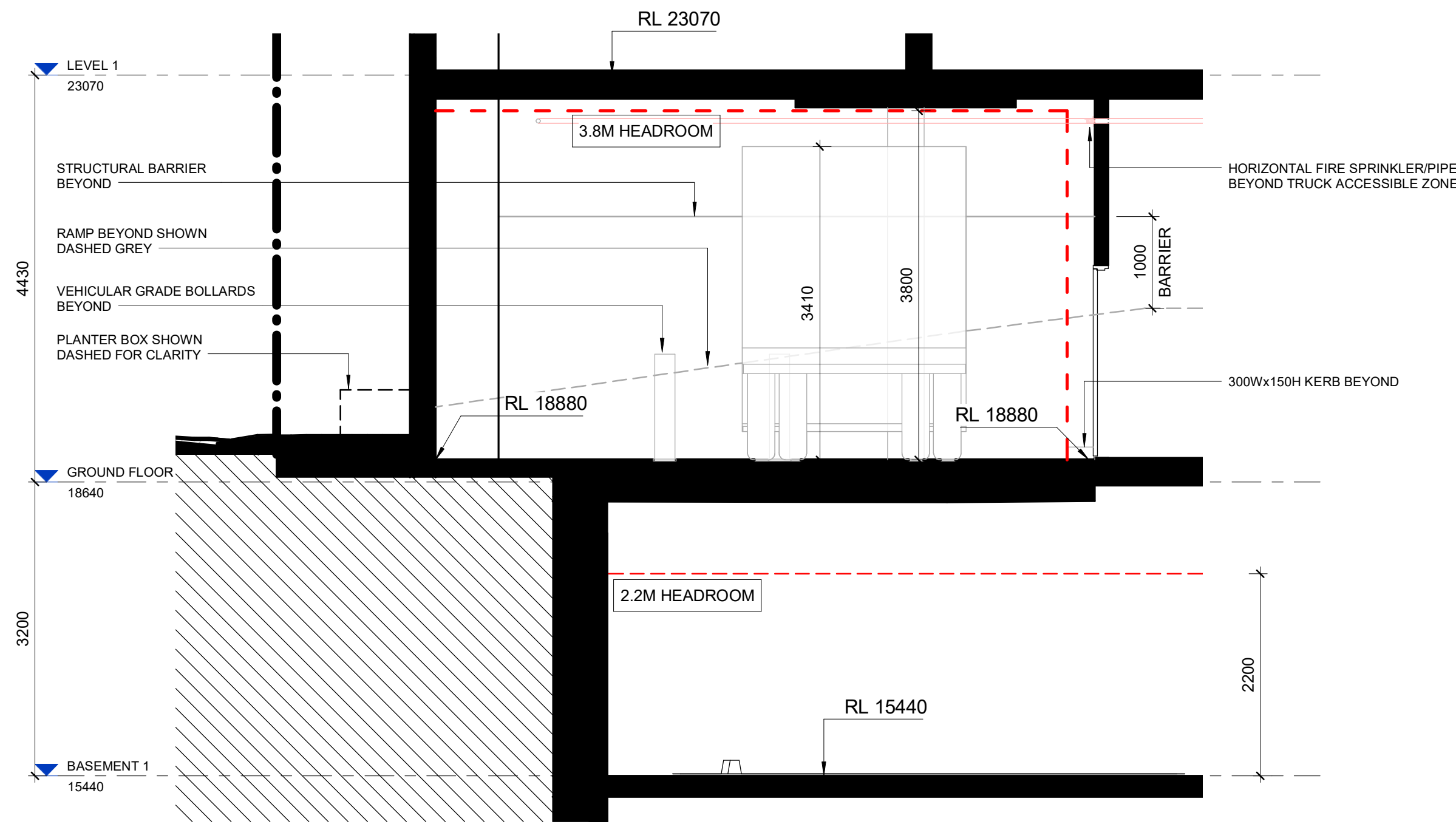
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DA612

REVISION NO.
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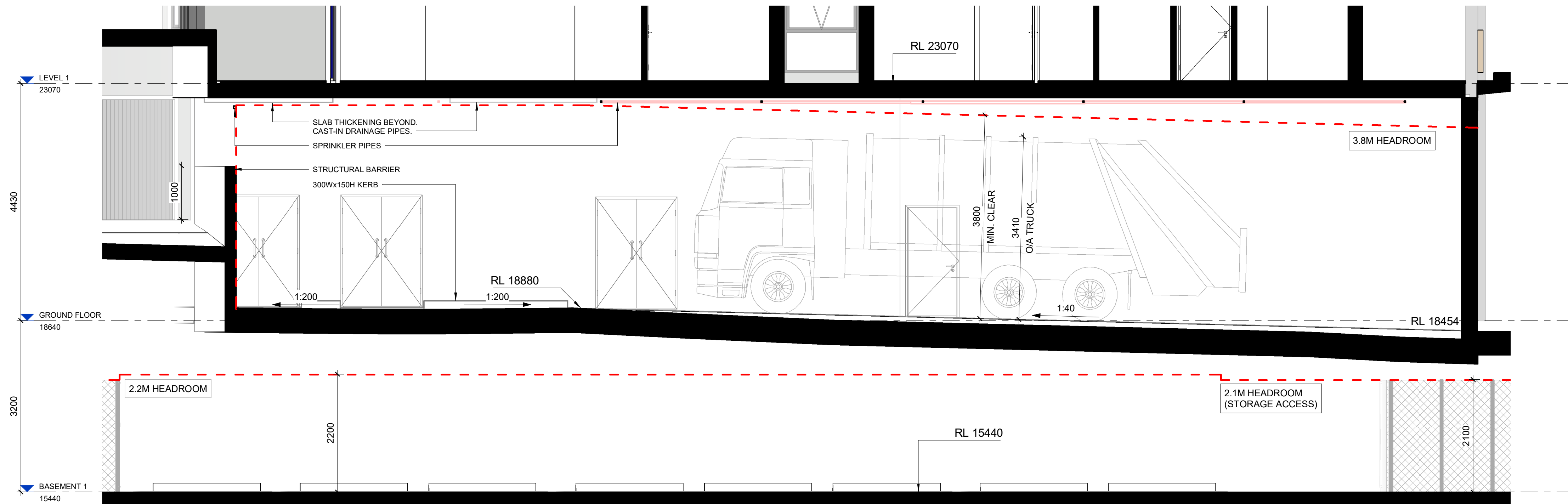
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1 **LOADING LOAD - SECTION 3**
1 : 50



2 **LOADING DOCK - SECTION 4**
1 : 50



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +61 2 24 535 607
e. main@mxdesigns.com.au
Nominated Architect - Mawne Mawne
NSW Registration No. 13950

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SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
LOADING DOCK DETAILS - SHEET 2

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Reference: EW22066

13 September 2024

SCION Group

Vedran Kuljic

SCION

Email: vedran@scion.com.au

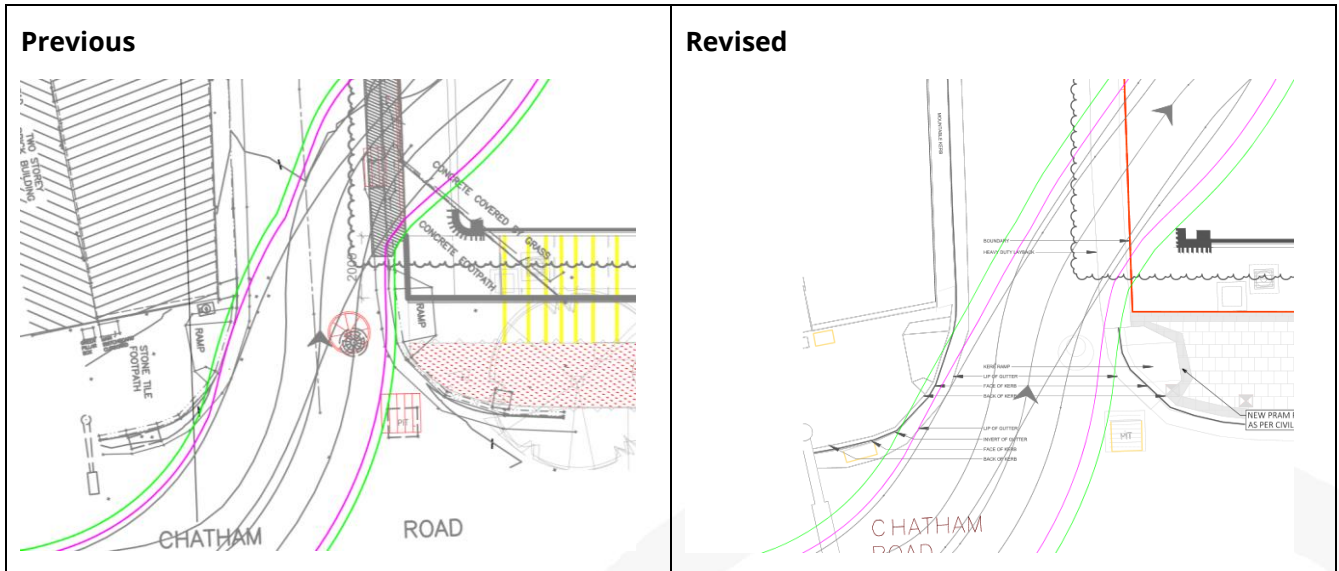
Dear Vedran,

Re: 2-6 Chatham Road, West Ryde – Traffic Engineering Assessment (Modification 1 – MOD2024/0102)

I refer to your instructions to provide assessment of the proposed on-site loading dock. The following assessment should be read in conjunction with amended architectural plans which are reproduced in part in **Attachment 1** of this submission. My assessment responds to the Council's RFI comments and has regard to Consent Condition no.69 and 72, as reproduced below:

Council RFI	<p><u>Traffic Engineering</u></p> <p>The swept path plans for a 10.8m garbage truck indicate that the vehicle collides with the building structure at the entry point to the loading dock and travels too close to the pram ramps at the intersection of Chatham Road and Dickson Lane, creating a safety issue. This tight manoeuvring is unacceptable. The applicant is required to redesign the loading dock to ensure that the truck movements have an adequate buffer between the vehicle body and the building structure/street furniture.</p>
Consent Condition No. 69 (LDA2022/0278)	<p>69. 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 10.8m long garbage truck, as a minimum requirement. The minimum height clearance required is 3.8m, measured from the floor level to the lowest point of any overhead structures/service provisions such as pipes.</p> <p>Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 10.8m long garbage 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.</p> <p>Reason: This condition is intended to assist with the safety and efficiency of heavy vehicles entering and exiting the site.</p>

Furthermore, Council is concerned about the tight manoeuvre between the pram ramps at the intersection of Chatham Road and Dickson Lane. The swept path diagram has been revised to demonstrate sufficient clearance between the pram ramps and truck movements. A side-by-side comparison of the previous and revised swept path assessment is provided in the figure below.



The assessment also confirms that the 3.8m headroom of the proposed loading dock satisfies the abovementioned consent conditions, and the dimensions and grade of the proposed loading dock meet the relevant AS2890.2 design requirements.

I trust the above adequately responds to Council's concerns. Otherwise, please do not hesitate to contact me at 02 7255 8198 to discuss this further.

Yours faithfully,

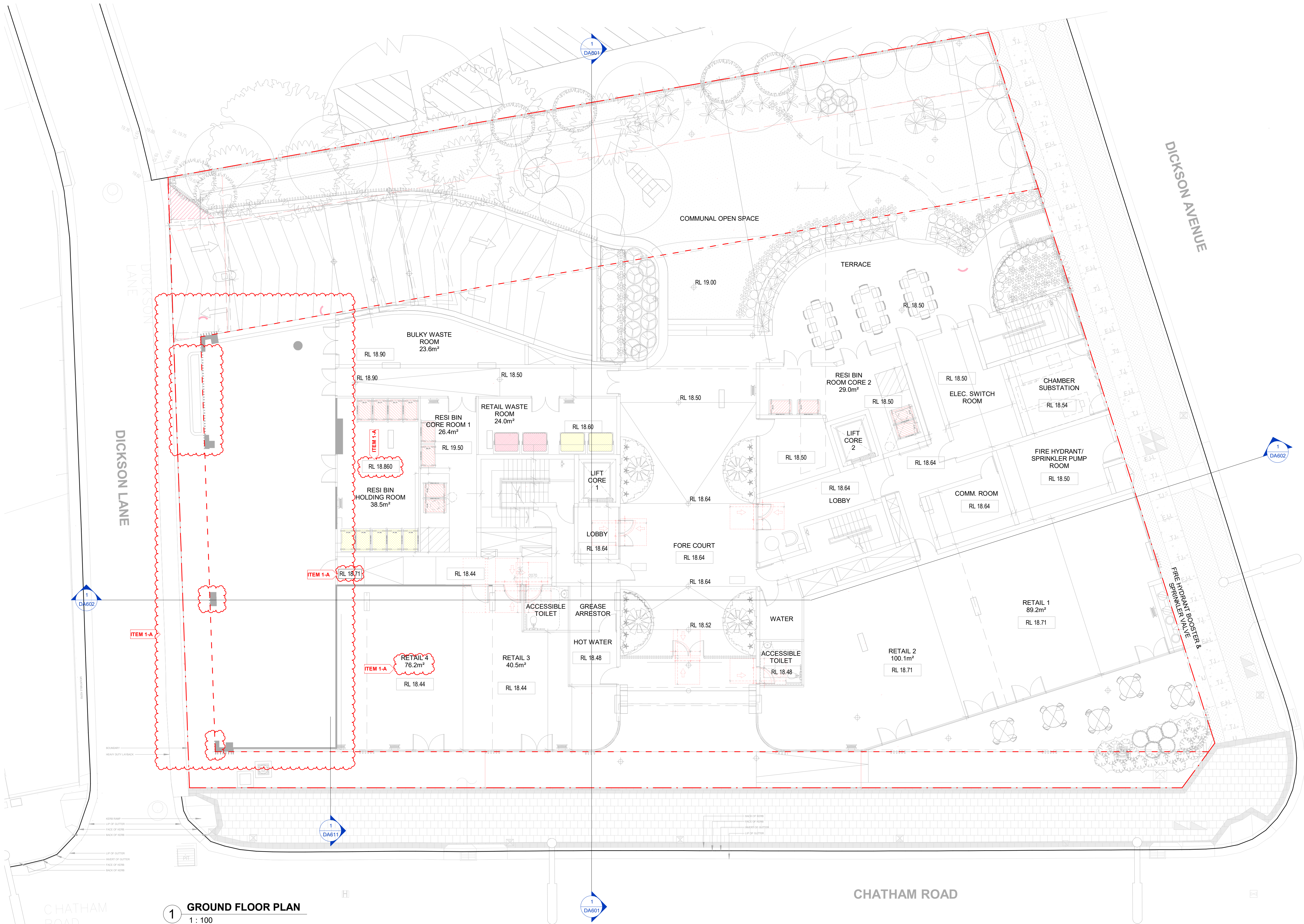


Bernard Lo BE (Civil), MTrans, PRE 0001491
Principal

Attachment 1

Amended Plan





1 GROUND FLOOR PLAN
1 : 100



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +61 2 24 535 607
e. main@mxarchitects.com.au
Nominated Architect - Mairine Mousawad
NSW Registration No. 13950

REVISION	NO.	DATE	DESCRIPTION	BY	NOTES
A	31/01/2024	DRAFT MOD SET	CG		
B	12/02/2024	ISSUED FOR APPROVAL	CG		
C	08/04/2024	ISSUED FOR APPROVAL	CG		
D	17/04/2024	ISSUED FOR APPROVAL	CG		
E	19/04/2024	ISSUED FOR APPROVAL	CG		
F	05/07/2024	COUNCIL RFI	CG		
G	07/08/2024	ISSUED FOR INFORMATION	CG		
H	08/08/2024	COUNCIL RFI	CG		
I	10/09/2024	ISSUED FOR INFORMATION	CG		
J	11/09/2024	COUNCIL RFI	CG		
K	13/09/2024	COUNCIL RFI	CG		

CLIENT
SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

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PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
GROUND FLOOR PLAN

DRAWING NO.
DA102

DATE
13/09/2024

DRAWN BY
CG

APPROVED BY
MM

SCALE
1 : 100

SHEET SIZE
A1

PROJECT NO.
2305

REVISION NO.
K

STATUS
FOR APPROVAL

NOT FOR CONSTRUCTION

DICKSON LANE

DICKSON LANE

1 LOADING DOCK - PLAN DETAIL
1 : 50

2 LOADING LOAD - SECTION 1
1 : 50

3 LOADING DOCK - SECTION 2
1 : 50



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +614 24 535 607
e. main@mxdesigns.com.au
Nominated Architect - Mairine Mousawed
NSW Registration No. 13950

REVISION	NO.	DATE	DESCRIPTION	BY	NOTES
A	05/04/2024	ISSUED FOR REVIEW	CG		
B	16/04/2024	ISSUED FOR COORDINATION	CG		
C	17/04/2024	ISSUED FOR APPROVAL	CG		
D	19/04/2024	ISSUED FOR APPROVAL	CG		
E	06/07/2024	COUNCIL RFI	CG		
F	08/08/2024	COUNCIL RFI	CG		
G	11/09/2024	COUNCIL RFI	CG		
H	13/09/2024	COUNCIL RFI	CG		

CLIENT
SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
LOADING DOCK DETAILS - SHEET 1

DATE
13/09/2024

DRAWN BY
CG

APPROVED BY
MM

SCALE
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SHEET SIZE
A1

PROJECT NO.
2305

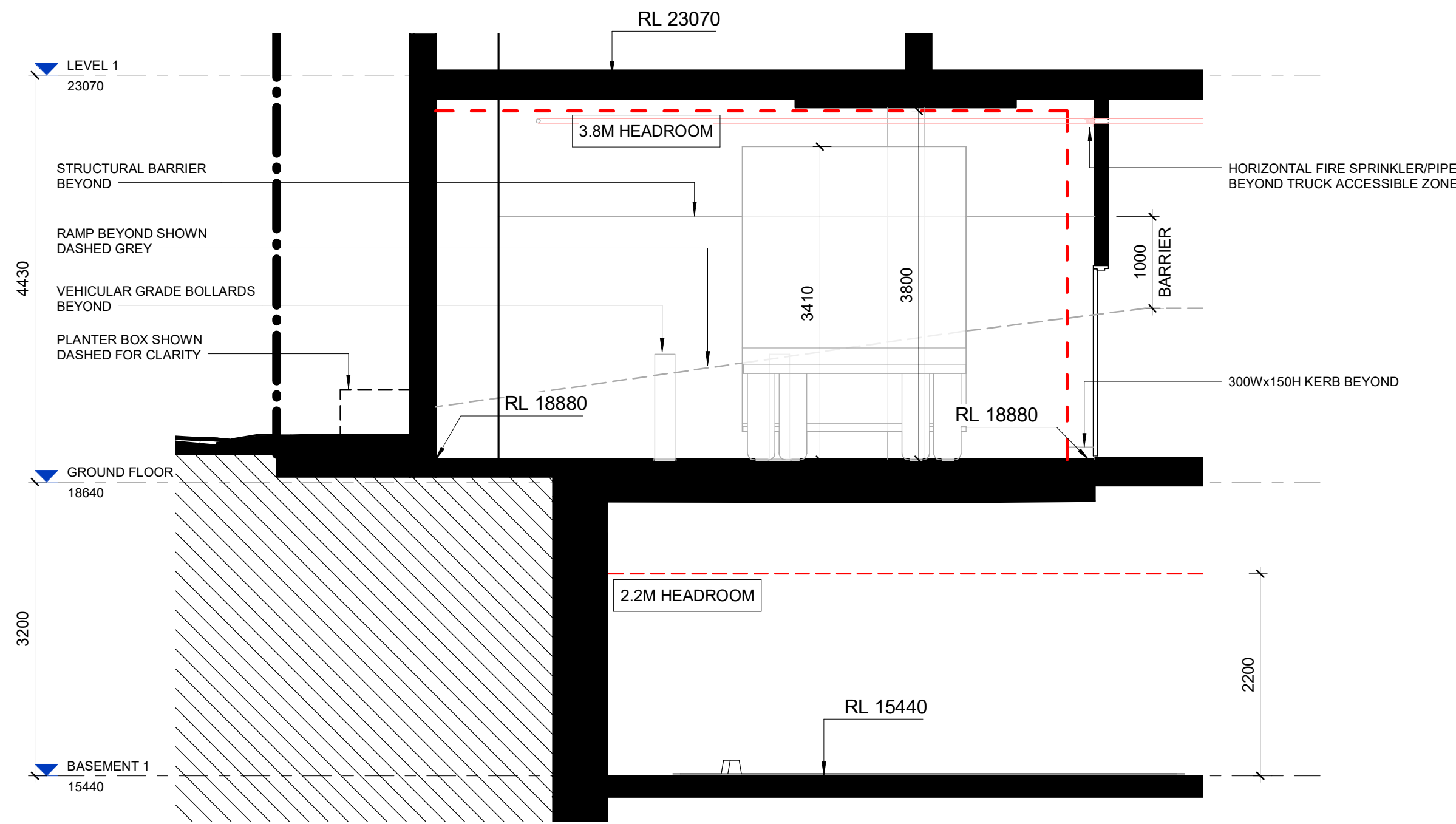
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REVISION NO.
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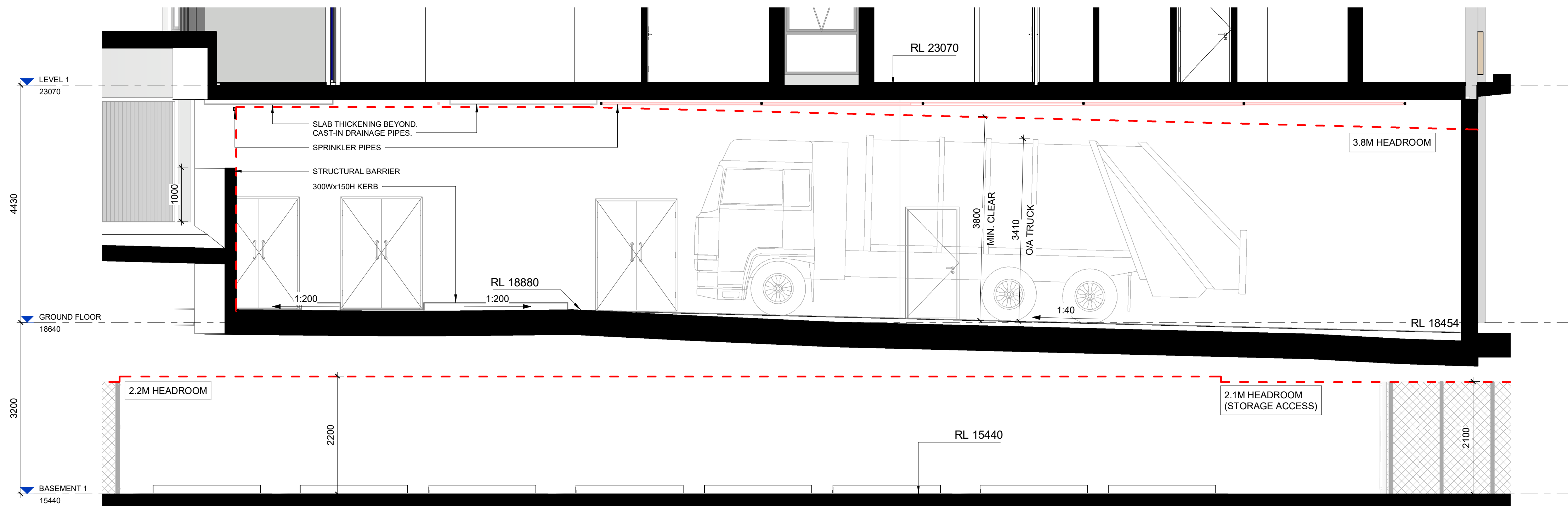
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1 **LOADING LOAD - SECTION 3**
1 : 50



2 **LOADING DOCK - SECTION 4**
1 : 50



MX ARCHITECTS
1 Mary Street, Marrose Park, NSW 2114
t. +61 2 24 535 607
e. main@mxarchitects.com.au
Nominated Architect - Mawne Mawne
NSW Registration No. 13950

REVISION	NO.	DATE	DESCRIPTION	BY	NOTES
A	05/04/2024	ISSUED FOR REVIEW	CG		
B	17/04/2024	ISSUED FOR APPROVAL	CG		
C	19/04/2024	ISSUED FOR APPROVAL	CG		
D	11/09/2024	COUNCIL RFI	CG		
E	13/09/2024	COUNCIL RFI	CG		

CLIENT
SCION GROUP
a. Shop 2/50-52 Herbert Street, West Ryde
t. +612 9808 6836
e. info@scion.com.au
w. scion.com.au

PROJECT DESCRIPTION
SHOP TOP HOUSING DEVELOPMENT

PROJECT ADDRESS
2 CHATHAM ROAD, WEST RYDE

DRAWING TITLE
LOADING DOCK DETAILS - SHEET 2

DATE	DRAWN BY	APPROVED BY	TRUE NORTH
13/09/2024	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
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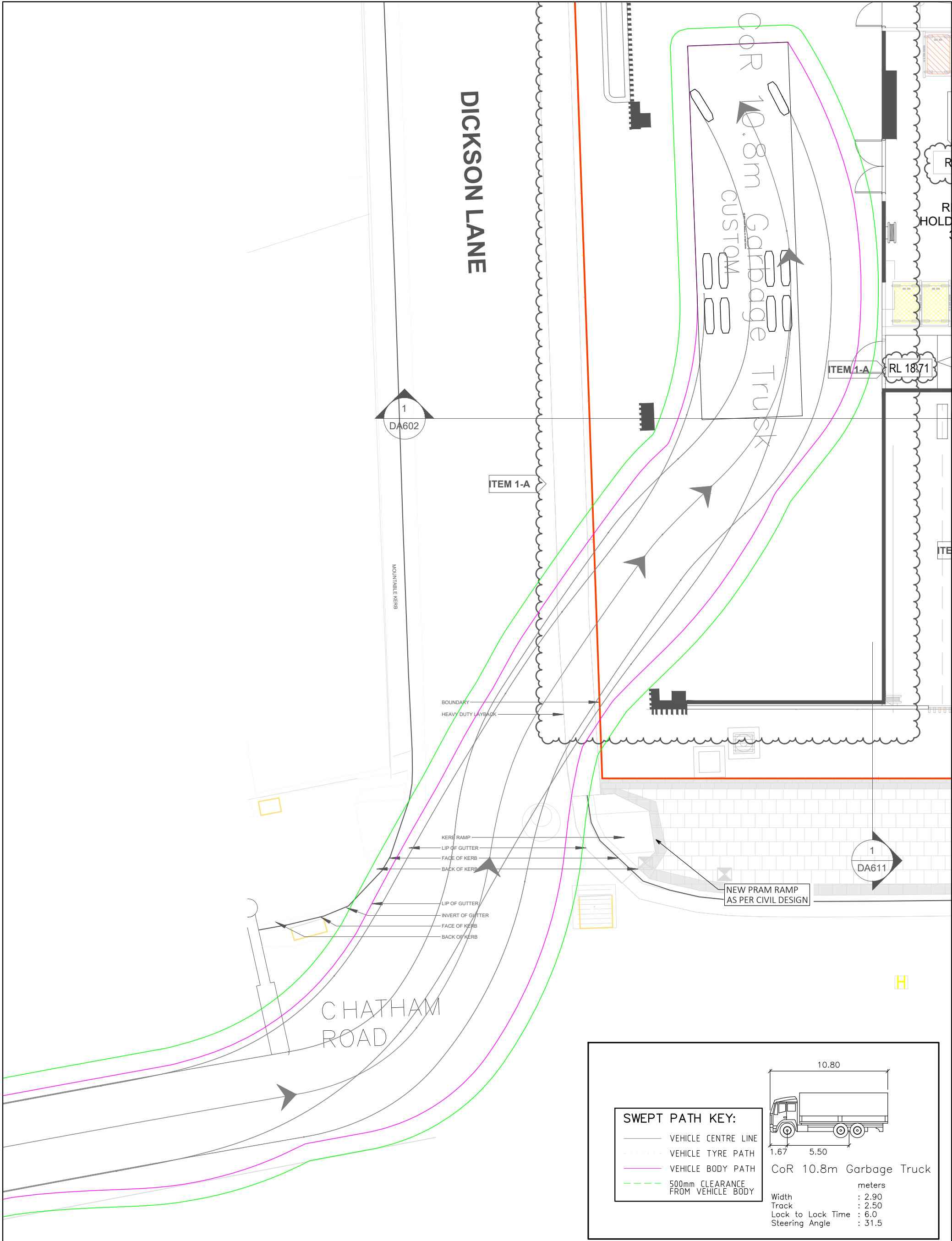
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Attachment 2

Swept Path Assessment



G:\2023\EW23104 - 2-6 Chatham Road, West Ryde\Drawings\54.55 and Truck.SP\EW23104-V1.32 (MOD1).SP.dwg
Plotted by Lamorne Ng



2-6 CHATHAM ROAD, WEST RYDE
GROUND FLOOR
SWEPT PATH ASSESSMENT - WASTE TRUCK ENTERING

DRAWING REF NO. EW23104-V1.32 (MOD1)-SP SHEET NO. 01 OF 02 ISSUE DATE 12 September 2024

DESIGNED BY
L.N.G. / N.BORJA

REVIEWED BY
B.L.O.

DRAWING REFERENCE (SOURCE):
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WEST RYDE\DRAWINGS\20240603

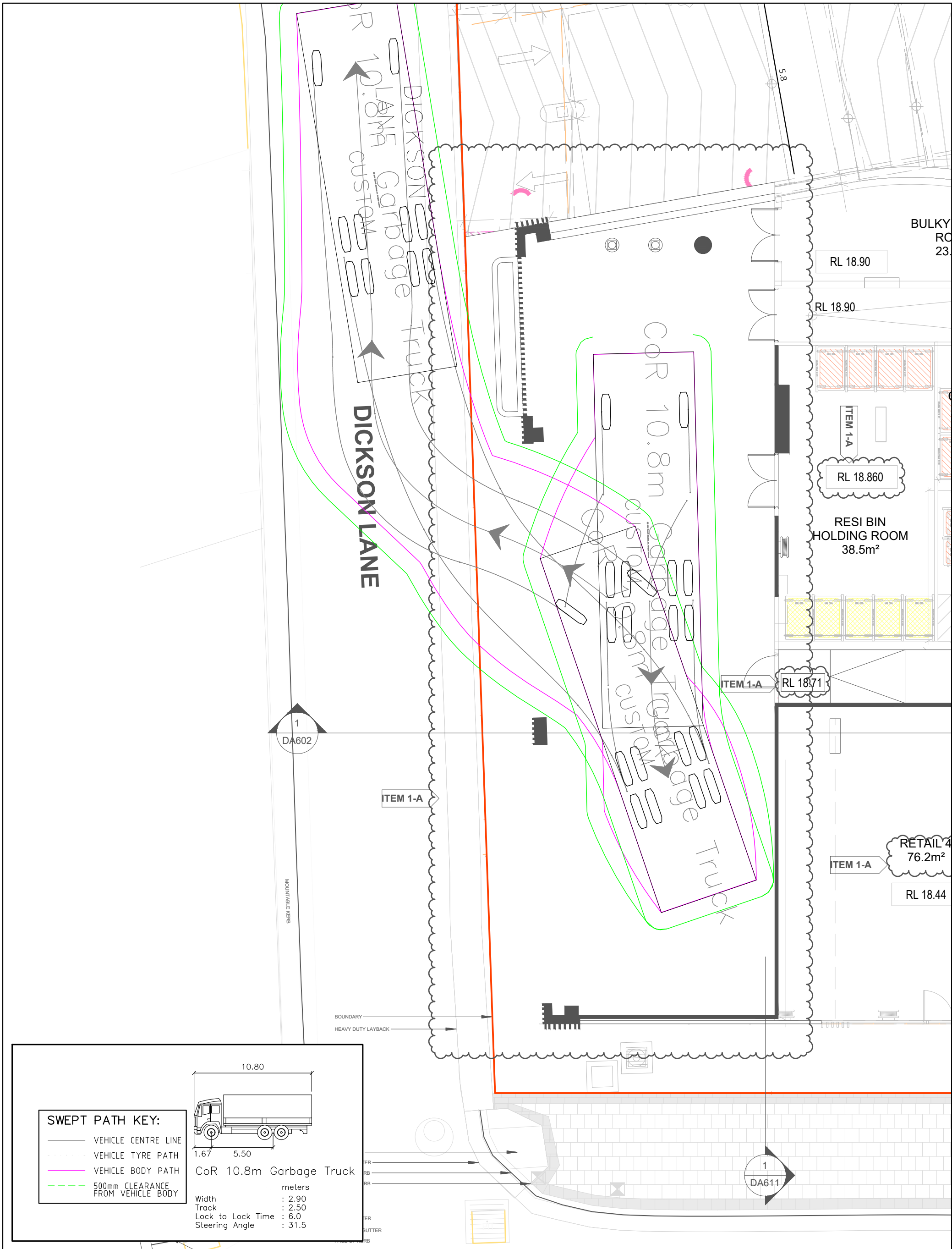
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GenesisTraffic®

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Plotted by Lamorne Ng



2-6 CHATHAM ROAD, WEST RYDE

GROUND FLOOR

SWEPT PATH ASSESSMENT - WASTE TRUCK EXITING

DRAWING REF NO. EW23104-V1.32 (MOD1)-SP SHEET NO. 02 OF 02

ISSUE DATE 12 September 2024

DESIGNED BY
L.N.G / N.BORJA

REVIEWED BY
B.L.O

DRAWING REFERENCE (SOURCE):
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WEST RYDE\DRAWINGS\20240603

SCALE
A3 0 1.0 2.0 1:100



Genesis Traffic®

LETTER – Height Justification

S4.55(2) Application (PAN-411866)

For: 2-6 Chatham Road, West Ryde

Application ID: LDA2022/0278

Dear Sir/Madam,

This letter has been prepared to demonstrate the required changes to Floor to Floor Levels per ITEM 1-B reflected on the Architectural modification drawings:

LEVEL 1:

Approved: RL 22840

Approved GF-L1: 4200mm

Proposed: RL 23070

Proposed GF-L1: 4430mm (230mm increase)

Reason: An increase to the height of Level 1 to RL 23070 is required to satisfy DA conditions #69, 72, 77c & 77d relating to 3.8m minimum height clearance for waste vehicles. The highest point at the exit door from the Waste Loading Dock is RL 18880 as shown on the plan on drawing DA612, resulting from Dickson Lane boundary levels per Civil Public Domain design, and 1.5m wide pavement between the Boundary and the Building Line required to have a gradient of 1:100 per Stormwater design requirements. Note, insufficient height was allowed for at the approved DA for 3.8m clear height at the high point/exit door, structural slab thicknesses and services.

Based on the approved Level 1 RL 22840, there would be 3960mm from the high point RL 18880 to Level 1 RL resulting in only 160mm above the 3.8m height clearance for a structural concrete slab, door and essential services. This modification proposes Level 1 at RL 23070, allowing 390mm above the 3.8m height clearance for a 260mm thick concrete slab and 130mm zone for essential services such as fire sprinklers.

LEVEL 2:

Approved: RL 25970

Approved L1-L2: 3130mm

Proposed: RL 26200

Proposed L1-L2: 3130mm (no change)

Reason: Level 2 RL has been raised based on required changes to the Level 1 RL. The floor-to-floor height of 3130mm has been maintained.

LEVEL 3:

Approved: RL 29100

Approved L2-L3: 3130mm

Proposed: RL 29520

Proposed L2-L3: 3320mm (190mm increase)

Reason: The layout of Level 3 differs to Level 2 below, resulting in required transfer of structural load and essential services. The change in layout also results in a large surface area of balconies above units below, requiring drainage to be collected and transferred to riser locations while maintaining minimum ceiling heights per NSW ADG requirements. Note, no increased height was allowed for at the approved DA for the aforementioned transfers.

Based on CC coordination with the structural engineer, the resulting slab thickness to allow the transfer of structural loads ranges from 300-480mm, with 450mm being the general thickness to the majority of the

structural transfer slab. The approved floor-to-floor height of 3130mm would result in 2650mm below the Level 3 slab for floor finishes, ceiling construction and essential services above the ceiling. The NSW ADG minimum ceiling height requirement of 2.7m thus would not be achievable based on the approved floor-to-floor height. As a result, the floor-to-floor height of 3320mm is proposed to allow a 450mm thick concrete slab, 50mm for floor finishes, 2.7m finished ceiling levels. The remaining 120mm height is required for ceiling construction with concealed services above required for the increased length of pipe runs to drain the large areas of balcony at Level 3 and transfer of service riser locations to Level 2.

LEVEL 4:

Approved: RL 32230

Approved L3-L4: 3130mm

Proposed: RL 32650

Proposed L3-L4: 3130mm (no change)

Reason: Level 4 RL has been raised based on required changes to Level 1 & 3 RLs. The floor-to-floor height of 3130mm has been maintained.

LEVEL 5:

Approved: RL 35360

Approved L4-L5: 3130mm

Proposed: RL 35750

Proposed L4-L5: 3100mm (30mm decrease)

Reason: Level 5 RL has been raised based on required changes to Level 1 & 3 RLs. The 30mm decrease to the floor-to-floor height is proposed to minimise the impacts of the required adjustments to levels on the overall building height. This can be achieved as the layout of Level 4 below is identical, allowing for efficiencies in structural and services design.

LEVEL 6:

Approved: RL 38490

Approved L4-L5: 3130mm

Proposed: RL 38850

Proposed L4-L5: 3100mm (30mm decrease)

Reason: Level 6 RL has been raised based on required changes to Level 1 & 3 RLs. The 30mm decrease to the floor-to-floor height is proposed to minimise the impacts of the required adjustments to levels on the overall building height. This can be achieved as the layout of Level 5 below is identical, allowing for efficiencies in structural and services design.

ROOF TERRACE:

Approved: RL 41620

Approved L6-Roof Terrace: 3130mm

Proposed: RL 42050

Proposed L6-Roof Terrace: 3200mm (70mm increase)

Reason: The Roof Terrace above the units at Level 6 results in a significantly larger amount of external/exposed areas required to be drained. Further, there are planter boxes to the perimeter and centre of the Communal Open Space which would require increased structural support and drainage. Note, no increased height was allowed for at DA stage for transfer of drainage services or roof insulation typically required to comply with BASIX requirements.

Based on CC coordination with the structural engineer, the thickness of the Roof Terrace slab ranges from 220-280mm, resulting from the span of columns which have been positioned at Level 6 to maintain room dimensions compliant with NSW ADG and Adaptable Housing requirements per AS 4299. The aforementioned drained areas would need to transfer to services riser locations at Level 6 below, requiring increased length of run of pipes which require a fall thus resulting in the requirement of additional ceiling space.

Based on the approved floor-to-floor height of 3130mm, the ceiling space required for services and insulation would be negligible after accounting for 50mm floor finishes, 2.7m finished ceiling height i.e. 3130mm – 280mm slab - 50mm floor finishes – 2700mm ceiling height = 100mm. The proposed floor-to-floor height of 3200mm is proposed to allow a total of 170mm for ceiling construction, insulation and concealed essential services within the ceiling.

LIFT OVERRUN

Approved: RL 44620

Approved Roof Terrace-Lift Overrun: 3000mm

Proposed: RL 45050

Proposed Roof Terrace-Lift Overrun: 3350mm (350mm increase)

Reason: Per the preliminary lift specifications from Schindler, a clear height of 2950mm minimum (Overrun Headroom) is required from the Roof Terrace floor finish to the underside of the concrete lift shaft lid.

Based on the DA approved levels of 3000mm, after 50mm build-up of floor finishes and 2950mm Overrun Headroom there is no remaining height to accommodate the thickness of the concrete roof above the lift shaft.

The amended Lift Overrun RL 45050 is proposed to achieve the required Lift Overrun Headroom (2950mm), 50mm floor finishes and 350mm thick concrete slab with integral falls and cast-in drainage pipes required to avoid conflicts with the lift equipment below.

Note, the Modification only proposes for increased additional height at the concrete roofs above the lift shafts. The roof over the fire stair maintains the 3000mm height measured from the Roof Terrace RL, which is raised from the DA approved RL resulting from the proposed changes to the floor-to-floor heights in the levels mentioned above.

In summary, careful thought and consideration was taken when reviewing, coordinating and proposing the amendments reflected in the Modification drawings to ensure the required adjustments to levels/height were kept at a minimum while simultaneously allowing for structure, services and ADG compliant ceiling heights to be incorporated into the development.

Yours sincerely,



Maxine Mouawad

Director
NSW Architect #10850