

Item 2

25 and 27 Quebec Road, Chatswood West – LDA2025/0050

Demolition of the existing dwellings and associated outbuildings.

Report prepared by: Assessment Officer- Town Planner

Report approved by: Senior Coordinator Development Assessment and Acting
Manager Development Assessment

City of Ryde Local Planning Panel Report

DA Number	LDA2025/0050
Site Address	25 and 27 Quebec Road, Chatswood West
Zoning	RE1 Public Recreation under the Ryde LEP 2014
Proposal	Demolition of the existing dwellings and associated outbuildings.
Property Owners	Planning Ministerial Corporation (Department of Planning, Housing and Infrastructure) City of Ryde
Applicant	Sam Basha
Report Author	Glenn Apps - Consultant Town Planner
Lodgement Date	21 March 2025
Notification	24 March 2025 to 23 April 2025
No. of Submissions	No submissions have been received.
Cost of Works	\$38,450.00
Reason for Referral to LPP	Conflict of Interest – Development for which the applicant or landowner is (a) the Council. <i>Schedule 1, Part 1 of Local Planning Panels Direction</i>
Recommendation	Approval
Attachments	Attachment 1 - Plans of proposed development Attachment 2 - Assessment Tables Attachment 3 - Recommended Conditions of Consent

1. EXECUTIVE SUMMARY

This development application (DA) (LDA2025/0050) seeks consent for the demolition of existing dwellings and associated outbuildings on land at 25 and 27 Quebec Road, Chatswood West.

Demolition would ordinarily be able to be carried out as Complying Development, subject to obtaining a Complying Development Certificate (CDC). However, the subject land is bushfire prone which excludes Complying Development from being carried out on the land.

Specifically, this DA seeks consent for the demolition of the two existing dwellings on the land, associated carport, sheds, concrete driveways, garden paths, retaining walls and garden structures, clotheslines and other structures.

The demolition work will enable the land to be used for open space or for public recreation purposes in accordance with the RE1 – Public Recreation zone applicable to the land.

The application is accompanied by a Waste Management Plan which prioritises recycling of suitable materials with disposal of other non-recyclable materials such as floor coverings, fittings and fixtures and hazardous materials.

The proposed development is made on behalf of the Crown (the Planning Ministerial Corporation (Department of Planning, Housing and Infrastructure)) and is therefore a Crown Development Application under Part 4 Division 4.6 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

The *Environmental Planning and Assessment Regulations 2021* further describes the Crown as including any public authority other than a council.

This DA has been assessed in accordance with Section 4.15 of the EP&A Act 1979.

This DA was notified from 24 March 2025 to 23 April 2025. No submissions were received.

The site is part owned by Planning Ministerial Corporation (Department of Planning, Housing and Infrastructure) and part owned by Ryde Council. The development therefore meets the criteria for 'Conflict of interest' in accordance with the Section 9.1 – Directions by the Minister and is required to be determined by the Ryde Local Planning Panel (RLPP).

In consideration of the relevant matters for consideration, the proposal is satisfactory, and it is recommended that the RLPP support the application and approve the development, subject to recommended conditions of consent at **Attachment 3** to this report.

2. THE SITE & LOCALITY

The subject site is known as 25 and 27 Quebec Road, Chatswood West and comprises the following allotments:

- Lot 126, DP 16042 (also known as 25 Quebec Road), being the northernmost of the 2 allotments and containing a two storey dwelling, detached carport, metal garden shed, and fibro shed. This lot is 591.55m² in size. This lot is owned by Planning Ministerial Corporation (Department of Planning, Housing and Infrastructure).

- Lot 125, DP 16042 (also known as 27 Quebec Road) being the southernmost of the 2 allotments and containing a single storey dwelling and detached. This lot is 590.39m² in size. This lot is owned by City of Ryde Council.

The author carried out a site inspection on 9 April 2025. Images of the site taken during the site inspection are included at Figures 2, 3, 4 and 5.

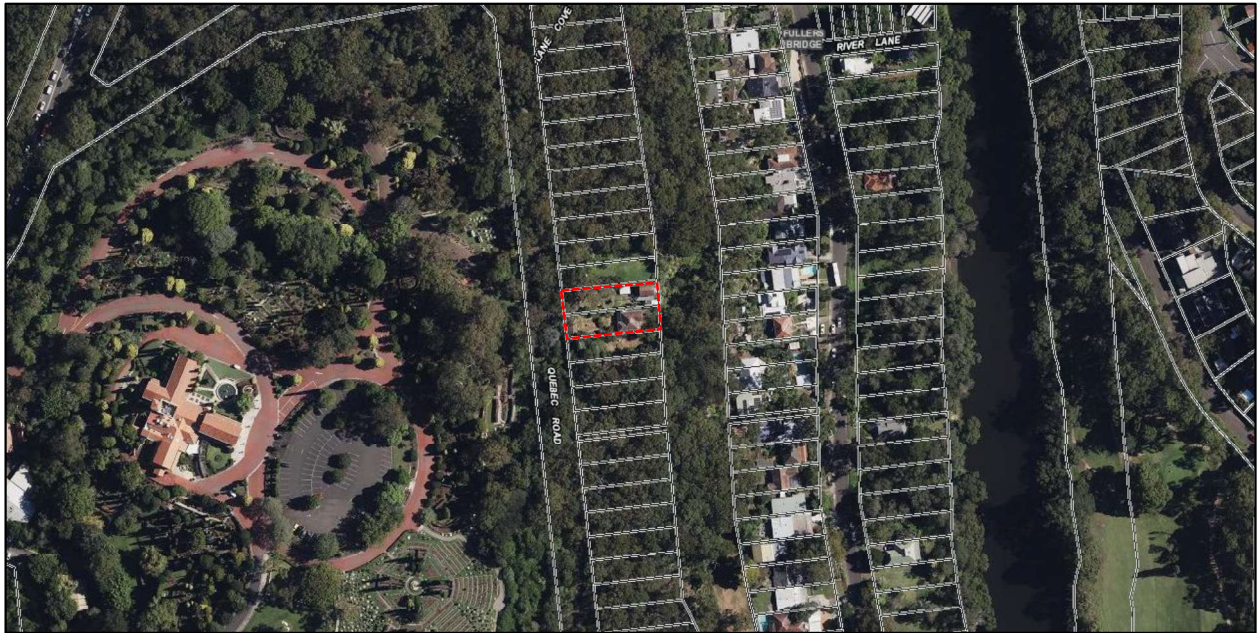


Figure 1 - Aerial photograph showing the land in its neighbourhood context.

Source: SixMaps



Figure 2 – Dwelling and carport located on No.25 Quebec Road

Source: Author.



Figure 3 – Dwelling located on No.27 Quebec Road
Source: Author



Figure 4 – Fibro shed located on No.27 Quebec Road
Source: Author



Figure 5 – Looking into subject land along driveway from Quebec Road

Source: Author

The lots are generally rectangular in shape and have a combined area of 1,181.94m² with a frontage to Quebec Road of a total of 24.5m.

The site is somewhat isolated from the nearby residential area of River Road and Fairyland Avenue.

The land is adjoined to the east by Kobada Park (a natural area of bushland). Further east of Kobada Park, is low-density residential development fronting River Avenue.

As shown in the zoning map at Figure 9 below, the site is surrounded by land zoned RE1 Public Recreation to the north, with the land to the east and south zoned C2 Environmental Conservation.

The land to the west on the opposite side of Quebec Road is zoned SP1 Special Activities (Crematorium) and comprises the Northern Suburbs Memorial Garden and Crematorium.

Quebec Road forms part of the Lane Cove River Valley Walk and the Great North Walk.

Existing development within the subject land consists of two dwellings, associated outbuildings and other ancillary improvements including concrete driveways and garden paths. The dwellings are generally situated to the eastern most ends of the lots with a deep setback to Quebec Road of approximately 26m as shown above in Figure 5.

The site is well landscaped with a variety of garden beds and ornamental plantings in proximity to the dwellings.

The terrain of the site is sloping with a modest fall to the east towards the east.

3. THE PROPOSAL

This DA proposes the demolition of both dwellings and all associated outbuildings and associated structures including driveways, fences, clotheslines, etc.

A Waste Minimisation and Management Plan has been submitted which demonstrates that materials will be directed to the Bingo facility at Artarmon for recycling with any non-recyclables directed to a licensed landfill for disposal.

The works are shown in the plans reproduced below and provided at **Attachment 1**.



Figure 2 – Demolition Plans

Source: DA documents

No tree removal is required to carry out the development. No infrastructure is required to be constructed.

4. BACKGROUND

The below table is a timeline of the subject Development Application to date:

21 March 2025	The DA was lodged with Council.
24 March 2025 – 23 April 2025	The application was notified in accordance with the Ryde Community Participation Plan. No submissions were received.
26 March 2025	Comments received from NSW Rural Fire Service.

5. EXTERNAL REFERRALS

NSW Rural Fire Service

The application was referred to NSW Rural Fire Service (NSW RFS) as the land is bushfire prone.

NSW RFS provided their comments on 26 March 2025 as follows:

Application is for demolition of structures on bush fire prone land, this is not covered by Planning for Bushfire Protection 2019 and does not need to be assessed at this stage. Future development on this site may need to be referred to NSW RFS.

6. INTERNAL REFERRALS

The subject application is able to be granted consent subject to standard conditions and does not require review by technical specialists within Council.

7. CROWN DEVELOPMENT APPLICATION

The proposed development is made on behalf of the Crown and is therefore a Crown Development Application under Part 4 Division 4.6 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

The *Environmental Planning and Assessment Regulations 2021* further describes the Crown as including any public authority other than a council.

This DA is being lodged on behalf of the Planning Ministerial Corporation (Department of Planning, Housing and Infrastructure). Accordingly, this application is lodged as a Crown DA pursuant to the provisions of the EP&A Act 1979.

In accordance with s.4.33(1) of the EP&A Act, Council must not:

- Refuse its consent to a Crown development application, except with the approval of the Minister; or
- Impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.

Council has provided draft conditions for review and those conditions have been agreed by the applicant.

8. PLANNING ASSESSMENT

8.1 Biodiversity Conservation Act, 2016

Section 1.7 of the EP&A Act 1979 requires consideration of Part 7 of the *Biodiversity Conservation Act, 2016* (BC Act) in relation to terrestrial environments. There are four matters that determine whether a Biodiversity Development Assessment Report (BDAR) is required. These are considered below.

- *Whether the development occurs on land identified on the OEH Biodiversity Values Map.*

A small section of the subject land is identified on the Biodiversity Values Map as shown below. However, the proposal does not involve the clearing of native vegetation on land included on the Biodiversity Values Map.

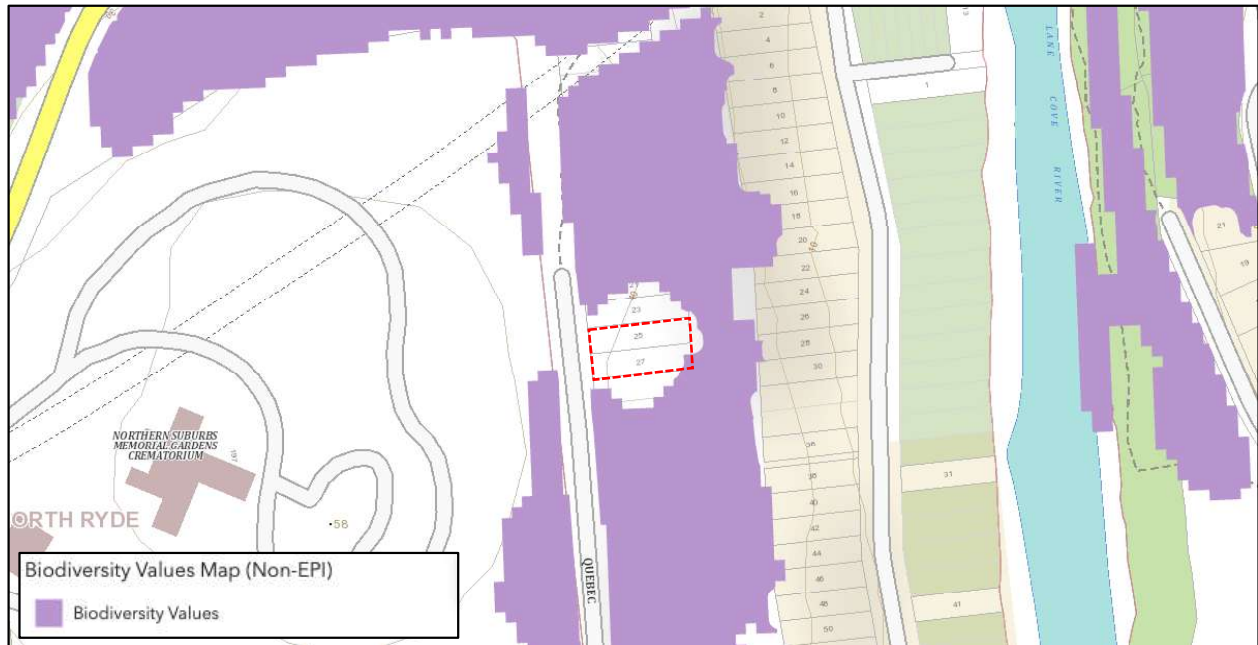


Figure 7 – Extract from the Biodiversity Values Map

Source: NSW Planning Portal

- *Whether the amount of native vegetation being cleared exceeds a threshold area based on the minimum lot size associated with the property.*

The proposed development does not involve the clearing of native vegetation.

- *Whether the development or activity is likely to significantly affect threatened species having regard to the 5 part test under Section 7.3 of the Biodiversity Conservation Act, 2016*

The proposal does not involve the removal or disturbance of any native vegetation. As such, the proposal is not likely to have an adverse or irreversible effect on threatened species, an endangered ecological community or a critically endangered ecological community or their habitat.

Conditions of consent have been imposed regarding protective measures for on-site tree preservation.

- *Whether the development or activity will be carried out in a declared area of outstanding biodiversity value.*

The subject land is not a declared area of outstanding biodiversity value as defined by Part 3 of the BC Act.

Having regard to the above, the proposed development does not enter the biodiversity offset scheme and a Biodiversity Development Assessment Report (BDAR) is not required.

8.2 State Environmental Planning Instruments

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The proposed demolition work is not able to be carried out as Complying Development, due to the land being bushfire prone.

Ordinarily, demolition could be carried out as Complying Development, subject to obtaining a Complying Development Certificate (CDC). However, Section 1.19A of State Environmental Planning Policy (Exempt and Complying Development Codes) provides that:

1.19A Land on which complying development may not be carried out—bush fire prone land

- (1) *To be complying development specified for any complying development code (except the Housing Alterations Code)—*
 - (a) *the development must not be carried out on land in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ), and*
 -

The development cannot be carried out as Complying Development and the subject DA has been lodged as a result.

As discussed, the application was referred to NSW RFS who have replied that demolition is not covered by Planning for Bushfire Protection 2019 and does not need to be assessed by NSW RFS.

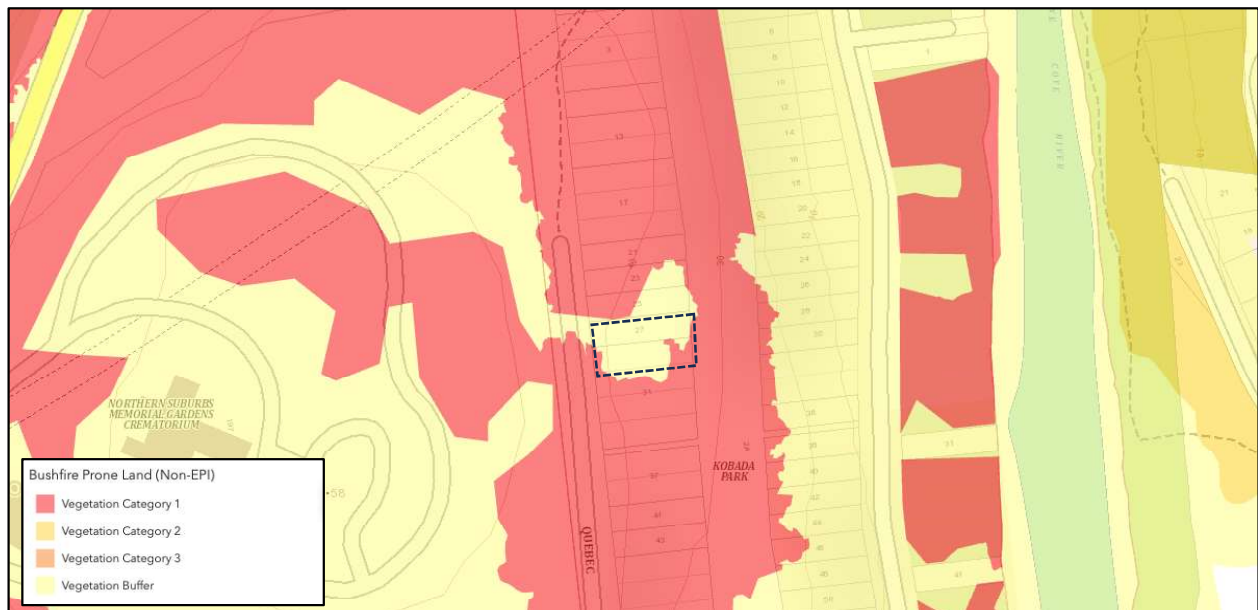


Figure 8 – Extract from the Bushfire Map
Source: NSW Planning Portal

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The proposed development is satisfactory when assessed against the relevant provisions of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (BC SEPP).

The site is located within the Sydney Harbour Catchment which is designated a regulated catchment.

Part 6.2 of the BC SEPP applies to development in regulated catchments including the Sydney Harbour Catchment.

The proposed development has been considered against the relevant provisions of Part 6.2 of the BC SEPP (see **Attachment 2**) and found to be satisfactory.

Standard conditions are recommended requiring protective measures for on-site tree preservation and trees in the adjoining public domain area, including requiring works to be in accordance with AS 4970-2009 Protection of trees on development sites.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* aims to provide a State-wide planning approach to the remediation of contaminated lands. It aims to promote the remediation of contaminated land for the purposes of reducing the risk of harm to human health or any other aspect of the environment.

Clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021* provides:

- (1) *A consent authority must not consent to the carrying out of any development on land unless—*
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

This application is supported by a Hazardous Materials Survey for each dwelling. The reports contain several recommendations regarding the removal of contaminated materials which will be implemented at the demolition phase.

A condition of consent has been imposed requiring compliance with the reports.

Clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021* is satisfied.

8.3 Ryde Local Environmental Plan 2014 (RLEP 2014)

The subject site is zoned *RE1 Public Recreation* under the provisions of RLEP 2014 as shown below.

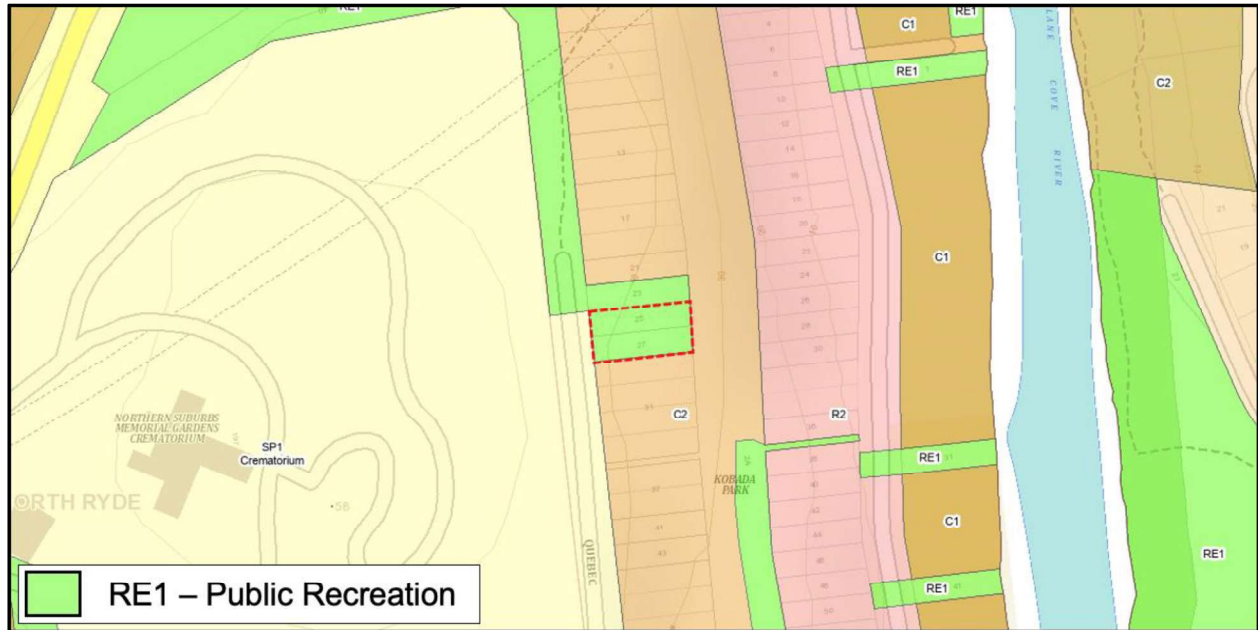


Figure 9 - Zoning map of the subject site and immediate locality

Source: NSW Planning portal Spatial viewer

Clause 2.7 of the RLEP states:

2.7 Demolition requires development consent

The demolition of a building or work may be carried out only with development consent.

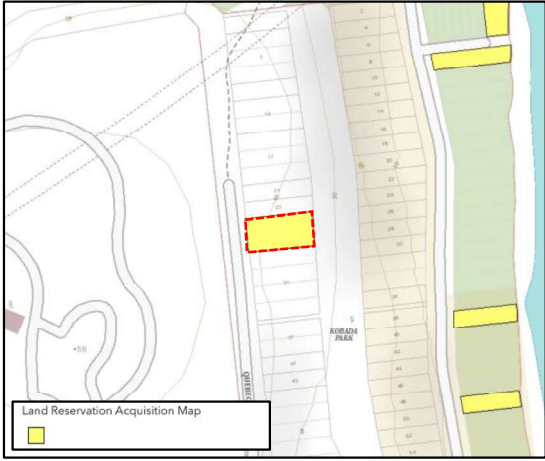
Consent for the demolition works is sought through the subject DA.

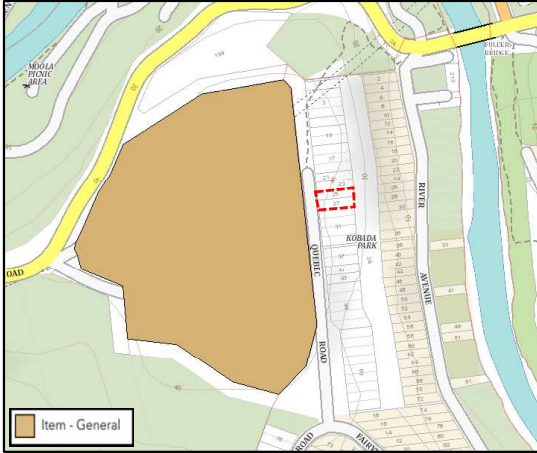
The proposed works are consistent with the objectives of zone RE1 as tabled below.

Objective	Comment
To enable land to be used for public open space or recreational purposes.	The demolition of structures allows the land to be used for public open space or recreational purposes.
To provide a range of recreational settings and activities and compatible land uses.	The demolition of structures allows the land to provide a range of recreational settings and activities, and compatible land uses in the future.
To protect and enhance the natural environment for recreational purposes.	The demolition of the structures does not hinder achievement of this objective.

The following table provides a summary of the key provisions that apply to the proposal:

Clause	Proposal	Compliance
4.3 Height of Buildings		
N/A - no maximum height is prescribed.	No structures are proposed on the land.	N/A
4.4 Floor Space Ratio		

Clause	Proposal	Compliance
N/A – no maximum FSR is prescribed.	No structures are proposed on the land.	N/A
5.1 Relevant Acquisition Authority		
Regional Open Space (RE1)	<p>The land is nominated on the Land Reservation Acquisition Map as <i>Regional Open Space (RE1)</i>.</p> <p>The relevant acquisition authority is <i>The Corporation Constituted under section 2.5 of the Act</i>, being the <i>Planning Ministerial Corporation</i>, which has provided owners consent for this DA.</p> 	Yes
5.1A Development on Land Intended to be Acquired for a Public Purpose		
Regional Open Space (RE1)	<p>The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.</p> <p>The land is nominated on the Land Reservation Acquisition Map as <i>Regional Open Space (RE1)</i> and development consent must not be granted to any development on land to which this clause applies other than for <i>recreation areas</i>.</p> <p>The proposed demolition is separately permitted by Clause 2.7 of the RLEP, and those works will facilitate the land being used for <i>recreation areas</i>.</p>	Yes
5.10 Heritage Conservation		
<p>(1) The objectives of this clause are as follows—</p> <p>(a) to conserve the heritage significance of heritage items and heritage conservation areas,</p>	The subject site does not contain an item of environmental heritage and is not located within a heritage conservation area.	Yes

Clause	Proposal	Compliance
<p>including associated fabric, settings and views,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, setting and views,</p> <p>(c) To conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance</p>	<p>The land is in proximity to the Northern Suburbs Memorial Gardens and Crematorium which is an item of environmental heritage.</p>  <p>Considering the proposed works involves the demolition of structures, the proposal is unlikely to impact on the heritage significance of the item.</p>	
6.1 Acid Sulfate Soils		
<p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p>	<p>The land is affected by Class 5 acid sulfate soils. The works do not alter the finished ground level of the land and do not involve excavation. The development is unlikely to impact groundwater.</p>	Yes
6.2 Earthworks		
<p>(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p>	<p>No earthworks are required to facilitate the demolition.</p>	N/A
6.3 Flood Planning		
<p>(1) The objectives of this clause are as follows—</p> <p>(a) to minimise the flood risk to life and property associated with the use of land,</p> <p>(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,</p>	<p>The subject site is not affected by flooding.</p>	N/A

Clause	Proposal	Compliance
(c) to avoid significant adverse impacts on flood behaviour and the environment.		

8.4 Draft Environmental Planning Instruments

There are no Draft Environmental Planning Instruments that are relevant to the proposed development or the subject site.

8.5 Development Control Plans

Ryde Development Control Plan 2014 (RDCP)

The RDCP is limited to its provisions that are relevant to the demolition of structures. An assessment of the proposal against the relevant provisions of the RDCP is provided at **Attachment 2** to this report.

In summary, the proposal is satisfactory when assessed against the relevant provisions of the RDCP.

8.6 Planning agreements or draft planning agreements

The application is not the subject of any planning agreements or draft planning agreements.

8.7 Any matters prescribed by the regulations

Section 4.15(a)(iv) of the Act requires the consent authority to consider the Regulations, to the extent that they prescribe matters for the purposes of that paragraph.

The relevant regulation applying to the proposal states:

61 Additional matters that consent authority must consider

(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures.

.....

A condition of consent is imposed to this effect.

9. THE LIKELY IMPACTS OF THE DEVELOPMENT

Likely impacts to the built, natural, and social environment are discussed below.

Noise

The works area is separated from the nearest residential receiver by 50m and the Northern Suburbs Memorial Gardens and Crematorium by 35m.

The use of machinery and equipment and the demolition of the buildings and structures will generate noise that will impact residents as well as visitors to the memorial garden.

Such noise impacts are to be expected from demolition works and will last until the works have been completed.

Noise from demolition is unavoidable, however the following measures listed in the Statement of Environmental Effects would assist to minimise noise impacts:

- Ensure demolition activities are confined to standard work hours so as to reduce noise impacts to sensitive receivers where possible.
- Schedule work to avoid cumulative noise.
- Ensure machines comprise properly fitted exhausts.
- Remind drivers to exercise slow and respectful driving practices when entering or leaving the work site to minimise noise.
- All workers should be briefed on the need to minimise noise as a result of their activities.

A condition of consent is imposed to this effect.

Visual Impact

The visual amenity of the area will be altered due to the demolition of the existing dwellings and associated outbuildings which is considered to be a positive outcome once completed.

The carrying out of the demolition will be unsightly while it is being carried out, however this is a temporary impact. The subject land is separated from view from residential receivers and the Northern Suburbs Memorial Gardens and Crematorium by vegetation and any visual impacts of the works will be mitigated.

Traffic Impacts

The works will generate traffic associated with the delivery of plant and equipment, the arrival of workers and the removal of demolition materials.

Such impacts would not differ to the construction of a dwelling in the area. Further, such impacts are temporary until the works are complete and having regard to the imposition of standard work hours, are not considered to result in any unreasonable impacts.

Quebec Road forms part of the Lane Cove River Valley Walk and the Great North Walk and there is potential for people walking along Quebec Road to encounter vehicles. Given the narrow width of Quebec Road, passing of trucks is not possible and vehicle speeds will be low. It is not expected that the use of Quebec Road will result in unreasonable inconvenience to walkers.

Waste Management

All waste will be assessed, classified, managed, transported and disposed of in accordance with the Waste Classification Guidelines. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities.

The Demolition Waste Management Plan demonstrates that the application can comply with relevant Council and legislative requirements for waste management. As such, the management of waste from the works is not considered to be impactful.

Water Quality Impacts

The Statement of Environmental Effects notes that, prior to any works commencing, an erosion and sediment control plan should be prepared to cover aspects of erosion and sedimentation during the works and post demolition phases.

The following measures would assist to minimise potential impacts upon water quality:

- Erosion and sediment control devices should be placed during the demolition phase. Retention of existing vegetation around disturbed areas where practical would reduce mass movement of sediment.
- Immediately after demolition works have been completed, the exposed areas should be re-sown with appropriate grass species.
- The erosion and sediment control devices installed at the commencement of demolition work should remain in place until revegetation of the exposed areas has occurred.
- Erosion and sediment control devices should be placed prior to works commencing and remain in place until all exposed areas are stabilised.

Social Impacts

The demolition of the structures will consolidate the public recreation opportunities on the land and will have a positive impact on the community, as it increases the recreation options available to the public.

10. SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The subject site is zoned for use for public recreational purposes and the demolition of the existing structures is in keeping with furthering the purpose of the park.

There are no constraints that should preclude the carrying out of the development.

The site is considered suitable for the proposal.

11. THE PUBLIC INTEREST

The public interest is best served by the consistent application of the requirements of relevant environmental planning instruments and by Council ensuring that any adverse effects on the surrounding area and the environment is minimised. The proposal has been assessed against the relevant planning instruments and is considered to be acceptable.

12. SUBMISSIONS

The application was notified and advertised in accordance with the Ryde Community Participation Plan between 24 March 2025 and 23 April 2025.

In response to the notification, no submissions were received.

13. DEVELOPER CONTRIBUTIONS

The City of Ryde Fixed Rate Levy Development Contributions Plan 2020 applies to non-residential development. Pursuant to Section 2.5 of this plan, the proposed development would

be exempt from contributions under the plan, given there is no proposed increase in gross floor area, and that the development is proposed on behalf of the Crown.

14. CONCLUSION

After consideration of the development against Section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is suitable for the site and is not contrary to the public interest. Therefore, it is recommended that the application be approved for the following reasons:

- The proposal is consistent with the objectives of the zone.
- The proposal satisfies the statutory provisions set out in the Environmental Planning and Assessment Act 1979.
- The proposal results in no unreasonable adverse impact to adjoining properties and the surrounding environment.
- The proposal is not contrary to the public interest.

15. RECOMMENDATION

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

- a) THAT the Ryde Local Planning Panel as the Consent Authority grant development consent to Local Development Application LDA No. LDA2025/0050 for the 'Demolition of the existing dwellings and associated outbuildings' on land at 25 and 27 Quebec Road, Chatswood West subject to the attached draft conditions of consent.

ATTACHMENTS

- 1 Demolition Plans
- 2 Assessment Tables
- 3 Draft Conditions of Consent

Report prepared by:

Glenn Apps
Consultant Planner – Cohesive Planning

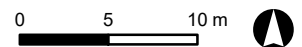
Report approved by:

Holly Charalambous
Senior Coordinator Development Assessment

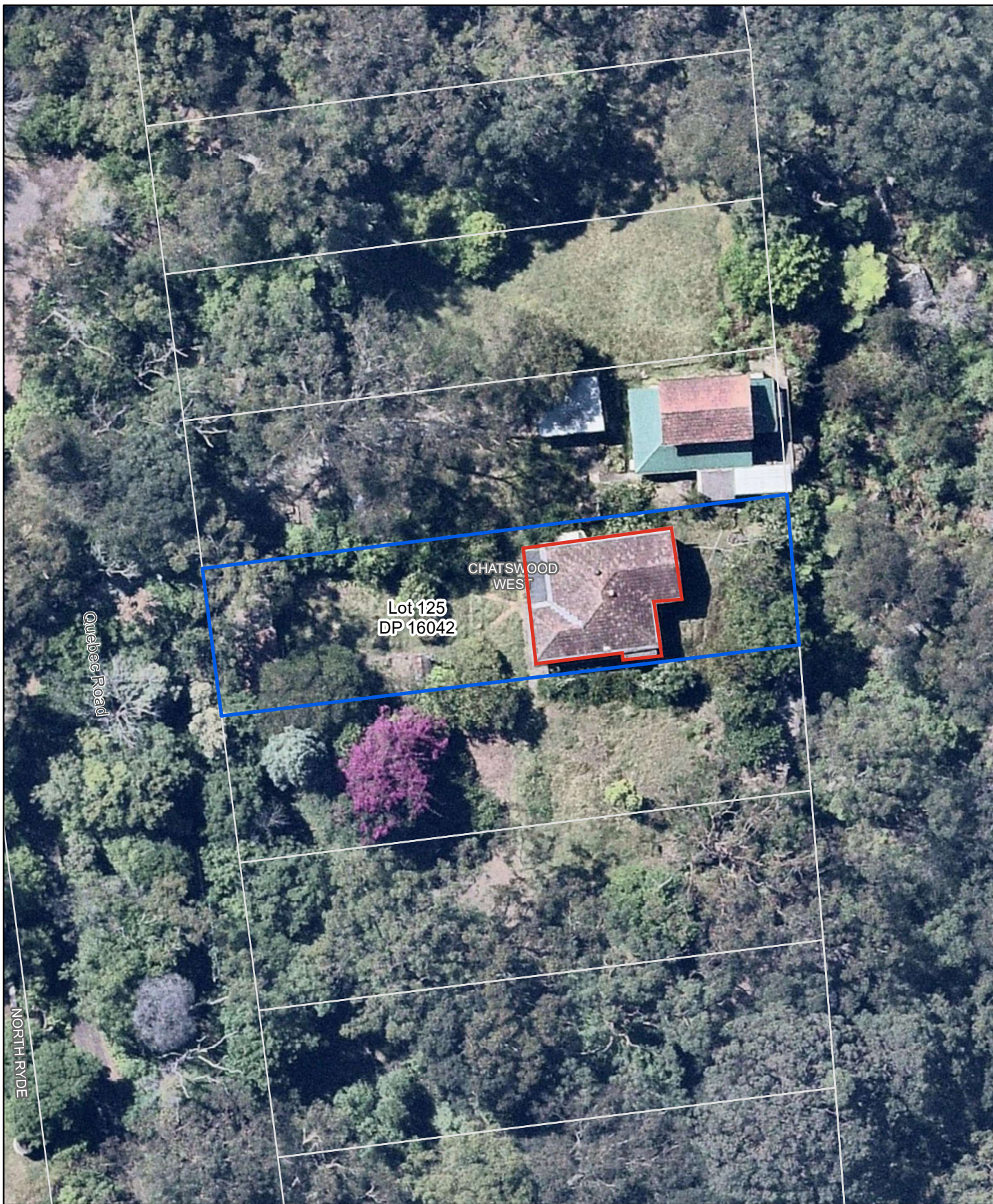
Sohail Faridy
A/Manager Development Assessment






Demolition Site - 25 Quebec Road, Chatswood West



-  25 Quebec Road  To be demolished
-  Cadastre © NSW Spatial Services



Demolition Site - 27 Quebec Road, Chatswood West

-  27 Quebec Road  To be demolished
-  Cadastre © NSW Spatial Services

ATTACHMENT 2 - ASSESSMENT TABLES

LDA2025/0050

DEMOLITION OF DWELLINGS AND ASSOCIATED STRUCTURES

25-27 QUEBEC ROAD, CHATSWOOD WEST

1. STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Chapter 2 of SEPP (Biodiversity and Conservation) requires consideration of vegetation removal in non-rural areas. The development application does not require the removal of vegetation.

Chapter 6 of SEPP (Biodiversity and Conservation) applies as the site is located within the Sydney Harbour Catchment which is a regulated catchment.

The following assessment has been carried out.

Chapter 6 Water Catchments

Division 2 Controls on development generally

CONTROL	COMMENT	OK
6.6 Water quality and quantity		
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—		
(a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway	The proposal removes structures from the catchment which is considered a beneficial effect on water quality.	Yes
(b) whether the development will have an adverse impact on water flow in a natural waterbody	The development will not affect water flow.	Yes
(c) whether the development will increase the amount of stormwater run-off from a site	The works will reduce impervious surfaces which will decrease run-off from the site.	Yes
(d) whether the development will incorporate on-site stormwater retention, infiltration or reuse	Not applicable.	N/A
(e) the impact of the development on the level and quality of the water table	The works are unlikely to impact the water table.	Yes
(f) the cumulative environmental impact of the development on the regulated catchment	The proposal removes structures to allow for revegetation or for recreational uses which is not likely to create adverse impacts.	Yes
(g) whether the development makes adequate provision to protect the quality and quantity of ground water	The works are unlikely to impact groundwater.	Yes

(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures—		
(a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and	The works involve the demolition of structures which will restore the site to a natural state.	Yes
(b) the impact on water flow in a natural waterbody will be minimised.	The works will not impact flows in the Land Cove River.	Yes
(3) Subsections (1)(a) and (2)(a) do not apply to development on land in the Sydney Drinking Water Catchment.	The land is not within a drinking water catchment.	N/A
6.7 Aquatic ecology		
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—		
(a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation	The works involve the demolition of structures which will restore the site to a natural state.	Yes
(b) whether the development involves the clearing of riparian vegetation and, if so, whether the development will require— (i) a controlled activity approval under the Water Management Act 2000 , or (ii) a permit under the Fisheries Management Act 1994 ,	Not applicable.	N/A
(c) whether the development will minimise or avoid— (i) the erosion of land abutting a natural waterbody, or (ii) the sedimentation of a natural waterbody,	The works will avoid erosion and sedimentation through a condition of consent requiring erosion and sedimentation control.	Yes
(d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area,	The works involve the demolition of structures which will restore the site to a natural state and will have a beneficial effect.	Yes
(e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology,		
(f) if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.		
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following—		
(a) the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development,	The works involve the demolition of structures which will restore the site to a natural state and will have a beneficial effect.	Yes

(b) the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves,		
(c) if a controlled activity approval under the <i>Water Management Act 2000</i> or a permit under the <i>Fisheries Management Act 1994</i> is required in relation to the clearing of riparian vegetation—the approval or permit has been obtained,	Not applicable.	N/A
(d) the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised,	The works will avoid erosion and sedimentation through a condition of consent requiring erosion and sedimentation control.	Yes
(e) the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised.	Not applicable.	N/A
6.8 Flooding		
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.	The works involve the demolition of structures which will restore the site to a natural state and will have a beneficial effect.	Yes
(2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not—		
(a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or (b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.		
6.9 Recreation and public access		
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider— (a) the likely impact of the development on recreational land uses in the regulated catchment, and (b) whether the development will maintain or improve public access to and around foreshores without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation.	The works improve the amenity and function of a public recreation area.	Yes
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following— (a) the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing,	Not applicable as the land is not on a foreshore.	N/A

<p>swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation,</p> <p>(b) new or existing points of public access between natural waterbodies and the site of the development will be stable and safe,</p> <p>(c) if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership—public access to and use of the land will be safeguarded.</p>		
<p>(3) This section does not apply to development on land in a regulated catchment if the land is in a special area under the Water NSW Act 2014.</p>	Noted	-
6.10 Total catchment management		
<p>In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consult with the council of each adjacent or downstream local government area on which the development is likely to have an adverse environmental impact.</p>	The works are unlikely to have an adverse impact on downstream areas.	Yes
6.11 Land within 100m of natural waterbody		
<p>In deciding whether to grant development consent to development on land within 100m of a natural waterbody in a regulated catchment, the consent authority must consider whether—</p> <p>(a) the land uses proposed for land abutting the natural waterbody are water-dependent uses, and</p> <p>(b) conflicts between land uses are minimised.</p>	The land is greater than 100m to the Lane Cove River.	N/A
6.23 Demolition on certain land		
<p>(1) This section applies to land—</p> <p>(a) in a regulated catchment, and</p> <p>(b) to which a local environmental plan that adopts the Standard Instrument does not apply.</p>	The land is affected by a Standard Instrument LEP.	N/A
<p>(2) Development that involves the demolition of a building or work may be carried out only with development consent.</p>	Noted.	-

The proposal is satisfactory with regard to the relevant controls contained at Sections 6.6 to 6.23 inclusive of the SEPP.

2. RYDE LOCAL ENVIRONMENTAL PLAN 2014 (“RLEP”)

See Section 8.3 of the Assessment report.

3. THE PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN

The RDCP is limited to its provisions that are relevant to the demolition of structures. The proposal is satisfactory when assessed against the relevant provisions of the RDCP as shown below.

SECTION	CONTROL	COMMENT
Part 7.2 Waste Minimisation and Management		
2.4 Demolition and Construction	Demolition activity must comply with relevant Australian Standards and WorkCover requirements	Demolition work is required by the EP and A Regulations 2021 to be undertaken in accordance with <i>Australian Standard: AS2601-2002: The Demolition of Structures</i> and applicable WorkCover requirements. A condition of consent can be imposed to this effect.
	Demolition is to be carried out using the process of deconstruction where materials are carefully dismantled and sorted. A Demolition Work Plan is required to be submitted.	Demolition work has been covered by the Hazardous Materials Survey and the Waste Management Plan, which will form part of the conditions of consent.
	A dedicated area is to be allocated on-site for the stockpile of materials for reuse, recycling, or disposal and for site waste bins (for surplus and unwanted materials). The siting is to take into account environmental factors including slope, drainage, location of watercourses, proximity to native vegetation and amenity impacts (including impacts of from the waste, noise from collection activity) on occupants of neighbouring properties.	On site sorting of materials for disposal to recycling or landfall will be carried out and is unlikely to unreasonably impact any neighbouring properties given the separation of the subject to nearby receivers.
	Construction materials are to be stored away from the waste materials stored on-site for collection to enable easy access for waste collectors.	Not applicable.
Part 8.1 Construction Activities		
2.6 Demolition	All work should be carried out in accordance with the requirements of <i>AS2601-1991: The Demolition of Structures</i>	Demolition work is required by the EP and A Regulations 2021 to be undertaken in accordance with <i>Australian Standard: AS2601-2002: The Demolition of Structures</i> and applicable WorkCover requirements. A condition of consent can be imposed to this effect.

2.6.2 Public Safety	Throughout the demolition operations, adequate safety shall be maintained in public places adjoining the site. In both the planning and execution of the demolition work, appropriate action shall be taken to prevent demolished materials from falling freely outside the boundaries of the demolition site.	It is expected that Council will impose these requirements as a condition of development consent.
---------------------	--	---

ATTACHMENT 3 – RECOMMENDED CONDITIONS OF CONSENT

Development Description: Demolition of the existing dwellings and associated outbuildings.

DEMOLITION CONDITIONS

GENERAL

1)	Compliance with plans and reports		
	The approved demolition works shall be carried out in accordance with the recommendations of the following plans and reports that have been submitted with the Development Application. In the event of any inconsistency between the approved report and a condition of consent, the condition of consent will prevail.		
	Document:	Prepared by:	Dated:
	Site and demolition plans	NSW Government	-
	Site Waste Minimisation and Management Plan	Michael Manders, DPIE	-
	Hazardous Materials Survey	Airsafe	6 July 2022
	Statement of Environmental Effects	Patch Planning	12 March 2025
Condition reason: To ensure compliance with approved technical reports.			
2)	Asbestos		
	Where asbestos is present during works, the work must be carried out in accordance with the guidelines for asbestos work published by SafeWork NSW.		
	Condition reason: To ensure that all works are carried out in a safe manner.		
3)	Asbestos (disposal)		
	All asbestos wastes must be disposed of at a landfill facility licensed by NSW Environment 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.		
	Condition reason: To ensure the protection of the environment.		

BEFORE DEMOLITION WORK COMMENCES

4)	Erosion and Sedimentation Control Plan
	Prior to the commencement of works, an Erosion and Sedimentation Control Plan shall be prepared and provided to Council to demonstrate the method of controlling erosion and sedimentation during the works and post demolition phases.
5)	Condition Reason: To prevent erosion of the land and movement of sedimentation off-site.
	Asbestos removal signage
	Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.

	Condition Reason: To alert the public to any danger arising from the removal of asbestos.
6)	<p>Demolition management plan</p> <p>Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.</p> <p>The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, and must include the following matters:</p> <ol style="list-style-type: none"> 1. The proposed demolition methods 2. The materials for and location of protective fencing and any hoardings to the perimeter of the site 3. Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones 4. Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles 5. Protective measures for on-site tree preservation and trees in adjoining public domain (if applicable) (including in accordance with AS 4970-2009 Protection of trees on development sites) 6. Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways 7. Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent 8. Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines 9. Details of any bulk earthworks to be carried out 10. Location of any reusable demolition waste materials to be stored on-site (pending future use) 11. Location and type of temporary toilets onsite 12. A garbage container with a tight-fitting lid. <p>Condition Reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site.</p>
7)	<p>Site preparation</p> <p>Before demolition work commences the following requirements, as specified in the approved demolition management plan, must be in place until the demolition work and demolition waste removal are complete:</p> <ol style="list-style-type: none"> 1. Protective fencing and any hoardings to the perimeter on the site 2. Access to and from the site 3. Construction traffic management measures 4. Protective measures for on-site tree preservation and trees in adjoining public domain 5. Onsite temporary toilets <p>A garbage container with a tight-fitting lid.</p> <p>Condition Reason: To protect workers, the public and the environment.</p>
8)	Disconnection of services before demolition work

	Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.
	Condition Reason: To protect life, infrastructure and services.
9)	Notice of commencement for demolition
	At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include: <ol style="list-style-type: none"> 1. name 2. address, 3. contact telephone number, 4. licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and 5. the contact telephone number of council and 6. the contact telephone number of SafeWork NSW (4921 2900).
	Condition Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries.

DURING DEMOLITION WORKS

10)	Erosion and Sedimentation Control
	Erosion and sediment control devices must be installed prior to the commencement of demolition works and maintained throughout the demolition process.
	Existing vegetation must be retained around disturbed areas where practical to reduce mass movement of sediment.
	Upon completion of demolition works, exposed areas must be re-sown with appropriate grass species.
	The erosion and sediment control devices installed at the commencement of demolition work should remain in place until revegetation of the exposed areas has occurred.
	Condition Reason: To prevent erosion of the land and movement of sedimentation off-site.
11)	Handling of asbestos during demolition
	While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements: <ol style="list-style-type: none"> 1. Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material; 2. Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and 3. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.
	Condition Reason: To ensure that the removal of asbestos is undertaken safely and professionally.

12)	Site maintenance
	While demolition work is being carried out, the following requirements, as specified in the approved demolition management plan, must be maintained until the demolition work and demolition waste removal are complete: <ol style="list-style-type: none"> 1. Protective fencing and any hoardings to the perimeter on the site 2. Access to and from the site 3. Construction traffic management measures 4. Protective measures for on-site tree preservation and trees in adjoining public domain 5. Onsite temporary toilets 6. A garbage container with a tight-fitting lid.
	Condition Reason: To protect workers, the public and the environment.
13)	Disposal of site materials
	Any materials requiring off-site disposal must be classified, managed and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the NSW Environment Protection Authority's Waste Classification Guidelines.
	Condition reason: To protect the environment.
14)	Noise control – hours of operation
	Any noise generated during demolition must not exceed the limits specified in the Protection of the Environment Operations Act 1997 and in accordance with the NSW EPA Draft Construction Noise Guidelines. Works are to follow the below hours: <p style="margin-left: 40px;">7 am to 6 pm, Monday to Friday 8 am to 1 pm, Saturday No works are to be undertaken on Sundays or Public Holidays.</p>
	Condition reason: To protect the amenity of surrounding properties and the general public.
15)	Noise control - general
	The following measures are to be implemented to ensure noise does not unreasonably impact nearby receivers: <ul style="list-style-type: none"> • Schedule work to avoid cumulative noise; • Ensure machines comprise properly fitted exhausts; • Remind drivers to exercise slow and respectful driving practices when entering or leaving the work site to minimise noise; • All workers should be briefed on the need to minimise noise as a result of their activities.
	Condition reason: To protect the amenity of surrounding properties and the general public.
16)	Demolition deposit
	Before demolition work commences, Council must be provided with a security deposit as determined by Council's fees and charges current at the time of payment. Written evidence of the payment is to be provided to the principal certifier.
	Condition reason: Statutory requirement.

ON COMPLETION OF DEMOLITION WORKS

17)	Waste disposal verification statement
	On completion of demolition work:

	<ol style="list-style-type: none"> 1. a signed statement must be submitted to the principal certifier verifying that demolition work, and any recycling of materials, was undertaken in accordance with the waste management plan approved under this consent; 2. if the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to the principal certifier within 14 days of completion of the demolition work.
	<p>Condition Reason: To provide for the submission of a statement verifying that demolition waste management and recycling has been undertaken in accordance with the approved waste management plan.</p>