



**8 OCTOBER 2020**

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**NOTICE OF MEETING**

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You are advised of the following meeting:

**THURSDAY 15 OCTOBER 2020.**

**City of Ryde Local Planning Panel Meeting No. 8/20**

**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 15 October 2020**  
**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**

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**DECLARATIONS OF INTEREST**

**DEVELOPMENT APPLICATIONS**

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	There are no LPP Planning Proposals	



## **DEVELOPMENT APPLICATIONS**

### **1 1 Devlin Street, Ryde - Demolition works and associated tree removal - LDA2020/0295**

**Report prepared by:** Creative Planning Solutions

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

**Report dated:** 08 October 2020  
BP20/1029

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

### **City of Ryde Local Planning Panel Report**

<b>DA Number</b>	LDA2020/0295
<b>Site Address &amp; Ward</b>	1 Devlin Street, Ryde Central Ward
<b>Zoning</b>	B4 Mixed Use
<b>Proposal</b>	Demolition works and associated tree removal
<b>Property Owner</b>	City of Ryde
<b>Applicant</b>	RPS Australia East Pty Ltd
<b>Report Author</b>	Planning Ingenuity – Consultant Town Planner
<b>Lodgement Date</b>	31 August 2020
<b>No. of Submission</b>	NA – Notification not required
<b>Cost of Works</b>	\$3,904,318.00
<b>Reason for Referral to RLPP</b>	<b>Conflict of interest</b> - Development for which the applicant or land owner is the Council
<b>Recommendation</b>	Approval, subject to conditions
<b>Attachments</b>	<b>Attachment 1:</b> Conditions of consent <b>Attachment 2:</b> Demolition Plan

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

The following report is an assessment of Local Development Application No. LDA2020/0295, for demolition works and associated tree removal.

The application seeks to demolish existing buildings and structures to existing ground levels and the removal of all materials from the site. The existing buildings include the former Ryde Civic Centre and the Civic Hall.

The proposed demolition works will facilitate the redevelopment of the site (Development Application No. LDA2019/0404) for the construction of a seven (7) storey civic and commercial building to be occupied as City of Ryde administration building and other commercial uses on the ground floor and Levels 1 and 6, with 2 levels of basement car parking for 236 car spaces. The proposal also includes the construction of a multi-purpose community and cultural building comprising a 500-700 seat hall, an art gallery, community activity and meeting rooms, food premises and amenities. LDA2019/0404 is currently under assessment and has not been determined. This application will be determined by the Sydney North Planning Panel.

The application also proposes the removal of 49 trees and two (2) tree groups located on the site. Nineteen (19) trees located on neighbouring sites and one (1) street tree are proposed to be retained and protected. The removal of 18 of the trees and 1 tree group are not supported. These trees are located in the adjoining street verge areas and the trees would not be impacted by the demolition works. A condition of consent has been imposed requiring the retention of these trees.

The application was not notified as the Development Application (LDA2019/0404) for the construction of Council's administration building, commercial uses and community facilities was advertised in *The Weekly Times* on 15 January 2020, and notified to owners of adjoining properties between 8 January 2020 and 12 February 2020. This is consistent with the Council's Community Participation Plan.

In accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*, the proposal has been assessed having regard to relevant planning instruments. The proposal is consistent with the provisions of *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*, *Ryde Local Environmental Plan 2010* (RLEP 2010) and the *Ryde Development Control Plan 2014* (RDCP 2014). In addition, the development will have minimal environmental impacts and not result in any adverse amenity impacts on the streetscape or amenity of surrounding properties. As such, the proposal is considered suitable for the site and is in the public interest.

This report recommends approval be granted for the application, subject to conditions of consent provided in **Attachment 1**.

**2. The Site and Locality**

The site contains ten (10) lots and a Council road reserve (Blaxland Road).

## ITEM 1 (continued)

The ten (10) allotments that make up the site are legally described as:

- Lot 10 in DP 1110978;
- Lots 11 & 12 in DP 1110978;
- Lot 50 in DP 1157410;
- Lot 53 in DP 1157410;
- Lot 2 in DP 1170801; and
- Lots Q – T in DP 443304.

The site is located on the western side of Devlin Street and is bounded by Blaxland Road to the north and Parkes Street to the south.

The site is generally triangular in shape, with a site area of approximately 9,755m<sup>2</sup> following the road alignment of Devlin Street which runs along the eastern boundary of the site.

The site is relatively flat on its northern side but falls steeply (approximately 7.3m) on its south-western side, from the Civic Centre car park to Parkes Street.

The site contains 69 trees and landscaped areas including a triangular area of vegetation in the south-western corner of the site, bounded by Blaxland Road and Parkes Street, vegetation along the eastern side of Blaxland Road and within the at-grade car park on the western side of the site, and two (2) large grassed areas located to the north of the existing Civic buildings, in between Blaxland Road and Devlin Street.



**Figure 1.** Aerial Image of the site (outlined in red)

Existing development on the site consists of the seven (7) storey former Ryde Civic Centre, a Civic Hall and at-grade car parking adjacent to the Civic Centre. A further at-grade car park is located on the western side of the site, accessed from Blaxland Road which dissects the site from north to south.

**ITEM 1 (continued)**

The Civic Centre contained Council's administration building and has been vacant since 2016.

Refer to **Figures 2 to 5** for photographs of the site.

Pedestrian access from the site to Top Ryde Shopping Centre is provided by two (2) pedestrian overbridges with accessible lifts. Refer to **Figures 6 and 7** for photographs of the existing building and structures.



**Figure 2.** Site viewed from the intersection of Blaxland Road and Devlin Street.



**Figure 3.** View south across the site from the northern end of Blaxland Road.



**Figure 4.** View of site from the intersection of Blaxland Road and Parkes Street.



**Figure 5.** View from the eastern side of Devlin Street.



**ITEM 1 (continued)**



**Figure 6.** View of the northern side of the existing Civic Centre.



**Figure 7.** Entrance to the Civic Hall and pedestrian bridge at the southern end of the site.

Surrounding development comprises of generally low density residential development to the west and south-west, with medium density residential development and Ryde Masonic Temple to the south, and medium density residential development to the north. To the east of the site, on the opposite side of Devlin Street, is the Top Ryde Shopping Centre (up to 11 storeys in height).

The site is not identified as a heritage item and is not located within a Heritage Conservation Area. However, the site is in the vicinity of a number of heritage items identified in Schedule 5 of the Ryde LEP 2014, being:

- Item I16: *Masonic Temple* at No. 142 Blaxland Road (local item)
- Item I17: *Hatton's Cottage* at No. 158 Blaxland Road (local item)
- Item I54: *Great North Road* (Devlin Street) (state item)
- Item I49: *Tramway Monument* (Obelisk) (local item) – this item is listed on Ryde LEP 2014 as being located on the site. However, the item has been relocated off site, to the intersection of Church Street and Blaxland Road.

Refer to **Figures 8** and **11** for photographs of the surrounding development.

## ITEM 1 (continued)



**Figure 8.** Top Ryde Shopping Centre and northernmost pedestrian link bridge.



**Figure 9.** Hatton's Cottage at No. 158 Blaxland Road (west of site).



**Figure 10.** Masonic Temple and No. 142 Blaxland Road (south of site).



**Figure 11.** Typical low density residential development off Parkes Street (south west of the site)

### 1. PROPOSAL

The proposal seeks approval for the demolition of existing buildings and structures on the site and removal of 49 trees.

The existing buildings include the former Ryde Civic Centre which consists of a 7 storey brick office building and Civic Hall in the south-eastern portion of the site. The existing structures include the at grade car parking and vehicular access to the rear of the buildings in the western portion of the site.

The trees identified for removal include:

- Tree Nos. 6, 7 and 13 – Dwarf Apple Gum (*Angophora hispida*)
- Tree No. 8 - Blackbutt Hybrid (*Eucalyptus pilularis* x spp.)
- Tree Nos. 9 and 14 – Turpentine (*Syncarpia glomulifera*)
- Tree No. 10 – Coast Banksia (*Banksia integrifolia*)

**ITEM 1 (continued)**

- Tree Nos. 11, 17 and 18 – Bracelet Honey Myrtle (*Melaleuca armillaris*)
- Tree Nos. 12 and 42 to 69 inclusive – Blueberry Ash (*Eleocarpus reticulatus*)
- Tree Nos. 15 and 19 – Willow Bottlebrush (*Callistemon salignus*)
- Tree No. 16 – Broad Leafed Paperbark (*Melaleuca quinquenervia*)
- Tree No. 21 – Cotoneaster (*Cotoneaster* spp.)
- Tree No. 22 – Small Fruited Grey Gum (*Eucalyptus propinqua*)
- Tree Nos. 23 and 24 – Weeping Bottlebrush (*Callistemon viminalis*)
- Tree No. 39 – Spotted Gum (*Corymbia maculata*)
- Tree No. 40 – Sydney Blue Gum (*Eucalyptus saligna*)
- Tree No. 41 – Bull Bay Magnolia (*Magnolia grandiflora*)
- Group B – Port Wine Magnolia (*Michelia figo*)
- Group C – Mock Orange Blossom (*Murraya paniculata*)

The proposal seeks to retain the following trees:

- One (1) Council Street Tree (Tree No. 2) including installation of tree protection measures; and
- Retention of nineteen (19) neighbouring trees (Tree Nos. 1, 3, 4, 5, 20, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 & 38).

An existing substation located centrally within the site and the stairs and lift to the northern pedestrian overbridge will be retained.

No excavation or ground works are proposed by this application.

#### **4. Background**

A development application (LDA2019/0404) was lodged on 20 November 2019 for the redevelopment of the site for the construction of a seven (7) storey Council administration building and separate commercial uses, a multi-purpose and cultural building in the consisting of a hall with a capacity of 500 to 700 persons, activity rooms, meeting rooms, an art gallery and food and drink premises, two (2) levels of basement car parking for 236 car spaces and a public plaza and open space areas. This application does not seek approval for demolition of existing buildings and structures or tree removal on the site. The application is currently under assessment.

A pre-lodgement meeting was held between the Applicant and Council officers on 13 August 2020. The Applicant was advised that additional information was required to be prepared and submitted with the development application including a Demolition Traffic Management Plan, a Work Method Statement and Heritage Report, an Arborist Report, Asbestos Management information, and hoarding details/plans. This information was provided with the development application.

**ITEM 1 (continued)****5. Planning Assessment**

An assessment of the development under the relevant provisions of the Environmental Planning and Assessment Act 1979 is detailed below.

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

The provisions of SEPP 55 require Council to consider the potential for a site to be contaminated.

Council's Environmental Health officer has provided the following comments on the application relating to hazardous waste:

*"The demolition report references the Hazardous materials report which describes in detail how all asbestos containing material will be disposed of. This includes, asbestos piping from the 6<sup>th</sup> 7<sup>th</sup> and 4<sup>th</sup> floor, window frames, door frames, structural reveals, air handling units and AC units and asbestos cement.*

*Each of the areas of concern has been addressed and can be removed, without causing environmental harm, putting the public health at risk or the workers at risk.*

*Bitumen membranes and lead containing dust have also been identified at the site. As per the hazardous materials plan, if workers are wearing appropriate PPE there is minimal risk of exposure.*

*Due to the nature of this project it is possible that Asbestos or other Hazardous Materials may be encountered at unexpected locations during the project. As a precautionary measure to ensure the protection of site workers and contractors and the site workers and occupants of nearby land, should an unexpected find be encountered (or any other unexpected potentially hazardous substance), the unexpected finds procedure is to be followed. Unexpected finds of potential contamination on site may be identified by visual (appearance) and/or olfactory (odour/stain) evidence during earthworks and construction activities."*

In respect of land contamination, the following comments are provided:

*"The State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the proposed development. Clause 7 requires the consent authority to be satisfied that the site is suitable or can be made suitable for the purpose for which the development is proposed to be carried out before the site is used for that purpose. The proposal is for demolition only and does not include any future land use or change of use. The construction of Ryde Central is being assessed under a separate DA where the suitability of the land for the future use will be considered."*

**ITEM 1 (continued)**

In light of the above, and subject to conditions of consent relating to asbestos and hazardous waste removal, no further land contamination investigative works are required prior to determination in accordance with SEPP No. 55. (See conditions 19 and 30).

**State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

The Vegetation SEPP commenced on 25 August 2017 and replaced clause 5.9 of RLEP 2014, which related to the preservation of trees and vegetation.

The objective of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of trees and other vegetation.

The proposal is supported by an Arborist Report and tree removal proposed has been considered satisfactory by Council's Tree Management Officer and Consultant Landscape Architect, subject to conditions of consent. One of these conditions requires the retention of 19 trees plus one tree group. These trees are all within the adjoining street verge areas and are unlikely to be subject to any significant impacts as a result of the demolition works. LDA2020/0295 proposed the removal of these trees given the extent of earthworks proposed as part of LDA2019/0404. As LDA2019/0404 is still under assessment, conditions of consent recommended under the subject application will require the retention of these trees with the merits of their removal to be assessed and determined separately under LDA2019/0404.

All trees proposed for removal are located within the demolition zone of the site.

The application has also been accompanied by a Letter of Ecological Impact. The letter outlines a number of ecological protocols that will be undertaken during tree removal to protect local fauna. The letter notes that the following trees contain actual or potential fauna habitats:

Tree ID No.	Common/Botanical Name	Identified Ecological Value
12	Blueberry Ash ( <i>Eleocharis reticulatus</i> )	Possum drey identified within canopy.
15	Willow Bottlebrush ( <i>Callistemon salignus</i> )	Possum drey identified within canopy.
22	Small Fruited Grey Gum ( <i>Eucalyptus propinqua</i> )	Potential habitat cavities identified within canopy structure.
39	Spotted Gum ( <i>Corymbia maculata</i> )	Possum drey identified within canopy.

**ITEM 1 (continued)**

It is noted that none of these trees are located within the demolition zone. These trees will be required to be retained under the subject development application. Any future impacts or proposed removal of these trees as part of LDA2019/0404 will be assessed accordingly as part of that application.

In light of the above, it is considered that the proposal does not unduly impact upon any existing biodiversity values or adjacent to the site.

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

The Infrastructure SEPP assists the NSW Government, private infrastructure providers, local councils and the communities they support by simplifying the process for providing infrastructure like hospitals, roads, railways, emergency services, water supply and electricity delivery.

The site has a frontage to a classified road (Devlin Street) and therefore the proposed development has been assessed against the criteria under Clause 101 of the Infrastructure SEPP.

Clause 101 states the following:

- (2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*
- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
  - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
    - (i) the design of the vehicular access to the land, or*
    - (ii) the emission of smoke or dust from the development, or*
    - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
  - (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

A Demolition Stage Construction Traffic Management Plan has been submitted with the application. Council's Transport Department have provided the following comments dated 10 September 2020 in relation to the application:

*“The application seeks approval for the demolition works on-site which is projected to generate a maximum of 20 truck movements per day, or two (2) movements per hour. The additional traffic movements from the proposed demolition activities are not expected to cause any noticeable impacts to the nearby road network.*

*It is noted that the transportation of heavy machinery (e.g. tower crane, excavators as per the Demolition Work Plan D20/144776) may require the assistance of 19m semi-*

**ITEM 1 (continued)**

*trailers. Relevant permits shall be obtained from the Transport Department prior to the commencement of the physical works. Swept path of the 19m semi-trailers accessing/egressing the site shall be provided as part of the permit application process.*

*It is further noted that the DPTMP may need to be updated at a later stage to address any potential alterations to the methodology of the demolition works and/or cumulative traffic/parking implications associated with adjacent construction works. As such, approval of the DPTMP will be provided by Council's Transport Department after DA consent has been issued".*

Subject to recommended conditions of consent, Council's Transport Department have raised no objection to the proposed development. Furthermore, TfNSW have provided comments and also raise no objection to the proposal, subject to conditions. The development, therefore satisfies the Infrastructure SEPP.

**Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

This Plan applies to the whole of the Ryde Local Government Area. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given that the proposed development is for demolition of existing buildings and structures, and the site is not located on or adjacent to any waterways, there are no specific controls that directly apply to this proposal.

**5.2 Ryde Local Environmental Plan 2014**

The site (known as "Ryde Civic Centre") is identified as a 'Deferred Matter' under Ryde LEP 2014. As a result of being deferred from Ryde LEP 2014, the subject property is under the planning controls identified within Ryde LEP 2010 including zoning, height and floor space ratio (FSR) controls. Ryde LEP 2014 continues to apply to adjoining sites.

Under Ryde LEP 2010, the site is zoned B4 Mixed Use.

The area directly south and east of the site (including Top Ryde Shopping Centre) is also zoned B4 Mixed Use. Land adjoining the site to the west is zoned R2 Low Density Residential and land to the north is zoned R4 High Density Residential.

**Ryde Local Environmental Plan 2010**

The site is located within the *B4 Mixed Use* zone under the Ryde LEP 2010 and the proposed demolition is permissible with consent.

**ITEM 1 (continued)**

The objectives of the B4 zone under RLEP 2010 are outlined below.

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To create vibrant, active and safe communities and economically sound employment centres.*
- *To create safe and attractive environments for pedestrians.*
- *To recognise topography, landscape setting and unique location in design and land-use.*

The proposal is for the demolition of existing buildings and structures, for the purpose of preparing the site for redevelopment. The proposal is not inconsistent with the zone objectives, in that it will enable the future development of a mixed use building comprising of a mixture of civic, commercial and community uses within an accessible location.

The following is a summary of the clauses under Ryde LEP 2010 applicable to the development.

Ryde LEP 2010	Proposal	Compliance
<b>5.10 Heritage conservation</b>		
(1) Objectives The objectives of this clause are as follows— (a) to conserve the environmental heritage of Ryde, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.	The site is located in the vicinity of a number of heritage items. Accordingly a Statement of Heritage Impact has been submitted with the application.  The subject site is not listed as a heritage item nor is it within a Conservation Area.  Council's Heritage Adviser has confirmed that the demolition will not prejudice the heritage significance of nearby heritage items.  Appropriate conditions	Yes



**ITEM 1 (continued)**

Ryde LEP 2010	Proposal	Compliance
	of consent have been included in the recommendation.	
<b>6.2 Earthworks</b>		
<p>(1) The objectives of this clause are as follows—</p> <p>(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,</p> <p>(b) to allow earthworks of a minor nature without separate development consent.</p>	<p>The proposal does not include excavation, with demolition proposed to existing ground levels. Accordingly this clause is not directly applicable to the subject demolition.</p>	<p>Yes</p>
<b>6.7 Planning controls for Ryde Town Centre</b>		
<p>(1) Development in precincts in Ryde Town Centre Development consent must not be granted for development on land in a precinct shown on the Ryde Town Centre Precincts Map unless the consent authority is satisfied the development complies with the planning controls for the precinct set out in Schedule 6.</p>	<p>The site is mapped as being Precinct 1 “Civic/Mixed use”. Sub-clause 2 in Schedule 6 identifies that this clause is only applicable if the development would result in the total net useable floor area in all buildings exceeding 20,000m<sup>2</sup> or residential uses in Precinct 1. As the development is for demolition of the existing buildings and structures on the site, the controls within Schedule 6 are not applicable.</p>	<p>NA</p>

**5.3 Draft Environmental Planning Instruments**

Instrument	Proposal	Compliance
<b>Draft Environment SEPP</b>		
The draft Environment SEPP was exhibited	The proposal is not	Yes

**ITEM 1 (continued)**

<p>from 31 October 2017 to 31 January 2018.</p> <p>The consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways and urban bushland areas. Changes proposed include consolidating a number of SEPPs, which include:</p> <ul style="list-style-type: none"> <li>- State Environmental Planning Policy No. 19 – Bushland in Urban Areas</li> <li>- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> </ul>	<p>inconsistent with the provisions of the draft SEPP.</p>	
<b>Draft Remediation of Land State Environmental Planning Policy</b>		
<p>The Draft SEPP is a relevant matter for consideration as it is an Environmental Planning Instrument that has been placed on exhibition. The explanation of Intended Effects accompanying the draft SEPP advises:</p> <p><i>As part of the review of SEPP 55, preliminary stakeholder consultation was undertaken with Councils and industry. A key finding of this preliminary consultation was that although the provisions of SEPP 55 are generally effective, greater clarity is required on the circumstances when development consent is required for remediation work.</i></p>	<p>The draft SEPP does not seek to change the requirement for consent authorities to consider land contamination in the assessment of development applications. No further consideration is required as addressed above.</p>	<p>Yes</p>

**5.4 Ryde Development Control Plan 2014 (RDCP 2014)**

The relevant parts of RDCP 2014 are outlined below.

Part 4.4 Ryde Town Centre

This part of the DCP generally provides planning controls relating to new development and buildings on the subject site. Clause 3.10 of this part of the DCP requires a Demolition Pedestrian and Traffic Management Plan (DPTMP) for the hoarding, construction or demolition phase of development. As referred above, the submitted DPTMP may need to be updated at a later stage to address any potential alterations to the methodology of the demolition works and/or cumulative traffic/parking implications associated with adjacent construction works. As such,

**ITEM 1 (continued)**

approval of the DPTMP will be provided by Council's Transport Department after DA consent has been issued.

This is secured via a recommended condition of consent. (See conditions 23 and 24).

**Part 7.2 – Waste Minimisation and Management**

The DCP requires certain issues such as recycling and waste disposal to be addressed. Section 2 of the Site Waste Minimisation and Management Plan submitted with the application addresses these matters. Council's Environmental Health Officer has assessed the application and has raised no objection on waste management grounds, subject to recommended conditions of consent. (see conditions 25, 47, 55 to 68).

**Part 8.1 Construction Activities**

This part of the DCP outlines a number of work practices and procedures to be followed during construction works. Various conditions of consent have been recommended, per referral comments from Council's Public Domain unit and Development Engineer.

**Part 8.2 Stormwater and Floodplain Management**

Conditions of consent are recommended to prevent any adverse stormwater run-off from the site and provide an Erosion and Sediment Control Plan, consistent with the provisions of this part of the DCP.

**Part 8.5 Public Civil Works**

Council's Public Domain Unit and Development Engineer have recommended conditions of consent to protect and restore public infrastructure surrounding the site.

**5.5 Planning Agreements OR Draft Planning Agreements**

There are no planning agreements or draft planning agreements applicable to the development.

**5.6 Any matters prescribed by the regulations**

The Regulation underpins the day-to-day operation of the NSW planning system. The Regulation guides the processes, plans, public consultation, impact assessment and decisions made by local councils, the Department of Planning and others.

**Australian Standard for Demolition - Clause 92(1)(b)**

**ITEM 1 (continued)**

Clause 92(1)(b) of the Environmental Planning & Assessment Regulations 2000 requires the consent authority to consider the provisions of *Australian Standard AS 2601-2001: The demolition of structures*. The demolition of the existing buildings and structures will be carried out in accordance with a Demolition Work Plan (DWP) as submitted with the application. Conditions requiring compliance with the Demolition Work Plan (DWP) are included in the recommendation section of this report. (See condition 1).

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

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

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

The site is zoned B4 Mixed Use in RLEP 2010. The proposal is for demolition of the existing buildings and structures on site and associated tree removal. The assessment has demonstrated the proposal is consistent with the statutory requirements and policy controls. The assessment demonstrates the proposal will not result in any significant adverse impacts upon nearby properties (including heritage items) or the streetscape. Furthermore, the proposed demolition will not give rise to adverse impacts on the safe and efficient operation of the surrounding road network.

The proposal is an appropriate development and this has been demonstrated in this report. As such, the proposal is considered to be suitable for the site.

**8. The Public Interest**

The development is considered to be in the public interest as it is consistent with the relevant planning controls and will not have any potential adverse impacts to adjoining properties as a result of the proposed demolition and tree removal. The development complies with the objectives of the planning controls.

**9. Submissions**

Consultation was not required to be carried out for the subject application. In accordance with the Ryde Community Participation Plan, Part 3.2 states Council will waive the need for Development Application consultation where a DA for a new building on the land has already been notified, as is the case for the subject application.

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LDA2019/0404 was publicly exhibited between 8 January 2020 and 12 February 2020. During this time, Council received 33 submissions (14 objections and 19 letters of support). None of the issues raised in the 14 objection letters related to demolition issues.

**10. Referrals**

**Transport for NSW (TfNSW):** TfNSW raises no objection to the proposal, subject to conditions requiring the preparation and submission of a Construction Traffic Management Plan and no construction zones on Devlin Street. (See conditions 23, 24 and 28).

**Environmental Health Officer:** No objection has been raised to the application subject to conditions of consent. (See conditions 25, 47, 55 to 68).

**Tree Management Officer:** No objection has been raised to the application.

**City Works:** No objection has been raised subject to conditions of consent. (See conditions 8, 27, 28, 29, 69 to 72)

**Development Engineer:** No objection has been raised subject to conditions of consent. (See conditions 5, 6, 26, 30, 31, 43, 44, 45).

**Consultant Landscape Architect:** Council's Consultant Landscape Architect was requested to undertake a Peer Review of the proposed tree removal on site and has raised no objection subject to conditions requiring the retention and protection of the following 39 trees and 1 tree group:

- Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 & Group A.

**Heritage Advisor:** No objection is raised subject to standard conditions of consent. (See conditions 35 to 39, 53 and 54).

**11. Conclusion**

After consideration of the development against Section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, it is recommended the application be approved for the following reasons:

1. The proposal is consistent with the objectives for B4 zoned land.
2. The proposal complies with the statutory provisions set out in the Environmental Planning and Assessment Act 1979.

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3. Through the imposition of conditions, the proposal is considered to be low impact to adjoining properties and the surrounding environment.
4. The proposal is not contrary to the public interest.

**12. Recommendation**

Pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, the following is recommended that the Ryde Local Planning Panel grant consent to Local Development Application LDA2020/0295 for *demolition works and associated tree removal* at 1 Devlin Street, Ryde, subject to the conditions of consent in **Attachment 1** of this report.

**ATTACHMENTS**

- 1 Draft Conditions of Consent
- 2 Demolition Plan - subject to copyright provisions

Report Prepared By:

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Report Approved By:

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**Sandra Bailey  
Manager - Development Assessment**

**Liz Coad  
Director - City Planning and Environment**

## **ATTACHMENT 1 – Recommended Conditions of Consent - LDA2020/0295**

### **GENERAL**

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

<b>Document Description</b>	<b>Date</b>	<b>Plan No/Reference</b>
Demolition Plan	31/7/2020	SWD-DE-104 Rev 1
Demolition Work Plan	9/6/2020	Rev. 00

2. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 - 2019 and Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.
3. **Design and Construction Standards** – All engineering works shall be carried out in accordance with the requirements as outlined within Council’s DCP 2014 Part 8.5 *Public Civil Works* and relevant Development Control Plans except as amended by the conditions herein.
4. **Works on Public Roads** – Any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.
5. **Stormwater disposal.** Stormwater runoff from all impervious areas of the site is to be collected and piped to the existing or new underground stormwater drainage system in accordance with Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.
6. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council’s DCP Part 8.5 (*Public Civil Works*) and Part 8.2 (*Stormwater and Floodplain Management*), except otherwise as amended by conditions of this consent.
7. **Service Alterations.** All services or utilities required to be altered in order to complete the development works are to be undertaken in accordance with the requirements of the relevant service provider (eg Telstra, Jemena, Ausgrid, etc), with all costs associated with this alteration to be borne by the applicant.
8. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the

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**ATTACHMENT 1**

construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP Part 8.5 (*Public Civil Works*), to the satisfaction of Council.

9. **Appoint an Arborist.** An AQF Level 5 Arborist is also to be engaged to monitor the trees throughout the development process and ensure compliance with the tree protection measures. A letter of engagement shall be provided to the certifying authority. The site arborist will oversee all works relating to trees on or adjacent to the site.

Hold points and certification

The Tree Protection Schedule provides a logical sequence of hold points for the various development stages including pre construction, construction and post construction. It also provides a checklist of various hold points that are to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be made available to the City of Ryde Council on completion of the project.

**Tree Protection Schedule**

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1	Indicate clearly (with spray paint on trunks) trees approved for removal only	Principal Contractor	Project Arborist	Prior to demolition and site establishment
2	Establishment of tree protection fencing and additional root, trunk and/or branch protection	Principal Contractor	Project Arborist	Prior to demolition and site establishment
3	Supervise all excavation works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the works proceeding adjacent to the tree
4	Inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Bi-monthly during construction period
5	Final inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Prior to issue of Occupation Certificate

10. **Tree Retention.** The following trees and groups of trees as referenced within



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the Arboricultural Impact Assessment prepared by Arborskills dated 17th October 2019 must be retained and protected: Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 & Group A.

11. **Tree Removal.** The following trees and groups of trees as referenced within the Arboricultural Impact Assessment prepared by Arborskills dated 17th October 2019 are approved for removal: Trees 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, Group B & Group C.
12. **Tree Protection.** All tree protection works including installation of any fencing is to be undertaken prior to any demolition or site clearing works on site.
13. **Tree Protection Fencing.** All protective fencing and signage around TPZs must be located in accordance with AS4970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.
14. **Excavation within TPZ.** Any excavation or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual, non-motorised hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.
15. **Canopy Tying.** Where possible tree branches overhanging the construction zones are to be tied back to the main trunk rather than pruned.
16. **Root Pruning.** Where root pruning is required, roots shall be severed with clean, sharp pruning implements and retained in a moist condition during the construction phase using hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone.
17. **Hoardings.**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
  - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
18. **Illumination of public place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
19. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.

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**ATTACHMENT 1**

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

**PRIOR TO COMMENCEMENT**

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

21. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
- (d) Council must be notified of the following particulars:
    - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
    - (ii) The date the work is due to commence and the expected completion date
  - (e) A written notice must be placed in the letter box of each property within 50 metres of the site advising of the date the work is due to commence.
22. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
23. **Demolition Pedestrian and Traffic Management Plan.** A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a Transport for NSW' (TfNSW) accredited person and submitted to and approved by Council's Transport Department and TfNSW prior to the commencement of any demolition work.

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

The DPTMP must include but not limited to the following:-

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. The DPTMP is to be adhered to at all times during the project.
- iii. Specify that all demolition vehicles are to enter & exit the site and/or work zone in a forward direction. All demolition vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Devlin Street.
- iv. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.

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- v. Specify the number of truck movements to and from the site during the demolition phase of the works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site is not permitted unless approved by City Works Directorate.
- vi. Include a Traffic Control Plan(s) prepared by a TfNSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vii. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- viii. Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- ix. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- x. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the DPTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- xi. Specify spoil management process and facilities to be used on site.
- xii. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xiii. Comply with relevant sections of the following documents:
  - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
  - TfNSW' *Traffic Control at Work Sites* technical manual; and
  - Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.
- xiv. Program and schedule details of the demolition project including shifts, dates and hours of work. This is to take into consideration the project by TfNSW to upgrade the Devlin Street/Blaxland Road signalised intersection.

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- xv. Utility service locations to assess any utility adjustment work that may impact TfNSW utility works.
- xvi. Project manager contacts to establish an interface communication channel with the TfNSW project team.

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

- 24. **Implementation of Demolition Pedestrian and Traffic Management Plan.** All works and demolition activities are to be undertaken in accordance with the approved Demolition Pedestrian and Traffic Management Plan (DPTMP). All controls in the DPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate Transport for NSW' (TfNSW) accreditation. Should the implementation or effectiveness of the DPTMP be impacted by surrounding major development not encompassed in the approved DPTMP, the DPTMP measures and controls are to be revised accordingly and submitted to Council's Transport Department for approval. A copy of the approved DPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.
- 25. **Identification and removal of hazardous materials** - Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.
- 26. **Stormwater - Pre-Construction CCTV Report** - To ensure Council's stormwater infrastructures are adequately protected, a pre-construction CCTV report on the existing stormwater pipeline and the existing kerb lintel pit in the vicinity of the proposed development is to be submitted to Council prior to the commencement of any works.

An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. This report shall include the date of CCTV inspection and shall be submitted to Council's City Works Directorate for approval prior to commencement of any works.

Note: The applicant shall contact Council's Stormwater and Catchments section to obtain a map of Council's existing Stormwater network in the vicinity prior to conducting the CCTV survey.

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

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

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

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

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

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

- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads for any works that may impact on traffic flows on Devlin Street during demolition.**
- c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services

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(e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.

- d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
  - e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
  - f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
  - g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.
29. **Temporary Footpath Crossing** - A temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.
30. **Site Dewatering Plan.** To ensure that stormwater runoff and the disposal of any groundwater from recessed areas are drained in an appropriate manner and without detrimental impacts to neighbouring infrastructure and downstream water systems, a Site Dewatering Plan (SDP) must be prepared prior to commencement of works.

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

- a) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or

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- adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
- b) Pumps used for dewatering operations should not be fuel based so as to minimise noise disturbance. Where such pumps are utilised, appropriate acoustic screening must be implemented to prevent noise pollution to surrounding areas.
  - c) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
  - d) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb.
  - e) Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.
  - f) Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system.
  - g) Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
  - h) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.
31. **Erosion and Sediment Control Plan.** An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during the works. The ESCP is to be submitted with the application for a Construction Certificate. The ESCP must be in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by NSW Department – Office of Environment and Heritage and must contain the following information;
- Existing and final contours
  - The location of all earthworks, including roads, areas of cut and fill
  - Location of all impervious areas
  - Location and design criteria of erosion and sediment control structures,
  - Location and description of existing vegetation
  - Site access point/s and means of limiting material leaving the site
  - Location of proposed vegetated buffer strips
  - Location of critical areas (drainage lines, water bodies and unstable slopes)
  - Location of stockpiles
  - Means of diversion of uncontaminated upper catchment around disturbed areas
  - Procedures for maintenance of erosion and sediment controls
  - Details for any staging of works
  - Details and procedures for dust control.

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This condition is imposed to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

32. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
- (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
33. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
34. **Site Sign**
- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
    - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
    - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
    - (iii) stating that unauthorised entry to the work site is prohibited.
  - (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
35. **Register of Significant Architectural Elements.** Prior to the commencement of any works, a Register of Significant Architectural Elements shall be prepared for the Civic Centre and Town Hall buildings by a suitably qualified Heritage Specialist, to the satisfaction of Council's Heritage Advisor.

The Register of Significant Architectural Elements shall identify internal and external features and elements of the buildings which shall be nominated for retention and salvage.

The Register of Significant Architectural Elements shall, at a minimum, include the following features:

- i) The terrazzo civic coat of arms of the City of Ryde Council located on the foyer floor of the Civic Centre;
- ii) The civic coat of arms of the City of Ryde Council located on the front façade of the Civic Centre and the southern elevation of the Ryde Town Hall;
- iii) Building signage including the signage 'CIVIC CENTRE' and 'RYDE CITY COUNCIL'



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- iv) All commemorative plaques and monuments;
- v) Significant moveable objects.

36. **Inventory of Movable Objects.** Prior to the commencement of any works, an Inventory of Moveable Objects shall be prepared for the remaining contents of the Civic Centre and Town Hall buildings. The Inventory of Movable Objects shall be prepared in conjunction with Council's Heritage Advisor and Local Studies Librarian and shall identify and itemise the remaining moveable objects situated within the Civic Centre and Town Hall buildings.

Council's Heritage Advisor and Local Studies Library shall be consulted on and identify the disposal and / or relocation of extant movable objects and all movable objects identified for retention shall be appropriately removed and relocated prior to the commencement of any works.

37. **Heritage Interpretation Strategy and Plan.** Prior to the commencement of any works, a Heritage Interpretation Strategy and Plan shall be developed for the Civic Centre and Town Hall. The Heritage Interpretation Strategy and Plan shall be prepared by a suitably qualified Heritage Consultant, with demonstrated experience in heritage interpretation and shall be submitted to and approved by Council's Heritage Advisor.

a) The Heritage Interpretation Strategy must:

- i) Be prepared in accordance with the relevant guidelines of the Heritage Council of NSW and in accordance with best-practice heritage interpretation;
- ii) Identify the key messages, stories and themes associated with the site that are to be interpreted;
- iii) Identify the target audience for interpretation;
- iv) Develop a specific strategy for the interpretation of the history and significance the Civic Centre and Town Hall, as well as the historical context for the site, including Hattons Flat, the arrival of the tram, and development of the Civic Centre and Town Hall;
- v) Identify opportunities for heritage interpretation, including the incorporation and use of salvaged fabric and elements as listed in the Register of Significant Architectural Features.
- vi) Include recommendations regarding heritage interpretation which will inform the development of a specific Heritage Interpretation Plan.

b) The Heritage Interpretation Plan must:

- i) Develop a specific plan that details the proposed heritage interpretation for the site, including details of specific interpretation features and devices, such as the

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location, type, materials, artwork and content of the proposed heritage interpretation features and devices.

**38. Salvage of Fabric and Architectural Elements.**

a) Prior to the commencement of any works, written documentation of the salvage methodology must be submitted to Council for the approval by Council's Heritage Advisor.

The salvage methodology must:

- i) Document the proposed methods and techniques for removal, specific to the fabric and architectural elements identified and nominated for salvage.
- ii) Nominate the repository for salvaged fabric and architectural elements;
- iii) Nominate where and how the salvaged fabric and architectural elements will be temporarily stored if not being immediately relocated to a permanent repository.

b) All salvage works are to be undertaken by suitably qualified tradesmen, using appropriate techniques that will not damage, deface or destroy the materials and architectural elements.

c) All materials and architectural elements identified and nominated in the Register of Significant Architectural Elements, as approved by Council's Heritage Advisor, shall be appropriately and fully salvaged before the commencement of any demolition works.

**39. Heritage site induction ('toolbox talks').** Prior to the commencement of any works, all contractors, tradesmen and the like, shall be given a heritage site induction ('toolbox talk'). The heritage site induction shall be delivered by a suitably qualified Heritage Consultant and shall ensure that all contractors, tradesmen and the like, are made aware that:

- i) Conditions of development consent require the select and methodical salvage of building fabric and architectural elements prior to the commencement of any demolition works;
- ii) There are statutory obligations under the *National Parks and Wildlife Act 1974* and *Heritage Act 1977* for all works to cease and Council to be notified of any unexpected built archaeological or Aboriginal archaeological finds during works.

**DURING DEMOLITION WORK**

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

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41. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
42. **Site Facilities**  
The following facilities must be provided on the site:
  - (a) toilet facilities in accordance with Safework NSW requirements, at a ratio of one toilet per every 20 employees, and
  - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
43. **Traffic Management.** Any traffic management procedures and systems must be in accordance with *AS 1742.3 1996* and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.
44. **Truck Shaker.** A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.
45. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the demolition.
46. **Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled "Site Dewatering Plan.", the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.
47. **Discovery of Additional Information -** Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
48. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.

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49. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.
50. **Tree works – arborist supervision.** A Consultant Arborist must be appointed to oversee all works, including demolition and construction, in relation to the trees identified for retention on the site.
51. **Tree works – provision of arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.
52. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
53. **Archaeology.** As required by the *National Parks and Wildlife Service Act 1974* and the *Heritage Act 1977*, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and Heritage NSW must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *Heritage Act 1977* to obtain the necessary approvals/permits from Heritage NSW.

**Note:** The *National Parks and Wildlife Service Act 1974* and the *Heritage Act 1977* impose substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

54. **Uncovering of concealed architectural features or detailing.** Should any concealed architectural features or detailing, not previously noted in the DA documentation, be discovered during demolition works, all works are to immediately cease and the architectural features or detailing to be photographically recorded and Council's Heritage Advisor is to be contacted for advice.
55. **Contaminated soil** - All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) before being transported from the site.
56. **Transportation of wastes** - All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a

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waste facility for those wastes. Copies of the disposal docketts must be kept by the applicant for at least 3 years and be submitted to Council on request.

57. **Recyclable wastes** - All wastes intended for recycling must be transported to a facility where the wastes will be recycled or re-used.
58. **Disposal of asbestos wastes** - All asbestos wastes must be disposed of at a landfill facility licensed to receive asbestos waste.
59. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
60. **Waste containers** - An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
61. **Recyclable wastes** - Wastes for recycling must be stored in separate bins or containers and be transported to a facility where the wastes will be recycled or re-used.
62. **Hazardous wastes** - All wastes classified as hazardous wastes under the *Protection of the Environment Operations Act 1997* must be transported to an appropriately licensed waste facility for disposal.
63. **Clean water only to stormwater system** - Only clean unpolluted water is permitted to enter Council's stormwater drainage system.
64. **Clean-up materials to be kept on premises** - An adequate supply of suitable clean up materials must be kept on the premises for cleaning up accidental spills.
65. **Cleaning wastes and spills** - All cleaning wastes and spills must be collected and disposed of in an environmentally acceptable manner.
66. **Duty to notify** - Pollution incidents causing or threatening harm to the environment must be reported immediately to all relevant authorities in accordance with Section 148 of the *Protection of the Environment Operations Act 1997*.
67. **Air pollution** - The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.
68. **Standards of air impurities not to be exceeded** - Any discharge to atmosphere from the premises must comply with the requirements of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

**UPON COMPLETION OF WORKS**

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

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

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

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

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

70. **Compliance Certificate** –If required, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all Council drainage has not been damaged and, if required, associated restoration works have been completed to Council's satisfaction and in accordance with the Council approved drawings.

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

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

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- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

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

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

72. **Compliance Certificate – Public Infrastructure Restoration** – Upon completion of works, a compliance certificate shall be obtained from Council's City Works Directorate within 14 working days, confirming that all restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council standards. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.