



2 AUGUST 2018

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**NOTICE OF MEETING**

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You are advised of the following meeting:

**THURSDAY 9 AUGUST 2018.**

**City of Ryde Local Planning Panel Meeting No. 4/18**

**Council Chambers, Level 1A, 1 Pope Street, Ryde - 5.00pm**

## English

If you do not understand this letter, please come to the 1 Pope Street, Ryde (within Top Ryde Shopping Centre), Ryde, to discuss it with Council Staff who will arrange an interpreter service. Or you may ring the Translating & Interpreting Service on 131 450 to ask an interpreter to contact you. Council's phone number is 9952 8222. Council office hours are 8:30am to 5:00pm, Monday to Friday.

## Arabic

إذا لم تفهم محتوى هذه الرسالة، يرجى الحضور إلى 1 Pope Street، Ryde (في Top Ryde Shopping Centre)، Ryde، لمناقشتها مع موظفي المجلس الذين سوف يرتبون للاستعانة بمترجم شفهي. أو قد يمكنك الاتصال بخدمة الترجمة التحريرية والشفهية على الرقم 131 450 لتتطلب من المترجم الاتصال بك. رقم هاتف المجلس هو 9952 8222. ساعات عمل المجلس هي 8:30 صباحاً حتى 5:00 مساءً، من الاثنين إلى الجمعة.

## Armenian

Եթե դուք չեք հասկանում սույն նամակի բովանդակությունը, խնդրում ենք այցելել 1 Pope Street, Ryde (որը գտնվում է Top Ryde Shopping Centre-ի մեջ), Ryde, քննարկելու այն Քաղաքային Խորհրդի անձնակազմի հետ, ովքեր ձեզ համար կապահովեն թարգմանչական ծառայություն: Կամ կարող եք զանգահարել Թարգմանչական Ծառայություն 131 450 հեռախոսահամարով և խնդրել, որ թարգմանիչը ձեզ զանգահարի: Խորհրդի հեռախոսահամարն է 9952 8222: Խորհրդի աշխատանքային ժամերն են առավոտյան ժամը 8:30-ից մինչև երեկոյան ժամը 5:00, երկուշաբթիից մինչև ուրբաթ:

## Chinese

如果你不明白这封信的内容，敬请前往1 Pope Street, Ryde（位于Top Ryde Shopping Centre内），向市政府工作人员咨询，他们会为您安排口译服务。此外，您也可以拨打131 450联络翻译和口译服务，要求口译员与您联系。市政府电话号码为9952 8222。市政府办公时间为周一至周五上午8:30至下午5:00。

## Farsi

لطفاً اگر نمی توانید مندرجات این نامه را درک کنید، به نشانی 1 Pope Street، Ryde (در Top Ryde Shopping Centre) مراجعه کنید تا با استفاده از یک مترجم در این باره با یکی از کارکنان شورای شهر گفتگو کنید. یا آنکه می توانید با خدمات ترجمه کتبی و شفاهی به شماره 131 450 تماس گرفته و بخواهید که به یک مترجم ارتباط داده شوید. شماره تماس شورای شهر 9952 8222 و ساعات کاری آن از 8:30 صبح تا 5:00 بعد از ظهر روزهای دوشنبه تا جمعه است.

## Italian

Se avete difficoltà a comprendere questa lettera, venite in 1 Pope Street, Ryde (dentro al Top Ryde Shopping Centre), Ryde, per discutere con il personale del Comune che organizzerà un servizio di interpretariato. Potete anche contattare il Servizio di Traduzione e Interpretariato al 131 450 per chiedere a un interprete di contattarvi. Il numero di telefono del Comune è il 9952 8222. Gli orari di ufficio del Comune sono dalle 8.30 alle 17 dal lunedì al venerdì.

## Korean

이 서신을 이해할 수 없을 경우, 1 Pope Street, Ryde (Top Ryde Shopping Centre 내)에 오셔서 통역사 서비스를 주선할 시의회 직원과 논의하십시오. 혹은 통번역서비스에 131 450으로 전화하셔서 통역사가 여러분에게 연락하도록 요청하십시오. 시의회의 전화번호는 9952 8222입니다. 시의회 사무실 업무시간은 월요일에서 금요일, 오전 8시 30분에서 오후 5시까지입니다.

**Meeting Date: Thursday 9 August 2018**  
**Location: Council Chambers, Level 1A, 1 Pope Street, Ryde**  
**Time: 5.00pm**

*City of Ryde Local Planning Panel Meetings will be recorded on audio tape for minute-taking purposes as authorised by the Local Government Act 1993. City of Ryde Local Planning Panel Meetings will also be webcast.*

### **NOTICE OF BUSINESS**

| <b>Item</b> |   | <b>Page</b> |
|-------------|---|-------------|
| 1           | DECLARATIONS OF INTEREST  |             |
| 2           | 527 VICTORIA ROAD, RYDE - DEMOLITION OF STRUCTURES AND CONSTRUCTION OF A 3 LEVEL BOARDING HOUSE WITH boarding house with 19 BOARDING ROOMS - UNDER SEPP (AFFORDABLE RENTAL HOUSING) 2009 - LDA2018/0196 ..... | 1           |

**DEVELOPMENT APPLICATION**
**2 527 VICTORIA ROAD, RYDE - DEMOLITION OF STRUCTURES AND CONSTRUCTION OF A 3 LEVEL BOARDING HOUSE WITH boarding house with 19 BOARDING ROOMS - UNDER SEPP (AFFORDABLE RENTAL HOUSING) 2009 - LDA2018/0196**
**Report prepared by:** Senior Town Planner

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

**File Number:** GRP/09/6/12/1/2 - BP18/814

|                                    |   |
|------------------------------------|---|
| <b>DA Number</b>                   | <b>LDA2018/196</b>  |
| <b>Site Address &amp; Ward</b>     | <b>527 Victoria Road, Ryde – East Ward</b>  |
| <b>Zoning</b>                      | <b>R4 High Density Residential</b>  |
| <b>Proposal</b>                    | <b>Demolition of structures and construction of 3 level boarding house with 19 boarding rooms</b> |
| <b>Property Owner</b>              | <b>Benjamin T H Lam</b>   |
| <b>Applicant</b>                   | <b>Benjamin Lam C/ Ghazi Al Ali</b>   |
| <b>Report Author</b>               | <b>Kerry Gordon – Consultant Town Planner</b>   |
| <b>Lodgement Date</b>              | <b>23 May 2018</b>  |
| <b>No. of Submissions</b>          | <b>64</b>   |
| <b>Cost of Works</b>               | <b>\$1,881,836</b>  |
| <b>Reason for Referral to IHAP</b> | <b>More than 10 individual submissions</b>  |
| <b>Recommendation</b>              | <b>Refusal</b>  |

**ITEM 1 (continued)****1. Executive Summary**

Application is made to demolish the existing building on the site and to remove both trees and to construct a three level boarding house to contain 19 boarding rooms.

The notification of the application attracted 64 submissions objecting to the application with the most common concerns related to the lack of parking provision, the proximity of the boarding house to nearby schools, the type of occupant, shadow impact, privacy impact, lack of side setbacks and lack of onsite management.

Given the site has a width of only 9.8m, provision of adequate onsite parking consistent with the Affordable Rental Housing SEPP is not possible. For this reason it is considered that the site is not suitable for the development of a boarding house of the size proposed.

The proposed design is also considered to be unacceptable due to:

- Inadequate front setback
- Unacceptable landscaped setting
- Compliance with the driveway access requirements of RMS would result in unacceptable amount of paving within the front setback area
- Inappropriate excavation increases the length of the pedestrian path, further reducing the landscape setting
- Inadequate measures to protect the privacy of adjoining properties
- Unacceptable amenity of boarding rooms
- Unacceptable flat roof
- Inappropriate street address and access to boarding house creates poor security
- Unacceptable streetscape impact of undercroft parking design
- Inadequate addressing of acoustic impacts upon the development due to location on Victoria Road
- Inadequate addressing of location of site within 1% AEP Storm Event
- Inadequate provision for storage of garbage
- Inappropriate design of communal open space
- Inappropriate removal of Jacaranda

**2. The Site and Locality**

The site is known as 527 Victoria Road, Ryde and is a single allotment with a legal description of Lot A in DP 358920. The site is located on the north-eastern side of Victoria Road, to the north-west of its intersection with Cressy Road. The site is an irregular, rectangular shaped allotment with an angled frontage to Victoria Road of 10.056m, a rear boundary dimension of 9.754m, side boundary

**ITEM 1 (continued)**

dimensions of 50.082m (north-western) and 47.777m (south-eastern) and a site area of 474.2m<sup>2</sup> (according to DP). The site falls from the street to the rear by approximately 2.2m and has a minor cross-fall from west to east.

The site is currently developed with a single storey commercial premises that is elevated to the rear with what appears to be a storage area underneath. The building is constructed to a nil setback from the frontage and north-western boundary.



**Figure 1: Aerial photograph of site in context**

The building occupies the front half of the site and has a setback of approximately 1m from the south-eastern boundary. To the rear of the site is a grassed yard with two trees, one of which is a Jacaranda located at the northern corner of the site which is visible from Cressy Road and Victoria Road and enhances the streetscape character of both roads. The site currently has no vehicular access, but what appears to be a redundant vehicular crossing is located at the front of the site from Victoria Road as shown in Figure 2.

**ITEM 1 (continued)**



**Figure 2: Victoria Road frontage of the site**

The site is an isolated block which is “sandwiched” between three storey apartment buildings along Victoria Road as shown in Figures 3 and 4. To the rear of the site is a part one and two storey dwelling at 2 Cressy Road which has a setback of approximately 3.8m from the common boundary with the subject site.

Immediately adjoining the site to the northwest, at 529 Victoria Road, is a three storey residential apartment complex with two apartment buildings located adjoining the common boundary with the subject site. The apartment buildings are designed at an angle to the frontage of the site and have an average front setback of approximately 11.7m and a variable side setback from the common boundary with the subject site of 4.53m – 5.97m. The development has a rear boundary setback of approximately 10m.

**ITEM 1 (continued)**



**Figure 3: View of site from Victoria Road heading eastbound**



**Figure 4: View of site from corner of Cressy Road and Victoria Road**



**ITEM 1 (continued)**

Immediately adjoining the site to the southeast, at 523 Victoria Road, is a three storey residential apartment building designed in a “U” shape with the opening of the “U” facing the common boundary with the subject site. This building has a variable setback of approximately 2.7m – 7.6m from the common boundary with the subject site. The apartment building has an average front setback of approximately 9.5m and a rear boundary setback of approximately 7.5m.

On the opposite side of Victoria Road is St Charles Catholic Primary School, with its car park located at the intersection with Potts Street. Diagonally opposite the site on the south-eastern side of Potts Street and with frontage to Victoria Road is a two storey townhouse development. Located on the south-eastern corner of Victoria Road and Cressy Road is Holy Cross College Ryde.

As such the development fronting Victoria Road in the vicinity of the site is typically of medium density two and three storey residential development with large scale educational/religious/institutional developments. The development is generally characterized by generous setback from Victoria Road, significant landscape settings, larger development blocks and development with pitched roofs. As such, the subject site and the development currently located upon it is an anomaly in the streetscape, being a small and narrow allotment developed with a building located on a nil setback.

Victoria Road at the frontage of the site contains a bus lane operational between 6am and 10pm weekdays and a clearway operational between 3pm and 7pm weekdays, with no parking permitted at other times.

**3. The Proposal**

Application is made to demolish the existing building on the site and to remove both trees and to construct a three level boarding house to contain 19 boarding rooms, as is described following and shown in Figure 5:

Ground: The ground floor is to be excavated below existing ground level and steps roughly at the centre of the building. The front portion contains a parking area for 4 motorcycles and four bicycles and is excavated approximately 1m below existing ground level and 1.2m below the floor level of the existing building. Access to the parking area is proposed via a 1.5m wide “driveway” along the south-eastern boundary of the site from Victoria Road. This area is also proposed to provide for two bin storage areas. The area is proposed to be open at the front and sides. To the rear of the parking area is a set of open stairs to the upper levels and then an accessible boarding room.

**ITEM 1 (continued)**

The rear portion of the ground floor is to be excavated up to 810mm below existing ground level, with the communal room proposed up to 190mm above existing ground level. This portion of the building contains two boarding rooms (one of which is accessible) and the communal room, along with a second set of stairs to the upper levels. The common room has an area of 19.98m<sup>2</sup> and opens onto a small deck having an area of 10.85m<sup>2</sup>, containing a BBQ and table and seating for 4 persons. The nature of the opening from the rear of the common room is unclear, with the floor plan appearing to show bi-fold doors but the elevation appearing to show a solid wall with a standard door. The deck extends down to a smaller area of unknown use (though it may be a clothes drying area).

The rear 2.6m of the site is occupied by an OSD tank and does not appear to provide for any communal use, being planted with a low ground cover. The remainder of the rear yard is shown to be planted with low shrubs and a 10m high tree and again does not appear to provide for any communal use.

Pedestrian access to the site is provided by way of a long and convoluted pedestrian ramp which commences adjoining the "driveway", turning across the front of the parking area and then continuing along the north-western boundary of the site. The elevations show the pedestrian access ramp along the north-western side of the building to be open, with the front stairs also being open with what appears to be louvres to the sides. At the upper levels the stairwells appear to be partially enclosed with a solid wall to a height of 1.8m and thence provided with what appears to be louvres above.

- First: The first floor again steps, with the front portion of the building containing four boarding rooms and the rear portion contains another 4 boarding rooms. The front two and rear two rooms have small balconies facing the front and rear of the site, respectively.
- Second: The second floor again steps, and has a similar layout to the first floor.

**ITEM 1 (continued)**



**Figure 5: Photomontage of proposed development as viewed from Victoria Road**

The Statement of Environmental Effects indicates that all of the boarding rooms are single rooms and that the site will not have an onsite manager.

Each boarding room is provided with a bathroom and kitchenette containing a sink, a two burner cooktop, bar fridge, microwave and washing machine. It is, however, noted that the accessible rooms are provided with cupboards and a microwave as overhead cupboards and as such would not be accessible to the occupant.

The proposed building is to have 1.5m side setbacks with two minor indents to each side having dimensions of approximately 1m x 1m. The building has an angled frontage parallel to Victoria Road and is setback 6m to the front balconies. The proposed building projects approximately 5m forward of the building at 523 Victoria Road and 4m forward of the building at 529 Victoria Road. The building has a rear setback of 7.5m to the rear balconies, roughly aligning with the rear setback of the building at 523 Victoria Road.

The design of the building is modern, with a flat roof and is to be constructed of a combination of pale brown face bricks and white rendered masonry. Operable timber louvres are proposed to the front and rear balconies and metal louvres are proposed to the stairwells above the white render.

**ITEM 1 (continued)**
**4. Planning Assessment**
**4.1 State Environmental Planning Instruments**
**State Environmental Planning Policy (Affordable Rental Housing) 2009**

The application is made under the provisions of State Environmental Planning Policy (Affordable Rental Housing) (ARHSEPP) and as such the provisions of Division 3 relating to Boarding Houses are applicable to the application. The amendments to ARHSEPP resultant from ARHSEPP Amendment (Parking for Boarding Houses) 2018 came into force on 1 June 2018 and no savings provision was included with the amendments, making it applicable to the assessment of the application.

Clause 26 indicates that the division is applicable to land within zone R4 High Density Residential and as the site is so zoned under RLEP 2014, the division is applicable to the subject site. Clause 27 indicates that the division applies to development for the purpose of boarding houses and Clause 28 indicates that boarding house development is permitted with consent.

Clause 29 contains a series of standards which cannot be used to refuse consent if they are complied with. These standards are addressed in the following table.

| Provision       | Required   | Proposed  | Complies |
|-----------------|--|---|----------|
| FSR             | Existing maximum FSR + 0.5:1 = 1.5:1 – 711.3m <sup>2</sup> GFA | The applicant claims a GFA of 450.66m <sup>2</sup> which would equate to a FSR of 0.95:1. It is noted that the calculated areas for GFA that the applicant has used do not appear to comply with the definition of GFA. Notwithstanding this, the proposal clearly complies with the FSR control. | Yes      |
| Building Height | Maximum building height under LEP – 9.5m                       | The building has a maximum height of 7.7m-9.39m at the front portion and 7.68m-8.99m at the rear portion.   | Yes      |

**ITEM 1 (continued)**

| <b>Provision</b>   | <b>Required</b>   | <b>Proposed</b>  | <b>Complies</b>               |
|--------------------|---|--|-------------------------------|
| Landscaped area    | Landscape treatment of front setback is compatible with streetscape                                   | As is discussed in relation to the character test following, the proposal will result in inadequate landscaping forward of the building to be compatible with the streetscape which is characterised by large landscaped setbacks.               | No                            |
| Solar access       | One or more communal living room receives at least 3 hours sunlight between 9am and 3pm at mid-winter | The living room receives 3 hours of solar access between 9am and 12pm at midwinter, subject to clarification that bi-fold doors are proposed.  | Yes, subject to clarification |
| Private Open Space | One area of at least 20m <sup>2</sup> with minimum dimension of 3m is provided for use of lodgers     | The communal open space area (deck) is only 10.98m <sup>2</sup> , but satisfies the minimum dimension. The remainder of the rear yard is landscaped in a manner to make it of little use to the residents of the property and requires redesign. | In part                       |
| Parking            | At least 0.5 parking spaces are provided for each boarding room – minimum 9.5 spaces                  | 0 spaces   | No                            |

**ITEM 1 (continued)**

|                    |   |   |     |
|--------------------|---|---|-----|
| Accommodation size | Single rooms are at least 12m <sup>2</sup> in area excluding private kitchen or bathroom facilities | Boarding rooms range from 12.14m <sup>2</sup> 18.72m <sup>2</sup> | Yes |
| Facilities         | A boarding house may have a private kitchen or bathroom in each boarding room                       | Private kitchenette and bathroom provided in each room.           | Yes |

Clause 30 contains development standards for boarding houses which are addressed in the following table.

| Provision         | Required  | Proposed  | Complies |
|-------------------|---|---|----------|
| Common room       | Minimum one communal living room is 5 or more boarding rooms  | One common living room is provided                                | Yes      |
| GFA               | No boarding room to have gross floor area exceeding 25m <sup>2</sup> excluding private kitchen and bathroom | Boarding rooms range from 12.14m <sup>2</sup> 18.72m <sup>2</sup> | Yes      |
| Occupancy         | No boarding room to be used by more than 2 adult lodgers  | Each boarding room is proposed to be a single room                | Yes      |
| Kitchen/Bathroom  | Adequate kitchen and bathroom facilities are required for a boarding house for the use of each lodger       | Private kitchenette and bathroom provided in each room.           | Yes      |
| Manager           | If a boarding house accommodates 20 or more lodgers a manager's dwelling shall be provided onsite           | 19 boarders proposed – N/A  | N/A      |
| Commercial zoning | If the site is primarily zoned for commercial purposes ground floor not to be used for residential purposes | Not zoned primarily for commercial purposes – N/A                 | N/A      |

**ITEM 1 (continued)**

| Provision | Required  | Proposed                                 | Complies  |
|-----------|---|--|---|
| Parking   | At least 1 motorcycle and bicycle parking space shall be provided for every 5 boarding rooms – 19 room - 4 motorcycle and bicycle spaces required | 4 motorcycle and bicycle spaces provided | Yes, however access to the spaces is not acceptable |

Clause 30A requires that consent shall not be granted to a boarding house unless consideration has been made of whether the design of the development is compatible with the character of the local area.

The character of Victoria Road is one where the developments are located on large allotments, are two and three storeys in construction with pitched roof and have generous front setbacks which are substantially landscaped (see Figure 6).



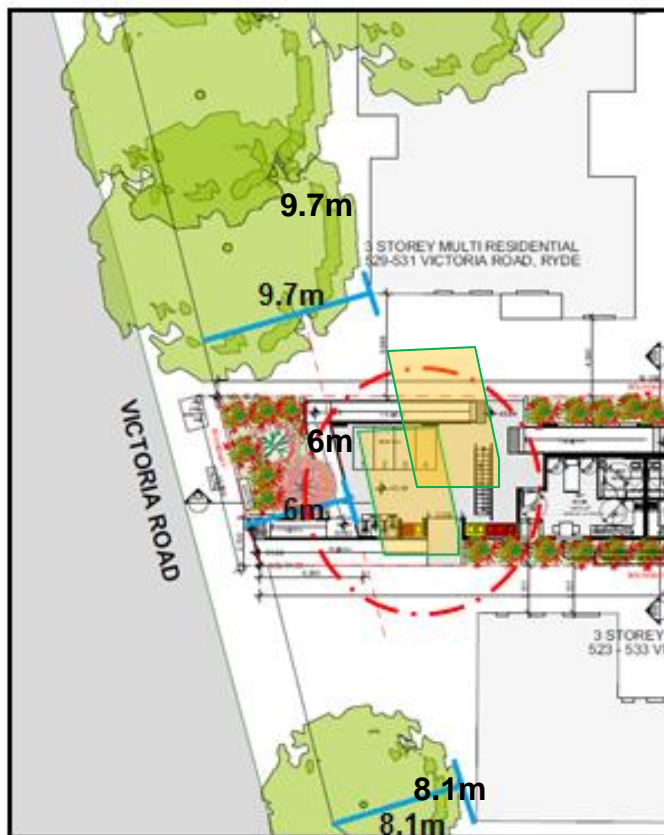
**Figure 6: Streetscape character of Victoria Road**

The subject site is a very small and narrow, isolated site and is only approximately half the size of the nearest smallest allotment along Victoria Road. Whilst this is a situation that cannot be altered and should not prevent the reasonable redevelopment of the site, the narrow width of the site and need to obtain separate appropriate vehicular and pedestrian access significantly constrains the use and development of the site.

The site has a width of approximately 9.8m. Roads and Maritime Service require that a minimum 5.5m width driveway (for at least the front 6m of the site) be provided and with the need for a 1m wide separate pedestrian path this leaves a width of only 3.3m for landscaping in the front yard. Provision of such a small amount of landscaping would be inconsistent with the setting of adjoining properties and the character of Victoria Road in the vicinity of the site.

**ITEM 1 (continued)**

Secondly, the design of the development provides for only a 6m setback where the average setback of the adjoining properties is approximately 9.5m and 11.7m. The reduced setback of the building results in it projecting forward of the adjoining buildings by 4-5 metres, which can be seen in Figure 7. As there is no landscaping in the side setback of this portion of the building, the projection of the building bulk forward of the characteristic setback is not appropriately ameliorated. Whilst it is acknowledged that the existing building projects forward of the adjoining properties, it is a single storey building, not a three storey building as proposed.



**Figure 7: Proposed building projection forward of neighbouring buildings highlighted in yellow and circled in red**

Finally, the design of the development provides a flat roof and a front facade which is parallel to Victoria Road when the characteristic form of development in the vicinity of the site has a pitched roof form and is angled to the frontage such that the building is parallel to the rear boundary of the site. The design also provides an unattractive open undercroft element projecting forward of the adjoining buildings.

Due to the lack of setback, the flat roof, the angled front façade, the undercroft design and the lack of landscaped setting at the Victoria Road frontage of the



**ITEM 1 (continued)**

site, the design of the development is not considered to be compatible with the character of the area.



**Figure 8: Streetscape Analysis prepared by Ghazi Al Ali Architects (Drawing No. DA A-1050)**

Clause 52 prevents consent being granted to strata or community title subdivide a boarding house. The application does not seek approval for subdivision.

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

The application is accompanied by a satisfactory BASIX certificate.

**State Environmental Planning Policy No. 55 – Remediation of Land**

SEPP 55 requires consideration of whether a site is potentially contaminated and whether any such contamination makes the site unsuitable for the proposed form of development or whether remediation works are required to make the site suitable for the form of development proposed.

A Phase 1 Contamination Assessment has been prepared by Ground Technologies. The report indicates the historic use of the site for commercial and residential use would not be likely to result in contamination and that the site is suitable for the proposed development without need for remediation.

**State Environmental Planning Policy (Infrastructure) 2007**

The application also proposed development with frontage to a classified road and as such the provisions of clause 101 are applicable to the assessment of the development. Notwithstanding this, neither the Statement of Environmental Effects nor the Traffic Impact Assessment address the provisions of clause 101 of SEPP (Infrastructure). The application was referred to RMS and the response raised concerns with the width and design of the access driveway (see comments later in this report).

**ITEM 1 (continued)**

It is noted that due to the substantive concern that the site is not a suitable site for construction of a boarding house of this size, the applicant was not requested to amend the driveway to address RMS concerns.

The site is located on a classified road that has an annual average daily traffic volume of more than 40,000 vehicles and proposes residential accommodation. As such the provisions of clause 102 of SEPP (Infrastructure) required consideration of the impact on the development due to road noise or vibration. Sub-clause (3) requires that consent must not be granted unless satisfactory measures have been taken to ensure compliance with the specified acoustic levels within the property. The applicant has not provided an acoustic report addressing the requirements of clause 102 and as such the application cannot be granted consent.

It is noted that due to the substantive concern that the site is not a suitable site for construction of a boarding house of this size, the applicant was not requested to provide the necessary acoustic report.

**4.2 Ryde LEP 2014**Permissibility

The site is zoned R4 High Density Residential under the provisions of Ryde LEP 2014 and a boarding house is a permissible use with consent in that zone. The site is surrounded by similarly zoned land to the north-west and south-east, however the land to the rear of the site is zoned R2 Low Residential, as is the land on the opposite side of Victoria Road. Land diagonally to the east and west is zoned SP2 Educational Establishment and Educational Establishment and Place of Public Worship respectively. Land diagonally opposite to the south is zoned R3 Medium Density. As such the site is located at the boundary of the Low Density Residential zone to the front and rear and is located in an area of variable zonings. The variability of the zonings is reflected in the different patterns of development in the area.

The objectives of the R4 zone are addressed following:

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

In the absence of the provision of parking for the use in accordance with ARHSEPP, the type of housing provided will not appropriately provide for the housing needs of the community.

- *To provide a variety of housing types within a high density residential environment.*

### ITEM 1 (continued)

The provision of a boarding house would satisfy the objective of providing a variety of housing types.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

This objective is not applicable to the proposal.

### Demolition

Clause 2.7 indicates that consent is required for the demolition of a building or work and the application seeks consent for such demolition, satisfying the provisions of the clause.

### Height of Buildings

Clause 4.3 sets a maximum height control for the site of 9.5m. The proposal satisfies this control with a maximum height of 7.7m-9.39m at the front portion and 7.68m-8.99m at the rear portion as shown in Figure 9.

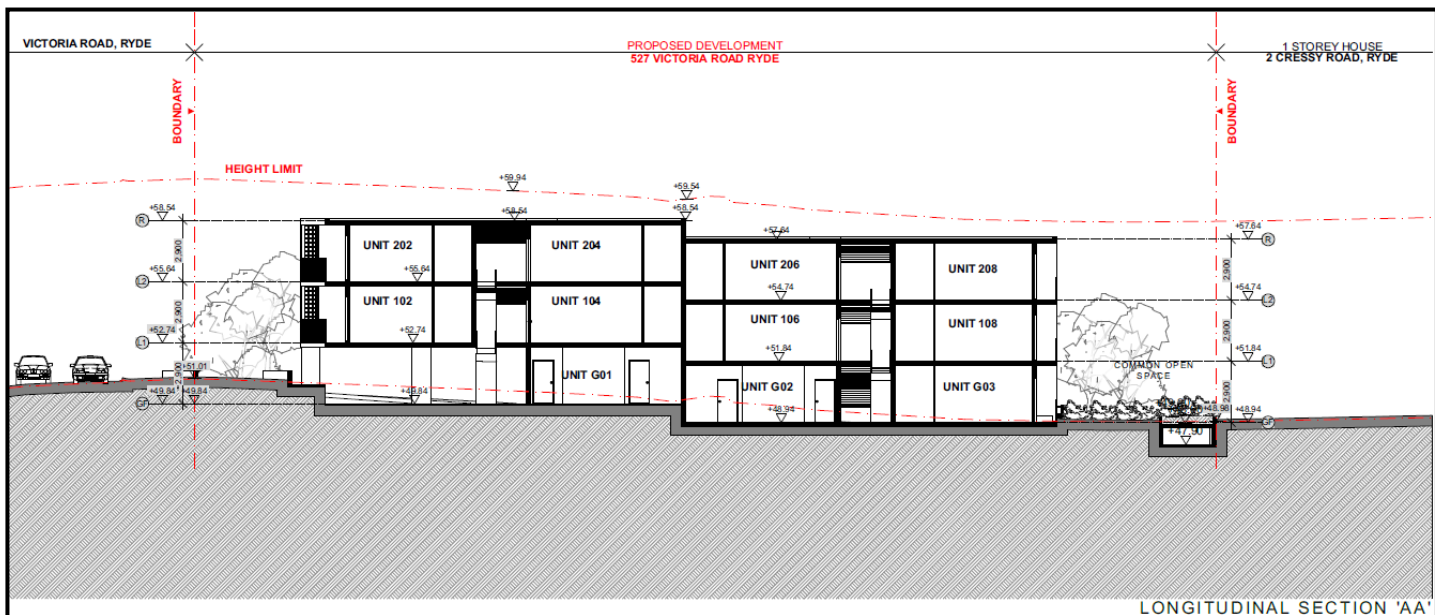


Figure 9: Longitudinal Section AA prepared by Ghazi Al Ali Architects (Drawing No. A-1401)

### Floor Space Ratio

Clause 4.4 sets a maximum FSR for the site of 1:1. The applicant claims a GFA of 450.66m<sup>2</sup> which would equate to a FSR of 0.95:1. It is noted that the calculated areas for GFA that the applicant has used do not appear to comply with the definition of GFA. Notwithstanding the method of calculation, the

**ITEM 1 (continued)**

proposal would satisfy the requirements of ARHSEPP in relation to FSR, and as such the applicant was not asked to clarify the calculation of GFA.

Heritage

As the site is within the vicinity of a number of items of heritage, the provisions of Clause 5.10 are applicable. The application has been considered by Council's Heritage Officer who has raised no concerns in relation to the impact of the proposal upon the heritage significance of the items in the vicinity of the site.

Earthworks

Clause 6.2 requires consideration of the impact of earthworks in relation to environmental functions, processes, neighbouring uses, cultural and heritage items and features of the surrounding land. The following matters are required to be considered:

*(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*

The site is located within the 1% AEP Storm Event however the stormwater plans do not address this concern.

*(b) the effect of the development on the likely future use or redevelopment of the land,*

The proposed excavation is to facilitate the future development of the site.

*(c) the quality of the fill or the soil to be excavated, or both,*

The site has not been identified as contaminated and a condition of any consent will expect that all imported fill must be validated in accordance with the Contaminated Sites Sampling Design Guidelines (EPA, 1995).

*(d) the effect of the development on the existing and likely amenity of adjoining properties,*

The extent of excavation has the potential to impact adjoining structures and a dilapidation report is recommended for any consent.

*(e) the source of any fill material and the destination of any excavated material,*

The site has not been identified as contaminated. No information has been provided in regard to either the source of fill or the destination of excavated

**ITEM 1 (continued)**

materials and conditions of any consent would be required to address these matters.

*(f) the likelihood of disturbing relics,*

Given the location of the site and its previous development, it is considered unlikely that any relics would be disturbed.

*(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*

Subject to adequate sedimentation measures during construction, the proposal is unlikely to impact any waterway and it will not impact any drinking water catchment or environmentally sensitive area.

*(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Any consent should include conditions addressing sedimentation measures during construction and requiring dilapidation reports for adjoining structures.

**Flood Planning**

Clause 6.3 is applicable to sites with land at or below the flood planning level and the site is located within the 1% AEP Storm Event. The following matters must be considered prior to the granting of consent for any development of the site however the application does not adequately address these matters.

*(a) is compatible with the flood hazard of the land, and*

*(b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*

*(c) incorporates appropriate measures to manage risk to life from flood, and*

*(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*

*(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

The site is located within the 1% AEP Storm Event and the development may impact on the overland flow characteristics that traverse through the site. The

**ITEM 1 (continued)**

development also has the potential to affect the existing flood levels at neighbouring properties. The development has been submitted without a flood impact assessment report which would have assessed these issues.

It is noted that due to the substantive concern that the site is not a suitable site for construction of a boarding house of this size, the applicant was not requested to address the concerns with the flood hazard or stormwater disposal design.

**Stormwater Management**

Clause 6.4 addresses Stormwater management and requires the following matters to be considered:

- (a) *is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and*
- (b) *includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and*
- (c) *avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

The development site is noted to fall away from Victoria Road, however there is a public drainage service line located in the neighbouring property downhill of the site. The proposed stormwater management plans have nominated a drainage easement over the downstream property in order to discharge to the public drainage service.

The applicant has submitted correspondence from their legal representative confirming their intention to acquire the easement following development approval and that this to be configured by way of a deferred commencement condition. There is no objection to the proposed point of discharge or by dealing with this by way of a deferred commencement approval.

**4.3 Draft Environmental Planning Instruments**

There are no draft environmental planning instruments of relevance to the assessment of the application.

**4.4 Development Control Plans****Ryde Development Control Plan 2014**

**ITEM 1 (continued)**

The applicable provisions of DCP 2014 are

- Part 2.1 Notification of Development Applications
- Part 3.5 Boarding Houses
- Part 7.1 Energy Smart, Water Wise
- Part 7.2 Waste Minimisation and Management
- Part 8.1 Construction Activities
- Part 8.2 Stormwater and Floodplain Management
- Part 8.3 Driveways
- Part 9.3 Parking Controls
- Part 9.5 Tree Preservation

The application was notified in accordance with DCP 2014 and the submissions received are addressed later in this report.

Construction Activities, Stormwater, Driveways and Parking are addressed in the engineer's comments later in this report.

The requirements for energy and water savings are addressed by the BASIX Certificate provided with the application and are acceptable.

The operational waste requirements are addressed by the waste management plan submitted with the application, however, the plan requires waste handling by management where no onsite management is provided, references storage rooms where none are proposed and refers to recommendations for the owner's corporation when there will be none. The waste storage areas are located in open spaces in the motorcycle parking area and adjoining boarding room G01, rather than in an enclosed room. Accordingly, the operational waste management plan is not acceptable. The construction waste management plan provides no information on disposal of waste and is inadequate. The waste management plans are contradictory in that one indicates private collection will occur whilst the other indicates Council collection will occur.

It is noted that due to the substantive concern that the site is not a suitable site for construction of a boarding house of this size, the applicant was not requested to amend the design to address these concerns.

The impact of the development in relation to the tree preservation controls are not addressed by an arborist report as the application does not include one. There is currently a Jacaranda tree located at the rear of the site which is proposed to be removed, to accommodate the OSD tank (see Figure 10).

**ITEM 1 (continued)**



Jacaranda tree as viewed from rear of No. 523 Victoria Road



Jacaranda tree as viewed from side of No. 523 Victoria Road

**Figure 10: Views of Jacaranda Tree situated in the rear yard of the subject site**

The Jacaranda at the rear corner of the site is considered to provide significant amenity to the site and adjoining sites and would assist in “softening” and providing privacy for the proposed development. The Jacaranda also provides an attractive backdrop to the surrounding development as viewed from both Cressy Road and Victoria Road and as such its retention would be beneficial to the setting of the development.

It is noted that due to the substantive concern that the site is not a suitable site for construction of a boarding house of this size, the applicant was not requested to provide an arborist report or to relocate the OSD tank in order to allow the tree to be retained.

The requirements for Boarding Houses are addressed following.

### Boarding Houses

Part 3.5 addresses boarding houses and is applicable to the assessment of the application other than when the provision is inconsistent with the requirements of ARHSEPP, in which case those requirements override the provisions of DPC 2014. The following table provides an assessment of the application against the provisions of Part 3.5.



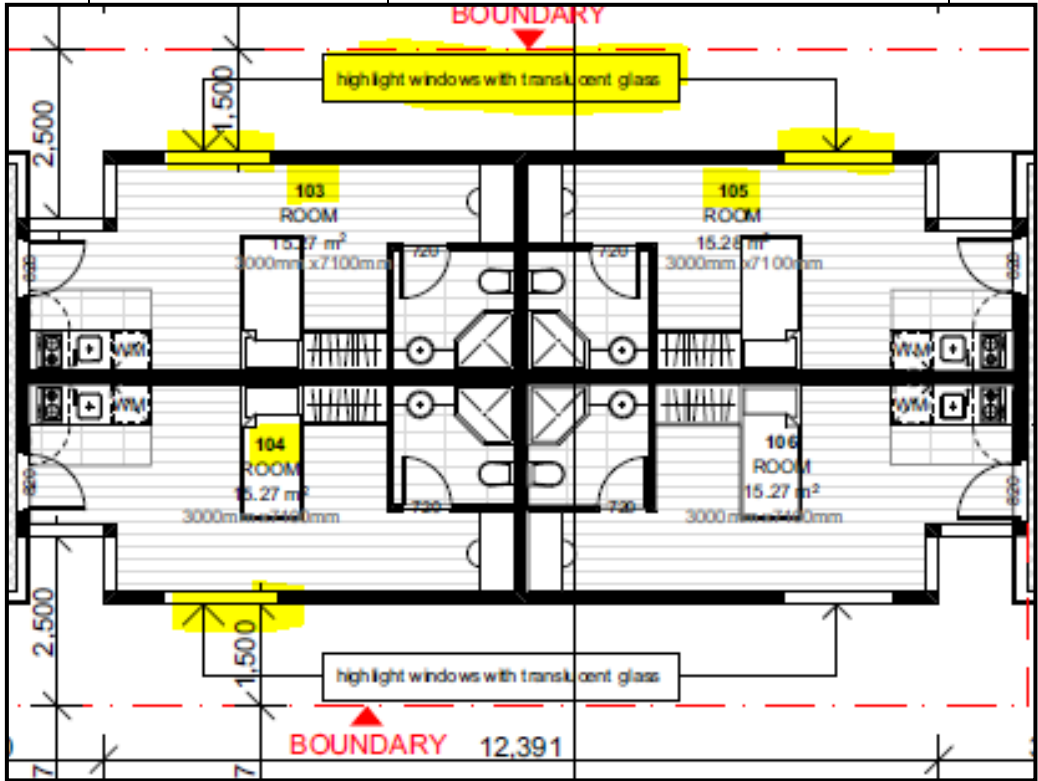
**ITEM 1 (continued)**

| <b>Provision</b>                | <b>Required</b>   | <b>Proposed</b>   | <b>Complies</b> |
|---------------------------------|---|---|-----------------|
| Design and Local Area Character | Compatible with character of local area, consider – <ul style="list-style-type: none"> <li>• Predominant building type</li> <li>• Predominant height</li> <li>• Predominant front setback and landscape</li> <li>• Permissible FSR and site coverage</li> <li>• Predominant spacing of buildings</li> <li>• Predominant parking arrangement</li> <li>• Predominant side setbacks</li> <li>• Predominant rear setback</li> </ul> | This has been addressed in relation to ARHSEPP and the development is not considered to be compatible due to the inadequate front setback, proposed excavation, lack of landscaped setting and flat roof. It is noted that whilst the proposal is not consistent with the predominant side setbacks, any development on the isolated and narrow site could not achieve consistency with the predominant side setbacks in the street.  | No              |
|                                 | Within vicinity of heritage item needs to be sympathetic to heritage significance   | The site is small and the height and design proposed will not detrimentally impact the heritage significance of any nearby item.  | Yes             |
| Size and Scale                  | Must demonstrate satisfactory <ul style="list-style-type: none"> <li>• Overshadowing and privacy</li> <li>• Streetscape</li> <li>• Building setbacks</li> <li>• Parking and traffic impact</li> <li>• Landscape</li> <li>• View impacts</li> <li>• Impact on trees</li> <li>• Suitable lot size, shape and</li> </ul>   | The proposal will result in additional shadowing to the lower level windows of the development at 523 Victoria Road and it is unclear whether the windows are to living rooms. Privacy impacts from the windows to the “entries” to the boarding rooms are unacceptable but could be addressed by conditions requiring privacy screens. The proposed privacy treatment to the side windows (highlight windows) will result in the boarding rooms having an unsatisfactory level of amenity. | No              |

**ITEM 1 (continued)**

| <b>Provision</b>    | <b>Required</b>   | <b>Proposed</b>  | <b>Complies</b> |
|---------------------|---|--|-----------------|
|                     | topography  | <p>As discussed previously in this report the front setback, landscaped setting and building design is not compatible with the streetscape.</p> <p>The proposal provides for inadequate onsite parking and cannot be supported in an area of significant parking demand.</p> <p>The proposal has no unacceptable impact upon views.</p> <p>The proposal results in the loss of a Jacaranda which provides aesthetic value to the streetscapes and benefit to the neighbouring properties in order to provide for onsite OSD.</p> <p>The narrow width of the allotment is such that onsite parking cannot be provided to satisfy the requirements of ARHSEPP and as such the site is not considered to be suitable for the size of boarding house proposed.</p> |                 |
| Parking and Traffic | Parking is not to be located within communal open space or landscape areas            | The motorcycle parking area is not located in the landscaped area or communal open space.  | Yes             |
| Privacy and Amenity | Main entrance to be located and designed to address street                            | Main entrance fronts the street but given the lack of a front door may be confused with the front door to Boarding Room G01.   | In part         |
|                     | Access ways to front entrance located away from windows of boarding rooms for privacy | Entrance way located away from windows.  | Yes             |
|                     | Designed to minimise privacy impacts on neighbours                                    | The boarding house is designed to minimise impacts upon neighbours by provision of highlight windows but in doing so provides for a poor level of amenity in boarding rooms. For   | No              |

**ITEM 1 (continued)**

| Provision | Required | Proposed  | Complies |
|-----------|----------|---|----------|
|           |          | <p>example, the windows at the entry of a number of boarding rooms (103, 104, 105, 203, 204 and 205) will overlook windows of adjoining properties, inappropriately impacting upon amenity (see Figure 11 below).</p>    |          |
|           |          | <p><b>Figure 11: Exert from Level 1 of affected rooms</b></p> <p>Any consent should include conditions requiring fixed privacy screens to the upper level balconies and a solid (ie not paling) fence to be provided along the rear fence to a height necessary to ensure no overlooking into the adjoining property can occur from the ground level boarding room, common room and common deck area. A privacy screen should be provided around the north-western and north-eastern sides of the deck.</p> |          |

**ITEM 1 (continued)**

| <b>Provision</b>                     | <b>Required</b>   | <b>Proposed</b>   | <b>Complies</b> |
|--------------------------------------|---|---|-----------------|
| Accessibility                        | All boarding house developments to be accompanied by accessibility report   | An access report has been prepared by PSE Access Consulting which indicates the development provides appropriate levels of accessibility from the street to the accessible rooms and communal spaces and that the accessible rooms are appropriately designed. The accessibility statement is generally concurred with, however the excavation of the ground floor elongates the required ramp, removing opportunities for landscape setting and as such is not acceptable. The suitability of the accessible rooms is not concurred with as the kitchen is designed with overhead cupboards and microwave, making them inaccessible. | In part         |
| Waste Minimisation and Management    | Required in accordance with DCP   | This has been addressed previously in the report and is unacceptable.   | No              |
| Sustainability and Energy Efficiency | BASIX Certificate required  | BASIX Certificate provided.   | Yes             |
| Internal Building Design             | Must make provision for laundry facilities, communal food preparation facilities, sanitary facilities and storage areas                                       | Each boarding room has a bathroom, washing machine and storage. The proposed communal room has a kitchen. It is unclear whether clothes lines are proposed or whether clothes drying facilities will be accessible.   | In part         |
|                                      | Safety to be optimized by providing for overlooking of communal areas, provision of lighting and providing clear definition between public and private spaces | A Crime Prevention Through Environmental Design report has been prepared by Morphology which proposes the location of security lighting and CCTV cameras along with side security fencing. However the report requires landscaping not to obscure views into the sunken parking area in order to maintain safety. This is contrary to the requirement to provide an   | In part         |

**ITEM 1 (continued)**

| Provision            | Required   | Proposed  | Complies |
|----------------------|--|---|----------|
|                      |  | appropriate landscaped setting, where the parking area should be screened. Ensuring safety of the sunken area would compromise the landscape setting and streetscape presentation of the development.   |          |
| Bedrooms             | <ul style="list-style-type: none"> <li>• Not to open directly onto a communal area</li> <li>• Must comply with ARHSEPP</li> <li>• Minimum 2.1m<sup>2</sup> required for basin and toilet plus 0.8m<sup>2</sup> for shower, 1.1m<sup>2</sup> for laundry which must include a tub and 2m<sup>2</sup> for a kitchenette</li> <li>• Kitchenettes must have small fridge, cupboards, shelves, microwave and 0.5m<sup>2</sup> of bench space</li> </ul> | Boarding room G03 opens onto the rear communal space.<br><br>Rooms comply with ARHSEPP.<br><br>The boarding rooms are of adequate size.<br><br>Kitchenettes have adequate facilities other than the accessible rooms where above head cupboards and microwave are proposed. | In part  |
| Communal Living Room | <ul style="list-style-type: none"> <li>• Locate adjacent to communal open space to minimise impact on neighbours</li> <li>• Minimum size 15m<sup>2</sup> plus additional 15m<sup>2</sup> for each additional 12 persons</li> <li>• Openings to be oriented away from adjoining residential</li> </ul>  | Appropriately located.<br><br>19.98m <sup>2</sup> inadequate.<br><br>Oriented away from side neighbours – appropriate.  | In part  |

**ITEM 1 (continued)**

| Provision                         | Required  | Proposed   | Complies |
|-----------------------------------|---|--|----------|
|                                   | properties  |  |          |
| Communal Kitchen and Dining Areas | <ul style="list-style-type: none"> <li>To be in accessible location</li> <li>Area to be minimum 6.5m<sup>2</sup> or 1.2m<sup>2</sup> per resident that does not contain a kitchenette and provide one sink and stove top cooker per 6 people</li> <li>Combined kitchen/dining areas to have minimum 15m<sup>2</sup> area</li> </ul> | <p>The common room is accessible. Inadequate information is provided in relation to the facilities within the kitchen.</p> <p>No dining area proposed.</p>                                   | In part  |
| Bathroom                          | Communal bathrooms must be accessible 24 hours a day  | No communal bathrooms.   | N/A      |
| Laundry and Drying Facilities     | Outside drying areas shall be located in communal open space  | Unclear whether this is provided, the space behind the communal deck may be a drying area, but would not be accessible for persons with disabilities due to the height of the clothes lines. | In part  |
| Management                        | Required to be managed. Plan of Management Required   | The Plan of Management provided is not consistent with the requirements of Part 3.5.   | No       |

#### 4.5 Planning Agreements OR Draft Planning Agreements

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

#### 4.6 Section 7.11 Development Contributions Plan 2007 (Amendment 2010)

Any applicable Section 7.11 contributions would be subject to a condition for any recommended consent.

**ITEM 1 (continued)****4.7 Any matters prescribed by the regulations**

All matters prescribed by the regulations have been considered in the assessment of the application.

**5. The likely impacts of the development**

The impacts of the development have been considered throughout this report.

**6. Suitability of the site for the development**

Given the inability of the site to make provision for the minimum parking required under ARHSEPP due to its narrow width, it is not considered that the site is a suitable one for the form of development proposed. Furthermore, sufficient information has not been provided to demonstrate that the proposed development does not affect the existing overland flow path and flood levels of the neighbouring properties, nor has the submitted documentation state that all habitable floor levels achieve a minimum of 500mm above the 1% AEP flood level.

**7. The Public Interest**

Given the above assessment, it is not considered that approval of the application would be in the public interest as the site is not suitable for a boarding house of the size proposed.

**8. Submissions**

The application was notified between 25 May and 13 June 2018 and an extension of time to comment was granted until 28 June 2018. In response to the notification, sixty four submissions were received. The concerns raised in the submissions are summarized and addressed following.

**Inadequate provision for parking/lack of on-street parking/potential to park in school grounds/breach of ARHSEPP parking requirement**

*Comment:* This concern is concurred with. As the site is extremely narrow it is not possible to provide parking as required under ARHSEPP and for this reason the site is not suitable for a boarding house of the scale proposed.

**Boarding house use inappropriate in close proximity to schools and daycare uses due to potential danger to children**

*Comment:* A boarding house is a permissible use on the subject site and the concerns in relation to safety of children are not considered appropriate or to warrant refusal of the application.

**ITEM 1 (continued)****Will result in negative social impact/increased crime**

*Comment:* No evidence has been provided that a boarding house use will result in negative social impacts or increased crime. Such a use is permitted with consent in the zone.

**No onsite manager is proposed**

*Comment:* As the proposal caters for less than 20 boarders the provisions of ARHSEPP do not require an onsite manager.

**The site is not near a university, hospital or social infrastructure/who will chose the boarders?**

*Comment:* Boarding houses are not required to be located proximate to any of these uses. The manager of the boarding house will chose the boarders.

**Some of the rooms are large enough for more than one boarder**

*Comment:* Two of the rooms (the accessible rooms) are larger than the minimum required for occupation by two adults. However the application seeks their use only for single boarders.

**Lack of access for emergency vehicles and waste collection vehicles**

*Comment:* There is no requirement to provide onsite access for either vehicle.

**No accessible parking space is provided**

*Comment:* No accessible parking space is required to be provided.

**The development is designed to provide profit for developers and not affordable housing**

*Comment:* The provisions of AHRSEPP do not stipulate that boarding house accommodation is to be utilized for affordable housing, though it does require the provision of a greater amount of onsite parking when not provided for social housing purposes. The proposal does not provide the required onsite parking.

**Inadequate availability of information for residents to review**

*Comment:* The development application was notified and exhibited in accordance with Part 2.1 Notification of Development Applications in RDCP



**ITEM 1 (continued)**

2014. Adjoining property owners were notified of the development as well as a notice provided in the local paper. Information in respect of the development was available to view at Council's offices and on Council's website.

**Impacts upon adjoining buildings during construction**

*Comment:* Some construction impacts are inevitable and these concerns do not warrant refusal of the application. Any consent should include conditions requiring dust suppression, restriction of hours of construction, restrict noise, require construction traffic management and require dilapidation reports on adjoining properties.

**The site is located on a busy road**

*Comment:* The location on Victoria Road does not prevent the site from being suitable for a boarding house use subject to appropriate accessibility and parking provision and noise attenuation for the boarding rooms. The application fails in regard to these matters and as such is not supported.

**The traffic and parking assessment is inadequate**

*Comment:* The traffic and parking assessment is not concurred with as is detailed in the engineer's comments later in this report.

**The proposed side setbacks are not consistent with surrounding development**

*Comment:* It is agreed that the side setbacks are not consistent with those on surrounding sites, however the width of the site would prevent this occurring.

**Lack of landscaping**

*Comment:* It is not considered that the landscape setting of the development as viewed from Victoria Road is compatible with surrounding sites, particularly given the lack of setback of the proposed building. Further, the loss of the Jacaranda in the northern corner of the site is not supported.

**Flat roof design is inappropriate**

*Comment:* It is agreed that a flat roof design is inappropriate in the context of surrounding development.

**The access path is convoluted and the design provides for poor security**

**ITEM 1 (continued)**

*Comment:* The above concerns are concurred with and appear to be a result of excavating the site unnecessarily.

**Access to the boarding room development down the side boundary is inappropriate**

*Comment:* It is agreed that an external access path down the side boundary is less than optimal, resulting in the potential for acoustic impacts upon the adjoining property.

**Communal open space inadequate size and can't be accessed from inside the building**

*Comment:* Whilst the size of the communal area is potentially satisfactory, its layout is not appropriate, with only a small usable deck space being inadequate for 19 boarders. The access from the internal common space to the deck is unclear as the plans and elevations appear to show different forms of access.

**Inadequate separation is provided between windows on the site and adjoining windows**

*Comment:* As has been identified in the report, concern is raised with the location and treatment of a number of windows in relation to their impact upon privacy to the adjoining apartment buildings.

**Inadequate access for vehicles**

*Comment:* As has been raised by RMS, the access to the parking area is inadequate given its location on a classified road.

**Conflicts exist between the pedestrian and vehicle access**

*Comment:* Separate, if convoluted, access is provided for pedestrians and as such this concern is not agreed.

**Where is the Plan of Management?**

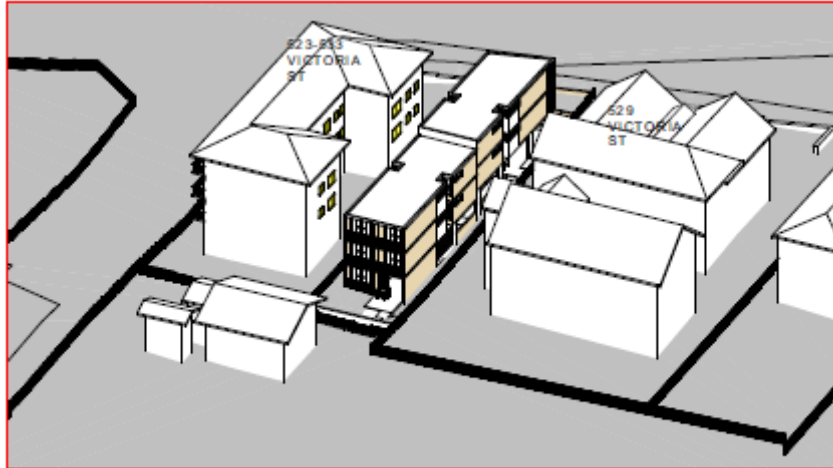
*Comment:* A Plan of Management was attached to the Statement of Environmental Effects.

**Loss of solar access**

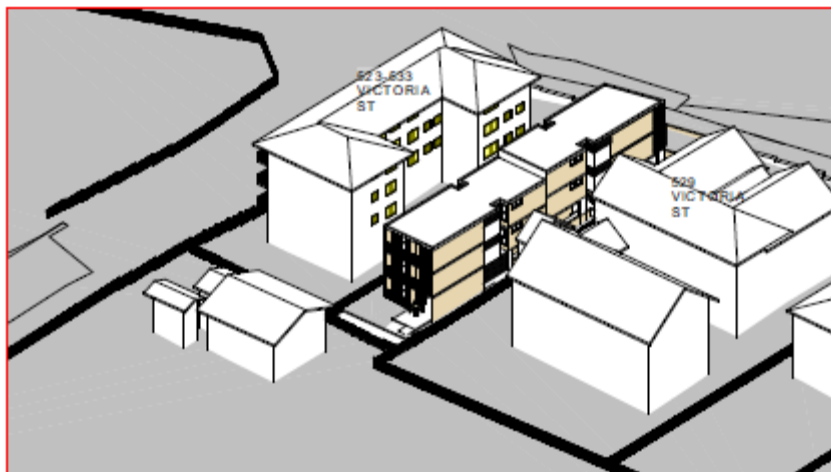
*Comment:* The proposal will reduce solar access to the adjoining apartment building (lower level) at 523 Victoria Road to approximately between 2 and 2 ½ hours to the windows along the southern side of the

**ITEM 1 (continued)**

building (between the hours of 11am and 3pm, with the exception of the middle portion of the building having a greater setback. These windows will achieve a minimum of 3 hours solar access during winter as illustrated in Figure 12.

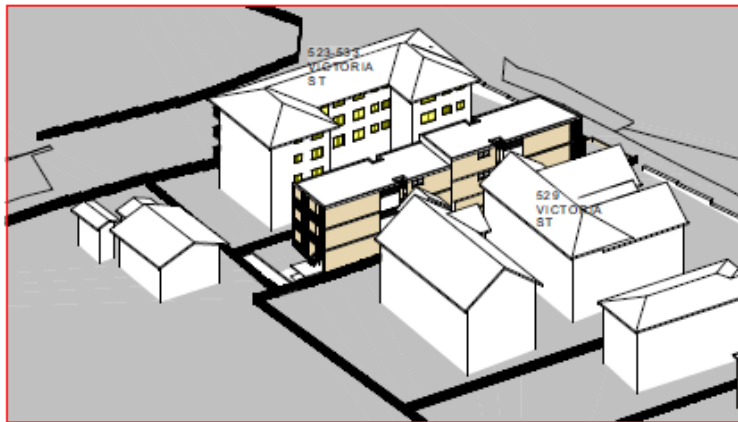


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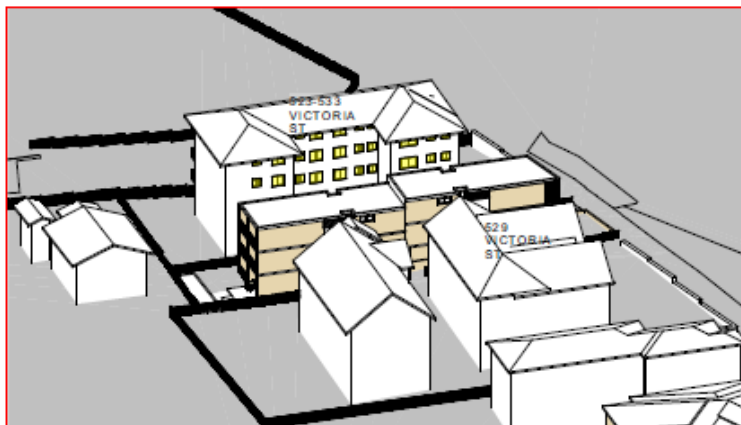


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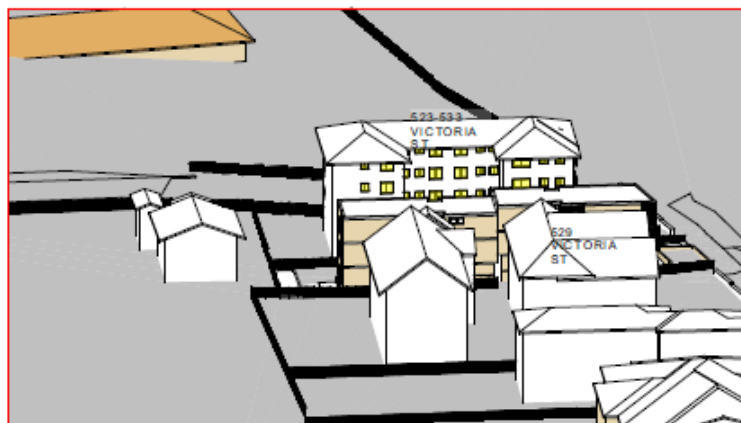
**ITEM 1 (continued)**



13.00PM

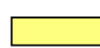


14.00PM



15.00PM

**DRAWING LEGEND**

 SOLAR ACCESS TO  
523-533 VICTORIA ROAD

**Figure 12: Solar access diagrams prepared by Ghazi Al Ali Architects (Drawing No. A-2011)**

**ITEM 1 (continued)****Noise from communal areas**

*Comment:* The communal areas are appropriately located to minimise noise impact. In order to ensure no unacceptable impact, the use of the external outdoor open space should be time limited and the use of the internal common room should require closure of the door for use of an evening or early morning. Conditions to this effect should be included in any consent.

**Overlooking of 2 Cressy Road**

*Comment:* Given the slope of the site and the location of balconies at the upper levels this concern is concurred with. Any consent should include conditions requiring fixed privacy screens to the upper level balconies and a solid (ie not paling) fence to be provided along the rear fence to a height necessary to ensure no overlooking into the adjoining property can occur from the ground level boarding room, common room and common deck area. A privacy screen should be provided around the north-western and north-eastern sides of the deck.

**Already enough social housing in the area**

*Comment:* The boarding house use is permissible in the zone and there are no controls limiting the amount of social housing in an area.

**Statement of Environmental Effects does not address character test**

*Comment:* It is not considered that the SEE adequately addresses the character test of ARHSEPP.

**Highlight windows result in a poor level of amenity for the boarders**

*Comment:* This concern is agreed.

**The side elevations provide little articulation**

*Comment:* The articulation provided could be improved by larger indent areas which would be more commensurate with adjoining properties and having regard to the constrained width of the site.

**Excavation reduces the level of amenity**

*Comment:* The amenity is not considered to be inappropriately impacted by the excavation proposed.

**ITEM 1 (continued)****The request for an easement to drain will unacceptably impact landscaping**

*Comment:* A drainage easement could potentially impact landscaping on adjoining properties, dependent upon which property it traversed.

**A BASIX Certificate is required**

*Comment:* A BASIX Certificate has been provided.

**The concealed nature of the driveway raises safety concerns for pedestrians**

*Comment:* The narrow width of the driveway raises safety concerns as it will not have the appearance of a “normal” driveway and pedestrians, particularly children, may not recognize it as a driveway.

**Does the communal room obtain 3 hours of solar access?**

*Comment:* Subject to clarification of the opening to the rear of the communal room, it is considered that it can achieve 3 hours of solar access.

**9. Referrals****External Referrals**Roads and Maritime Service

The site is located on a classified road and access is proposed from that road and as such the application was referred to RMS who provided the following comment:

*Roads and Maritime has reviewed the submitted application and notes that the proposal does not include an adequate vehicular access for the reasons outlined in the traffic report. However given the nature of the proposal, an appropriate vehicular crossing must be provided. Therefore Roads and Maritime does not support the proposal in its current form and request the applicant to address the following:*

- 1. In accordance with AS 2890.1- 2004 (Parking Facilities, Part 1: Off-street car parking), the driveway shall be a minimum of 5.5 metres in width for a minimum distance of 6 metres from the property boundary.*
- 2. In addition to the above, Roads and Maritime would require the swept path of removalist vehicles entering and exiting the site.*
- 3. All vehicles are to enter and exit the site in a forward direction.*
- 4. All vehicles are to be wholly contained on site before being required to stop.*

**ITEM 1 (continued)**

*Upon receipt of amended plans addressing the abovementioned points, Roads and Maritime will review and provide a response accordingly.*

*Comment:* Given the concern with the suitability of the site to accommodate a boarding house of the size proposed due to the inability to provide onsite parking, the request was not made to the applicant.

NSW Police

NSW Police provided a detailed response addressing security and safety and recommended a series of conditions which should be included in any consent issued for the development.

**Internal Referrals**

**City Works** - the following comments were provided in respect to traffic, drainage and waste:

Traffic

*The traffic impact assessment prepared by PDC Consultants dated 23 April 2018 has been reviewed by Traffic department.*

*The proposed development is for construction of a 3-storey boarding house consisting of 19 boarding rooms.*

*There are no proposed on-site car parking spaces for the proposed development and on-street parking in the surrounding area is limited.*

*The development requires a minimum of 10 car parking spaces under the SEPP ARH 2009 and Ryde DCP 2014. However, the traffic report indicated that the proposal with no parking provision is acceptable. In response, Council provides the following comments:*

- Limited site frontage of 10.5m – 2m wide existing driveway is being retained. Council requests minimum vehicular access driveway be provided via Victoria Road, subject to RMS guidelines, i.e. 5.5 metres in width for a minimum distance of 6 metres from the property boundary.*
- Good access to public transport – Under Division 3 Boarding houses, clause 29(e) Parking, the parking provision rate specified, that is “in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room”.*

**ITEM 1 (continued)**parking  
if:

- (i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and
- (ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and
- (iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and
- (iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,

*Based on the above, Traffic department cannot support the application in its current form and recommended the following changes to the proposal:*

- *Consistent with SEPP ARH 2009 and Ryde DCP 2014, 10 car parking spaces to be provide on-site.*
- *Minimum vehicular access driveway be provided via Victoria Road, subject to RMS guidelines, as stated above.*
- *Alternatively, liaise with owner(s) of 523-533 Victoria Road, Gladesville to obtain a right-of-way access from Cressy Road.*

*Also refer to Development Engineer's comments regarding lack of on-site car parking provision.*

*Comment:* Given the concern with the suitability of the site to accommodate a boarding house of the size proposed due to the inability to provide onsite parking, the request for additional information was not made to the applicant.

Drainage

*The following plans were reviewed Stormwater drawings Issue C Dated 17.04.2018 prepared by Alpha Engineering and Development.*

- *Council's Mapping System has identified the subject property as being affected by the 1% AEP storm event. The proposed development may impact on the overland flow characteristics that traverse through the site. The applicant is to engage a suitably qualified Engineer who is to assess the overland flow characteristics that traverse through the site by means of a flood impact assessment report. This report is to address all the requirements outlined in the NSW Floodplain Development Manual and to the satisfaction of Council.*
- *All habitable floor levels shall be set a minimum of 500mm above the 1% AEP flood level.*
- *The proposed development may affect the existing flow path and flood levels at neighbouring properties. A plan showing pre-development and post-development building footprints as well as the existing flood extent, both on the same plan, is to be provided. Any part of the buildings over the overland flow path shall be on piers and clearly described and detailed on the architectural drawings*



**ITEM 1 (continued)**

- *The submitted OSD design to be amended to ensure that the invert of the OSD tank is above the 1% AEP flood level to allow the on-site detention system to function without hindrance for events up to the 1% AEP. Please note that all impervious areas within the site are to drain to the OSD storage.*
- *Boundary and internal fences should not obstruct the natural path of overland flow. Fences across the overland flow path shall be permeable in nature below the 100 year ARI flood level. Details shall be included on the stormwater drawings and submitted to Council for further assessment.*
- *The proposed and existing ground levels shall be shown on the drainage drawings at regular intervals along the existing overland flow path. Please note that no filling of land is allowed at the site. The minor regrading of the land is acceptable.*
- *Detailed cross-section of the proposed pit over Council's Pipe within the existing easement to be submitted to Council including but not limited to connection details and invert levels.*

*It would appear that the existing Council drainage easement within No. 2 Cressy Road Ryde does not extend to the rear boundary of the subject property; therefore the applicant is required to obtain a private easement through No. 2 Cressy Road Ryde to access the existing easement.*

*Comment:* Given the concern with the suitability of the site to accommodate a boarding house of the size proposed due to the inability to provide onsite parking, the request for additional information was not made to the applicant. It is noted the application included a letter requesting that a deferred commencement condition be utilised to require the drainage easement to be obtained. If this was the only concern with the proposal, such a path could be taken.

Waste

*Bins are shown to be stored at the front of the building, however there is no enclosure. For amenity reasons, Council requires bins to be stored in an enclosed area within 14metres of the kerbside with no obstructions and clear access. Please provide amended plans.*

*A revised plan is required showing either a garbage room or external enclosure compliance with the Council's DCP Part 7.2.*

*Comment:* Given the concern with the suitability of the site to accommodate a boarding house of the size proposed due to the inability to provide onsite parking, the request for additional information was not made to the applicant.

**Senior Coordinator Development Services** - the following comments were provided in respect of the development application:

**ITEM 1 (continued)**Stormwater

*The development site is noted to fall away from Victoria Road however there is a public drainage service line located in the neighbouring property downhill of the site. The proposed stormwater management plans have nominated a drainage easement over the downstream property in order to discharge to the public drainage service. The applicant has submitted correspondence from their legal correspondence confirming their intention to acquire the easement following planning approval and that this be configured by way of a deferred commencement. There is no objection to the proposed point of discharge or the configuration of the deferred commencement.*

*A review of the plan has noted the following matters;*

- The proposed drainage system incorporates an onsite detention basin located at the rear of the lot, prior to the point of discharge. This is an above ground facility that involves implementing a small impermeable wall around the perimeter to bund the basin. Apart from installation of surface Inlet pits, there is no significant excavation acquired. Council's assessment will need to be mindful however of the large tree which is to be located at the western end of the basin as the plans do not indicate whether this is proposed or existing.*
- Whilst the volume of the basin is adequate and satisfies Councils OSD policy the nominated depth of approximately 530mm exceeds the 300 mm maximum required by Council's DCP. This presents a public safety issue and will need to be rectified. This could be readily addressed by offsetting the OSD storage by 5000 litres as rainwater storage (located elsewhere on the site). The remaining volume to be provided in the basin would be satisfied by a basin depth of 300 mm - thereby complying with Councils requirements.*

Vehicle Access and Parking

*The proposed development provides four bike spaces and four motorbike spaces however no off-street parking spaces.*

*The SEPP (ARH) 2009 - Clause 29 (e) (Standards that cannot be used to refuse consent) effectively stipulates minimum parking levels for the subject development. Noting Council's DCP Part 9.3 (Parking Controls) seeks to ensure development accommodate its own parking demand on the site itself, it is therefore warranted that this level of parking be provided.*

*Under the provisions of the SEPP, the development would warrant 10 parking spaces (Clause 29 (e) (iia) specifies at least 0.5 spaces are provided per boarding room under the recent June 2018 amendment) and therefore this should be provided on site.*

**ITEM 1 (continued)****Recommendation**

*Assessment of the engineering components of the proposed development has revealed the following matters;*

- The nominated depth of the on-site detention basin at the rear of the property as detailed in the proposed stormwater management system will need to be reduced to 300 mm in depth so as to be in accordance with Council's DCP Part 8.2 (Stormwater Management). This could readily be achieved by the provision of rainwater storage elsewhere on the site, so as to lower the level of volume required in the basin itself.*
- Under the provisions of the SEPP (ARH) relating to boarding house development, Clause 29 (e) stipulates a parking demand of 10 parking spaces for the scope of development proposed. The development has provided no parking except for bicycle and motorbike spaces. The proposed arrangement is not acceptable as it is anticipated this will have parking impacts on the surrounding area, encourage illegal parking, pickup / dropoff activities and will be impossible for other service vehicles to access the site.*

*Comment:* Given the concern with the suitability of the site to accommodate a boarding house of the size proposed due to the inability to provide onsite parking, the request for additional information was not made to the applicant. As stated above, a deferred commencement condition could be utilised to require the drainage easement to be obtained.

**Heritage**

*The subject site contains a single storey commercial building which is of brick construction. A low-pitched roof is concealed behind a shallow parapet, which features a cantilevered awning over the public footpath. The front elevation has a glazed shopfront.*

*Overall, the building is considered utilitarian in its form and is attributed to the late 20<sup>th</sup> century and does not hold any architectural value or heritage significance.*

*The building does not contribute to the heritage significance of the heritage items within the vicinity of the site and demolition can be supported. I do not consider a Photographic Archival Recording to be warranted in this instance.*

*Situated between existing multi-storey residential flat buildings, the proposed building will be of a smaller scale than the adjoining buildings and in this regard, will sit silently within the streetscape and will not result in any substantial*

**ITEM 1 (continued)**

*alteration to the existing visual outlook and backdrop to the heritage items within the vicinity of the site.*

*The contemporary architectural design and language of the new building is encouraged and will in my opinion, sit harmoniously within the context of the heritage items.*

*The proposal is supported on heritage grounds.*

**Environmental Health****SEPP 55**

*A Preliminary contamination assessment for the subject site has been undertaken by Ground Technologies Pty Ltd dated 16 May 2018 and the site was found to be "suitable for the proposed use", whereby no remedial action plan was required. A review of Council's records found that there were no likely historical activities on the subject site which would trigger the need for a more detailed contamination assessment under the Guidelines of SEPP 55.*

**Acid Sulfate Soils**

*The subject site is not within a Class 1-4 ASS site and is not situated within 500metres of a Class 1-4 site.*

**Asbestos**

*Due to the age of the building, the existing building is likely to contain asbestos and lead paint. Therefore demolition shall be undertaken by a licensed asbestos remover. This has been considered in the conditions.*

**Plan of Management**

*It is recommended that the plan of management be amended to include the following information:*

- *Reference to and annexure of plans;*
- *Compliance with conditions of consent and annexure;*
- *Definitions;*
- *Requires the manager to conduct regular inspections;*
- *Refers to double rooms and common laundry facilities where none are proposed;*
- *Doesn't address the "Minimising impact on residents: section of Part 3.5 of the DCP;*
- *Requires the front door to be locked by residents where there isn't one;*
- *Doesn't include emergency contact information;*
- *Doesn't indicate how parking will be allocated;*
- *Doesn't provide a list of furniture/fittings/appliances, etc for the boarding rooms, common room and common open space area;*

**ITEM 1 (continued)**

- *Doesn't reference the provision of an emergency landline phone; and*
- *Doesn't include sufficient waste management details.*

**Waste Management**

*A waste management plan was prepared by Elephants Foot Recycling Solutions "Waste Management Plan be amended as the plan requires waste handling by management where no onsite management is provided, references storage rooms where none are proposed and refers to recommendations for the owner's corporation when there will be none. The waste storage areas are located in open spaces in the motorcycle parking area and adjoining boarding room G01, rather than in an enclosed room. Accordingly, the operational waste management plan is not acceptable. The construction waste management plan provides no information on disposal of waste and is inadequate. The waste management plans are contradictory in that one indicates private collection will occur whilst the other indicates Council collection will occur.*

**Noise**

*An acoustic assessment is required in accordance with the Department of Planning's Guideline "Development near Rail and Busy Road Corridors — Interim Guideline 2008" to consider the effect of road noise from Victoria Road on the proposed development. In addition, an acoustic assessment can consider the noise from plant and equipment proposed to be installed within the subject development on the neighbouring premises.*

*Comment:* Given the concern with the suitability of the site to accommodate a boarding house of the size proposed due to the inability to provide adequate amenity for the future occupants of the proposal, the request for additional information was not made to the applicant.

Urban Review Design Panel

As the development involves the construction of a 3 storey boarding house, the matter was considered by Council's Urban Design Review Panel. The following comments were provided.

| <b>SEPP 65 – Design Quality of Residential Flat Buildings</b>  | <b>UDRP Comments</b>   |
|--|--|
| <b>Context and Neighbourhood Character</b><br><br>Good design responds and contributes to its context. Context is the key natural and built features of an | The site is located in Ryde, on the eastern side of Victoria Road. It has a single narrow street frontage to Victoria Road, an area of 474m <sup>2</sup> and a width of 9.8m. There are two existing trees on the site, neither of which is proposed to be retained. Currently there is a single storey commercial premises on the site, which the applicant seeks to demolish to make way for |

**ITEM 1 (continued)**

| <b>SEPP 65 – Design Quality of Residential Flat Buildings</b>   | <b>UDRP Comments</b>   |
|---|--|
| <p>area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p> | <p>the proposed new boarding house.</p> <p>Immediately to the north-west of the site is a development comprising two three-storey brick flat buildings with balconies facing the subject site. To the south-east there is another three-storey brick flat building. To the north-east, at the rear of the site, is a two-storey detached dwelling.</p> <p>The site is zoned R4 High Density Residential under Ryde LEP 2014, with a maximum permitted FSR of 1:1 and building height of 9.5m.</p> <p>The applicant proposes to redevelop the site as a boarding house, under State Environmental Planning Policy (Affordable Rental Housing) 2009.</p> <p>Whilst the proposal complies with the applicable height and density controls (noting that the SEPP allows an additional 0.5:1 FSR above the LEP maximum), there are a number of respects in which it does not respond appropriately to its context:</p> <ul style="list-style-type: none"> <li>- The proposal presents poorly to Victoria Road, with a void space at ground level and no front door. The design quality of the common circulation areas at grade under the building above is miserable. There is no ground floor lobby and access to the upper floors is via external stairs under the building mass above. There is no security control at all – anyone can walk in off the street, climb the stairs and gain access to the front doors of the boarding rooms. This is not acceptable.</li> <li>- The building setback from Victoria Road is 6m and several metres forward of existing buildings. The character of Victoria Road at this location includes generous street setbacks with significant tree planting. This is essential to buffer the busy road frontage and improve residential amenity. The limited setback proposed constrains planting opportunities to small trees and shrubs and has limited value in ameliorating the busy road impacts.</li> <li>- The minimal setback from both side boundaries of 1.5m for the full height and length of the building is uncharacteristic of the existing context (the flat buildings on either side of the subject site) and not consistent with the desired future character of the area -- if either of the adjoining sites were redeveloped, minimum side setbacks there would need to be between 3.0m and 6.0m, two to four times the 1.5m setback proposed for the subject site.</li> </ul> |
| <p><b>Built Form and Scale</b></p> <p>Good design achieves a</p>  | <p>The principle problem is again the inadequacy of the</p>  |

**ITEM 1 (continued)**

| <b>SEPP 65 – Design Quality of Residential Flat Buildings</b>  | <b>UDRP Comments</b>  |
|--|---|
| <p>scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p> | <p>proposed side setbacks. This means that the proposal has unacceptable impacts on its neighbours in that there is too much building bulk too close to them. This problem is compounded by the overly long side elevations. The lack of sufficient building separation creates poor urban form and adverse amenity impacts on the neighbours. The scheme attempts to deal with the inherent privacy problems by using high-level windows with translucent glass for the boarding rooms which face the side boundaries, but this leads to unacceptably poor internal amenity for these rooms and does nothing to address acoustic privacy shortcomings.</p> |
| <p><b>Density</b></p> <p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>   | <p>The Panel is informed that the proposal complies with the maximum density permitted under the LEP and SEPP. The unacceptable outcomes which result from the manner in which the permitted floor space is arranged on the site (building footprint and bulk) are described elsewhere in these minutes.</p>  |
| <p><b>Sustainability</b></p> <p>Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design</p>  | <p>Not specifically addressed at this time.</p>   |

**ITEM 1 (continued)**

| <b>SEPP 65 – Design Quality of Residential Flat Buildings</b>   | <b>UDRP Comments</b>  |
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| <p>includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>  |   |
| <p><b>Landscape</b></p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, coordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social</p> | <p>No information is available as to the condition of the existing large tree at the rear of the site, but it is noted that the location of an OSD tank there means that this tree must be removed. The rear courtyard off the common room is the only usable outdoor space on the site and the tank prevents optimal planting of this space.</p> |



**ITEM 1 (continued)**

| <b>SEPP 65 – Design Quality of Residential Flat Buildings</b>  | <b>UDRP Comments</b>   |
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| interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.  |  |
| <p><b>Amenity</b></p> <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well-being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p> | <p>The Panel is concerned about the internal amenity of the four boarding rooms on each floor at the centre of the building. The primary source of light and air for each of these rooms is a single high-level window with translucent glass (there is a secondary window at the entry of the room, glazing type and operability unknown). The translucent glass is presumably intended to ameliorate visual privacy problems with the neighbours, but its use means that there is no view out from these rooms, even above the high sill. The windows are too close to the side boundaries and the existing neighbours to avoid acoustic privacy problems, noting that these windows must be opened for the rooms to have natural ventilation. The resultant poor level of internal amenity is totally unacceptable. The location of a desk at the dark end of the internal passageway in each room is also questionable.</p> <p>In the front and rear rooms, the furniture layout shown is unworkable – there is insufficient circulation clearance between the table and the kitchen and bed.</p> <p>None of the rooms naturally cross-ventilate. Whilst this may be acceptable for the front and rear rooms, which have a sliding glass door opening to a small balcony, it is unacceptable for the central rooms where only a single high-level window occurs and this window cannot be opened without the risk of acoustic privacy failings in relation the existing adjoining neighbours.</p> <p>The two rooms in the middle of the building on the Ground Floor and two of the four central rooms on Levels 1 and 2 receive no winter sunlight. Although two of the central rooms on Levels 1 and 2 face north, they will receive very little sunlight through their small high-level windows fitted with translucent glass. Again, a substandard amenity outcome which the Panel cannot support.</p> |
| <p><b>Safety</b></p> <p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private</p>   | <p>The unacceptable lack of security control is noted above.</p>   |

**ITEM 1 (continued)**

| <b>SEPP 65 – Design Quality of Residential Flat Buildings</b>   | <b>UDRP Comments</b>   |
|---|--|
| <p>spaces that are clearly defined and fit for the intended purpose.</p> <p>Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>  |  |
| <p><b>Housing Diversity and Social Interaction</b></p> <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p> | <p>Whilst the Panel acknowledges the need for, and supports the supply of, more affordable living accommodation in our communities, it does not believe that this need should be met without ensuring reasonable minimum living standards for residents. The proposal fails this test.</p> |
| <p><b>Aesthetics</b></p> <p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout</p>  | <p>No comment at this time.</p>  |

**ITEM 1 (continued)**

| <b>SEPP 65 – Design Quality of Residential Flat Buildings</b>   | <b>UDRP Comments</b> |
|---|----------------------|
| and structure. Good design uses a variety of materials, colours and textures.<br><br>The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape. |                      |

**10. Conclusion**

The development application is recommended for refusal for the following reasons:

- 1) Given the inability of the site to make provision for the minimum parking required under ARHSEPP due to its narrow width, it is not considered that the site is a suitable one for the form of development proposed.
- 2) Further, the design of the proposal is considered unacceptable in relation to the following matters:
  - Inadequate provision for onsite parking
  - Inadequate front setback
  - Unacceptable landscaped setting
  - Compliance with the driveway access requirements of RMS would result in unacceptable amount of paving within the front setback area
  - Inappropriate excavation increases the length of the pedestrian path, further reducing the landscape setting.
  - Inadequate measures to protect the privacy of adjoining properties.
  - Unacceptable amenity of boarding rooms
  - Unacceptable flat roof
  - Inappropriate street address and access to boarding house creates poor security
  - Unacceptable streetscape impact of undercroft parking design
  - Inadequate addressing of acoustic impacts upon the development due to location on Victoria Road
  - Inadequate addressing of location of site within 1% AEP Storm Event
  - Unreasonable minimum living standards for residents
  - Inadequate provision for storage of garbage

**ITEM 1 (continued)**

- Inappropriate design of communal open space
  - Inappropriate removal of Jacaranda
- 3) The development is not considered to be in the public interest.

**12. RECOMMENDATION**

That Development Application LDA2018/196 for the demolition of the existing building on the site, removal of two trees and construction of a three level boarding house to contain 19 boarding rooms at 527 Victoria Road Ryde, be refused for the following reasons.

1. The proposed development provides an inadequate amount of onsite parking and is inconsistent with the requirements of Clause 29 of State Environmental Planning Policy (Affordable Rental Housing).
2. The proposed development is uncharacteristic of development in the vicinity of the site, having an inadequate front setback, angled front façade, undercroft parking design and flat roof and as such does not satisfactorily address the character test contained at Clause 30A of State Environmental Planning Policy (Affordable Rental Housing).
3. The proposed development has an uncharacteristic landscape setting as viewed from Victoria Road and fails when assessed against Clause 29 of State Environmental Planning Policy (Affordable Rental Housing). The requirements of RMS for vehicular access and the security measures identified in the submitted Crime Prevention Through Environmental Design report would further reduce the landscape setting of the development. The elongated pedestrian path required due to the excavation of the site further reduces the landscape setting of the development.
4. The site is affected by the 1% AEP Storm Event. The stormwater design does not adequately address the 1% AEP Storm Event and as such the proposal has not adequately addressed Clauses 6.3 and 6.4 of the LEP.
5. The application provides inadequate information to allow assessment of compliance with Clause 102 of State Environmental Planning Policy (Infrastructure).
6. The application provides inadequate vehicular access from Victoria Road with RMS requiring a 5.5m wide driveway for a minimum 6m depth into the site.
7. The proposed development provides for an inadequate level of amenity for the boarding room, having a poor outlook due to the use of highlight windows as privacy measures.

**ITEM 1 (continued)**

8. The design makes inadequate provision for the protection of privacy of adjoining properties, with the windows at the entry of a number of boarding rooms (103, 104, 105, 203, 204 and 205) overlooking windows of adjoining properties, the balconies to the first and second floor at the rear overlooking 2 Cressy Road and the external communal open space requiring screening to ensure visual and acoustic privacy to neighbouring properties. Further, the open, external corridor to the ground floor along the boundary with 529 Victoria Road will result in unacceptable acoustic impacts upon that property.
9. The proposed design provides for an inappropriate street address for the property with convoluted pedestrian path, no front door and poorly designed undercroft parking area, which all reduce the security of the development.
10. The design makes inadequate provision for onsite storage of garbage providing neither a garbage enclosure nor a separate garbage room as required by Part 7.2 of the DCP.
11. The proposal result in the removal of a Jacaranda at the northern corner of the site which provides significant amenity benefits to the site and adjoining properties and streetscape benefits. The removal of the tree is not supported by an arborist report.
12. The design of the communal room and communal open space is inappropriate for the size of the boarding house proposed and is poorly located. The provision of a boarding room adjacent to the communal room and space impacts the amenity of the room. The small size of the decking provides inadequate usable space for 19 boarders. The elongated walk-through design of the common room reduces its usability.
13. The design of the accessible rooms is inappropriate, providing cupboards and a microwave above the remainder of the kitchen, making them inaccessible to persons in wheel chairs. Further, not indication is provided of clothes drying facilities that are accessible.
14. The Plan of Management lodged with the application does not provide adequate information as required by Part 3.5 of the DCP. The Plan of Management fails to provide the following information:
  - Reference to and annexure of plans;
  - Require compliance with conditions of consent and annexure;
  - Definitions;
  - Require the manager to conduct regular inspections;
  - Refers to double rooms and common laundry facilities where none are proposed;
  - Doesn't address the "Minimising impact on residents: section of Part 3.5 of

**ITEM 1 (continued)**

the DCP;

- Requires the front door to be locked by residents where there isn't one;
- Doesn't include emergency contact information;
- Doesn't indicate how parking will be allocated;
- Doesn't provide a list of furniture/fittings/appliances, etc for the boarding rooms, common room and common open space area;
- Doesn't reference the provision of an emergency landline phone; and
- Doesn't include sufficient waste management details.

**ATTACHMENTS**

- 1 A3 Plans - subject to copyright provisions - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

**Natalie Camilleri**  
**Senior Town Planner**

Report Approved By:

**Sandra Bailey**  
**Manager - Development Assessment****Liz Coad**  
**Director - City Planning and Environment**

