

Item 4
39-41 College Street, Gladesville - LDA2021/0394
Demolition of existing industrial buildings and construction of an industrial unit complex with associated parking and landscaping

**City of Ryde
Local Planning Panel Report**

DA Number	LDA2021/0394
Site Address & Ward	39-41 College Street, Gladesville Lots 2 and 3 within DP 27462 East Ward
Zoning	IN2 Light Industrial under RLEP 2014
Proposal	Demolition of existing industrial buildings and construction of an industrial unit complex comprising 49 industrial units with mezzanine offices with associated parking and landscaping
Property Owner	Ms P J Smith, Mr B A Wilson and Mr J B Wilson
Applicant	Level Architects
Report Author	Kimberley Kavwenje – Senior Coordinator Development Assessment
Lodgement Date	12 November 2021
No. of Submissions	None
Cost of Works	\$13,790,030.42
Reason for Referral to LPP	Departure from Development Standard The proposed development results in a 11.2% departure from the development standard for height of buildings imposed by Clause 4.3 of RLEP 2014. <i>Schedule 1, Part 2 of Local Planning Panels Direction</i>
Recommendation	Deferred Commencement Consent

Attachments	<p>Attachment 1: Draft Deferred Commencement Conditions of Consent</p> <p>Attachment 2: Clause 4.6 written variation to Clause 4.3 Height of Buildings</p> <p>Attachment 3: Architectural Plans</p>
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1. EXECUTIVE SUMMARY

The following report is an assessment of Local Development Application LDA2021/0394 for demolition of existing industrial buildings and construction of a 2 - level industrial unit complex comprising 49 industrial units with mezzanine offices above each industrial level including associated 93 car parking spaces, manoeuvring and landscaping areas at 39-41 College Street, Gladesville, which is legally described as Lots 2 and 3 within DP27462.

This application is reported to the Ryde Local Planning Panel for determination as it proposes a departure from a development standard in excess of 10% in accordance with the *Environmental Planning and Assessment Act 1979*, Section 9.1 - Directions by the Minister.

The development contravenes Clause 4.3 of Ryde Local Environmental Plan 2014 (RLEP 2014) which establishes the maximum height development standard of 10 metres. The proposal results in a height of 11.12 metres, representing a 11.2% departure from the standard.

The applicant has submitted a written Clause 4.6 written justification (**Attachment 2**) to justify the proposed variation. The element of the building that breaches the height control relates to the roof element located to the rear of the subject site. The variation in part is due to the slope of the land and would not result in any significant adverse impacts onto the relevant adjoining industrial properties. The proposed development would not result in an adverse visual impact when viewed from the public domain.

The proposal has been assessed in accordance with the relevant environmental planning instruments and local provisions in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP & A Act). The proposal would not result in any unacceptable impacts upon the streetscape or the amenity of surrounding properties. The proposal does not raise any issues that would be contrary to the public interest and it is a suitable form of development for the site.

In accordance with DCP 2014 Part 2: Community Participation Plan, the owners of surrounding properties were given notice of the application between 15 November 2021 and 6 December 2021. No submissions were received as part of the subject development application.

It is recommended Development Application No. LDA2021/0394 be granted deferred commencement consent subject to the recommended Conditions in **Attachment 1**.

2. THE SITE AND LOCALITY



Figure 1 Aerial photograph of the site and surrounds

The site is legally described as Lots 2 and 3 within DP 27462 and is known 39-41 College Street, Gladesville. The site is located on the north eastern side of College Street and has a total area of 7,169m². The subject site is irregular in shape and has the following dimensions:

- Southern boundary (College Street frontage): 31.585m.
- Northern boundary: 55.78m
- Eastern boundary: 177.465m
- Western boundary: 97.185m + 72.695m.

The proposed development includes lot consolidation, as presently 39 College Street is a battle axe allotment to the rear of 41 College Street.

The site is within the Gladesville industrial area approximately 340m west of its intersection with Monash Road and 275m from Victoria Road (via Frank Street). Public transport in the area is limited to bus services with stops on Victoria Road.

The site is occupied by older industrial buildings comprising a single storey brick industrial building situated on No. 41 College Street (**Figure 2**) which fronts the street with an attached building currently being used as a gym. No. 39 College Street is accessed via a battle-axe driveway and comprises a number of industrial units accommodating a range of uses including mechanical repairs and light manufacturing. Other improvements on the land include hardstand parking and manoeuvring areas.



Figure 2 Site as viewed from College Street

The site presently contains a right of way along the south eastern side boundary providing access to 39 College Street (sited to the rear of 41). The site is also burdened by easement for electrical purposes which dissects the rear south eastern corner of the site.

There is no vegetation or landscaping on the land however there are opportunities under the subject Development Application to plant street trees.

The subject site has a fall of approximately 5.19m towards the northeast. The site is partially situated within flood affected zone.

The immediate area is industrial in character and it comprises a mixture of industrial buildings of various ages. The industrial locality exhibits older factory buildings of fibro construction with brick front or traditional saw tooth roof styles (**Figure 3**), through to recent factory unit development (**Figure 4**).



Figure 3 Traditional industrial buildings at 37 and 33 College Street adjoining the site to the east

A Bunnings has been constructed opposite the subject site between College Street and Victoria Road (**Figure 5**). The residential zone commences approximately 200m

to the east of the subject site (**Figure 6**) and features a mix of low density detached housing.



Figure 4 Modern industrial buildings to the west of the site at 43 - 51 College Street



Figure 5 Bunnings building located opposite subject site



Figure 6 Residential development further to the east along College Street

3. THE PROPOSAL (as amended)

The application seeks consent for demolition of the existing industrial buildings and construction of a two-level industrial unit complex comprising 49 industrial units with mezzanine offices above each industrial level including associated parking, manoeuvring and landscaping. The proposed works include:



Figure 7 Perspective of proposed building presenting to College Street



Figure 8 Proposed site plan

- Demolition of existing structures on site including buildings and driveway access
- Lot consolidation Lots 2 and 3 within DP 27462
- Construction of two way driveway providing access to basement levels adjacent to the north-western side boundary and a separate at grade driveway access to ground floor level to the south-east of other driveway access.
- Excavation to a maximum depth of 5.22 metres to facilitate basement and basement mezzanine levels.
- Construction of industrial building comprising 5,997m² of floor space including the following:
 - Basement Level RL33.100 (**Figure 9**) containing twenty-three (23) warehouses, storage associated with individual warehouses, lift, parking, WCs, suspended tank and loading dock
 - Basement Mezzanine Floor RL35.900 (**Figure 10**) voids, offices, internal stair access, rainwater tank. The mezzanine offices range between 24m² – 125 m².
 - Ground Floor RL39.300 (**Figure 11**) including warehouses 24 – 39, WCs, internal stair access, loading docks, parking, lift.
 - Ground Floor Mezzanine Level RL42.00 (**Figure 12**)

- Ninety-two (93) car parking spaces are proposed including two accessible spaces.
- The proposed industrial units range in size or floor area in between 68m² – 153m²
- The building comprises 1,906m² of office floor space in the mezzanine levels, resulting in a total gross floor area of 5,997m²
- No operational hours and signage details have been submitted as part of the subject Development Application
- The proposal includes landscaping works at the south-eastern corner of the property presenting to College Street and includes provision of Water Gums (3), Tuckeroos (2) within the road reserve and provision of a green wall (**Figure 13**)
- Addition of substation to the north west of Warehouse 49 presenting to College Street

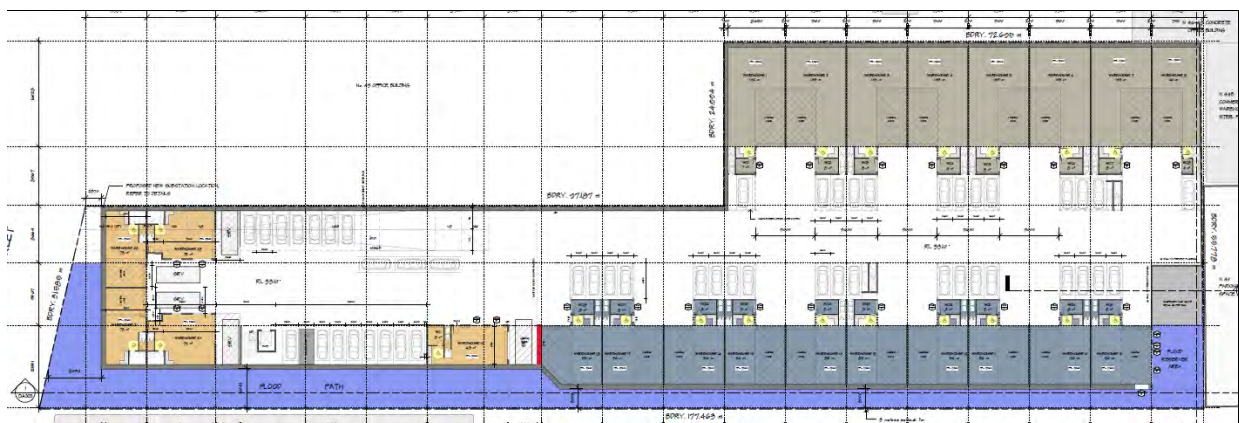


Figure 9 Proposed Basement floor plan

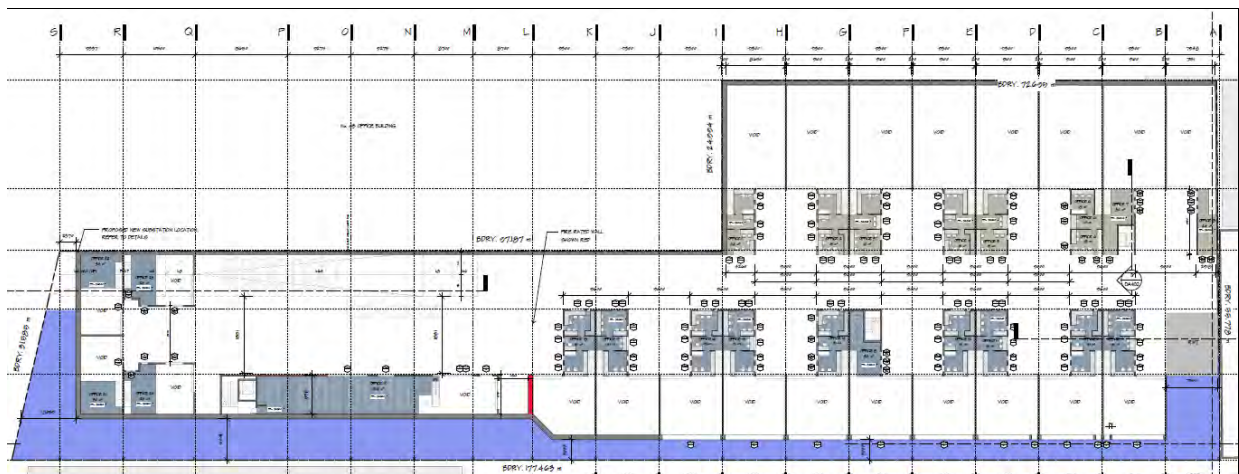


Figure 10 Proposed Basement Mezzanine Level

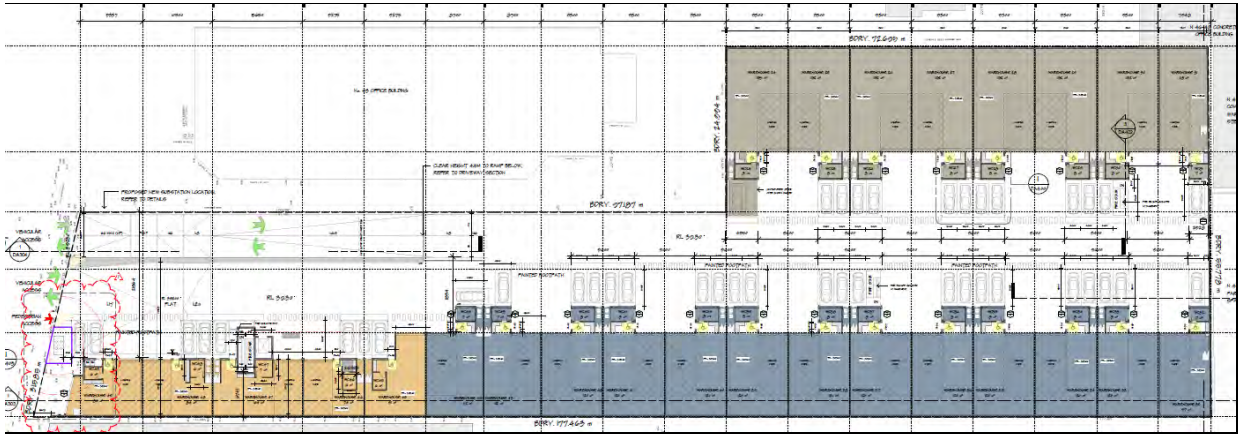


Figure 11 Proposed Ground Floor

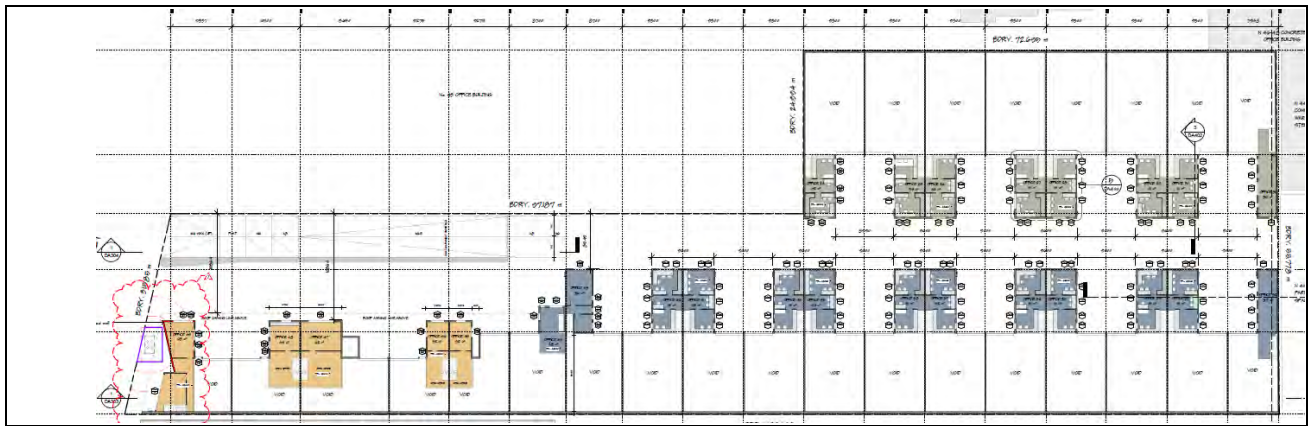


Figure 12 Proposed Ground Floor Mezzanine Level



Figure 13 Proposed green wall

4. HISTORY

Application History

12 November 2021	Subject Local Development Application LDA2021/0394 was lodged with Council.
15 November 2021 to 6 December 2021	The Application was notified to adjoining property owners and occupiers. No submissions were received.
4 January 2022	An initial request for additional information was sent to the Applicant, requesting: <ul style="list-style-type: none"> - Submittal of a landscape plan - Updated flood impact assessment report - Existing Council's Stormwater pipe to be located by non-destructive methods and accurately plotted into the Stormwater Plans. - Updated traffic report and modelling - Swept path analysis required and issues raised regarding the documentation provided particularly in regard to sightlines - Further details sought on whether the vehicular access to the off-street parking and loading areas proposed to be controlled (e.g. boom gate). If so, how would this be managed without affecting the efficiency and safety of traffic movements to and from the site. - Amended Cl. 4.6 written justification to include a clear building height plane diagram which would clearly indicate the proposed height breaches.
1 February 2022	The applicant submitted amended plans and additional information involving the following: <ul style="list-style-type: none"> - Landscape plan - Traffic report - Updated architectural plans - Stormwater and drainage response letter - Stormwater and drainage plans
18 February 2022	Following review of the amended documentation, the following information was requested: <ul style="list-style-type: none"> - Updated flood impact assessment report - Location of the pipe within the easement - Advised that the suppression of the existing driveway for 39 College Street is not supported as it acts as overland flow path. As such, a bigger pipe is required to reduce overland flow.
7 March 2022	Council wrote to the applicant requesting the following: <ul style="list-style-type: none"> - Survey/solicitor report to clarify the terms of the easements including the existing right of way, easements for electricity - Stormwater management issues relating to waste sensitive urban design, OSD and the pump out system - Requirement for bicycle parking to be shown on plans - Approval from Ausgrid relating to the relocation of the existing power/light pole

	<ul style="list-style-type: none"> - Widening of the internal roadways and ramps to enable two (2) types of vehicles to pass - Swept path analysis to demonstrate passing vehicles - Requirement for the aisle widths within the basement to be extended 1m beyond the last parking space to assist in manoeuvring - Clarification regarding which units are proposed to have loading bays for small or medium sized rigid vehicles - The dimensions of loading bays associated with warehouse 21 and 22 are non-compliant and if these spaces are occupied, how can the loading bay for warehouse 20 and 23 operate - Council does not support the use of a flood gate - Further sectional details to show required excavation associated with flood management - Revised basement ramp elevation to demonstrate crest level - Proposed floor levels to be shown on plans - Further cross section details to show openings within the south eastern elevation
14 March 2022	The applicant advised that they have already responded to the matters raised.
15 March 2022	Council advised the applicant that the request for further information was in response to the documentation submitted in February.
21 March 2022	The applicant submits further traffic response, updated architectural and stormwater plans, response from civil engineer and solicitor letter regarding the easements.
12 April 2022	Council requested the in principle agreement be provided by Ausgrid in relation to the substation being relocated within the basement given the existing lease and unusual location not within the frontage of the site. Confirmation of the proposed heights was also requested given the discrepancy between Council's calculation and the submitted Clause 4.6.
8 May 2022	Meeting held with the architect and town planning to discuss concerns.
19 May 2022	The applicant submits amended plans reducing the height of the 4 warehouses to the rear, parapet wall height reduced, parking ceiling on ground floor lowered for last two warehouses and office ceiling height reduced for the four rear warehouses.
4 June 2022	Correspondence received from Ausgrid.
10 June 2022	Council wrote to Ausgrid specific advising the proposal sought to provide the substation within the mezzanine basement level and raising concern that their response and conditions could not been satisfied by the proposal. Specific response was requested on the extinguishment of the easements.
16 June 2022	Ausgrid advises Council they have directed the applicant to engage a designer to determine a feasible solution that meets Ausgrid Network Standard requirements.

9 August 2022	The applicant submits amended plans relocating the substation and reducing the height.
16 August 2022	Council requested an updated clause 4.6 variation request.
17 August 2022	Council received a response from Ausgrid. Refer to discussions under SEPP (Transport and Infrastructure) 2021.
15 September 2022	Applicant submits amended clause 4.6 variation.

5. PLANNING ASSESSMENT

5.1 Objects of EP&A Act

Section 1.3 of the EP & A Act contains the following relevant objects:

1.3 Objects of Act (cf previous s 5)

(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,

(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,

(c) to promote the orderly and economic use and development of land,

(g) to promote good design and amenity of the built environment,

(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,

(j) to provide increased opportunity for community participation in environmental planning and assessment.

The proposal achieves the objectives. The proposed development provides for an appropriate built form which is responsive to the site constraints and has been designed in response to the site's topography. The proposal is consistent with relevant Objects of the Act.

5.2 State Environmental Planning Instruments

Instrument	Proposal	Compliance
State Environmental Planning Policy Resilience and Hazards 2021		
Chapter 4 Remediation of Land		
The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land. The aims are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.	Pursuant to Clause 4.6(1) consideration has to be given as to whether the land is contaminated. The proposal has not been supported by a preliminary site investigation as the entire site is sealed and contains existing buildings. However, the submitted statement of environmental	Yes

	<p>effects in regard to contamination outlines:</p> <ul style="list-style-type: none"> - the subject land has not been known to have been used for any of the activities listed in Table 1 of the Contaminated Land Planning Guidelines - the land is not listed on any contaminated land database and has never been the subject of an EPA clean-up order or other EPA restrictions - the land is sealed and as such soil sampling is unable to be taken until demolition takes place. <p>The proposal does not involve a change of use of the land. The existing land use is industrial, and the proposed land use is industrial and a preliminary investigation report is not required in accordance with Clause 4.6(2). For the reasons outlined above, in accordance with subclause (3) and (4) a preliminary investigation is not warranted but can be undertaken once demolition occurs. Excavated material can be tested prior to disposal off-site to ensure its condition does not give rise to any contamination risk.</p> <p>The proposal has been supported by a Demolition Management Plan which describes the existing structures to be demolished and has determined that no hazardous material has been located on site.</p> <p>There is no consideration or discussion of surrounding land uses, historic or current, that may present as a contamination risk. Therefore, to ensure that contamination is adequately assessed, the applicant will be required to undertake a detailed site investigation post demolition of the structures and removal of the concrete ground slab and foundation footings.</p> <p>It is recommended that relevant conditions be imposed requiring that at completion of demolition works that the applicant undertakes a Detailed Site Investigation (DSI) to determine the potential contaminated level of the site and submission of a Remediation Action</p>	
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	<p>Plan (RAP) should remediation of the site be required in order to make the site suitable for redevelopment purposes.</p> <p>Council’s Environmental Health Officer has reviewed the proposal and concurs with this approach subject to conditions of consent.</p> <p>The site is therefore suitable for the proposed development with respect to the provisions of SEPP Resilience and Hazards.</p>	
<p>State Environmental Planning Policy Biodiversity and Conservation 2021</p>		
<p>Chapter 2 Vegetation in non-rural areas</p>		
<p>The objective of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of trees and other vegetation.</p>	<p>The proposal does not seek to remove any trees and there are no trees present on the subject site. Further, there would be no impacts of any trees adjoining the site and any street trees. Council’s Landscape Architect has assessed the proposal and raised no objections. It is considered that the proposed development does not unduly impact upon any existing biodiversity or trees or vegetation on the site.</p>	<p>Yes</p>
<p>Chapter 10 Sydney Harbour Catchment</p>		
<p>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.</p>	<p>Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal. The site is not located on the foreshore or adjacent to the waterway and therefore, with exception of the objective of improved water quality, the objectives of the planning instrument are not applicable to the proposed development. The objective of improved water quality is satisfied through compliance with the provisions of Part 8.2 of DCP 2014.</p>	<p>Yes</p>
<p>State Environmental Planning Policy (Transport and Infrastructure) 2021</p>		
<p>2.45 Notification of certain electricity substation development that may be carried out without consent</p> <p>(1) This section applies to development (other than exempt development) that— (a) is carried out by or on behalf of an electricity supply authority or public authority, and</p>	<p>The site contains an existing electrical easement which dissects the rear south eastern corner of the site (Figure 14).</p> <p>The proposal also includes provision of a new substation. The application was referred to Ausgrid for consideration in accordance with the provisions of Clause 2.45(2). Ausgrid responded on 17 August 2022 advising:</p> <p><i>The developer has commenced enquiries with Ausgrid and has been</i></p>	<p>Yes</p>

(b) is for the purpose of a new or existing electricity substation of any voltage (including any associated yard, control building or building for housing plant), and

(c) is not a project to which Part 3A of the Act applies or State significant infrastructure.

(2) Before development to which this section applies is carried out, the electricity supply authority or public authority must—

(a) give written notice of the intention to carry out the development to the council for the area in which the land is located (unless the authority is that council) and to the occupiers of adjoining land, and

(b) take into consideration any response to the notice that is received within 21 days after the notice is given.

provided an offer from Ausgrid for Design Related Services to commence a contestable project.

Ausgrid cannot comment on the substation location until Ausgrid certifies the developers electrical design. The Ausgrid easements will be dealt with as part of the contestable project.

It is up to the developer to ensure that the plans submitted to Council meet BCA requirements and align with Ausgrid standards. If Ausgrid standards are not met a certified design will not be issued and the connection of the new substation will not proceed.

The proposal through the assessment process was amended to relocate the substation from within the building to the front of the site after discussions with Ausgrid.

The proposal is recommended for a deferred commencement approval given the requirement for the extinguishment of the existing electrical easement at the rear of the site.

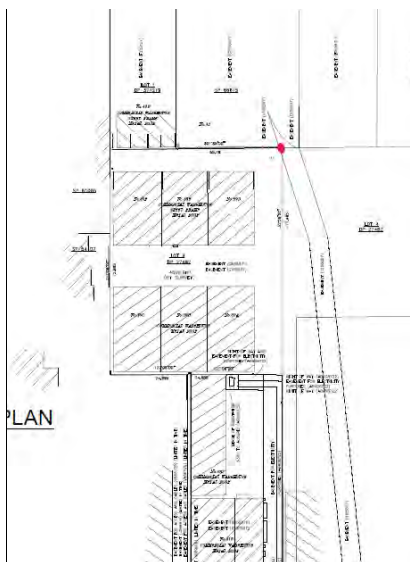


Figure 14 Existing electrical easement

5.3 Draft Environmental Planning Instruments

There are no draft Environmental Planning Instruments of relevance in the assessment of this application.

5.4 Ryde Local Environmental Plan 2014

The following is an assessment of the proposed development against the applicable provisions from the Ryde Local Environmental Plan 2014. The subject site is identified as being within the IN2 Light Industrial zone under the provisions of RLEP 2014. The proposal for the purposes for 'Light industries' or as 'Warehouse or distribution centres' are permissible with development consent.

Clause 2.3 – Zone Objectives

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The IN2 Light Industrial zone is based on the following objectives:



- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses.*
- *To enhance the amenity of local areas through better building design, reduced hard-paved surfaces and landscaping.*

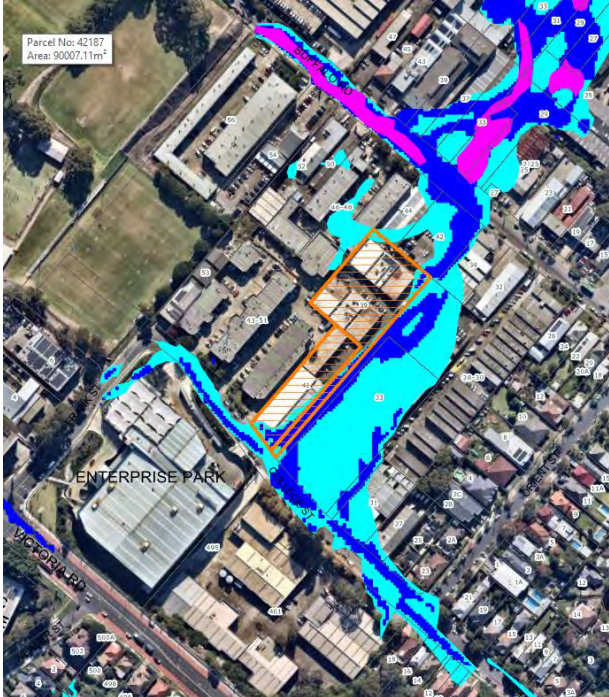
The proposal is for a new light industrial complex to replace existing older industrial type buildings. The complex and intended uses are consistent with the objectives in providing the following:

- The proposed development would provide for employment opportunities.
- The proposed development would allow for a range of industrial uses that are compatible with the surrounding area.
- The proposal is suitable for the site and would not adversely impact adjoining land uses.
- The proposed development would provide floor space opportunities for light industrial, warehouse and related land uses.
- The proposed development provides floor space opportunities for support industries to support the viability of nearby centres.
- The proposed development provides floor space opportunities for light industrial, warehouse and related land uses of a scale that would be unlikely to impact on other land uses in the area.

The proposed development meets the relevant zone objectives of the LEP.

The following is an assessment of the proposed development against the applicable provisions of Ryde Local Environmental Plan 2014 (Ryde LEP 2014).

Clause	Proposal	Compliance
4.3(2) Height of Buildings		
<p>10m</p>  <p>Figure 15 Height map</p>	<p>11.12m</p>	<p>No</p>
4.4(2) Floor Space Ratio		
<p>1:1 - The site area of 7,169.2m² allows for a GFA of 7,169.1m²</p>  <p>Figure 16 FSR standard</p>	<p>The proposed GFA is 5,997m² + 52.64m² (parking) = 6,049.64m² which results in an FSR of 0.844:1.</p>	<p>Yes</p>
4.6 Exceptions to development standards		
<p>(1) The objectives of this clause are as follows—</p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,</p> <p>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p>	<p>The proposal has a height of 11.12m and a variation of 11.2% sought to Clause 4.3(2). Refer to the discussion below.</p>	<p>Yes</p>
5.21 Flood Planning		
<p>(1) The objective of this clauses are as follows:</p> <p>(a) to minimise the flood risk to life and property associated with the use of land,</p> <p>(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change</p> <p>(c) to avoid significant adverse impacts on flood</p>	<p>The site is mapped as being impacted by Low to Medium Risk flooding over a portion of the south western side of the allotment and front of the site (Figure 16).</p> <p>The proposal has been supported by a Flood Impact Study which addresses the requirements of Part 8.2 and Stormwater and Floodplain Management Technical Manual Section 2.2. The proposal has been designed using the identified flood planning levels.</p> <p>The proposal is consistent with the provisions of Clause 5.21(2) and (3) and has been considered satisfactory by Council's City Works – Drainage.</p>	<p>Yes</p>

Clause	Proposal	Compliance
<p>behaviour and the environment, (d) to enable the safe occupation and efficient evacuation of people in the event of a flood</p>	 <p style="text-align: center;">Figure 17 Flood mapping</p>	
<p>6.1 Acid Sulfate Soils</p>		
<p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p>	<p>The site is mapped as potentially containing Class 5 acid sulfate soils. However, there is no excavation below RL 1m AHD and no further assessment with regard to acid sulfate soils is required.</p>	<p>Yes</p>
<p>6.2 Earthworks</p>		
<p>(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p>	<p>The proposal includes excavation to a maximum depth of 5.22 metres as a result of the proposed basement and basement mezzanine levels. Development consent is required for the proposed earthworks. The low point of the site is at the rear south eastern corner of the site. As a result, the rear of the site is sited above natural ground level which the greatest extent of excavation proposed at the front of the site along the south eastern elevation. The extent of excavation is shown in Figures 18 – 20.</p> <p>Consideration has been given to the provisions of subclause (3) and the following is noted:</p> <ul style="list-style-type: none"> - Council's Development Engineer has assessed the proposal and raised no objections subject to conditions. Stormwater plans have been submitted which indicate that there will be no significant adverse drainage impacts. - No groundwater would be encountered on site due to the proposed levels of excavation. 	<p>Yes</p>

Clause	Proposal	Compliance
	<ul style="list-style-type: none"> - The proposal does create subterranean areas. The basement levels area for car parking only (with the exception of WC associated with warehouses 46 – 49) and the excavation does not contain implications for the amenity of these areas. - The internal north western elevation of warehouses and office sited along the south eastern elevation locate the offices within the entrance of the site to ensure openings are provided to the north eastern and south western elevations for increased amenity. - The basement mezzanine level also contains voids associated with the offices. The offices also contain openings to provide for increased amenity. - Noise, vibration and dust controls can be employed to ensure that any adverse impacts from the proposed excavation will be minimised. - Dilapidation surveys for neighbouring properties has been recommended. - All excavated material will be disposed of in accordance with the relevant requirements. - It is unlikely that the proposed excavation will disturb any relics. <p>As such, the development is consistent with the requirements of Clause 6.2</p>	

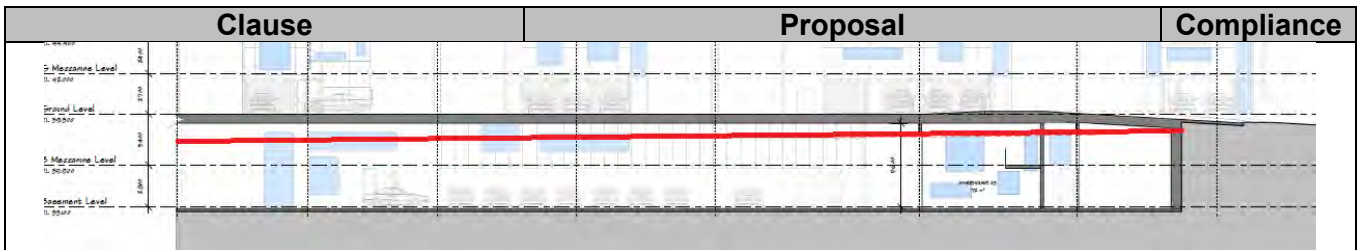


Figure 18 Natural ground level shown in red along south eastern elevation from College Street showing Warehouses 45 – 49 (ground floor) and Warehouse 23



Figure 19 Natural ground level shown in red from Warehouse 18 – 9 (basement floor) and Warehouse 42 – 32 (ground floor) to rear of the site along south eastern elevation

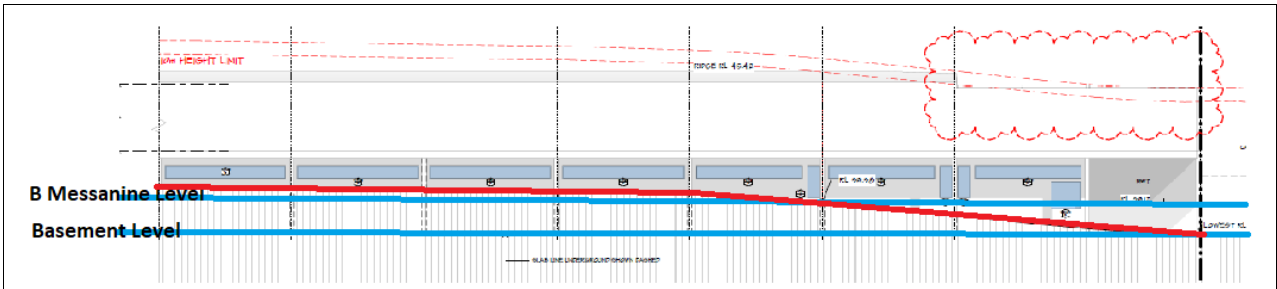


Figure 20 Natural ground line shown in red from Warehouses 24 - 31

6.4 Stormwater Management		
<p>(1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.</p>	<p>The proposal is consistent with the provisions of Clause 6.4(3) in that the proposal has been designed to maximise the use of permeable surfaces allowing for water filtration and avoids adverse impacts of stormwater runoff on adjoining properties and receiving waters.</p> <p>The proposal has been considered acceptable by Council’s Senior Development Engineer.</p>	<p>Yes</p>
6.6 Environmental Sustainability		
<p>(2) Development consent must not be granted to development on land in a business or industrial zone if the development is 1,500 square metres in gross floor area or greater unless the consent authority is satisfied that the development has regard to the following—</p> <p>(a) water demand reduction, including water efficiency, water recycling and minimisation of potable water usage,</p> <p>(b) energy demand reduction, including energy generation, use of</p>	<p>The application has been supported by an Energy Efficiently Performance Interim Report prepared by Gradwell Consulting Sustainability Consultants.</p> <p>The proposal has been designed in consideration of the following energy efficiency design principles:</p> <ul style="list-style-type: none"> - solar gain and external shading - building envelope performance - natural ventilation - lighting - office equipment 	<p>Yes</p>

Clause	Proposal	Compliance
<p>renewable energy and reduced reliance on mains power,</p> <p>(c) indoor environmental quality, including daylight provision, glare control, increased outside air rates, thermal comfort,</p> <p>(d) a reduction in new materials consumption and use of sustainable materials, including recycled content in concrete, sustainable timber and PVC minimisation,</p> <p>(e) emissions reduction, including reduced flow to sewer and light pollution,</p> <p>(f) transport initiatives to reduce car dependence such as providing cycle facilities, car share and small vehicle parking spaces,</p> <p>(g) land use and ecology, including reduced topsoil removal and contaminated land reclamation</p>	<p>- HVAC</p> <p>In this regard the proposal includes the following:</p> <ul style="list-style-type: none"> - The buildings have a northern aspect to receive daylight access - Fixtures and low flow water efficiency measures for toilets and taps - The proposal has been supported by a waste management plan - The hours of operation are not considered likely to result in light pollution 	

Clause 4.6 Exceptions to Development Standards

The development contravenes Clause 4.3(2) of RLEP 2014, which established a maximum building height of 10m. The proposal results in a height of 11.12 metres and does not comply with the development standard.

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

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

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

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

- Is the planning control in question a development standard?
- What is the underlying object or purpose of the standard?

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

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

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

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

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

The applicant has submitted a Clause 4.6 request prepared by Cohesive Planning and dated May 2022 (**Attachment 2**) to vary the development standard. The written variation indicates the height exceedance occurs at the rear of the site.

The height is calculated by Council as being 11.12 metres at the rear of the site (**Figure 21**). The proposal represents a 11.2% variation to the standard. The proposal also results in a height of 10.87m along the north western elevation (**Figure 22**) and exceeds the height standard. The rear elevation is shown in **Figure 23**.

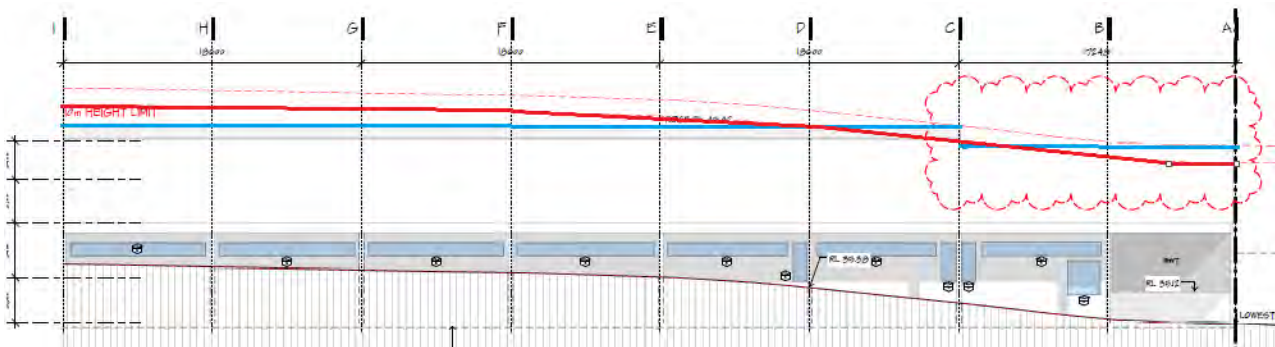


Figure 21 Building height breach along the south eastern elevation at the rear of the site. The red lines notates the height exceedance and blue line represents the roof.

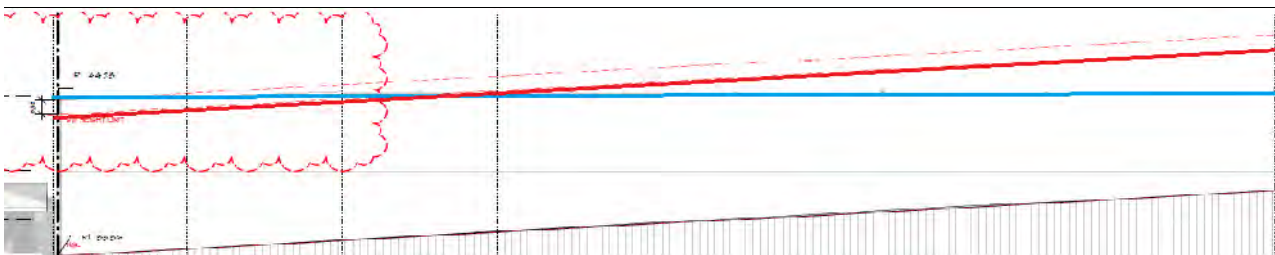


Figure 22 Building height breach along the north western elevation at the rear of the site. Red line notates height exceedance and blue line represents roof. Maximum height of 10.87

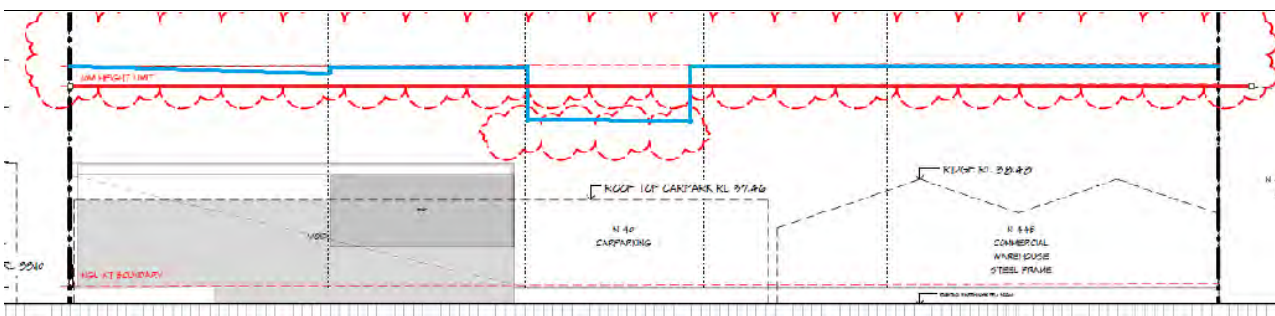


Figure 23 Rear northern eastern elevation showing roof line in blue and 10m height limit in red

An assessment of the relevant provisions of Clause 4.6 is as follows:

- Clause 4.6(3)(a) - Is compliance unreasonable or unnecessary in the circumstances of the case?
- Clause 4.6(3)(b) - Are there sufficient environmental planning grounds to justify the proposed contravention of the development standard?

The written request provides the reasons why compliance with the standard is unreasonable and/or unnecessary, with selected excerpts shown below:

Unreasonable and unnecessary

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

- *The variation is not contrary to the objectives than inform Clause 4.3 as the street façade does not result in any breach of the height control. The façade provides an address to the street which is in keeping with the scale, massing, roof form, articulation and detailing expected from a height quality contemporary industrial unit development. The street façade is in keeping with recent development in College Street and reflects the proportions and character of those developments.*
- *The development does not result in a visual impact to the street.*
- *The development proposes a 3 storey built form which is anticipated by the 10m height limit*
- *The element of the building which breaches the height control is located at the rear of the land and as such, does not result in a development that is out of proportion with or uncharacteristic of nearby development.*
- *The development does not result in any adverse overshadowing.*
- *The exceedance of the height standard does not come with any commensurate breach of the FSR. The FSR is 0.85:1, which is less than the prescribed maximum FSR of 1:1.*
- *The proposed development does not result in vegetation loss and does not result in impacts of overlooking and does not impact views and vistas.*

Assessment Officer's Comments: The proposal achieves the objectives of Clause 4.3 despite the height exceedance. The proposal is in keeping with the character of nearby development, minimises overshadowing and is compatible with and improves the appearance of the surrounding industrial area. The proposal does not result in any adverse amenity impacts upon surrounding properties. The proposed development provides for an alternative means of satisfying the objectives of the standard other than compliance and therefore strict compliance with the standard would be unnecessary given the objectives are achieved anyways and unreasonable as no purpose would be served. The applicant has demonstrated that the compliance with the development standard would be unreasonable and unnecessary.

Environmental planning grounds

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

- *The height results from the need to provide level floorplates over a sloping site.*
- *The height breach is limited to the rear of the site where the RLs are at their lowest.*
- *The nature of the development demands floorplates and manoeuvring areas that are relatively level.*
- *The breach does not result in a development which is inconsistent with the character of development in the neighbourhood.*
- *Despite the exceedance in height over a minor part of the land, the proposed development is consistent with other development in the streetscape and the industrial neighbourhood.*
- *In particular, the bulk and scale of the building is in keeping with those found at 46-48 Buffalo Road, 43-51 College Street and the Bunnings development.*
- *The exceedance takes place over part of the land that is not read from College Street. The proposed development is consistent with the character of the industrial neighbourhood.*
- *The breach does not result in adverse impacts. The impacts resulting from the height breach involve a minor increase to overshadowing.*
- *The shadow impacts are not unreasonable.*

- *The proposed development does not result in impacts of overlooking and likewise does not impact views or vistas.*
- *The building height at the front elevation is well under the height limit and therefore does not offend views from the public domain.*
- *The extent of the breach is situated to the rear of the building form.*
- *The height of the building as it presents to the street is under the 10m height plane.*
- *The breach of the height control is not to achieve additional floor space.*
- *The exceedance of the height control comprises the roof form only and does not result from an attempt to gain additional floor space above the height plane.*

Assessment Officer's Comments: The site has a cross fall north west to south east in addition to sloping from the street to the rear of the site. The cross fall occurs predominantly at the front and centre of the site, with the site being relatively flat in terms in cross fall at the rear of the site. The north eastern corner of the property extending in a southerly direction has a change in topography which contributes to the extent of breach along the south eastern elevation (**Figure 24**). There is a 2.65m change in height at the rear of the site. As a result, the south eastern elevation results in the greatest height breach due to the change in topography. The extent of breach is lesser as the topography change along the north western boundary is 2.39 metres.

A long section looking towards the north western side boundary (**Figure 25**) to show the resultant height breach, with the greatest breach at the rear of the site. The extent of breach is reflective of the change in topography.



Figure 24 Change in topography looking in a north eastern direction along towards 42 Buffalo Road to the rear of the site where there is an elevated car park



Figure 25 Long section showing the height breach along the south eastern elevation towards the rear of the site



Figure 26 Extent of height breach (roof height in blue and red line depicting 10m height line) parallel to the lowest RL on the site

The breach of the development standard at the rear of the site is in response to the change in topography. The site is immediately joined to the rear of industrial zoned land presenting to Buffalo Road. There are sufficient environmental grounds to justify the proposed variation to the height control.

Is the proposal in the public interest?

Pursuant to clause 4.6(4)(ii), a development will be in the public’s interest if it is consistent with the objectives of the development standard and also the zone objectives in which the particular development is carried out. The objectives of Clause 4.3 are as follows:

4.3 Height of buildings

- (1) *The objectives of this clause are as follows—*
 - (a) *to ensure that street frontages of development are in proportion with and in keeping with the character of nearby development,*
 - (b) *to minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area,*
 - (c) *to encourage a consolidation pattern and sustainable integrated land use and transport development around key public transport infrastructure,*
 - (d) *to minimise the impact of development on the amenity of surrounding properties,*

(e) to emphasise road frontages along road corridors.

The proposal is in keeping with the character of nearby development, minimises overshadowing and is compatible with and improves the appearance of the surrounding industrial area. The proposal does not result in any adverse amenity impacts upon surrounding properties.

The proposal is consistent with the public interest as required by Clause 4.6(4)(a)(ii) for the following reasons:

- The development is consistent with the objectives of the standard and zone as required by Clause 4.6(4)(a)(i).
- The proposal achieves the objectives of the standard as required by Clause 4.6(3)(a).
- There are no unreasonable impacts that will result from the proposed variation to the building height.
- There is no public benefit in maintaining strict compliance with the development standard in this instance. Whilst the proposed building height exceeds the maximum permitted on the site, the proposed development is consistent with the objectives of the development standard and the zone objectives in which the development is proposed to be carried out.
- It is the proposed development's consistency with the objectives of the development standards and the objectives of the zone that make the proposed development not to be contrary to the public interest.

Summary

The applicant has submitted a Clause 4.6 written request that seeks to justify contravention of the development standard Clause 4.3(2) Height. Pursuant to Clause 4.6(3)(a) of RLEP 2014, the written request has demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case. The written request has demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard, as required by Clause 4.6(3)(b).

Pursuant to Clause 4.6(4)(a)(i) of RLEP 2014, Council is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3). Further, it is Council's opinion that the proposed development will not be contrary to the public interest because it is consistent with the objectives of the development standard for height.

The concurrence of the Planning Secretary is not required. Circular PS 08-003 issued on 9 May 2008 informed Council that it may assume the Director-General's concurrence for exceptions to development standards.

Accordingly, the proposal variation is supported.

5.5 Ryde Development Control Plan 2014

The following sections of the RDCP are of relevance, being:

- 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 8.5 Public Civil Works
- Part 9.2 Access People with Disabilities
- Part 9.3 Car Parking

With regards to Parts 7.1 to 8.5, noting the advice received from the various technical departments within Council (see referral section of this report for further detail) and the consideration of these issues previously in this report, the proposal is satisfactory in relation to the above matters. Therefore, the following assessment addresses Parts 9.2 and 9.3 only.

Part 9.2: Access People with Disabilities

A BCA and DDA Compliance Report has been submitted with the application. The proposal includes provision of a lift between all levels and a continuous accessible pedestrian path from College Street to enable access to each industrial unit. The proposal incorporates accessible bathrooms and all proposed accessible parking spaces are located within proximity of the lifts. The proposal is satisfactory in relation to compliance with Part 9.2 of the DCP.

Part 9.3: Car Parking

Part 9.3 of RDCP states:

Industry and Light Industry (other than within the Macquarie Park Corridor) 1.3 – 1.5 spaces / 100m² GFA Note: The upper end of the range should be applied to land uses that generate more traffic such as garden supplies and business parks. The parking provision and rate is to be addressed in the Statement of Environmental Effects.

The proposal includes 5,997m² of GFA. The proposed development generates the demand for between 78 and 90 carparking spaces. The proposed development proposes 93 parking spaces which is considered appropriate given the industrial unit nature of the development where sufficient off street parking should be provided to meet the range of light industrial uses likely to occupy the units and cater for visitor numbers. The provision of three (3) additional parking spaces has been included in the proposed GFA and FSR calculation. The proposal achieves compliance with the FSR development standard despite the car parking exceedance.

5.6 Planning Agreements OR Draft Planning Agreements

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

5.7 City of Ryde Section 7.12 Fixed Rate Levy Development Contributions Plan 2020

The *City of Ryde Fixed Rate Levy (Section 7.12) Development Contributions Plan 2020* (Fixed Rate Plan) applies to non-residential development outside of the Macquarie Park precinct that propose an increase in GFA. The Fixed Rate Plan imposes a 1% levy on the construction value of all non-residential development consents for developments over a \$350,000 construction value threshold. The cost of works amounts to \$13,790,030.42

and the amount payable would be \$144,210.21. A relevant condition on the payment of the Section 7.12 Contribution has been included.

5.8 Any matters prescribed by the regulations

Environmental Planning and Assessment Regulation 2021

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 Environment and others. Standard conditions are recommended relating to compliance with BCA and AS.

Australian Standard for Demolition - Clause 61(1)

Clause 61(1) of the Environmental Planning & Assessment Regulations 2021 requires the consent authority to consider the provisions of *Australian Standard AS 2601-2001: The demolition of structures*. The demolition of the existing structures will be carried out in accordance with a construction/demolition management plan, and this will be required to be submitted prior to the issue of a Construction Certificate. Conditions to this effect are included in the recommendation section of this report.

6 THE LIKELY IMPACTS OF THE DEVELOPMENT

Solar Access and Overshadowing

Shadow diagrams submitted demonstrate that the proposed development does not unreasonably impact on the adjoining land. Overshadowing is minor in the morning hours owing to the orientation of the land. Afternoon shadows fall to the adjoining land and will impact on open carparking and driveways. The impact of the built form on solar access is reasonable in the context of an industrial estate that is undergoing redevelopment.

Visual impacts

The proposed development is a redevelopment of older industrial buildings with a modern facility of contemporary presentation to the street and would be in keeping with more recent developments in the industrial neighbourhood. The building presents with a high-quality façade providing visual interest. The setbacks of the proposed building are in keeping with those established by existing developments in the street. Extensive landscaping is not feasible due to stormwater/flooding constraints on site. Street planting can be carried out to soften the edge and improve the streetscape amenity.

Traffic

The traffic generated by the development is capable of being accommodated by the local road network, both in terms of traffic volumes and the type of traffic

Flooding and Stormwater

See Section 5.7 of this report for further details.

Economic and Social Impacts

The proposed development will not result in any significant adverse economic or social impacts. The development will contribute to a range of light industries and small businesses to be established in the area to serve the local community. There is a market demand for industrial units to bring in new businesses. The development is in proximity to Macquarie Park and the Sydney CBD and provides a range of industrial unit sizes to cater to a wide variety of potential users. The redevelopment of the land will improve the Gladesville industrial precinct and will have positive economic outcomes.

7 SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The subject site is zoned light industrial and the proposed form of development would be encouraged to be constructed in such a zone. The subject site is serviced by all relevant utilities and has direct public road access to College Street. The site is in proximity to the main road network of Victoria Road and Lane Cove Road which would provide connection to the M2 and M4 Motorways. There are no constraints on the subject site that would ultimately preclude the redevelopment of the site from occurring.

8 THE PUBLIC INTEREST

The proposal results in a reasonable light industrial development which would not be contrary to public interest as the proposed development is consistent with the objectives and provisions of relevant planning instruments and policies.

9 SUBMISSIONS

In accordance with DCP 2014 Part 2: Community Participation Plan and Procedure, the owners of surrounding properties were given notice of the application between 15 November and 6 December 2021. In response, no submissions were received.

The amended plans received were not renotified as they provided further details to Council or responded to specific issues raised in regard to non-compliances.

10 REFERRALS

Senior Development Engineer

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

- General

- The applicant is to provide a surveyor/solicitor report to clarify the terms of all the easements on site including the existing right of way, easement for electricity (AB908722), easements with the dealing number – G655970 and G105507.

Development Engineer's review: the applicant has provided a letter from Circle Bridge Legal intending to explain the existing easement for electricity purpose and right of way (AB908722) on the development site.

- As the proposed building footprint will require relocation of the existing substation, this will be subject to approval from Ausgrid. A new RFI item is to be raised – the applicant is to obtain a written approval (in principle) from Ausgrid regarding relocation of the

existing substation and the approval (in principle) shall be submitted to Council for assessment.

Development Engineer's review: the development has been provided an offer for Design Related Services to commence a contestable project. The offer indicates the relocation of the Ausgrid network can proceed to the design stage.

- Regarding the existing easements (dealing number – G655970 and G105507), the letter from Circle Bridge Legal mentioned “1.2 From our client's knowledge, Ryde Brick and Tile Works Pty Limited are no longer operating and therefore the effects of this Easement has been extinguished”. It is unclear which lot is benefited by such easements and which lot/s Ryde Brick and Tile Works Pty Ltd are/were operating on.

- **Stormwater Management**

• **Water sensitive urban design:**

- It is noted on the stormwater management plan that there is no outlet from the proposed stormwater filter. In this regard, the stormwater management plan shall be amended to connect the storm filter outlet to the proposed point of discharge.

Development Engineer's review: the revised stormwater plan has showed the proposed outlet location.

• **Onsite detention system:**

- The sediment collection sump of the onsite detention system needs to be minimum 200mm below the invert of the orifice.
- Additional grated access points shall be provided in the OSD tank to ensure that the maximum distance from any point in the tank to the edge of the nearest grate is not greater than 3m.

Development Engineer's review: the requested OSD details have been provided in the revised stormwater management plan.

• **Pump out system:**

- The high-level alarm shall be set not higher than 100mm above the invert of the inlet pipe to protect the basement from flooding. Amend the pump out well cross section to show the location of the inlet pipe to the well and the high level alarm level.

Development Engineer's review: the previous requested pump out system detail has been reflected in the revised stormwater management plan.

- **Vehicle Access and Parking**

- The proposal consists of 49 industrial units with mezzanine offices which intends for light industrial, warehouse and related land uses. The development is subject to the parking controls – Section 2.3 of Part 9.3 of Council's DCP 2014. The generated parking numbers are illustrated within the table below:

Type	Parking rate	Source of parking demand	Total GFA	Minimum required parking number	Provided parking number	Compliance (Y/N)
Light industry	1.3 - 1.5 per 100m ² GFA	Section 2.3 of DCP Part 9.3	5997	77.961 (78)	93	Y

The parking provision complies with Council's DCP.

The development propose two (2) accessible parking spaces which complies with the NCC requirement (Volume 1, Part D3, Table D3.5 - 1 space per 100 parking space for class 5,7,8,9c building).

- Bicycle parking shall be provided at a rate of 10% of the required car spaces resulting in the requirement of 6 bicycle parking spaces.

Development Engineer's review: 6 bicycle parking spaces have been provided.

- The proposed vehicular crossing conflicts with the location of an existing power/light pole. In this regard, the proposed vehicular crossing shall move to a location that is at least 1m away from any existing power/light pole as per Council's requirement.

If the relocation of the existing power/light pole is proposed instead, the applicant shall seek approval from AusGrid. Approval from Ausgrid and cost estimate of power/light pole relocation shall be submitted to Council for assessment.

Development Engineer's review: responses provided TTPA mentioned the existing power pole will be relocated to accommodate the proposed vehicular crossings. **This can be addressed with a condition of consent to obtain approval from Ausgrid as a deferred commencement condition.**

- Considering the number of car parking spaces and MRV loading areas proposed on site, the likelihood of these two (2) types of vehicles passing each other is expected to be high, therefore, the proposed vehicular crossing, internal roadways and ramps shall be widened to enable a 8.8m long MRV to pass a B99 passenger vehicle at basement and ground level. In addition, swept path diagrams shall be provided to demonstrate a MRV can safely pass a B99 vehicle without encroachment upon the opposite traffic flow, any proposed parking space/loading bays and any physical obstructions:
 - from/to College Street to/from the bottom of the basement ramp and
 - from/to College Street to/from the last warehouse (eg. Warehouse 31) along the north eastern boundary and

Development Engineer's review: SRV is commonly used in this site as clarified in the response from applicant's traffic engineer dated 15th March 2022. Swept path diagrams have been provided to demonstrate a moving B99 can pass a moving SRV at both proposed vehicular crossings and at ground level. However, the swept path diagram shows B99 will need to stop at the basement ramp to give way for a SRV leaving basement and the SRV will encroach upon the opposite side of the aisle at a short distance (about 8m) on the ramp and at the intersection with the basement floor before the SRV can travel to the basement entry.

'Give way' sign and linemarking shall be implemented for vehicle waited to exit from the basement to the ramp to give way to vehicle coming down the ramp and in addition, a convex mirror shall be provided at the basement before the ramp to aid driver's sightline. **This can be dealt with a condition of consent to reflect such requirements.**

Council's Traffic team has included a condition to restrict number of MRV movements to enter and exit the site in any one-hour period (outside of school zone periods) is two (2) comprising one (1) ingress and one (1) egress movement. **Therefore, raised no objection.**

- SRV loading bays are proposed for the warehouses along the south western boundary (i.e warehouse 20-23), therefore, the internal roadways from the bottom of basement ramp to the warehouses along south western boundary should cater for a SRV passing a B99. In this regard, a swept path diagram shall be provided to Council for assessment to demonstrate a SRV can safely pass a B99 passenger vehicle at this location (**Figure 27**) from/to the basement ramp to/from the last warehouse (eg. Warehouse 21) along the south western boundary at basement level.

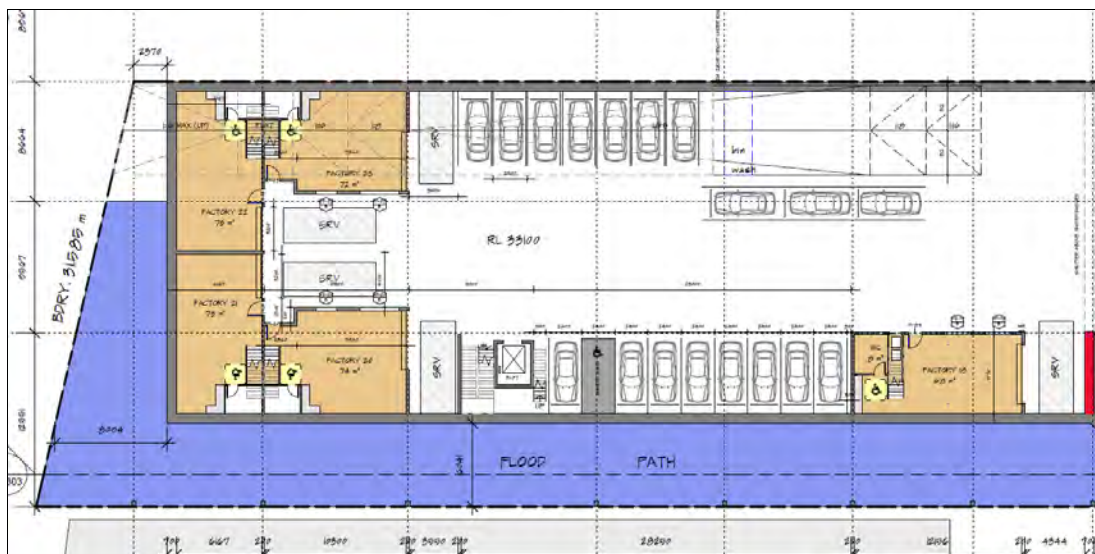


Figure 27 Basement level

- Provide a swept path diagram to demonstrate a MRV can safely pass another MRV stopped at the stop line at ground level.

Development Engineer's review: the response from TTPA clarified the commonly used large vehicle type will be SRV not MRV. The aisle width at ground level exceeds 6.5m which should be able to accommodate a SRV passing a B99 at the stop line in front of warehouse 43. **A condition regarding provision of convex mirror and stop line at ground floor as per recommendation by TTPA (Drawing Ref No.: 21106-MD-02-P6, Sheet No.: 01 of 07, Issue Dated: 15 October 2021) will apply.**

- The aisle at the basement and ground level shall be extended a minimum of 1m beyond the last parking space to assist the manoeuvre of vehicles parked at the end aisle to turn around and drive out the site in a forward direction.

Development Engineer's review: wider than standard aisle width is provided therefore, it is unlikely to result in difficulty in move in and out from the last parking spaces. **This item is sufficiently addressed.**

- The applicant is to clarify which units are proposed to have loading bays for small rigid vehicles (SRV) and medium rigid vehicles (MRV). In addition, the loading bays shall comply with dimension requirements as per Table 4.1 of AS2890.2.2018.

Development Engineer's review: some loading bays noted on the architectural plan aren't clear with the types of vehicle that they are designed for. However, checking the proposed dimensions for each loading dock, it would be sufficient for SRV. **Therefore, raised no issue.**

- The dimension of the loading bays proposed for SRV in front of warehouse 21 and 22 do not appear to comply with requirement as per Table 4.1 of AS2890.2.2018. In this regard, the loading bay for SRV shall be widened to 3.5m wide.

Development Engineer's review: dimensions of the proposed loading bay are included in the revised basement floor plan and **are found sufficient for loading of SRV.**

- Provide swept path diagram to show when the SRV loading bays for warehouse 21 and 22 are occupied, how will SRV enter and exit loading bay for warehouse 20 and 23.

Development Engineer's review: the swept path diagram shows SRV will be able to enter and exit safely from the loading bay for warehouse 20 and 23 while loading bay for warehouse 21 and 22 are occupied. **This item is sufficiently addressed.**

- **Flooding**

- It is noted in the flood report by MBR Consulting Engineers that a pedestrian flood gate is proposed along the rear building wall to reach minimum RL 34.10mAHD to provide adequate freeboard to the proposed basement. Though it is unclear the location of such gate on the architectural plan/flood report, Council does not support the use of flood gate to provide flood protection to development. In this regard, the applicant shall consider alternative measures to provide adequate freeboard to the proposed basement and provide detail to Council for assessment.

Development Engineer's review: flood gate is removed in this revision. **This item is sufficiently addressed.**

- The flood report stated that a 200mm excavation is proposed along the north eastern boundary of the site. Please indicate on a section profile where such excavation is.

Development Engineer's review: the revised flood report has clarified where the 200mm excavation will be. **This item is addressed.**

- As per Council's DCP requirement, the crest to the basement car park shall be at PMF level. It is unclear whether the proposed crest to the basement (at 1%AEP plus 500mm) is at or higher than PMF level. Where the proposed crest is lower than the PMF level, the basement ramp elevation shall be revised and updated to provide a crest at PMF level to protect the basement car park from PMF flooding.

Development Engineer's review: the revised flood report has clarified that the crest to the basement is above PMF level. **Therefore, this item has been addressed.**

- The floor plans are to be revised to show the proposed finished floor levels for the proposed warehouse units and offices.

Development Engineer's review: the revised floor plans have included FFL **and raised no objection.**

- It appears there are some openings or excavations below ground level to help the overland flow along the south eastern boundary, however, it is unclear what the proposed elevations are. In this regard, the applicant is to provide cross section profile at Section 1 and Section 2 marked in **Figure 27**.

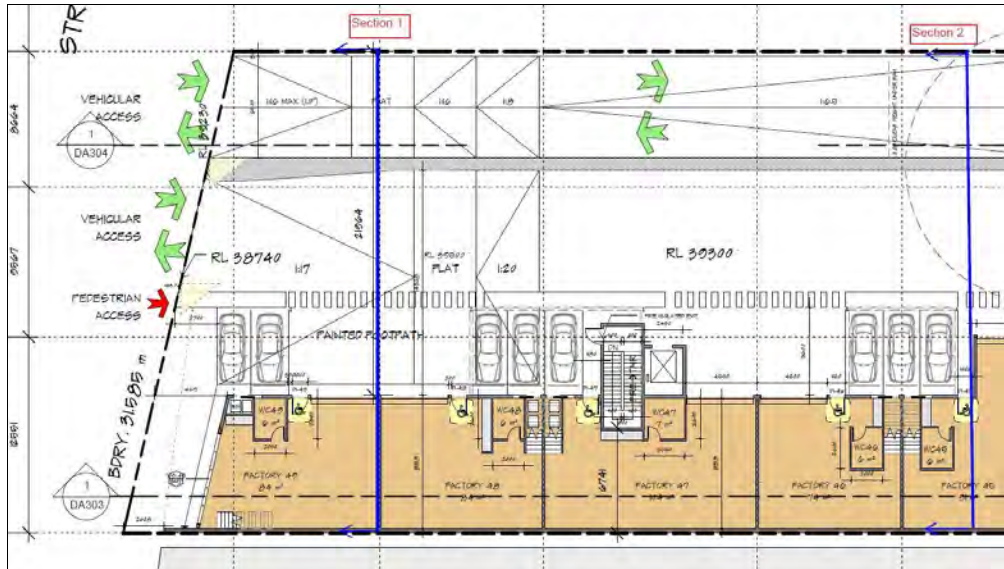


Figure 28 Identified cross section location request by Development Engineer shown in blue

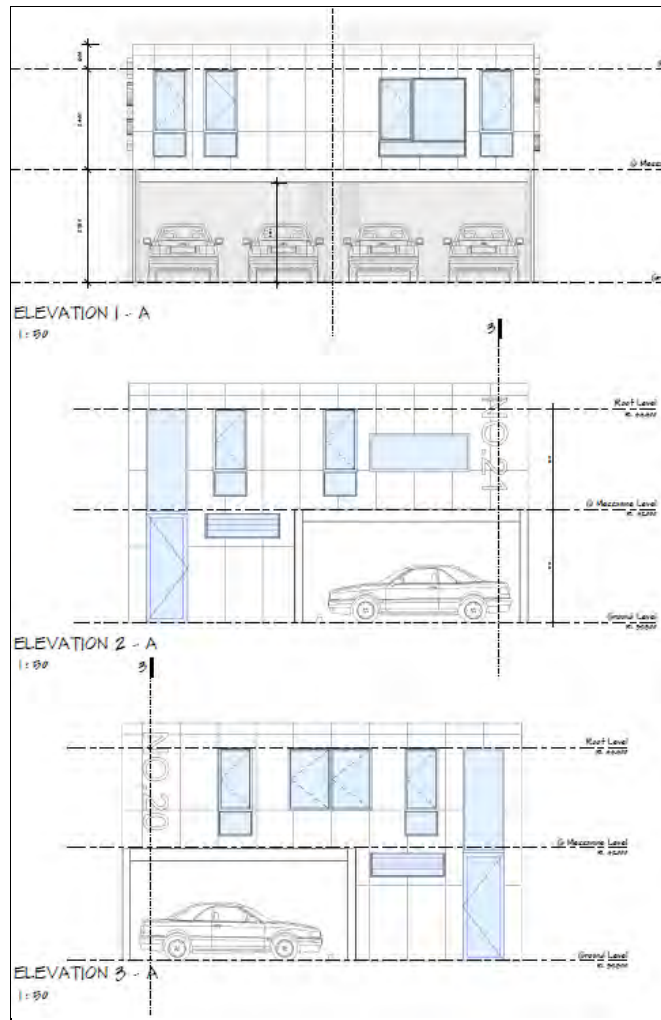


Figure 29 Additional cross sections submitted to show openings

Development Engineer’s review: The opening along south eastern boundary remains unchanged to maintain the existing water flow path and the natural ground level along the south eastern boundary is not proposed to change except the 200mm at the rear as per recommendation of the flood impact assessment report prepared by MBR Consulting Engineers (Project No.: MRB21100, Issue No.: B, Dated 22/03/2022).

Recommendation

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

City Works – Drainage

The amended proposal was referred to City Works – Drainage and no concerns were raised subject to recommended conditions.

City Works – Traffic

The application was referred to Council’s Senior Traffic Engineer who provided the following comments:

Traffic Generation

The Guide to Traffic Generating Developments and its Technical Direction (TDT 2013/04a) specify the following traffic generation rates for warehouse and office land uses during weekday peak periods:

Office

AM Peak = 1.6 vehicle trips per 100m² GFA

PM Peak = 1.2 vehicle trips per 100m² GFA

Warehouse

0.5 vehicle trips per 100m² GFA

Based on a proposed total warehouse GFA of 4,190m² and ancillary office GFA of 1,899m², the proposed development is projected to generate up to 52 AM and 44 PM peak hour vehicle trips to and from the site.

The existing warehouse building on site, which has an internal floor space of approximately 4,000m² is estimated to have a traffic generating potential of up to 20 vehicle trips to and from the site during peak hour periods based on the abovementioned traffic generation rates. The subject proposal is therefore anticipated to result in a net increase in traffic of 32 AM and 24 PM peak hour vehicle trips on the surrounding road network, which comprise both inbound and outbound movements.

It is noted that College St is closed at its eastern end. Therefore, all access movements to and from the site occurs at the intersection of Victoria Road and Frank Street, resulting in this intersection being most affected by the proposed development.

The intersection of Victoria Road and Frank Street currently operates with a good/acceptable level of service based on the modelling outcomes of the traffic study, which has also been compared with traffic studies undertaken for other developments in the immediate vicinity of the development site (e.g. LDA2015/0214). Despite the higher delays within Frank Street compared with Victoria Road, which is a consequence of the allocation of green time favouring the State Road rather than the Local Road, the additional traffic potentially generated by the proposed development is not expected to alter the current operational performance of the intersection of Victoria Road and Frank Street to any significant extent.

The development site is located close to Holy Cross College, which has an access to Frank Street. In order to minimise conflict with school traffic and the risk to the safety of students travelling to and from the school, it is recommended that truck movements be restricted to outside of school zone periods being 8:00am – 9:30am and 2:30pm – 4:00pm. Condition 13 has been prepared to enforce this requirement.

Transport department therefore has no objection to the approval of this application subject to the following conditions.

City Works – Activation and Compliance

The application was referred to Council's Activation and Compliance team who provided the following comments:

- *The subject land is identified as Lots 2 and 3 in DP27462 with the street address being 39 and 41 College Street, Gladesville. This application proposes to consolidate the two lots and construct 49 Industrial units with mezzanine offices with associated parking, manoeuvring and landscaping. The development is accessed from College Street via an at-grade driveway and a separate driveway to the basement. 93 carparking spaces are*

proposed, including 2 accessible spaces. The site has a regular shape with an area of 7,169.1sq.m and a GFA of 5,997sq.m is proposed.

- *The development is subject to the standards and requirements of the City of Ryde Development Control Plan DCP 2014 Part 8.3 driveways and Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management. The site is outside the Gladesville Town Centre precinct.*
- *The development proposes to relocate the existing vehicular crossing from its location on the eastern boundary to the western boundary.*
- *The total proposed vehicular crossing width at the property line measures approximately 16.8m from the Architectural plans and is separated by a 1.5m wide median located within the property boundary. This is a similar scenario to the Bunnings trade entrance on College Street. Pedestrian line markings will be required across the footpath similar to that on the Bunnings site.*
- *The existing kerb and gutter is dilapidated and will require reconstruction.*
- *The condition of the road pavement in College Street is poor and will require a half road reconstruction in accordance with Clause 1.1.4 of Part 8.5 - Public Civil Works in the DCP.*
- *The footpath will require reconstruction for the site frontage. The footpath is to measure 1.2m wide and is to be concrete in accordance Part 8.5 - Public Civil Works of the DCP.*
- *Any telecommunication and utility services are to be adjusted frontage of the development site.*
- *The applicant is to provide suitably prepared engineering plans providing details that demonstrate the smooth connection of the proposed works with the remaining street scape. This will include relevant existing and design surface levels, drainage pit configurations, kerbs, etc.*
- *Road Opening Permits will be required for any construction work on the road.*
- *There will be several hold points for inspections during the course of the construction in the public domain area.*
- *The existing electrical pole is to be relocated as it clashes with the proposed driveway. Lighting associated with this pole is to be upgraded in accordance with Ausgrid Standards and will be conditioned in the consent.*
- *Line-marking for on-street parking spaces are to line-marked accordingly.*
- *Traffic to assess the movements in and out of the site as well as vehicular access.*

Appropriate conditions of consent have been included to address the above issues.

Landscape Architect

The application was referred to Council's Landscape Architect who provided the following comments:

1.0 Landscape Plan –

A Landscape Plan has now been provided that shows a green wall on the building, and a 2 metre wide landscape strip in front of the building. The area has been planted with 3 small trees and grass. As it is such a narrow area, and the grass will complete with the trees, I recommend the area be planted with ground covers such as Lomandra and Dianella instead of grass.

2.0 Recommendation

There is no objection to the development if the following conditions are imposed.

Environmental Health

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

Contamination

There is no preliminary site investigation provided with this application, however the SEE outlines that:

- *the subject land has not been known to have been used for any of the activities listed in Table 1 of the Contaminated Land Planning Guidelines*
- *the land is not listed on any contaminated land database and has never been the subject of an EPA clean-up order or other EPA restrictions*
- *the land is sealed and as such soil sampling is unable to be taken until demolition takes place.*

In addition, the Demolition Management Plan describes the existing structures to be demolished and has determined that no hazardous material has been located on site.

In combination, the SEE and Demolition Plan satisfy aspects of SEPP 55 preliminary assessment, however there is no consideration or discussion of surrounding land uses, historic or current, that may present as a contamination risk. Therefore, to ensure that contamination is adequately assessed, the applicant will be required to undertake a detailed site investigation post demolition of the structures and removal of the concrete ground slab and foundation footings.

Recommended conditions have been applied accordingly, along with the inclusion of conditions for unexpected finds and the appropriate removal of any hazardous materials encountered and not reported in the demolition plan.

Acoustic

The Demolition Management Plan has briefly discussed measures to control and monitor noise and vibration in section 6.2.5.1 on page 12, however there is no detailed construction noise management plan provided. Although the site is surrounded by other industrial units, it is recommended that the applicant prepare a detailed noise and vibration plan prior to commencing works. Accordingly, a recommended condition has been applied.

Future uses are unknown and therefore would be subject to future applications that would likely require acoustic assessment.

Waste

This is described in detail in the document titled "Construction Waste Management Plan". All phases of the proposal including demolition, construction, and ongoing use are included. The ongoing use aspect will require further assessment once the uses are known, however for the purpose of this proposal, the applicant outlines 1x240L standard waste and recycling bins are to be supplied for each of the 49 factories.

The construction plan also details dust and sediment controls to prevent water pollution in APPENDIX B. Dust management is also briefly described in section 6.2.5.2 on page 12 of the Demolition Management Plan.

Recommended conditions have been applied for waste, dust and sediment management to ensure appropriate management throughout works.

CONCLUSION

The proposal satisfies the requirements of Council's controls and can be supported, subject to standard and/or special conditions of consent.

REASONS SUPPORTED

Sufficient information has been provided to support this application with the application of standard conditions to address aspects described.

11 CONCLUSION

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

- The proposal complies with the statutory provisions set out in the Environmental Planning and Assessment Act 1979.
- The proposal is permissible form of development and is consistent with the objectives for IN2 Light Industrial zoned land.
- The proposed 11.2% departure from the maximum 10m height development standard is supported as it relates to a change in topography of the site and is located to the rear of the building and will not be discernible from the public domain. The proposal has been supported by a written Clause 4.6 seeking variation to the development standard which meets the jurisdictional prerequisites.
- The proposal is considered to be of low impact to adjoining properties and the surrounding environment.
- The proposal is not contrary to the public interest.
- The submissions received in response to this DA have been considered and addressed in this report. None of the issues raised are considered to warrant the refusal of the subject DA.

12. RECOMMENDATION

- A. That the Ryde Local Planning Panel accepts that the Clause 4.6 written request to vary the height standard (Clause 4.3) in LEP 2014 has adequately addressed the matters in subclause (4) and would not be contrary to the public interest as it is consistent with the objectives of the development standard in Clause 4.3 and the objectives of the IN2 Light Industrial Zone of Ryde Local Environmental Plan 2014.
- B. That the Ryde Local Planning Panel, as the consent authority, grant deferred commencement consent to LDA2021/394 for demolition of existing industrial buildings and construction of an industrial unit complex comprising 49 industrial units with mezzanine offices with associated parking and landscaping construction of a three-storey commercial development on land at No. 39 – 41 College Street, Galdesville, subject to the draft conditions contained in Attachment 1.

ATTACHMENTS

- 1** Draft Deferred Commencement Conditions of Consent
- 2** Clause 4.6 written variation request to Clause 4.3 Height of Buildings
- 3** Architectural Plans - subject to copyright provision

Report prepared by:

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Senior Coordinator Development Assessment

Report approved by:

Sandra Bailey
Manager Development Assessment

Liz Coad
Director – City Planning and Environment

LDA2021/0394
39-41 College Street, Gladesville

Attachment 1 – Draft Conditions of Consent

PART 1 - The following are the Deferred Commencement condition(s) imposed pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979.

- (A) Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, a deferred commencement consent is granted to LDA2021/394 subject to the following conditions of consent:
1. **Power pole relocation approval.** A written approval shall be obtained from Ausgrid regarding the relocation of the existing power at the location of the proposed vehicular crossing. Documents demonstrating the approval from Ausgrid shall be submitted to Council.
 2. **Substation relocation and extinguishment of existing electricity easement approval.** A written approval shall be obtained from Ausgrid regarding the relocation of the existing substation and the extinguishment of the associated existing electricity easement. Documents demonstrating approval from Ausgrid shall be submitted to Council.
- (B) Written evidence that the matter identified in deferred commencement condition (A) (1) above has been satisfied, must be submitted to Council within 12 months from the date of this development consent, failing which, this development consent **will lapse** pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979.
- (C) This Development Consent will not operate until such time that the Council notifies the Applicant in writing that that deferred commencement consent condition (A) (1) above has been satisfied; and

Upon Council giving written notification to the Applicant that deferred commencement consent condition (A) (1) above has been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent:

PART 2 - The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

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

Conditions of Consent for LDA2021/0394 :-

Document Description	Plan No./ Reference	Date
Cover Sheet	DA000 Rev 7 prepared by Level Architects	22.08.04
Site Plan	DA100 Rev 7 prepared by Level Architects	22.08.04
Basement Floor Plan	DA101 Rev 7 prepared by Level Architects	22.08.04
Basement Mezzanine Level	DA102 Rev 7 prepared by Level Architects	22.08.04
Ground Floor Plan	DA103 Rev 7 prepared by Level Architects	22.08.04
Ground Mezzanine Plan	DA104 Rev 7 prepared by Level Architects	22.08.04
Roof Plan	DA105 Rev 7 prepared by Level Architects	22.08.04
Building Elevation – North East and South West	DA201 Rev 7 prepared by Level Architects	22.08.04
Building Elevation – North West	DA202 Rev 7 prepared by Level Architects	22.08.04
Building Elevation – South East	DA203 Rev 7 prepared by Level Architects	22.08.04
Section	DA300 Rev 7 prepared by Level Architects	22.08.04
Section South East	DA301 Rev 7 prepared by Level Architects	22.08.04
Section North West	DA302 Rev 7 prepared by Level Architects	22.08.04
South Boundary Section	DA303 Rev 7 prepared by Level Architects	22.08.04
Driveway Section	DA304 Rev 7 prepared by Level Architects	22.08.04
Details – Typical Office Layout	DA400 Rev 7 prepared by Level Architects	22.08.04
Details – Fire Stair	DA402 Rev 7 prepared by Level Architects	22.08.04
Substation Details	DA403 Rev 7 prepared by Level Architects	22.08.04
Exterior Finishes Schedule	DA500 Rev 7 prepared by Level Architects	22.08.04
Landscape Plan	Grindstone Landscapes, LDA-01 Rev A	28.01.22
Green Wall Details	Grindstone Landscapes, LDA-02 Rev A	28.01.22
Elevation	Grindstone Landscapes, LDA-03 Rev A	28.01.22
Cover Sheet, Legend & Drawing Schedule	Smart Structures Australia Dwg No. D00 Rev A Project No. 210196	14.09.21
Basement Stormwater Drainage Plan	Smart Structures Australia Dwg No. D01 Rev D Project No. 210196	16.03.22

Conditions of Consent for LDA2021/0394 :-

Ground Floor Stormwater Drainage Plan	Smart Structures Australia Dwg No. D02 Rev D Project No. 210196	16.03.22
Roof Stormwater Drainage Plan	Smart Structures Australia Dwg No. D03 Rev C Project No. 210196	31.01.22
Post Development Catchment Plan and Music Model Results	Smart Structures Australia Dwg No. D05 Rev B Project No. 210196	12.10.21
Stormwater Drainage Sections and Details Sheet 1	Smart Structures Australia Dwg No. D08 Rev B Project No. 210196	16.03.22
Stormwater Drainage Sections and Details Sheet 2	Smart Structures Australia Dwg No. D09 Rev C Project No. 210196	16.03.22
Stormwater Drainage Sections and Details Sheet 3	Smart Structures Australia Dwg No. D10 Rev A Project No. 210196	16.03.22
Sediment and Erosion Control Plan	Smart Structures Australia Dwg No. D15 Rev A Project No. 210196	14.09.21
Flood Impact Assessment	MBR Consulting Engineers Project No: MBR21100 Issue A	13/10/2021
Traffic and Parking Assessment Report	Ttpa Transport and Traffic Planning Associates Reference No. 21106 Issue A	October 2021
Supplementary Assessment	Ttpa Transport and Traffic Planning Associates Reference No. 21106	31 January 2022 and 15 March 2022
Waste Management Plan	Caverstock Group Revision 1	October 2021
BCA and Access Report	Building Anatomy Project Ni, 21-0085 Issue V 2.0	19/10/2021
Demolition Work Plan	Mann Group NSW Revision A	4 November 2021

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

(Reason: To ensure consistency with the conditions of consent.)

3. **Building Code of Australia** - All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia. A Section J report is to be prepared prior to the issue of any Construction Certificate.

(Reason: Statutory requirement).

Conditions of Consent for LDA2021/0394 :-

4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

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

(Reason: Statutory requirement).

5. **Geotechnical Compliance.** All design works and all construction works be undertaken in full compliance with all of the recommendations in the Benviron group report G406-1 Rev 1 dated October 2020.

(Reason: To ensure consistency with the recommendations of the geotechnical engineer.)

6. **Signage – not approved** - Despite any notation on the plans, this consent does not authorise the erection of any signs or advertising structures. Separate approval must be obtained from Council for any additional signs, unless such signage is "exempt development".

(Reason: To ensure signage is not erected without prior development approval).

7. **Security Grilles** - This consent does not authorise the erection of any security grilles or barriers on any shopfront. Separate approval must be obtained for any such works.

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

8. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.

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

9. **Hoardings.**

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

(Reason: To ensure public safety).

Conditions of Consent for LDA2021/0394 :-

10. **Illumination of public place** - Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

(Reason: To ensure public safety).

11. **Development to be within site boundaries** - The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Any doors/gates must be installed so they do not open onto any footpath.

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

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

(Reason: to ensure public safety).

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

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

14. **Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (*Road opening Permit*) from Council prior to any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.

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

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

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

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

Conditions of Consent for LDA2021/0394 :-

repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.

(Reason: To ensure services are available to the site)

17. **Works on Public Roads** – Any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.

(Reason: To ensure compliance with Roads Act 1993)

18. **Public areas and restoration works** - Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 *Public Civil Works*, to the satisfaction of Council. Council's standards and specifications are available on the Council website.

(Reason: To ensure engineering works comply with Council controls)

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

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

(Reason: To ensure the site is surveyed to ensure buildings are sited correctly with the site)

20. **Separate development application** - Separate development application must be submitted to Council for any future use of the industrial tenancies.

(Reason: To ensure separate consent is sought for the use of tenancies)

21. **Detailed site investigation report (post demolition)** - The applicant must submit a detailed site investigation report for Council's consideration following demolition. The detailed site investigation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use, or that the site can be remediated to the extent necessary for the proposed use.

If remediation is required, the report should also set out the remediation options available for the site.

(Reason: To comply with the statutory requirements of the SEPP).

22. **Remediation Action (RAP)** – A Remediation Action Plan prepared by a suitably qualified person shall be provided to the Certifying Authority and Council. The

Conditions of Consent for LDA2021/0394 :-

Remedial Action Plan should be prepared in accordance with the requirements of "Managing Land Contamination Planning Guidelines SEPP No. 55 Remediation of Land".

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

(Reason: To comply with the statutory requirements of SEPP)

23. **Imported fill (validated)** - All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.

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

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

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

25. **Environmental Substantially Report.** An Environmental Sustainability Report prepared by a suitably qualified expert shall be submitted outlining the ESD strategy for the development in accordance with the requirements of Clause 6.6 of RLEP 2014.

DEMOLITION

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

37. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
- (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.

Conditions of Consent for LDA2021/0394 :-

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

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

(Reason: Statutory requirement).

39. **Excavation**

(a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.

(b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

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

40. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.

(Reason: Safety).

41. **Asbestos (records of disposal & licensed waste facility)** - Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

(Reason: To ensure appropriate disposal of asbestos materials).

42. **Asbestos (handled & disposed of by licensed facility)** - All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.

(Reason: To ensure appropriate disposal of asbestos materials).

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

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

Conditions of Consent for LDA2021/0394 :-

44. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

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

45. **Delivery dockets to be provided.** Each load of imported fill must be accompanied by a delivery docket from the supplier including the description and source of the fill.

(Reason: to ensure only Virgin Excavated Natural Material is used).

46. **Delivery dockets – receipt and checking on site.** A responsible person must be on site to receive each load of imported fill and must examine the delivery docket and load to ensure that only Virgin Excavated Natural Material that has been validated for use on the site is accepted.

(Reason: To protect the environment).

47. **Delivery dockets – forward to PCA on demand.** The delivery dockets must be forwarded to the Principal Certifying Authority within seven (7) days of receipt of the fill and must be produced to any authorised officer who demands to see them.

(Reason: To protect the environment and ensure appropriate fill is used on site).

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

(Reason: To protect the environment).

49. **Demolition Pedestrian and Traffic Management Plan.** A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to the commencement of any demolition work.

Due to heavy traffic congestion throughout Macquarie Park, truck movements will be restricted during the major commuter peak times being 8.00 - 9.30am and 4.30 -6.00pm. Truck movements must be agreed with Council's Transport Department, prior to submission of the DPTMP.

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

The DPTMP must include but not limited to the following:

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. The DPTMP is to be adhered to at all times during the project.

Conditions of Consent for LDA2021/0394 :-

- iii. Specify that all demolition vehicles are to enter & exit the site and/or work zone in a forward direction.
- iv. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- v. Specify the number of truck movements to and from the site 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 Traffic Control Plan(s) prepared by a SafeWork NSW accredited designer for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vii. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- viii. Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control 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(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the DPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- xi. Specify spoil management process and facilities to be used on site.
- xii. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of 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*.

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

50. **Implementation of Demolition Pedestrian and Traffic Management Plan.** All works and demolition activities are to be undertaken in accordance with the approved Demolition Pedestrian and Traffic Management Plan (DPTMP). All controls in the DPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate SafeWork NSW accreditation. Should the implementation or effectiveness of the DPTMP be

Conditions of Consent for LDA2021/0394 :-

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.

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

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

51. **Section 7.12.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

A – Contribution Type	B – Contribution Amount
Section 7.12 Contribution	\$144,210.21

These are contributions under the provisions of Section 7.12 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Fixed Rate (Section 7.12) Development Contributions Plan 2020, effective from 1 July 2020.

The above amount is current at the date of this consent, and is subject to quarterly adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amount that differs from that shown above.

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

A copy of the City of Ryde Fixed Rate (Section 7.12) Development Contributions 2020 Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

Conditions of Consent for LDA2021/0394 :-

(Reason: Statutory requirement).

52. **Lot Consolidation.** Prior to issue of any Construction Certificate, the Applicant must consolidate the existing lots being Lots 2 and 3 within DP 27462 which will form the development site into a single lot. Evidence of lot consolidation, in the form of a plan registered with NSW Land Registry Services, must be submitted to the Certifier prior to issue of any Construction Certificate.

(Reason: To ensure the allotments are consolidation prior to the commencement of construction works on site)

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

(Reason: Statutory requirement).

54. **Structural Certification** - The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.

(Reason: Statutory requirement).

55. **Security deposit** - The Council must be provided with security for the purposes of section 4.17 of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate** (category buildings with delivery of bricks or concrete or machine excavation)

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

57. **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**.

(Reason: Statutory requirement).

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

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(Reason: Statutory requirement).

59. **Reflectivity of materials** - Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.

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

60. **Vehicle Access and Parking**. All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

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

- a) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.
- b) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.
- c) To allow for adequate sight distance from a vehicle exiting the property to pedestrians in the footpath area, the northern side of the driveway entry at the property boundary must have clear sight through a splayed region defined by Figure 3.3 of AS 2890.1 (2004) and Council's DCP. Ideally the region is to be free of all obstructions, otherwise any solid obstructions are to be no greater than 900mm above finished surfaces and horizontal fencing/ slats are to permit more than 50% visual permeability.
- d) 'Give way' sign and linemarking shall be implemented at the basement car park for vehicle waited to exit from the basement to the ramp to give way to vehicle coming down the ramp.
- e) A convex mirror shall be provided at the basement before the ramp to aid the sightline of driver that is coming down from the ramp and exiting from the parking aisle next to warehouse 19.
- f) Convex mirror and stop line at ground floor shall be provided as per recommendation by TTPA (Drawing Ref No.: 21106-MD-02-P6, Sheet No.: 01 of 07, Issue Dated: 15 October 2021).
- g) Appropriate signage shall be displayed before at parking space for warehouse 7 at basement to alert user about the 1.6m height clearance.

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- h) Two (2) accessible parking spaces and shared area shall be clearly marked on the parking layout

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

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

61. **Access for people with disabilities (commercial).** Prior to the issue of any Construction Certificate, the Certifier shall be satisfied that access for people with disabilities from the public domain and all car parking areas on site to all tenancies within the building is provided. Consideration must be given to the means of dignified and equitable access. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided to the Certifier prior to the issue of a Construction Certificate. All details shall be prepared in consideration of the Disability Discrimination Act and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS 1735.12.

Reason: To ensure accessible access is compliant with statutory provisions.

62. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to Council's existing stormwater pit within the development site, generally in accordance with the plans by Smart Structures Australia,

Sheet Number	Revision Number	Date
D01	D	16.03.22
D02	D	16.03.22
D03	C	31.01.22
D05	B	12.10.21
D08	B	16.03.22
D09	C	16.03.22
D10	B	16.03.22

subject to any variations marked in red on the approved plans or noted following;

Connection to the public drainage infrastructure will require the approval of Council's City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

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

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.

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- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.

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

63. **Stormwater Management - Onsite Stormwater Detention.** In accordance with Council's community stormwater management policy, an onsite stormwater detention (OSD) system must be implemented in the stormwater management system of the development.

As a minimum, the OSD system must:

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

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

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

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

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

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

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

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

65. Stormwater Management – Connection to Public Drainage System.

Engineering plans detailing the connection of the developments stormwater management system to the public drainage service must be forwarded to Council and an inspection fee (as per Council's schedule of fees and charges current at the time of payment) must be paid to Council prior to the issue of the Construction Certificate.

Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.

Where the point of connection is in neighbouring property, the applicant must provide written notification to the affected property owner no less than a week prior to the works and all structures/ surface areas affected by the drainage connection works must be reinstated at the completion of this activity, at no cost to the affected property owner.

(Reason: To ensure that the connection is in accordance with the City of Ryde 2014 DCP Part 8.2 and to Council's satisfaction.)

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

- 33-35 College Street
- 43-51 College Street
- 46-48 Buffalo Road
- 34-44 Buffalo Road

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

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

67. Vehicle Footpath and Gutter Crossover Approval.

A new vehicle footpath crossing and associated gutter crossover shall be constructed at the approved vehicular access location/s. Where there is an existing vehicle footpath crossing and gutter crossover, the reconstruction of this infrastructure may be required in order that it has a service life consistent with that of the development and ensure it is compliant with current Council's standards and specifications. The location, design and construction shall be in accordance with Council's DCP 2014 Part 8.3 (Driveways), Part 8.5 (Public Civil Works) and Australian Standard AS2890.1 – 2004 (Offstreet Parking).

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

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using the standard B85 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included. All grades and transitions shall comply with Australian Standard AS 2890.1-2004 Offstreet Parking and Council's specifications. The new crossing shall be in accordance with the approved plan and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

An assessment and inspection fee (as per Council's schedule of fees and charges current at the time of payment) must be paid to Council prior to the issue of the Construction Certificate.

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

(Reason: The design and levels of the new driveway crossover(s) will require approval from Council under Section 138 of the Roads Act)

68. Construction near Pipeline in Drainage Easement. All footings for structures adjacent public drainage easement(s) shall be extended below the zone of influence of the foundation of services in the easement. The zone of influence is to extend from a point offset from the edge of the pipe by half the pipe diameter, at the depth of the pipe invert and extending upwards at the angle of repose for the given subsurface conditions. To demonstrate compliance with this requirement, cross section details prepared by a suitably qualified engineer, showing the new footing, the exact location and depth of the stormwater pipe in the easement and the resulting zone of influence are to be submitted with the application for a Construction Certificate.

(Reason: To ensure the development is not jeopardised by any potential maintenance works in the adjacent public drainage easement and that the services in the easement are not impacted by the development.)

69. Geotechnical Design, Certification and Monitoring Program. The applicant must engage a suitably qualified and practicing Engineer having experience in the geotechnical and hydrogeological fields, to design, certify and oversee the construction of all subsurface structures associated with the development.

This engineer is to prepare the following documentation;

Certification that the civil and structural details of all subsurface structures are designed to;

- provide appropriate support and retention to neighbouring property,
- ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
- ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the

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public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.

A Geotechnical Monitoring Program (GMP) to be implemented during construction that;

- is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
- details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
- details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
- details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.

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

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

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

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

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

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

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

- 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.

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

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

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

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

- a) The applicant shall comply with the flood recommendations provided in the Flood Impact Assessment Report (Revision A) prepared by MBR Consulting Engineers Pty Ltd dated 13/ October /2021.
- b) The habitable floor levels of all dwellings encompassed under this approval must not be constructed less than the approved Flood Impact Assessment Report (Revision A) prepared by MBR Consulting Engineers Pty Ltd dated 13/ October /2021.

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- c) All electrical connections and flood sensitive equipment including the proposed kiosk substation shall be located above the 1% AEP (100-year ARI) flood level plus 500 mm freeboard.

Where it is not practical and feasible to install the equipment above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard, the installations shall generally be in accordance with the recommendations in ABCB Construction of Buildings in Flood Hazard Areas (2012) Section C2.9 - Requirements for Utilities.

- d) All fencing shall be constructed in a manner that does not affect the flow of flood waters so as to detrimentally change flood behaviour or increase flood levels on adjacent properties.

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

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

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

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

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

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

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

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

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

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

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

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

The design submission shall address the following:

- a) A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- b) A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- c) The location and as-built information (including dimensions and invert levels) of the existing Council pit as shown on Stormwater Plans prepared by Smart Structures Australia P/L Drawing No. D01- D010 (Project No. 210196, Revision D, 16 March 2022) is to be confirmed by a suitably qualified surveyor. This shall be incorporated into the drainage engineering drawings.
- d) Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
- e) Any stormwater pit with a depth greater than 1.8 metres shall be designed and certified by a suitably qualified Structural Engineer and the certification shall be submitted with the drainage design drawings.
- f) The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.

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

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

Due to heavy traffic congestion throughout Macquarie Park, truck movements will be restricted during the major commuter peak times being 8.00 - 9.30am and 4.30 -6.00pm. Truck movements must be agreed with Council's Transport Department, prior to submission of the CPTMP.

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

The CPTMP must include but not limited to the following:

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- v. Include Traffic Control Plan(s) prepared by a SafeWork NSW accredited designer for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vi. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- vii. Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- viii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- ix. Take into consideration the combined construction activities of other development(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- x. Specify spoil management process and facilities to be used on site.

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- xi. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

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

78. **Waste and Service Vehicle Access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of an 8.8m long Medium Rigid Vehicle (MRV), as a minimum requirement. The minimum height clearance required is 4.5m, measured from the floor level to the lowest point of any overhead structures/service provisions such as pipes.

Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 8.8m long MRV shall be submitted to and approved by Council's Transport Department prior to the issue of the Construction Certificate. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.

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

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

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate prior to the issue of the Construction Certificate. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management, where applicable. The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns, existing and proposed signage and linemarking, and other relevant details for the new works. The drawings shall also demonstrate the smooth connection of the proposed road pavement widening into the remaining street scape.

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

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

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- current standard drawings specifying road pavement reconstruction requirements.
- (b) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction. The redundant vehicular crossing outside 33 College Street is to be removed and replaced with new kerb and gutter as part of these works.
 - (c) The construction of new kerb and gutter along the College Street site frontage of the development site.
 - (d) Construction of a 1.20m width concrete footpath along the full College Street frontage of the development site. The new footpath is to tie in to the existing paved footpath outside 33 College Street.
 - (e) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.
 - (f) Signage and line marking details.
 - (g) Pedestrian walkway line marking is to be provided across the vehicular crossing to alert pedestrians of the risk of a long path of travel with multiple vehicular movements.
 - (h) Staging of the public civil works, if any, and transitions between the stages.
 - (i) Existing street lighting within the College Street development frontage are to be replaced with LED luminaires, designed and installed to Australian Standard AS1158:2010 Lighting for Roads and Public Spaces, with vehicular luminance category V5 and pedestrian luminance category P3. The street lighting will remain on the Ausgrid street lighting network.

Notes:

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

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(Reason: To ensure the design of public infrastructure works are consistent with Council's requirements)

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

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

The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B99 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Offstreet Parking* and Council's specifications. The width of the new crossing shall be sufficient to accommodate turning manoeuvres of the largest vehicle requiring access to the site as demonstrated by swept paths submitted to and reviewed by Council. The driveway must be designed without splays, and shall be constructed at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

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

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

(Reason: To ensure the service life is consistent with that of the development, and that it is also compliant with current Council's standards and specifications)

81. **Public Domain Works – Defects Security Bond** - To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. Public domain works will be considered completion following the issue of compliance certification for external works associated with Stage 3. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in

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Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of \$30,000 shall be lodged with the City of Ryde prior to the issue of any Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

(Reason: To ensure satisfactory performance of the public domain works).

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

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

(Reason: To ensure payment of required fees)

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

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

(Reason: To ensure assets are registered with Council).

84. **Safer by Design.** A Crime Prevention through Environmental Design (CPTED) Assessment Report must be submitted prior to the issue of a Construction Certificate. Details demonstrating compliance with these requirements are to be submitted to the PCA prior to the relevant Construction Certificate being issued.

(Reason: To ensure the development is designed in accordance with the require of Crime Prevention Through Environmental Design (CPTED) principles).

85. **Energy Efficiency.** The development is to comply with the ESD Strategy as outlined in the DA ESD Report submitted to satisfy Condition 25. The PCA is to be provided with a report to verify that the relevant Construction Certificate Plans comply with the recommendations of the report.

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86. **Lighting Design** - Outdoor lighting shall be provided to all communal open space and pedestrian circulation areas. Lighting designs shall form part of the plans submitted for Construction Certificate and align with AS4282: 2019 Control of the Obtrusive Effects of Outdoor Lighting. Energy efficiency in the design and provision of lighting is encouraged.
87. **Construction Environmental Management Plan** - Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to Council. The CEMP must include, but not be limited to, the following:
- (a) Details of:
 - (i) hours of work;
 - (ii) 24-hour contact details of site manager;
 - (iii) management of dust and odour to protect the amenity of the neighbourhood;
 - (iv) stormwater control and discharge;
 - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vi) groundwater management plan including measures to prevent groundwater contamination;
 - (vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (viii) community consultation and complaints handling;
 - (b) Construction Noise and Vibration Management Sub-Plan;
 - (c) Construction Waste Management Sub-Plan;
 - (d) Construction Soil and Water Management Sub-Plan;
 - (e) Flood Emergency Response;
 - (f) an unexpected finds protocol for contamination and associated communications procedure;
 - (g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site

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

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

The Construction Noise Management Plan must include:

- (a) hours of construction
- (b) Identification of nearby residences and other sensitive land uses.
- (c) Assessment of expected noise impacts.

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

(Reason: To prevent loss of amenity to the area and maintain appropriate amenity to nearby occupants.)

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

- (i) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Alternatively, demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

And

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

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

(Reason: To ensure provision of services.)

PRIOR TO COMMENCEMENT OF CONSTRUCTION

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

90. **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

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(iii) stating that unauthorised entry to the work site is prohibited.

(b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(Reason: Statutory requirement).

91. Excavation adjacent to adjoining land

(a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.

(b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.

(c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

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

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

94. Ground Anchors. The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

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

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- 95. 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 construction 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 Assets and Integration section to obtain a map of Council's existing Stormwater Network in the vicinity prior to conducting the CCTV survey.

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

(Reason: to verify the pre-construction condition of Council's asset/s).

- 96. Stormwater - Council Drainage - Structural Adequacy** - Council stormwater pits which are being connected into shall be surveyed and confirmed to be capable as being structurally adequate for receiving the upstream connection from the development and satisfy durability requirements. If it is deemed appropriate to replace the pit, kerb inlet pits shall be cast in-situ and conforming to Council's standard drainage pit details.

A certificate from a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority, prior to the commencement of any works, certifying compliance with this condition.

(Reason: to verify the structural integrity of the pit).

- 97. Notice of Intention to Commence Council Drainage Works** – Prior to commencement of the upgrade of Council's pit, Council's City Works Directorate shall be notified for written acceptance.

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

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

- 98. Notification to adjacent properties – Council Drainage Works** - The Applicant shall provide the adjoining owners and occupiers written notice of the proposed upgrade of Council's pit, Council's a minimum two weeks prior to commencement of construction. The notice is to include a contact person name and number

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should adjoining owners and occupiers have any enquiries in relation to the construction works.

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

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

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

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

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

(Reason: Transport for NSW requirement).

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

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

(Reason: To ensure notification of responsible contractor to Council).

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

(Reason: To ensure neighbours are formally notified of works).

103. **Pre-construction inspection -** A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any

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public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.

(Reason: To ensure a joint inspection is undertaken prior to commencement of works).

104. **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 for any stage commencing.

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

(Reason: To ensure Council's infrastructures are adequately protected)

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

- (a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- (b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.**
- (c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be

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constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.

- (d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
- (e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- (f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period 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.

(Reason: To ensure required permits are obtained).

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

(Reason: To ensure access is maintained for the public).

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

107. **Critical stage inspections** - The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A

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

(Reason: Statutory requirement).

108. **Survey of footings/walls** - All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.

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

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

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

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

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

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

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

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

112. **Site Facilities**

The following facilities must be provided on the site:

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

(Reason: Statutory requirement).

113. **Site maintenance**

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
- (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
- (c) the site is clear of waste and debris at the completion of the works.

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

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114. **Work within public road** - At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

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

115. **Surveillance cameras.** Surveillance cameras and recorders are to be installed and maintained to monitor and record all entrance and exit points to the building. This is to include the basement car park areas, the entry and exit points to the car park, the foyer area to the building, communal areas, lifts, public spaces and the retail areas. The cameras should also monitor the 50 metre vicinity outside the building. Recordings should be made 24 hours a day 7 days a week.

As a minimum, CCTV cameras at entry and exit points to the premises must record footage of a nature and quality in which it can be used to identify a person recorded by the camera. All other cameras must record footage of a nature and quality in which it can be used to recognise a person recorded by the camera. The time and date must automatically be recorded on all recordings made whilst it is recording.

All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed. If requested by the Police, any recordings are to be archived until such time as they are no longer required.

Recordings are to be made in a common media format such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.

The CCTV control system should be located within a secured area of the premises and only accessible by authorised personnel.

If the CCTV system is not operational, immediate steps are to be taken to ensure that it is returned to fully operational condition as soon as possible.

If requested by police, the applicant is to archive any recording until such time as they are no longer required.

(Reason: To ensure safety measures are provided in the design of the building).

116. **Lighting.** Lighting is to be provided around the site and all lighting is to comply with the following requirements:

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
- Sensor lighting should be installed into areas that may be areas of concealment.

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- All outdoor public spaces should be well lit to ensure safety during the hours of darkness.
- Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
- To reduce power consumption and comply with the relevant Australian and New Zealand Standards for Lighting, car park lighting is to be interfaced with motion detectors.

(Reason: To ensure lighting is provided and designed in accordance with relevant standards).

117. Dust control - Appropriate measures must be taken to control the generation of dust during demolition and excavation work:

- (a) Any materials that are likely to generate dust during demolition, excavation or removal must be wetted down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.
- (b) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
- (c) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.

(Reason: To ensure dust control measures are implemented to protect the surrounding environment).

118. Stormwater Management - Construction. The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Smart Structures Australia,

Sheet Number	Revision Number	Date
D01	D	16.03.22
D02	D	16.03.22
D03	C	31.01.22
D05	B	12.10.21
D08	B	16.03.22
D09	C	16.03.22
D10	B	16.03.22

submitted in compliance to the condition labelled “Stormwater Management.” and the requirements of Council in relation to the connection to the public drainage system.

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

119. 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

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commencement of works on the site. Erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.

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

120. **Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled “Site Dewatering Plan.”, the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.

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

121. **Soil and Water Management (Stockpiles)** - Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

(Reason: To ensure that building materials are not washed into stormwater drains.)

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

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

- a) Upon excavation of trenches shown on the approved drainage drawings.
- b) Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits.
- c) Upon installation of pipes and other drainage structures prior to backfilling.
- d) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.
- e) Upon connection to Council’s existing public drainage pipe.}

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

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

123. Implementation of Construction Pedestrian and Traffic Management Plan.

All construction activities are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP). All controls in the CPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate SafeWork NSW accreditation. Should the implementation or effectiveness of the CPTMP be impacted by surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and submitted to Council's Traffic, Transport and Development Department for approval. A copy of the approved CPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

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

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

The Applicant shall submit to Council's City Works Directorate, certification from the Engineer, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken. A separate set of inspections are to be carried out and certificates to be submitted for public domain works associated with both Stages 2 and 3 of the development.

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

(Reason: To ensure required inspections).

125. Contaminated Land: Discovery of Additional Information - Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon

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as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.

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

126. **Contaminated soil disposal** - All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) before being transported from the site

(Reason: To ensure appropriate disposal of contaminated soil).

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

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

128. **Waste data maintained** - A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

(Reason: To confirm waste minimisation objectives are met).

129. **Storage and removal of wastes** - All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals.

(Reason: To prevent any nuisance or danger to health, safety or the environment).

130. **General requirements for liquid and solid waste** - Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999). NSW EPA Waste Classification Guidelines

(Reason: To prevent pollution of the environment).

131. **Liquid and Solid Wastes** - Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999). NSW EPA Waste Classification Guidelines

(Reason: To prevent pollution of the environment).

132. **Polluted water excavation - analysis before discharge** - Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must

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be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and Australian & New Zealand Guidelines for Fresh & Marine Water Quality Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility

(Reason: To prevent pollution of waterways).

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

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

(Reason: To ensure landscaping works are completed).

134. **Fire safety matters** - At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the Fire and Rescue NSW. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate. Each year the Owners must send to the Council and the Fire and Rescue NSW an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

(Reason: To ensure fire safety certificates are issued).

135. The Principal Certifying Authority is to ensure compliance with the National Building Code of Australia and BCA performance based documentation whereby compliance is achieved by satisfying the deemed to satisfy requirements or by formulation of an alternative solutions to address the relevant performance requirements.

136. The Principal Certifying Authority must ensure all requirement of the Environmental Planning and Assessment Regulation 2921 of new building work to comply with the

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relevant requirements of the BCA in force at the application for the Construction Certificate was made.

137. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.

(Reason: To clarify the configuration of the completed stormwater management system.)

138. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.

(Reason: To maximise onstreet parking capacity and avoid confusion relating to the enforcement of parking restrictions.)

139. **Stormwater Management – Positive Covenant(s).**

A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump components incorporated in the approved Stormwater Management system. The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council with a completed "Application Form for Endorsement of Title Encumbrances" (available from Council's website). The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

(Reason: This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s).)

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

The DSMP must contain the following;

- a) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
- b) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.
- c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.

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- d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
- e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.
- f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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

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

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

- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- b) Certification from an Engineer specialising in Flood and Overland Flow analysis that the finished surface levels and the habitable floor levels have been constructed in accordance with this development consent, that the overland flow path has been maintained as designed and that the requirements of the condition "*Flood and Overland Flow Protection*" have been satisfied
- c) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- d) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- e) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- f) Confirming that the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.

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- g) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual *"Managing Urban Stormwater: Soils and Construction"* by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- h) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- i) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

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

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

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

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

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

144. **Disabled Access.** Prior to occupation of the development, a suitably qualified access consultant is to certify that the development complies with Australian Standard 1428 and the Building Code of Australia.

(Reason: To ensure the development has been constructed to provide compliant accessible access in accordance with Australian Standard 1428 and the Building Code of Australia).

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

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

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

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

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

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

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

147. **Stormwater - Council Drainage Works – Post Construction Certifications** - Following completion of the final stage of the drainage and associated works and prior to the issue of the Occupation Certificate, the applicant shall submit all certifications from the Supervising Engineer for each hold point inspection required for the drainage works, as outlined in the condition for “Stormwater - Hold Points during construction – Council Drainage Works”, to Council’s City Works Directorate for written acceptance.

The certificates shall contain photographs of the completed works and commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

(Reason: To ensure the public infrastructure works have been completed following all quality requirements).

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

Conditions of Consent for LDA2021/0394 :-

be submitted to, and accepted by Council in writing, with any rectifications required by Council to be completed by the Developer prior to the issue of any Occupation Certificate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Reason: To ensure Council's City Works Directorate is satisfied with all the drainage and associated restoration works).

152. **Stormwater - Council Easements - Creation of a Council Drainage Easement**
A variable wide easement in favour of Council shall be created over the proposed overland flow path, on the western side of the development for the purpose of constructing and maintaining stormwater drainage structures.

The wording of the dedication shall be submitted to, and approved by Council's City Works Directorate prior to lodgement at NSW Land Registry.

The easement shall be registered and a registered copy of the document shall be submitted to and approved by Council prior to the issue of an Occupation Certificate/use of the building.

(Reason: To ensure stormwater assets are located within a drainage easement in favour of Council).

153. **Safer by Design.** Prior to the issue of any Occupation Certificate, a report is to be provided by an appropriately qualified consultant verifying that all of the recommendations contained in the Crime Prevention Through Environmental Design have been complied with.

(Reason: To ensure the development has been constructed in accordance with a design that meets the requirements of Crime Prevention Through Environmental Design)

154. **Loading Dock Management Plan.** An updated Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by Council's Transport Department prior to the issue of any Occupation Certificate. The plan must specify that the largest/longest vehicle permitted to access the site is an 8.8m long Medium Rigid Vehicle (MRV).

The Plan will need to demonstrate how the internal loading area will be managed to ensure servicing arrangements including waste collection will be wholly accommodated within the site without interfering with the safety of all road users

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and the efficiency of traffic movements on the public road (including verge).
Vehicle queuing on any public road is not permitted.

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

Reason: This condition is intended to assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on College Street/Frank Street.

155. **Signage and Linemarking – External.** Any alterations to the public domain that results in a change to the parking and traffic conditions requires a signage and linemarking plan prepared by a suitably qualified traffic engineering consultant to be submitted to Council for endorsement by Ryde Traffic Committee and subsequent approval by Council, prior to the issue of any Occupation Certificate.

Note: The applicant is advised that Ryde Traffic Committee generally meets once a month. As such, adequate time should be allowed for the review and approval process.

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

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

156. **Signage and Linemarking (External) – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by Council. These works are to be undertaken prior to the issue of any Occupation Certificate.

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

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

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

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

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

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

(Reason: To ensure construction of required crossovers).

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

(Reason: To ensure the completion of public domain works).

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

(Reason: To ensure the restoration of public infrastructure).

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

(Reason: To ensure compliance certificate for required landscaping works).

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

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

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

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

(Reason: To ensure completion of works.)

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

(Reason: To ensure certification of works.)

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

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

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

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

(Reason: To ensure Council's infrastructures are adequately protected)

166. **Final Inspection – Assets Handover** - For the purpose of the handover of the public infrastructure assets to Council, final inspections shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspections shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works for public domain works. Additional inspections, if required,

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

A minimum 48 hours' notice will be required when booking for the final inspection.

(Reason: To ensure the handover of assets).

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

(Reason: To ensure compliance certificate is issued for external works.)

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

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

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

169. **Flood Emergency Response Matters** - The development must at all times comply with the recommendations made within the Flood Emergency Response Plan (FERP) formulated as part of the Occupation Certificate for the proposed development.

Implementation and maintenance of the FERP shall be the responsibility of building management and all owners, tenants and users of the building must be made aware of the FERP. FERP shall include details of the proposed 'on-site' refuge area. Permanent signage shall be installed in the common areas informing the future occupants of the emergency evacuation procedures and refuge areas.

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

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

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

171. **Truck Movement Restrictions.** Truck movements to and from the site are to be restricted to outside of school zone periods being 8:00am – 9:30am and 2:30pm – 4:00pm due to the site being nearby Holy Cross College. The longest vehicle

(Reason: This condition is to assist with minimising the risk to the safety of students travelling to and from the school coinciding with the start and finish times of the school).

172. **Heavy Vehicle Restrictions.** The largest/longest vehicle permitted to access the site is an 8.8m long Medium Rigid Vehicle (MRV). The maximum number of MRV movements permitted to enter and exit the site in any one-hour period (outside of school zone periods) is two (2) comprising one (1) ingress and one (1) egress movement.

(Reason: This condition is to assist with the safety of traffic movements at the driveway and to minimise the probability of queuing onto College Street).

End of consent

cohesiveplanning



STATEMENT OF ENVIRONMENTAL EFFECTS (ISSUE D)

39-41 COLLEGE STREET
GLADESVILLE

INDUSTRIAL COMPLEX

SEPTEMBER 2022

DOCUMENT CONTROL			
Issue	Date	Purpose	Checked
D	September 2022	Revise Clause 4.6 to reflect building height	GA
C	May 2022	Revise Clause 4.6 in response to reduced height	GA
B	January 2022	Revise Clause 4.6 Respond to setback and landscaping	GA
A	October 2021	Issued for Development Application	GA

This report has relied upon the information available at the time of its preparation. All findings and conclusions contained in the report are based on the aforementioned circumstances. The report is for the use of the client and Ryde Council and no responsibility will be taken for its use by other parties.

Due to stay at home orders in place in response to Covid-19 at the time this Statement was prepared, a site inspection was unable to be carried out. This Statement relies on online photographs and the survey plan to describe the site and surrounds.

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Appendices

APPENDIX A – Clause 4.6 variation request to the maximum building height

Purpose

This Statement of Environmental Effects has been prepared to accompany the lodgement of a development application for an industrial development at 39-41 College Street, Gladesville.

This statement relies on the following plans prepared by Level Architects:

Drawing No.	Drawing Name	Date
DA000	Cover Page	18 May 2022
DA001	Site Analysis	18 May 2022
DA002	Planning Requirements	18 May 2022
DA003	Blanket Analysis	18 May 2022
DA100	Site Plan	18 May 2022
DA101	Basement Floor Plan	18 May 2022
DA102	Basement Mezzanine Level	18 May 2022
DA103	Ground Floor	18 May 2022
DA104	Ground Mezzanine Level	18 May 2022
DA105	Roof Plan	18 May 2022
DA106	Shadow Diagram	18 May 2022
DA107	Shadow Diagram	18 May 2022
DA201	Building Elevation	18 May 2022
DA202	Building Elevation	18 May 2022
DA203	Building Elevation	18 May 2022
DA300	Height Compliant Sections	18 May 2022
DA301	Section South East	18 May 2022
DA302	Section North West	18 May 2022
DA303	South Boundary Section	18 May 2022
DA304	Driveway Section	18 May 2022
DA400	Details - Typical Office Layout	18 May 2022
DA402	Details - Fire Stair	18 May 2022
DA500	Exterior Finishes Schedule	18 May 2022
DA601	Axonometric	18 May 2022
DA602	3D Perspective	18 May 2022

This statement also relies on the following landscape plans prepared by Grindstone Landscapes:

Drawing No.	Drawing Name	Date
	Cover Page	21 January 2022
LDA-01	Landscape DA Plan	21 January 2022
LDA-02	Green Wall Details	21 January 2022
LDA-03	Elevation	21 January 2022

The development application is supported by separate traffic and stormwater assessments.

1. Description of the development

The development application involves the demolition of existing industrial buildings dwelling and the construction of an industrial unit complex comprising 49 industrial units with mezzanine offices with associated parking, manoeuvring and landscaping.

The development is accessed from College Street via an at-grade driveway and a separate driveway to the basement.

92 carparking spaces are proposed, including 2 accessible spaces.

A GFA of 5,997m² is proposed.

The proposed development will result in the removal of the existing, outdated industrial buildings and their replacement with modern industrial unit opportunities to serve a range of small business, industrial and warehouse opportunities.

2. The subject land

2.1 Property description

The subject land is known as 39-41 College Street, Gladesville.

The legal description for the subject land is Lots 2 and 3, DP 27462.

The site has a regular shape with an area of 7,169.1m² with the following dimensions:

Southern boundary (College Street frontage):	31.585m
Northern boundary:	55.78m
Eastern boundary:	177.465m
Western boundary:	97.185m + 72.695m



Figure 1: Air photo of the subject land and immediate surrounds (source: SixMaps)

2.2 Location and accessibility.

The subject land is located in the suburb of Gladesville. In particular, the land is within the Gladesville industrial area situated in the northwest of the suburb.

The land is situated on the north side of College Street, 340m west of its intersection with Monash Road and 275m from Victoria Road (via Frank Street).

Public transport in the area is limited to bus services with stops on Victoria Road.

2.3 Existing development

The subject land is occupied by older industrial buildings, comprising a single storey brick industrial building situated on No.41 College Street which fronts College Street with an attached building currently used for a gym.

No.39 College Street is accessed via a battle-axe driveway and comprises a number of industrial units accommodating a range of uses including mechanical repairs and light manufacturing.

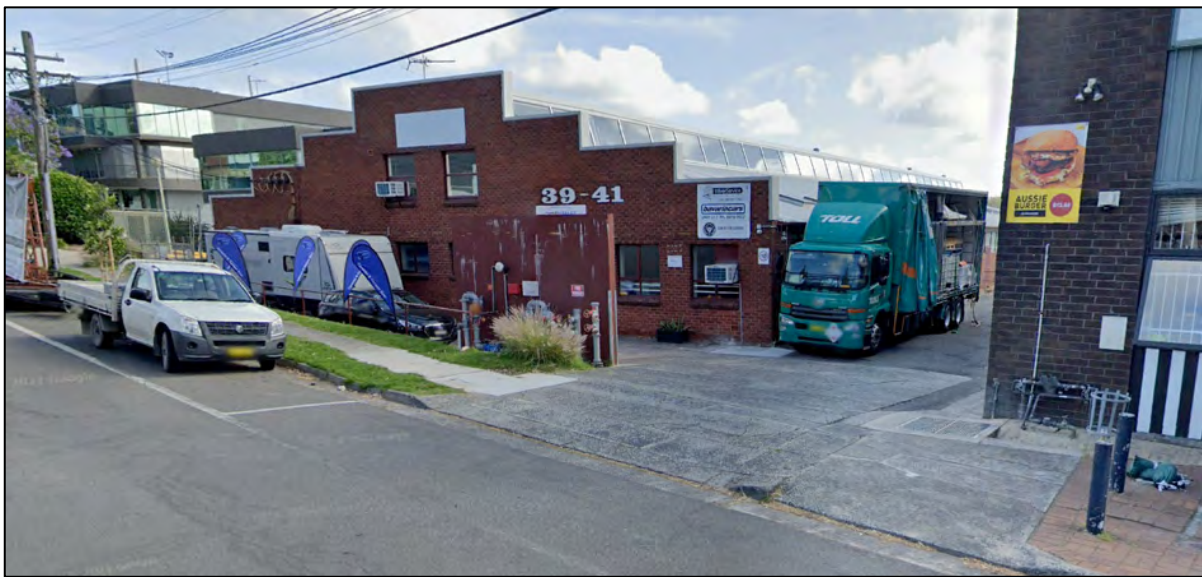


Figure 2: Existing development fronting College Street (source: Google Streetview)

Other improvements on the land include hardstand parking and manoeuvring areas.

2.4 Vegetation of the subject land

There is no vegetation or landscaping on the land. Opportunities exist under the proposed development to plant street trees within the footway.

2.5 Topography of the subject land

The subject land has a fall of approximately 6.2m towards the northeast.

3. Surrounding development and land uses

The immediate area is industrial in character and comprised of a mix of industrial buildings of various ages.

The industrial neighbourhood exhibits older factory buildings of fibro construction with brick front or traditional saw tooth roof styles, through to recent factory unit development.



Figure 3: Traditional industrial buildings fronting College Street (source: Google Streetview)



Figure 4: Modern industrial buildings fronting College Street (source: Google Streetview)

A Bunnings has been constructed opposite the subject land between College Street and Victoria Road.



Figure 5: Recent Bunnings development and streetscape of College Street (source: Google Streetview)

The residential zone commences approximately 200m to the east of the subject land and features a mix of examples of low density housing.



Figure 6: Residential development further east in College Street (source: Google Streetview)

4. Section 4.15(1) Assessment

The following assessment has been carried out against the matters for consideration contained in Section 4.15 of the Environmental Planning and Assessment Act, 1979 (the "Act").

4.1 The provisions of any environmental planning instrument

Section 4.15(1)(a)(i) of the Act requires consideration of:

(a) the provisions of:

(i) any environmental planning instrument

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

The subject land has not been known to have been used for any of the following activities listed in Table 1 of the Contaminated Land Planning Guidelines:

acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment or wood preservation

The land is not listed on any contaminated land database and has never been the subject of an EPA clean-up order or other EPA restrictions. The land has not been the subject of known pollution incidents or illegal dumping and does not adjoin any contaminated land/previously contaminated land.

Accordingly, the subject land does not trigger the threshold tests in Clause 7 of SEPP 55.

The subject land is sealed and as such soil sampling is unable to be taken until demolition takes place. Excavated material can be tested prior to disposal off-site to ensure its condition does not give rise to any contamination risk.

A condition of consent can be imposed that effect.

4.1.2 Ryde Local Environmental Plan 2014 (“RLEP”)

Zoning, permissibility and zone objectives

The subject land is zoned IN2 Light Industrial under the RLEP as shown below.

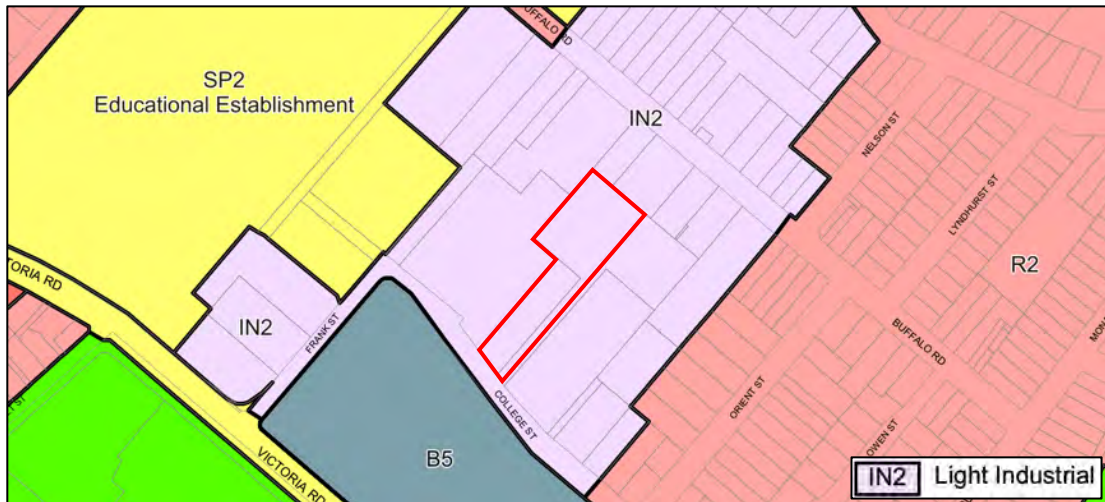


Figure 7: Extract of zoning map (source: www.legislation.nsw.gov.au)

The proposed development is permissible with consent in the zone.



The objectives of the IN2 Light Industrial zone are as follows:

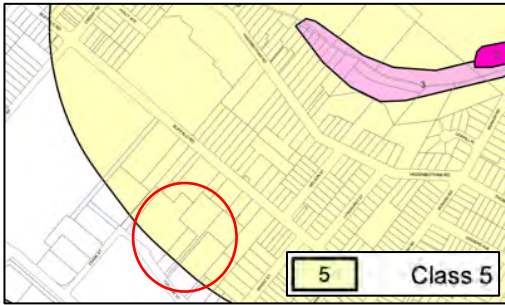
Objective	Comment
To provide a wide range of light industrial, warehouse and related land uses.	The proposed development provides floor space opportunities for light industrial, warehouse and related land uses.
To encourage employment opportunities and to support the viability of centres.	The proposed development provides floor space opportunities for support industries to support the viability of nearby centres
To minimise any adverse effect of industry on other land uses.	The proposed development provides floor space opportunities for light industrial, warehouse and related land uses of a scale that will be unlikely to impact on other land uses in the area.
To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.	This is a higher order function of the zoning table.
To support and protect industrial land for industrial uses.	This is a higher order function of the RLEP to maintain industrial land availability through zoning.

The proposed development meets the relevant zone objectives of the RLEP.

Development standards and other provisions

The following table outlines the relevant controls under the RLEP and how the proposed development satisfies those controls.

Clause	Provision	Comment	Complies
4.3	Height of buildings	<p>A 10m height limit is prescribed for the subject land.</p> <p>The proposed building exceeds the prescribed 10m height limit at the rear of the site.</p>  <p>A Clause 4.6 request accompanies this Statement at Appendix A.</p>	No
4.4	Floor space ratio	<p>An FSR of 1:1 is prescribed.</p>  <p>The site area of 7,169.2m² allows for a GFA of 7,169.1m².</p> <p>The proposed GFA is compliant at 5,997m², which results in an FSR of 0.84:1.</p>	Yes
4.6	Exceptions to development standards	<p>A clause 4.6 variation is required to enable consideration of the variation to the maximum building height.</p>	Yes
5.1	Relevant acquisition authority	<p>The land is not earmarked for acquisition</p>	N/A
5.10	Heritage conservation	<p>The land does not contain an item of environmental heritage and is not within a heritage conservation area.</p> <p>The land does not adjoin or impact on an item of environmental heritage.</p>	Yes

5.21	Flood planning	The land is not identified on the flood planning map.	Yes
6.1	Acid sulfate soils	The land is partly within an area of Class 5 acid sulphate soils however is not within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	Yes
			
6.2	Earthworks	Earthworks required to facilitate this development form part of this development application.	Yes
6.6	Environmental sustainability	An energy efficiency report has been submitted with the application dealing with these matters. The proposal has been designed to comply with Section J of the National Construction Code.	Yes

4.2 The provisions of any draft environmental planning instrument

Section 4.15(1)(a)(ii) of the Act requires consideration of:

(a) the provisions of:

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

4.2.1 Draft Remediation of Land SEPP

Post-demolition sampling will determine the scope of remediation. Nothing in the Draft Remediation of Land SEPP changes the operation of SEPP 55 relevant to this development.

4.3 The provisions of any development control plan

Section 4.15(1)(a)(iii) of the Act requires consideration of:

(a) the provisions of:

(iii) any development control plan

Matters relevant to the subject development covered by the Ryde Development Control Plan 2014 (the "RDCP") are limited to technical matters such as engineering, accessibility and parking. This Statement defers to the technical reports which accompany the development application.

The proposal is satisfactory when assessed against the provisions of the RDCP.

The proposal provides 5,997m² of GFA.

With regard to car parking, the RDCP states:

Industry and Light Industry (other than within the Macquarie Park Corridor)

1.3 – 1.5 spaces / 100 m² GFA

Note: The upper end of the range should be applied to land uses that generate more traffic such as garden supplies and business parks. The parking provision and rate is to be addressed in the Statement of Environmental Effects.

The proposed development generates between 78 and 90 carparking spaces.

The proposed development proposes 92 parking spaces which is considered appropriate given the industrial unit nature of the development where sufficient off street parking should be provided to meet the range of light industrial uses likely to occupy the units and cater for visitor numbers.

4.4 The provisions of any planning agreement

Section 4.15(1)(a)(iiia) of the Act requires consideration of:

(a) the provisions of:

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There are no planning agreements or draft planning agreements applicable to the subject land.

4.5 Prescribed matters under the Environmental Planning and Assessment Regulation 2000

Section 4.15(1)(a)(iv) of the Act requires consideration of:

(a) the provisions of:

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

For the purposes of section 4.15(1)(a)(iv) of the Act, Clause 92 of the regulations relevantly requires consideration of Australian Standard AS 2601—1991: *The Demolition of Structures*. A condition of consent can be imposed to this effect.

4.6 The likely impacts of the development

Section 4.15(1)(b) of the Act requires consideration of:

(b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

The proposed development is satisfactory with regard to its environmental impacts. The proposed development properly addresses amenity impacts and takes steps to ameliorate any potential adverse impacts.

Discussion of key potential impacts is carried out in Chapter 5 of this Statement.

4.7 The suitability of the site for the development

Section 4.15(1)(c) of the Act requires consideration of:

(c) *the suitability of the site for the development*

The subject land is serviced by all utilities and has direct public road access in proximity to the main road network of Victoria Road and Lane Cove Road which provide connection to the M2 and M4 Motorways.

There are no environmental constraints that should preclude the redevelopment of the land.

4.8 Public submissions

Section 4.15(1)(d) of the Act requires consideration of:

- (d) any submissions made in accordance with this Act or the regulations

In accordance with Council's policy, the application will be placed on public exhibition and submissions invited from any interested parties.

As part of the assessment process, Council will take into consideration any matters raised in any submissions received in response to the public exhibition period.

The applicant would be pleased to be afforded the opportunity to respond to and address any submissions.

4.9 The public interest

Section 4.15(1)(e) of the Act requires consideration of:

- (e) the public interest

The proposal results in new industrial floor space to provide for small business opportunities and service industries in the area.

The proposed development is consistent with the objectives and provisions of the relevant planning instruments and policies and thus satisfies the public interest test.

5. The likely impacts of the development

5.1 Environmental impacts

5.1.1 Solar access and overshadowing

Shadow diagrams submitted with the architectural plans demonstrate that the proposed development does not unreasonably impact on the adjoining land.

Overshadowing is minor in the morning hours owing to the orientation of the land. Afternoon shadows fall to the adjoining land and will impact on open carparking and driveways.

The impact of the built form on solar access is reasonable in the context of an industrial estate that is undergoing redevelopment.

5.1.2 Visual impacts

The proposed development is the redevelopment of older industrial buildings with a modern facility of a contemporary presentation to the street in keeping with more recent developments in the industrial neighbourhood.

The building presents to the street with a contemporary, attractive façade displaying modulation and visual interest.

5.1.3 Setbacks

The setbacks of the proposed building are in keeping with those established by existing development in the street. The Ryde DCP does not prescribe a setback and as such, the setbacks should be dictated by other existing industrial developments in the street.

A ground floor setback of 4.617m is provided, which is an increase over the front setback provided by the existing building and greater than that provided by the adjoining development of approximately 2.6m.

A landscaping plan has been prepared by Grindstone Landscapes which shows the setback embellished with landscaping which comprises native species. The landscape treatment is an appropriate improvement over the existing treatment of the site and is visually compatible with the landscape treatment of other development along College Street.

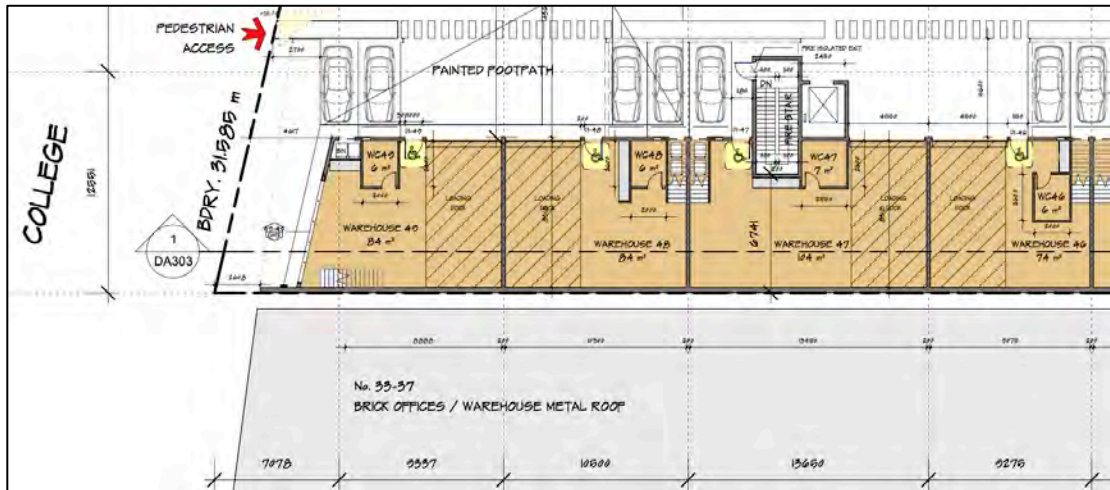


Figure 8: Extract of ground floor plan

The mezzanine (and roof above) achieve a setback in line with the adjoining building to the east and allows for a level of articulation and interest in the building façade.



Figure 9: Extract of mezzanine plan



Figure 10: Extract of 3D perspective

A green wall is proposed to the blade wall along the eastern boundary which further softens the presentation of the building and adds visual interest.

Street planting is also proposed to be carried out to further improve the streetscape amenity.

5.1.4 Traffic

The traffic generated by the development is capable of being accommodated by the local road network, both in terms of traffic volumes and the type of traffic.

5.1.5 Flooding and stormwater

This Statement defers to the stormwater assessment that accompanies the development application.

5.2 Economic and Social Impacts

The proposed development will not result in any adverse economic or social impacts.

The development will contribute to the opportunities for a range of light industries and small businesses to establish in the area to serve the local community and businesses.

There is a need for smaller industrial premises to foster small businesses and provide for start-ups. The development is ideally positioned for that to occur in proximity to Macquarie Park and the Sydney CBD and provides a range of industrial unit sizes to cater to a wide variety of end users.

The redevelopment of the land will reinforce the value of the Gladesville industrial precinct and will have positive economic outcomes.

6. Summary and Conclusion

The development application involves the demolition of existing industrial buildings dwelling and the construction of an industrial unit complex comprising 49 industrial units with mezzanine offices with associated parking, manoeuvring and landscaping.

The development is accessed from College Street via an at-grade driveway and a separate driveway to the basement.

92 carparking spaces are proposed, including 2 accessible spaces.

A GFA of 5,997m² is proposed.

The proposed development will result in the removal of the existing, outdated industrial buildings and their replacement with modern industrial unit opportunities to serve a range of small business, industrial and warehouse opportunities.

The proposed development meets the objectives and provisions of the relevant planning instruments as demonstrated by the assessment within this Statement.

The proposed development has been considered against the RDCP and is shown to satisfy the objectives and the relevant provisions of that policy.

The proposed development is an appropriate redevelopment of the land and is recommended for the granting of consent subject to appropriate conditions.

APPENDIX A

CLAUSE 4.6 VARIATION REQUEST TO THE MAXIMUM BUILDING HEIGHT

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PURPOSE

This Clause 4.6 variation request accompanies the development application lodged to City of Ryde for an industrial complex development at 39-41 College Street, Ryde.

This Clause 4.6 variation request relates to a breach of the development standard established under Clause 4.3 of the Ryde Local Environmental Plan 2014 (the "RLEP") for the maximum building height.

This Clause 4.6 variation request should be read in conjunction with the Statement of Environmental Effects which has been prepared in support of the development application.

This request has been prepared in accordance with *Varying Development Standards: A Guide* published by the Department of Planning and Environment and dated August 2011. This request has had regard to the judgement in [Initial Action v Woollahra Municipal Council \[2018\] NSWLEC 118](#), which provides a useful summary as to the relevant matters that must be addressed and considered in a Clause 4.6 variation request.

1. THE STATUTORY FRAMEWORK

1.1 The relevant planning instrument

The environmental planning instrument to which this variation relates is the RLEP.

1.2 Zoning

The subject land is zoned IN2 Light Industrial under the RLEP.

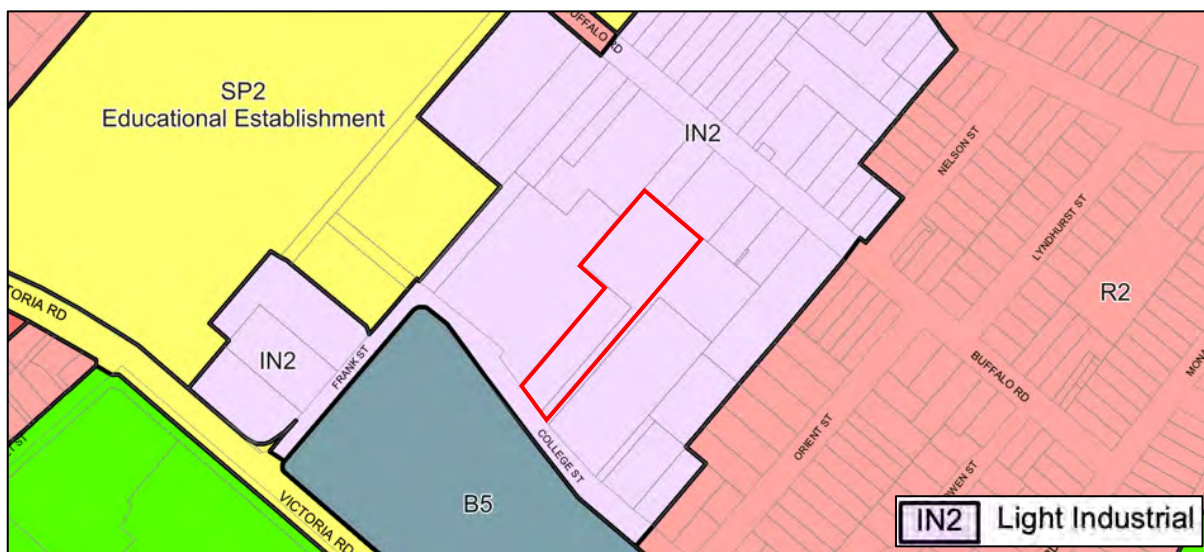


Figure i: Extract of zoning map (source: www.legislation.nsw.gov.au)

The development is permissible with consent on land so zoned.

1.3 Zone objectives

The objectives of the IN2 Light Industrial zone are:

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.

1.4 Clause 4.3 of the RLEP – Height of Buildings

The objectives that underpin Clause 4.3 of the RLEP state:

- (a) to ensure that street frontages of development are in proportion with and in keeping with the character of nearby development,
- (b) to minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area,
- (c) to encourage a consolidation pattern and sustainable integrated land use and transport development around key public transport infrastructure,
- (d) to minimise the impact of development on the amenity of surrounding properties,
- (e) to emphasise road frontages along road corridors.

1.5 The development standard sought to be varied

A variation is sought to the development standard contained in Clause 4.3(2) which requires the height of a building not exceed the maximum height shown for the land on the Height of Buildings Map.

The Height of Buildings Map indicates a 10m maximum height applying to the land as shown below in the extract from map HOB_006 from the RLEP mapping.



Figure ii: Extract of RLEP height of buildings map

A variation to the Height of Buildings development standard can be considered under Clause 4.6 insofar as it is not restricted from consideration by Clause 4.6(6) or Clause 4.6(8).

1.6 The numeric values of the development standard and the development

The numeric value contained in the development standard is 10m. The proposed development results in the following maximum height exceedance:

Element	Ground Level (AHD)	Reduced Level (AHD)	Height (m)	Variation (m)	Variation (%)
Roof at rear	34.100	44.100	11.000m	1.0m	10%

The building element that breaches the development is demonstrated by the height blanket below with the area of the height breach shaded blue. Note that the clouding denotes changes in the most recent plans. The clouding does not denote areas that exceed the height control.

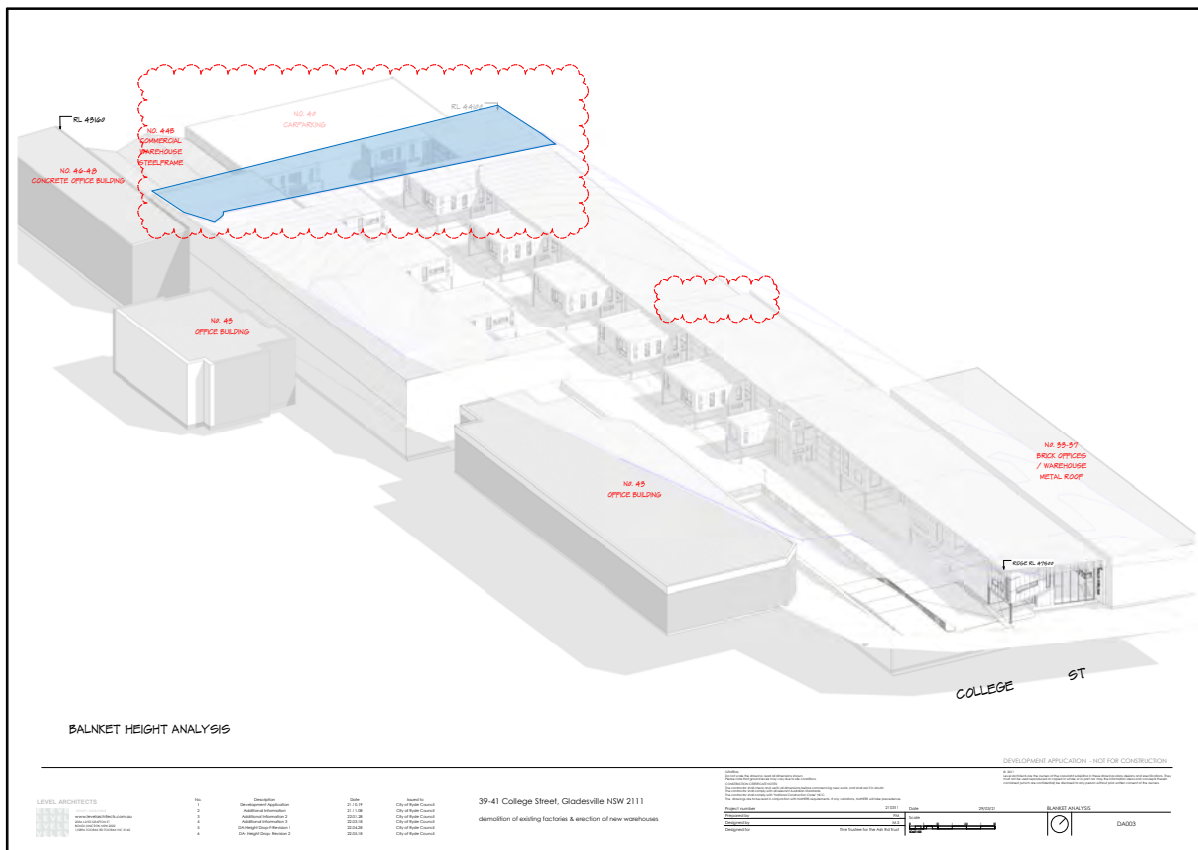


Figure iii: Height blanket diagram

The height exceedance is shown in the elevations below:

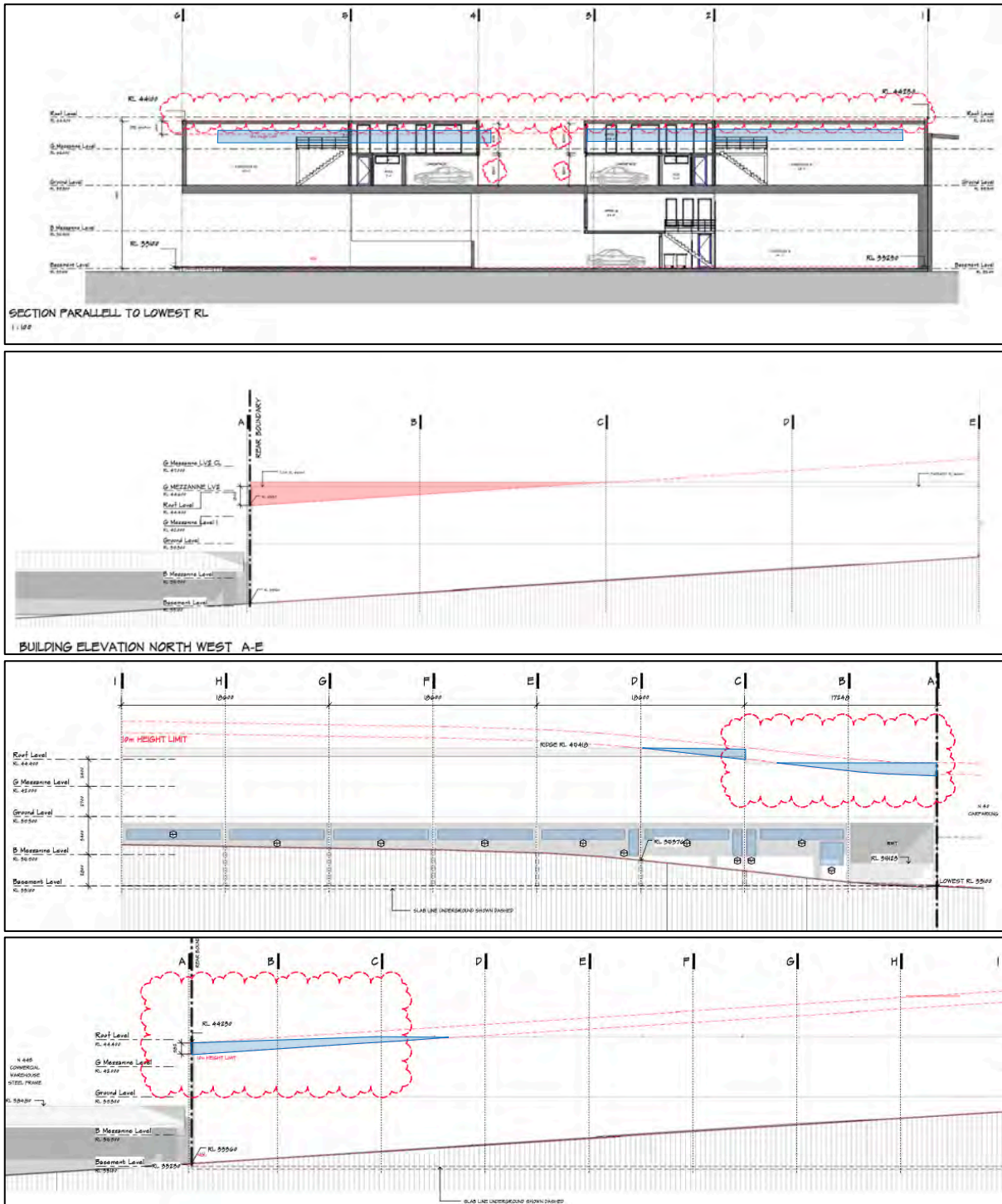


Figure iv: Height breach in elevation and section

2. CONSIDERATION OF MATTERS UNDER CLAUSE 4.6

2.1 Matters to be demonstrated under Clause 4.6(3) of the Ryde Local Environmental Plan 2014

Clause 4.6(3) states:

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

2.1.1 Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case (Clause 4.6(3)(a))

The Land and Environment Court of NSW has provided guidance on this issue in Wehbe v Pittwater Council [2007] NSWLEC 827 where it was found that consideration must be given to the “5 tests” noting that it is not necessary to meet all tests. The following discussion provides a response to each of the 5 tests.

- Test 1 – The objectives of the development standard are achieved notwithstanding the noncompliance with the standard

The variation is not contrary to the objectives that inform Clause 4.3, as follows.

(a) to ensure that street frontages of development are in proportion with and in keeping with the character of nearby development

As demonstrated in the front elevation below, the street façade does not result in any breach of the height control.

The façade provides an address to the street which is in keeping with the scale, massing, roof form, articulation and detailing expected from a high quality, contemporary industrial unit development. The street façade is in keeping with recent development in College Street and reflects the proportions and character of those developments.

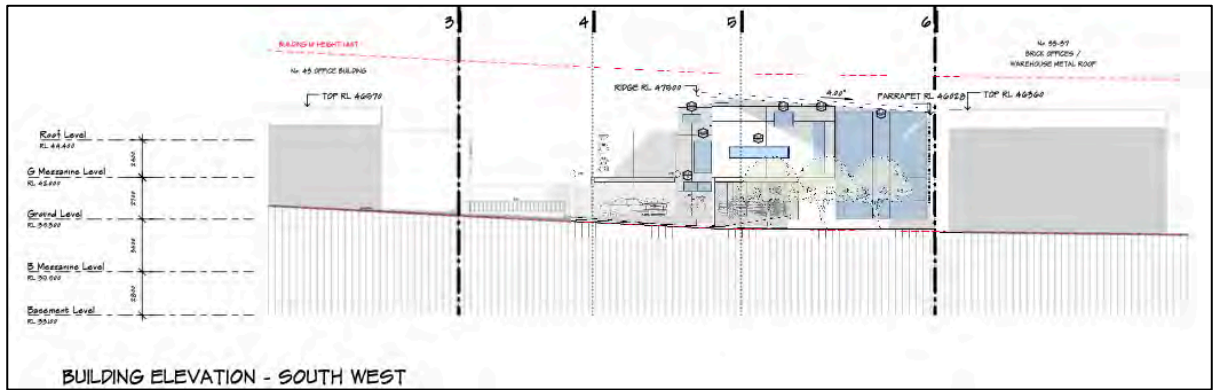


Figure v: Front facade

The proposed development does not result in a visual impact to the street. The development proposes a 3 storey built form which is anticipated by the 10m height limit and typical of other developments including 32-51 College Street as shown below.



Figure vi: 3 storey presentation at 43-51 College Street

The element of the building that breaches the height control is located to the rear of the land and as such, does not result in a development that is out of proportion with or uncharacteristic of nearby development. This objective is met.

(b) to minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area

Shadow diagrams provided with the application indicate that overshadowing impacts are reasonable. No adjoining development is shadowed throughout the day. The shadowing does not result in amenity impacts, particularly noting the industrial nature of the adjoining land uses.

The additional shadowing cast by the rear part of the development that is non-compliant, falls to open carparks and driveways. The maximum additional height of 1m coupled with the location of that breach in the last 12% of the development

does not result in a significantly increased shadow impact over a fully compliant scheme.

The development is compatible with other development that adjoins the land or is in the vicinity of the land. The proposed development would result in an improvement over the existing, outdated building and as a result will result in a positive contribution to the appearance of the area.

This objective is met.

(c) to encourage a consolidation pattern and sustainable integrated land use and transport development around key public transport infrastructure

This is considered to be a higher order function of the control in conjunction with the FSR control (which contains a similar objective) to encourage more intensive development around public transport nodes.

The proposed development does not hinder the achievement of this objective.

The proposed development, notwithstanding the height breach, does not result in a density of development that takes away the opportunities for new development to be achieved around public transport nodes. Similarly, the proposed development does not result in a density of development that is inappropriate for the land having regard to the level of access to public transport in the precinct.

The exceedance of the height standard does not come with any commensurate breach of the FSR. The FSR is 0.85:1, which is less than the prescribed maximum FSR of 1:1 and demonstrates that the height breach does not offend this objective.

(d) to minimise the impact of development on the amenity of surrounding properties

The impacts resulting from the height breach involve a minor increase to overshadowing over that of a compliant scheme. The additional shadowing from that part of the building that causes the height breach falls on what is currently an open carpark. In the event of the adjoining land being developed, it is likely that the rear of that site will be floor space in which case overshadowing would fall onto walls or roofed areas.

The proposed development does not result in vegetation loss and does not result in impacts of overlooking or impacts to views or vistas.

The development is consistent with this objective notwithstanding the exceedance of the prescribed maximum height.

(e) to emphasise road frontages along road corridors.

This objective is not applicable as the land is not located on a road corridor.

- Test 2 – The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary

We do not rely on this reason. Rather, we accept that there is a purpose to the standard but say that strict compliance is unnecessary in the circumstances.

- Test 3 – The underlying objective or purpose of the standard would be defeated or thwarted if compliance was required and therefore compliance is unreasonable

We do not rely on this reason.

- Test 4 – The development standard has been virtually abandoned or destroyed by the Council’s own actions in granting consents departing from the standard and thus compliance with the development standard is unnecessary and unreasonable

Each application involving a variation to a development standard must be considered on its own merits and circumstances, including the strength of the Clause 4.6 variation request.

- Test 5 – Compliance with the development standard is unreasonable or inappropriate as the zoning of the land is inappropriate and as such, the development standard is similarly inappropriate

We do not rely on this reason.

In summary, strict compliance with the development standard is therefore considered unreasonable and unnecessary in the circumstances as demonstrated by satisfaction of the objectives of Clause 4.3 as required by the “first test” established under Wehbe v Pittwater Council [2007] NSWLEC 827, namely that the development is consistent with the objectives of Clause 4.3 of the RLEP notwithstanding the height breach.

2.1.2 The environmental grounds justifying contravention of the development standard (Clause 4.6(3)(b))

The application of Clause 4.6(3)(b) is best outlined at paragraph 88 of Initial Action v Woollahra Municipal Council [2018] NSWLEC118:

“...The requirement in Clause 4.6(3)(b) is that there are sufficient environmental planning grounds to justify contravening the development standard, not that the development that contravenes the development standard have a better environmental planning outcome than a development that complies with the development standard.”

There are environmental grounds that are sufficient to justify contravention of the development standard as discussed below.

- *The height results from the need to provide level floorplates and manoeuvring areas over a sloping site*

The height breach is limited to the rear 12% of the site where the RLs are at their lowest as demonstrated in Figures iii and iv above.

The building height breach relates in part to site topography which falls from south to north. The development has been designed to provide efficient floorplates and manoeuvring areas with appropriate level changes which is necessary due to the nature of the development.

In particular, the industrial units require level floorplates for equipment, storage racking and operating lifting equipment. Similarly, the driveways and manoeuvring areas need to maintain consistent grades to allow for manoeuvring of trucks from the driveway into the units for loading/unloading.

- *The height has been reduced to minimise the breach*

The proposed floor to ceiling heights have been reduced in the rear most units following discussion with Council. This involved a reduction in heights of the units, the mezzanine offices and the carparking underneath the mezzanine offices.

The reduced internal heights maintain functionality for pallet racking and the like which is critically important in achieving usable spatial volumes within the industrial units.

Lowering the ceiling heights further would reduce the functionality of those units with no material benefit for any adjoining property.

- *The breach does not result in a development which is inconsistent with the character of development in the neighbourhood*

Despite the exceedance in height over a minor part of the land, the proposed development is consistent with other development in the streetscape and the industrial neighbourhood.

In particular, the bulk and scale of the building is in keeping with those found at 46-48 Buffalo Road, 43-51 College Street and the Bunnings development.

The exceedance takes place over part of the land that is not read from College Street. Similarly the exceedance will not read from Buffalo Road where the subject land is adjoined by large developments.



Figure vii: Development to the rear of the subject land at 46-48 Buffalo Road



Figure viii: Development to the rear of the subject land at 42 Buffalo Road

While it is accepted that other sites may be subject to different controls, notably the Bunnings development, that is not the lens through which the public view their surroundings. Rather, the public perceive their environment as a whole without necessarily understanding the layers of planning controls. What people do perceive are buildings that are jarringly out of character with their setting. In this case, the proposed development is consistent with the character of the industrial neighbourhood.

The height breach, which is a maximum of 1m over the last 12% of the site will not be read as offensive as uncharacteristic of the industrial precinct.

- *The breach does not result in adverse impact*

The impacts resulting from the height breach involve a minor increase to overshadowing. The additional shadowing from that part of the building that causes the height breach falls on what is currently an open carpark. In the event

of the adjoining land being developed, it is likely that the rear of that site will be floor space in which case overshadowing would fall onto walls or roofed areas.

The shadow impacts are not unreasonable noting the minor nature and extent of the breach.

The proposed development does not result in impacts of overlooking and likewise does not impact views or vistas.

There is an absence of adverse impact resulting from the breach.

- *The breach is limited to the rear of the building and does not offend views from the public domain or other land*

The extent of the breach is situated to the rear of the building form, particularly over the last 12% of the site and with a maximum height breach of 1.0m.

The height of the building as it presents to the street is under the 10m height plane.

The effect of this is that any height exceedance does not result in a building that presents as imposing to the public domain. The breach is not read as an offensive element from the public domain or from adjoining or nearby properties.

- *The breach of the height control is not an attempt to achieve additional floor space*

The proposal seeks a reasonable GFA and FSR to provide a development that is economically viable yet remains well within the prescribed maximum FSR for the land. The development does not attempt to gain an advantage by seeking additional floorspace above the maximum FSR.

The exceedance of the height control does not result from an attempt to gain additional floor space or an additional floor above the height plane. The height breach is a discrete issue related to the topography of the land and is not the result of an attempt to achieve an excessive yield.

This ground supports the reasonableness of the height breach.

The above environmental planning grounds are not general propositions. Rather, they are unique circumstances to the proposed development. The additional height will facilitate usable industrial units that do not prejudice the character or appearance of the local streetscape or adversely impact on nearby properties.

2.2 Matters for consideration under Clause 4.6(4) of the Ryde Local Environmental Plan 2014

Clause 4.6(4) of the RLEP outlines the matters that a consent must satisfy itself of prior to the granting of consent and states:

- (4) Development consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Secretary has been obtained.

2.2.1 The written request has adequately addressed the matters required to be demonstrated by subclause (3) (Clause 4.6(4)(a)(i))

The written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) and covered in 2.1 above.

In accordance with the findings in *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118*, the consent authority is not required by Clause 4.6(4)(a)(ii) to directly form the opinion of satisfaction regarding the matters specified.

Rather, it needs to do so only indirectly in forming its opinion of satisfaction that the written request has adequately addressed the matters required to be demonstrated, which has been carried out at 2.1 above.

2.2.2 The proposed development is in the public interest (Clause 4.6(4)(a)(ii))

Clause 4.6(4)(a)(ii) requires consideration of whether the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

This Clause 4.6 variation request has already demonstrated at paragraph 2.1.1 that the proposed development is consistent with the objectives that underpin Clause

4.3 of the RLEP and it is not necessary to repeat those points. We can now turn to the objectives of the zone.

The objectives of the IN2 Light Industrial zone established by the RLEP are met as discussed below.

- To provide a wide range of light industrial, warehouse and related land uses.

The proposed development provides floor space opportunities for light industrial, warehouse and related land uses.

- To encourage employment opportunities and to support the viability of centres.

The proposed development provides floor space opportunities for support industries to support the viability of nearby centres.

- To minimise any adverse effect of industry on other land uses.

The proposed development provides floor space opportunities for light industrial, warehouse and related land uses of a scale that will be unlikely to impact on other land uses in the area.

- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

This is a higher order function of the zoning table itself.

- To support and protect industrial land for industrial uses.

This is a higher order function of the RLEP to maintain industrial land availability through zoning.

The proposed development is consistent with the objectives of both Clause 4.3 of the RLEP and the R2 Low Density Residential zone.

As stated at paragraph 27 of Initial Action v Woollahra Municipal Council [2018] NSWLEC118:

"...It is the proposed development's consistency with the objectives of the development standard and the objectives of the zone that make the proposed development in the public interest..."

By virtue of its consistency with those suites of objectives, the proposed development is in the public interest. The test under Clause 4.6(4)(a)(ii) has been met.

2.2.3 Concurrence of the Secretary of the Department of Planning and the Environment (Clause 4.6(4)(b) and Clause 4.6(5))

Planning Circular PS18-003 issued on 21 February 2018 has delegated the Secretary's concurrence role to each consent authority.

2.3 Matters for consideration under Clause 4.6(5) of the Ryde Local Environmental Plan 2014

A consent authority, assuming the concurrence role of the Secretary, must consider the matters in Clause 4.6(5) which are discussed as follows:

- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning

Contravention of the development standard does not raise any matter of significance for State or regional planning.

- (b) the public benefit of maintaining the development standard

As demonstrated by this Clause 4.6 variation request, approval of the variation does not compromise issues of public interest as the variation meets the objectives of the zone and the development standard.

There is no public benefit gained from strict adherence to the development standard.

- (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.

There are no other relevant matters to be taken into consideration.

3. Conclusion

This Clause 4.6 variation request demonstrates, as required by Clause 4.6 of the RLEP that:

- Strict compliance with the development standard would be unreasonable and unnecessary in the circumstances;
- There are sufficient environmental planning grounds to justify the variation;
- The variation is consistent with the objectives of the development standard and the zone;
- The breach of the development standard does not result in a development that is incompatible with the desired outcomes of the surrounding area, or the amenity of the surrounding area; and
- The variation does not raise any matter of state or regional significance, and does not hinder the objectives of the Environmental Planning and Assessment Act, 1979 namely:
 - (c) to promote the orderly and economic use and development of land, and
 - (g) to promote good design and amenity of the built environment.

The exercise of discretion afforded by Clause 4.6 is entirely appropriate in the circumstances of this development application.

The variation is well founded and support for the variation to the maximum building height is appropriate in the circumstances.

39-41 COLLEGE STREET, GLADESVILLE, NSW 2111 - DA

demolition of existing factories & erection of new warehouses

Drawing List

Sheet Number	Sheet Name	Current Revision	Current Revision Date	Current Revision Issued To	Sheet Number	Sheet Name	Current Revision	Current Revision Date	Current Revision Issued To
DA000	COVER PAGE	7	22.08.04	City of Ryde Council	DA201	BUILDING ELEVATION	7	22.08.04	City of Ryde Council
DA001	SITE ANALYSIS	7	22.08.04	City of Ryde Council	DA202	BUILDING ELEVATION	7	22.08.04	City of Ryde Council
DA002	PLANNING REQUIREMENTS	7	22.08.04	City of Ryde Council	DA203	BUILDING ELEVATION	7	22.08.04	City of Ryde Council
DA003	BLANKET ANALYSIS	7	22.08.04	City of Ryde Council	DA300	HEIGHT COMPLIANT SECTIONS	7	22.08.04	City of Ryde Council
DA100	SITE PLAN	7	22.08.04	City of Ryde Council	DA301	SECTION SOUTH EAST	7	22.08.04	City of Ryde Council
DA101	BASEMENT FLOOR PLAN	7	22.08.04	City of Ryde Council	DA302	SECTION NORTH WEST	7	22.08.04	City of Ryde Council
DA102	BASEMENT MEZZANINE LEVEL	7	22.08.04	City of Ryde Council	DA303	SOUTH BOUNDARY SECTION	7	22.08.04	City of Ryde Council
DA103	GROUND FLOOR	7	22.08.04	City of Ryde Council	DA304	DRIVEWAY SECTION	7	22.08.04	City of Ryde Council
DA104	GROUND MEZZANINE LEVEL	7	22.08.04	City of Ryde Council	DA400	DETAILS - TYPICAL OFFICE LAYOUT	7	22.08.04	City of Ryde Council
DA105	ROOF PLAN	7	22.08.04	City of Ryde Council	DA402	DETAILS - FIRE STAIR	7	22.08.04	City of Ryde Council
DA106	SHADOW DIAGRAM	7	22.08.04	City of Ryde Council	DA403	DETAILS - SUBSTATION	7	22.08.04	City of Ryde Council
DA107	SHADOW DIAGRAM	7	22.08.04	City of Ryde Council	DA500	EXTERIOR FINISHES SCHEDULE	7	22.08.04	City of Ryde Council
					DA601	AXONOMETRIC	7	22.08.04	City of Ryde Council
					DA602	3D PERSPECTIVE	7	22.08.04	City of Ryde Council

Consultants

Stormwater Consultant	Surveyor	QS	Planning Consultant	Energy Consultant	BCA Consultant	Traffic Consultant
SMART Structures Suite 2.04, 35-41 Waterloo Rd. Maccquarie Park NSW 2113 P: (02) 9052 6467	SCS Engineering Surveyors Unit D/33-37 College St Gladesville NSW 2111 P: 0435 561 005	HMS Group Pty Limited Level 35, One International Towers 100 Barangaroo Avenue. SYDNEY NSW 2000 P: +61 2 8046 3972 E: excellence@hmsgroup.com.au W: www.hmsgroup.com.au	Cohesive Planning PO Box 298 BLAXLAND, NSW, 2274 P: 0403 362 216	Gradwell Consulting PO Box 819 Bowral NSW 2576 P: 1800 11 24 25	Building Anatomy PO box 102 Split Junction NSW 2088 P: 02 9158 3930	TPFA Level 5 Suite 502/282 Victoria Ave. Chatswood NSW 2067 P: 02 9411 5660

Energy Notes

BUILDING ENVELOPE PERFORMANCE

The external walls of the proposed building are lightweight construction with thermal insulation (90 mm glasswool R2.5) between metal studs. Party walls are 200 mm concrete. Internal walls are plasterboard on stud.

The external roof and ceiling of the office areas is metal deck with light solar absorptance (<= 0.45). For example, metal deck (light) / 60mm anticon R1.3 / airspace / 140 mm glasswool R2.5 / plasterboard.

The floors of the conditioned areas have a Total R-Value of 2.0 downwards where open below. For example, 150 mm concrete / 45 mm rigid insulation R2.1.

Office glazing has a Uw (<= 4.5) and SHGC (<= 0.40) which is typical of single lowE grey in aluminum frames. Subject to further analysis, improved glazing may be required to achieve the energy reduction requirements of the DCP.

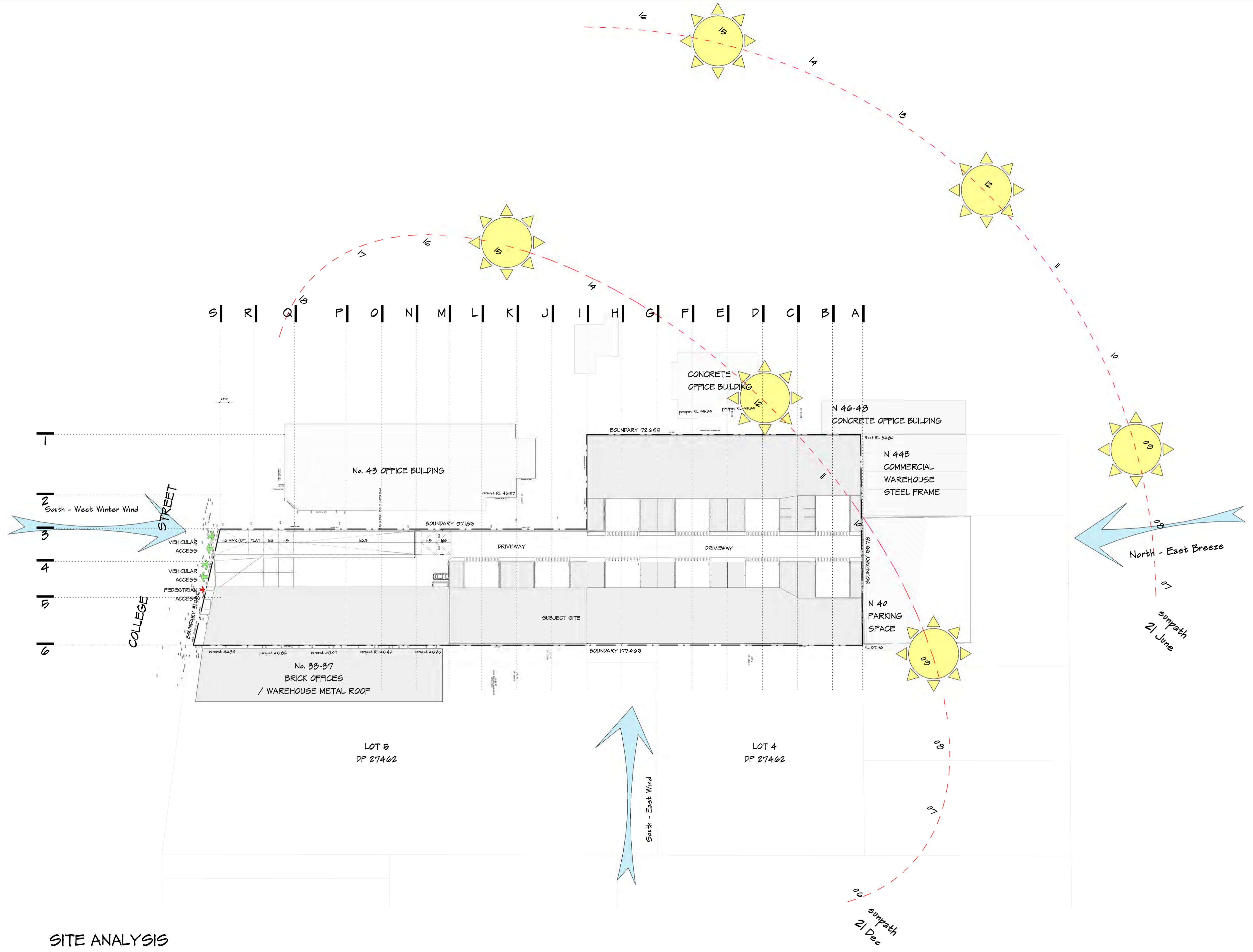
The above specifications are based on the NCC 2010 Deemed-to-Satisfy (DTS) facade calculator. A performance solution based on the JVB methodology is recommended for the Construction Certificate stage design - the models have already been set up for the annual energy consumption prediction.

OFFICE EQUIPMENT

The analysis assumes internal heat gains of 11W/m2 for office equipment as the actual equipment isn't known.

Windows & Door Schedules

WINDOW SCHEDULE				WINDOW SCHEDULE				WINDOW SCHEDULE				WINDOW SCHEDULE				WINDOW SCHEDULE				WINDOW SCHEDULE				WINDOW SCHEDULE				DOOR SCHEDULE			DOOR SCHEDULE						
Mark	Location	Height	Width	Mark	Location	Height	Width	Mark	Location	Height	Width	Mark	Location	Height	Width	Mark	Location	Height	Width	Mark	Location	Height	Width	Mark	Location	Height	Width	Mark	Location	Height	Width	Mark	Location	Height	Width		
Basement Level				B Mezzanine Level				6-09 OFFICE 9				5-03 OFFICE 3				14-09				4-32 OFFICE 32				3-49 OFFICE 49				6-42 OFFICE 42				3-25 WC25			Basement Level		
1-14	WC13	600	1900	6-14	OFFICE 14	1900	2100	7-09	OFFICE 9	2100	800	7-03	OFFICE 3	2100	2100	9-10	OFFICE 9	2100	800	6-36	OFFICE 36	1900	2100	3-42	OFFICE 42	2100	800	5-2535	OFFICE 25	900	2400	1-01	2600	1000	1-44	2600	1000
1-14	WC14	600	1900	5-14	OFFICE 14	2100	800	7-09	OFFICE 9	2100	800	7-03	OFFICE 3	2100	2100	8-12	OFFICE 12	2100	800	3-36	OFFICE 36	2100	800	5-42	OFFICE 42	2100	800	4-25	OFFICE 25	2100	800	1-01	2600	1000	1-45	2600	1000
1-16	WC6	600	1900	4-14	OFFICE 14	2100	800	2-10	OFFICE 10	2400	1000	2-03	OFFICE 3	2400	1000	9-11	OFFICE 10	2400	1000	5-36	OFFICE 36	2100	800	4-42	OFFICE 42	2100	800	7-25	OFFICE 25	2100	800	1-3	2600	1000	1-46	2600	1000
1-08	WC8	600	1900	5-07	OFFICE 7	2100	800	2-09	OFFICE 9	2400	1000	6-01	OFFICE 11	2100	2100	5-13	OFFICE 12	2100	800	4-36	OFFICE 36	2100	800	7-42	OFFICE 42	1900	600	3-26	WC26	2100	800	1-4	2600	1000	1-47	2600	1000
2-08	OFFICE 8	2700	1000	5-08	OFFICE 8	2100	800	6-12	OFFICE 12	1900	2100	3-01	OFFICE 11	2100	800	8-14	OFFICE 12	2100	800	7-36	OFFICE 36	1900	600	3-41	OFFICE 41	2100	800	4-26	OFFICE 26	1500	2000	1-5	2600	1000	1-48	2600	1000
1-07	WC7	600	1900	6-08	OFFICE 8	2100	800	3-12	OFFICE 12	2100	800	5-01	OFFICE 11	2100	800	8-15	OFFICE 12	2100	800	3-35	OFFICE 35	2100	800	4-41	OFFICE 41	1500	2000	6-26	OFFICE 26	2100	800	1-6	2600	1000	1-50	4500	4249
1-19	WAREHOUSE 19	5000	2000	3-13	OFFICE 13	2100	800	5-12	OFFICE 12	2100	800	4-01	OFFICE 11	2100	800	8-16	OFFICE 12	2100	800	4-35	OFFICE 35	1500	2000	6-41	OFFICE 41	2100	800	5-26	OFFICE 26	2100	800	1-6	2600	1000	1-53	2040	820
2-19	WAREHOUSE 19	2500	2000	4-13	OFFICE 13	2100	800	4-12	OFFICE 12	2100	800	7-01	OFFICE 11	1900	600	8-16	OFFICE 12	2100	800	6-35	OFFICE 35	2100	800	5-41	OFFICE 41	2100	800	7-26	OFFICE 26	1900	2100	1-7	2600	1000	1-56	2040	820
1-20	WAREHOUSE 20	1000	2800	3-14	OFFICE 14	2100	800	7-12	OFFICE 12	1900	600	2-01	OFFICE 11	2100	800	8-16	OFFICE 12	2100	800	5-35	OFFICE 35	2100	800	7-41	OFFICE 41	2100	800	2-25	OFFICE 26	2500	1000	1-8	2600	1000	1-57	5000	4249
2-20	WAREHOUSE 20	1500	1500	2-13	OFFICE 13	2700	1000	3-11	OFFICE 11	2100	800	6-16	OFFICE 16	1900	2100	1-37	WC37	600	1800	4-38	OFFICE 38	2100	800	7-41	OFFICE 41	2100	800	2-25	OFFICE 26	2500	1000	1-9	2600	1000	1-58	5000	4249
1-23	WAREHOUSE 23	1000	2800	3-07	OFFICE 7	2100	800	4-11	OFFICE 11	1500	2000	3-16	OFFICE 16	2100	800	1-38	WC38	600	1800	7-38	OFFICE 38	1900	600	2-42	OFFICE 42	2500	1000	2-26	OFFICE 26	2500	1000	1-10	2600	1000	1-59	2600	1000
2-23	WAREHOUSE 23	1500	1500	4-07	OFFICE 7	2100	800	6-11	OFFICE 11	2100	800	5-16	OFFICE 16	2100	800	1-31	WC31	600	1800	4-37	OFFICE 37	2100	800	2-41	OFFICE 41	2500	1000	3-44	OFFICE 42	1200	600	1-11	2600	1000	1-60	2600	1000
4-23	WAREHOUSE 23	2600	900	5-06	OFFICE 6	1500	2700	5-11	OFFICE 11	2100	800	5-16	OFFICE 16	2100	800	1-32	WC32	600	1800	4-37	OFFICE 37	1500	2000	6-29	OFFICE 29	1900	800	4-44	OFFICE 42	586	2100	1-13	2600	1000	1-61	2400	900
3-23	WAREHOUSE 23	2600	2600	3-06	OFFICE 6	2100	2100	7-11	OFFICE 11	2100	800	7-16	OFFICE 16	1900	600	1-24	OFFICE 1	600	1800	6-37	OFFICE 37	2100	800	6-34	OFFICE 34	1900	2100	5-29	OFFICE 29	1900	800	1-14	2600	1000	1-62	2400	900
1-09	WC9	600	1810	4-06	OFFICE 6	2100	800	2-12	OFFICE 12	2400	1000	3-15	OFFICE 15	2100	800	1-44	WC44	600	1810	7-37	OFFICE 37	2100	800	5-34	OFFICE 34	1900	800	4-29	OFFICE 29	1900	800	1-15	2600	1000	1-63	5000	4249
1-10	WC10	600	1810	2-07	OFFICE 7	2700	1000	2-11	OFFICE 11	2400	1000	4-07	OFFICE 15	2100	2000	1-35	WC35	600	1800	6-24	OFFICE 37	1900	2100	7-29	OFFICE 29	1900	800	2-45	OFFICE 45	3500	1600	1-16	2600	1000	1-64	5000	4249
1-11	WC11	600	1810	2-06	OFFICE 6	2100	800	6-04	OFFICE 4	2100	800	6-15	OFFICE 15	2100	800	1-36	WC36	600	1800	3-24	OFFICE 37	2100	800	7-34	OFFICE 34	1900	600	3-30	OFFICE 30	1900	800	1-17	2600	1000	1-67	2040	820
1-12	WC12	600	1810	3-08	OFFICE 8	2100	800	3-04	OFFICE 4	2100	800	5-15	OFFICE 15	2100	800	1-33	WC33	600	1800	5-24	OFFICE 37	2100	800	3-33	OFFICE 33	1900	600	4-30	OFFICE 30	1400	2000	1-18	2600	1000	1-70	2040	820
1-05	WC5	600	1810	4-08	OFFICE 8	2100	800	5-04	OFFICE 4	900	2400	7-15	OFFICE 15	2100	800	1-34	WC34	600	1800	4-24	OFFICE 37	2100	800	4-33	OFFICE 33	1400	2000	6-30	OFFICE 30	1900	800	1-19	2600	1000	1-71	5000	4249
1-04	WC4	600	1810	6-06	OFFICE 6	2100	800	4-04	OFFICE 4	2100	800	2-16	OFFICE 16	2400	1000	1-39	WC39	600	1800	7-24	OFFICE 37	2100	800	6-33	OFFICE 33	1900	800	5-30	OFFICE 30	1900	800	1-21	2600	1000	1-72	5000	4249
1-03	WC3	600	1810	5-19	OFFICE 6	2100	800	7-04	OFFICE 4	2100	800	4-16	OFFICE 16	2100	800	1-40	WC40	600	1800	4-40	OFFICE 37	2500	1000	5-33	OFFICE 33	1900	800	7-30	OFFICE 30	1900	2100	1-22	2600	1000	1-73	2600	1000
1-02	WC2	600	1810	3-19	OFFICE 19	1800	2500	3-05	OFFICE 5	2100	800	6-18	OFFICE 18	1900	2100	1-41	WC41	600	1800	6-43	OFFICE 37	2100	2100	7-33	OFFICE 33	1900	800	2-29	OFFICE 29	2300	1000	1-23	2600	1000	1-74	2600	1000
1-01	WC1	600	1810	4-19	OFFICE 19	1219	6000	4-05	OFFICE 5	1500	2000	3-18	OFFICE 18	2100	800	1-42	WC42	600	1800	3-43	OFFICE 37	2100	800	2-34	OFFICE 34	2300	1000	2-30	OFFICE 30	2400	1000	1-24	2600	1000	1-75	2400	900
1-15	WC15	600	1810	5-20	OFFICE 20	2200	1																														



SITE ANALYSIS
1:500

DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

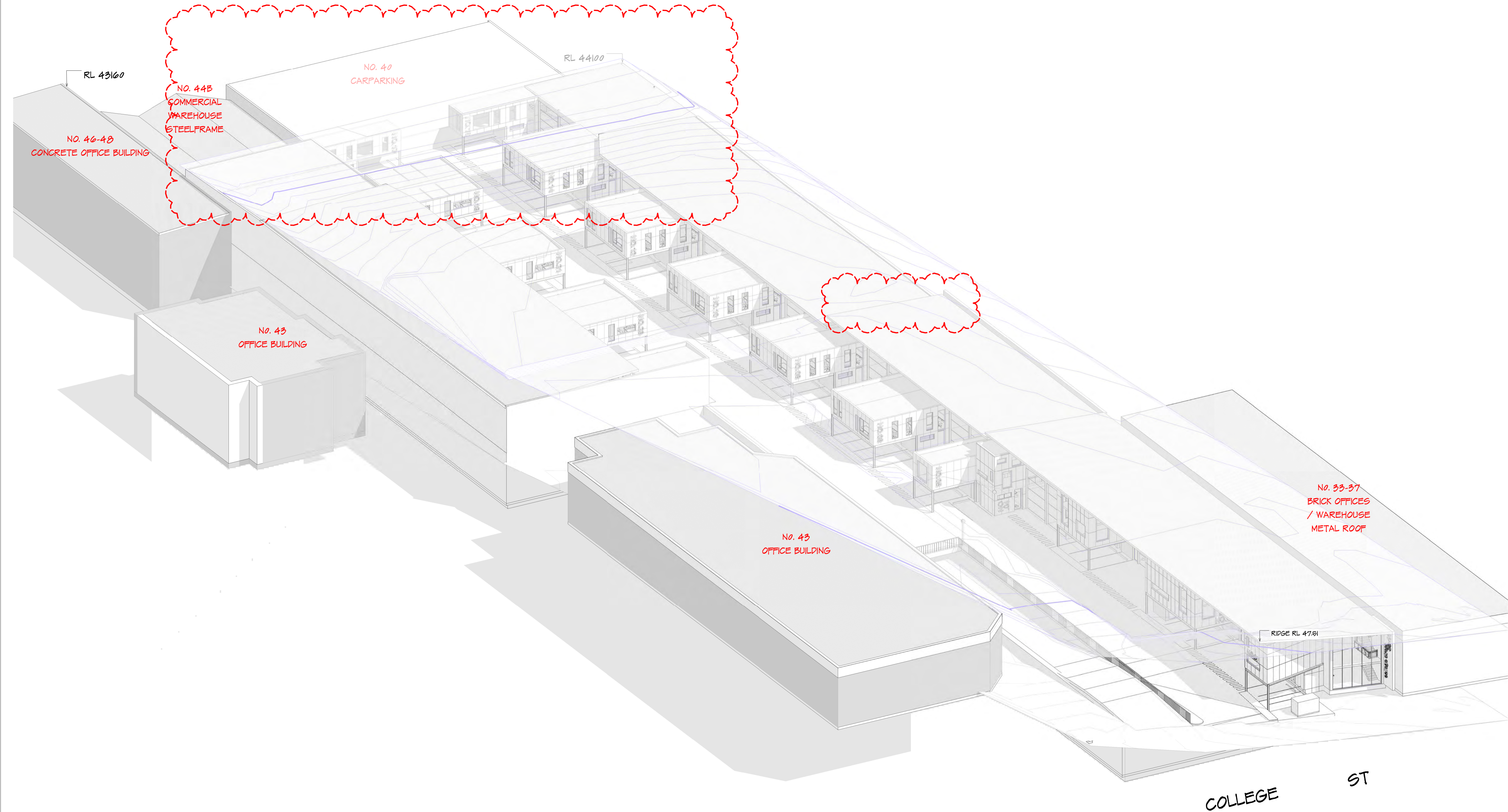
GENERAL:
Do not scale the drawing, read all dimensions shown.
Please note that ground levels may vary due to site conditions.
CONSTRUCTION CERTIFICATE NOTES:
The contractor shall check and verify all dimensions before commencing new work, and shall ask if in doubt.
The contractor shall comply with all relevant Australian Standards.
The contractor shall comply with 'National Construction Code' (NCC).
The drawings are to be read in conjunction with NATHERS requirements, if any variations, NATHERS will take precedence.

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No.	Description	Date	Issued to
1	Development Application	21.10.19	City of Ryde Council
2	Additional Information 1	21.11.08	City of Ryde Council
3	Additional Information 2	22.01.28	City of Ryde Council
4	Additional Information 3	22.03.18	City of Ryde Council
5	DA-Height Drop-F-Revision 1	22.04.28	City of Ryde Council
6	DA- Height Drop-Revision 2	22.05.18	City of Ryde Council
7	Substation + Front Facade	22.08.04	City of Ryde Council

39-41 College Street, Gladesville NSW 2111
demolition of existing factories & erection of new warehouses

Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	As indicated
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust	SCALE: 1:500	



BALNKET HEIGHT ANALYSIS

DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

No.	Description	Date	Issued to
1	Development Application	21.10.19	City of Ryde Council
2	Additional Information 1	21.11.08	City of Ryde Council
3	Additional Information 2	22.01.28	City of Ryde Council
4	Additional Information 3	22.03.18	City of Ryde Council
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39-41 College Street, Gladesville NSW 2111
 demolition of existing factories & erection of new warehouses

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Project number	210311	Date	29/03/21
Prepared by	FM	Scale	
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust	SCALE	1:50

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BLANKET ANALYSIS



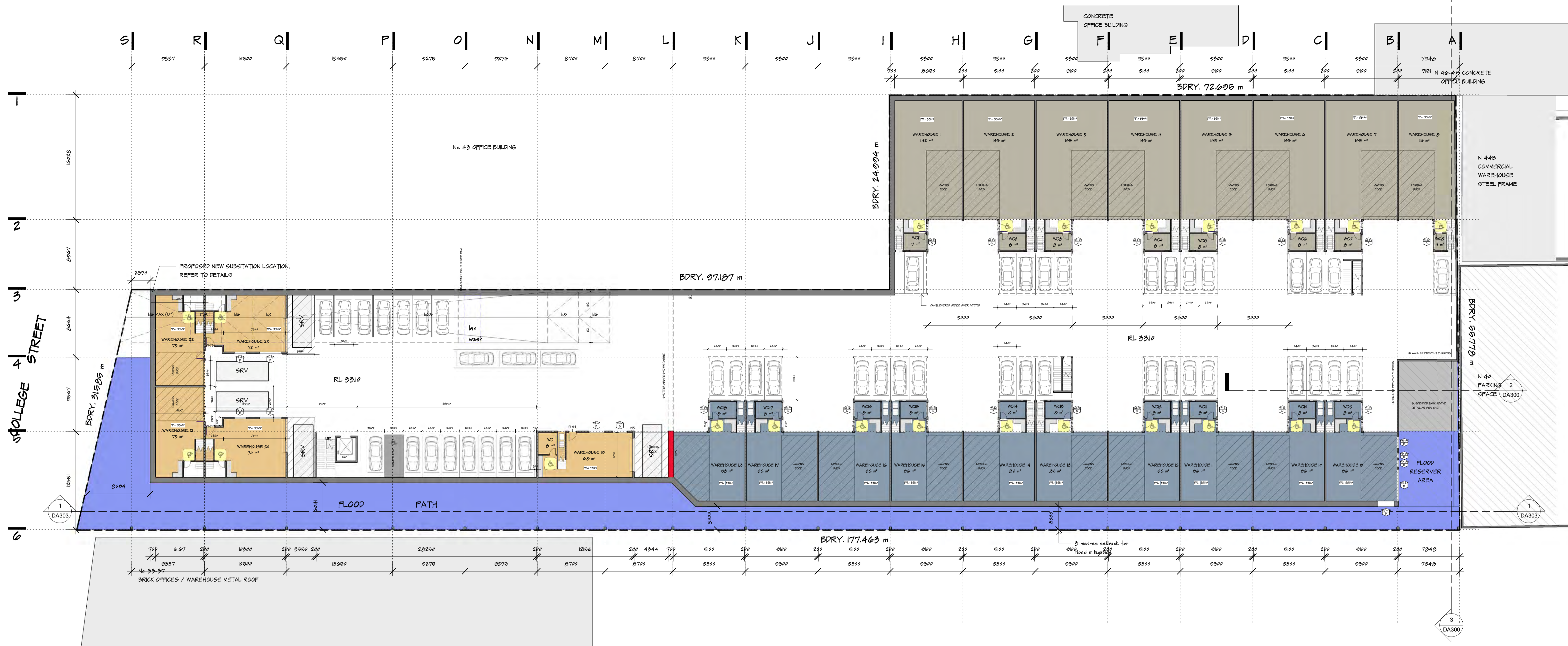
SITE PLAN
1 : 250

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39-41 College Street, Gladesville NSW 2111
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Project number: 210311 Date: 29/03/21
Prepared by: F.N Scale: 1 : 250
Designed by: M.S
Designed for: The Trustee for the Ash Rd Trust SCALE: 1:250



BASEMENT FLOOR PLAN
1:250

No.	Description	Date	Issued to
1	Development Application	21.10.19	City of Ryde Council
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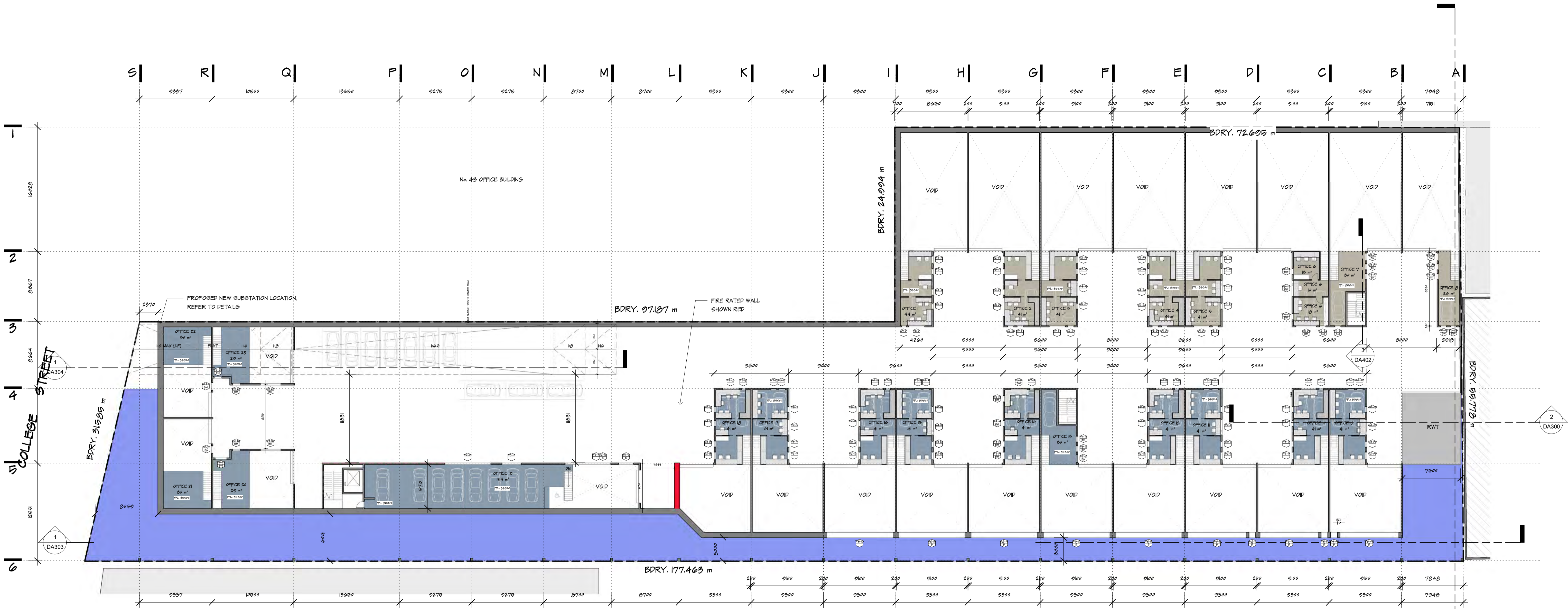
39-41 College Street, Gladesville NSW 2111
demolition of existing factories & erection of new warehouses

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Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	1:250
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust	SCALE 1:250	

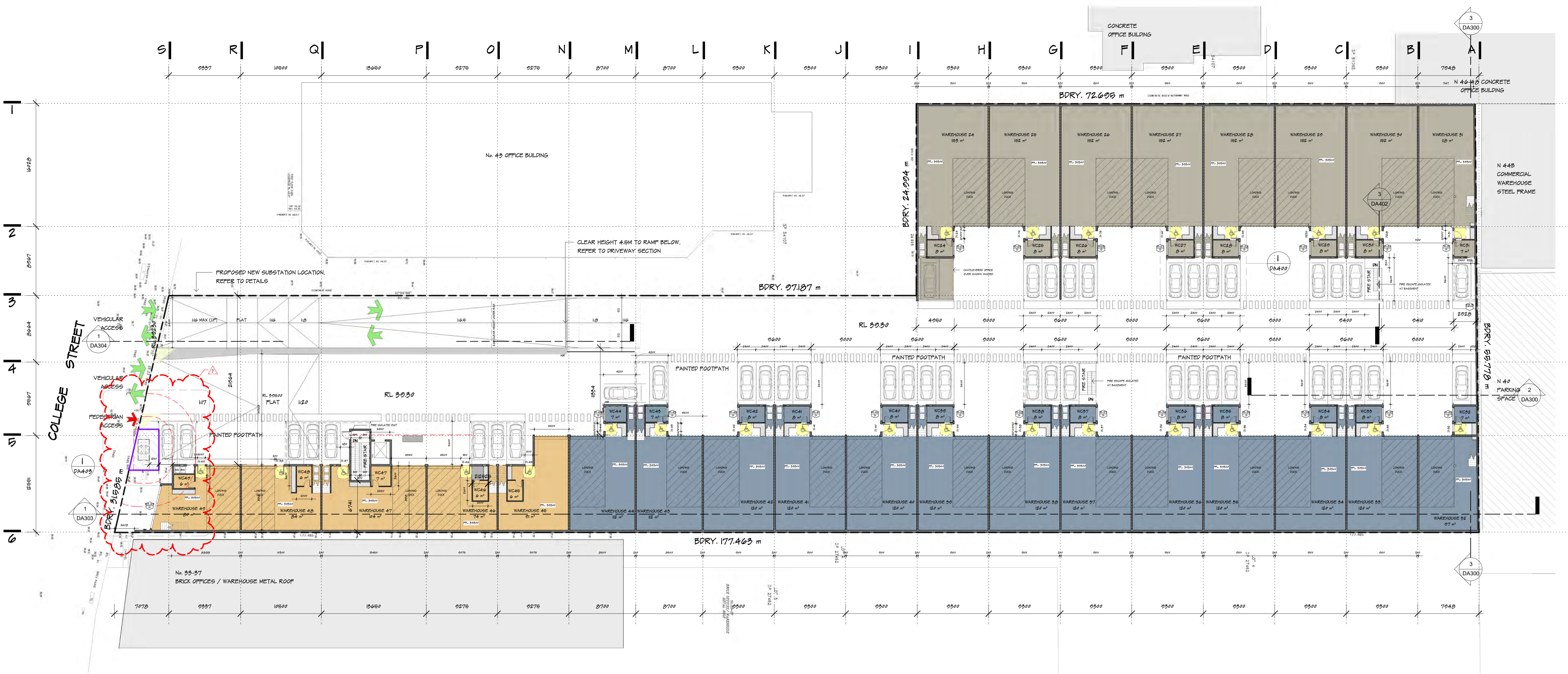
DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

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BASEMENT MEZZ. FLOOR PLAN
 1: 250

3
DA300



GROUND FLOOR PLAN
1:250

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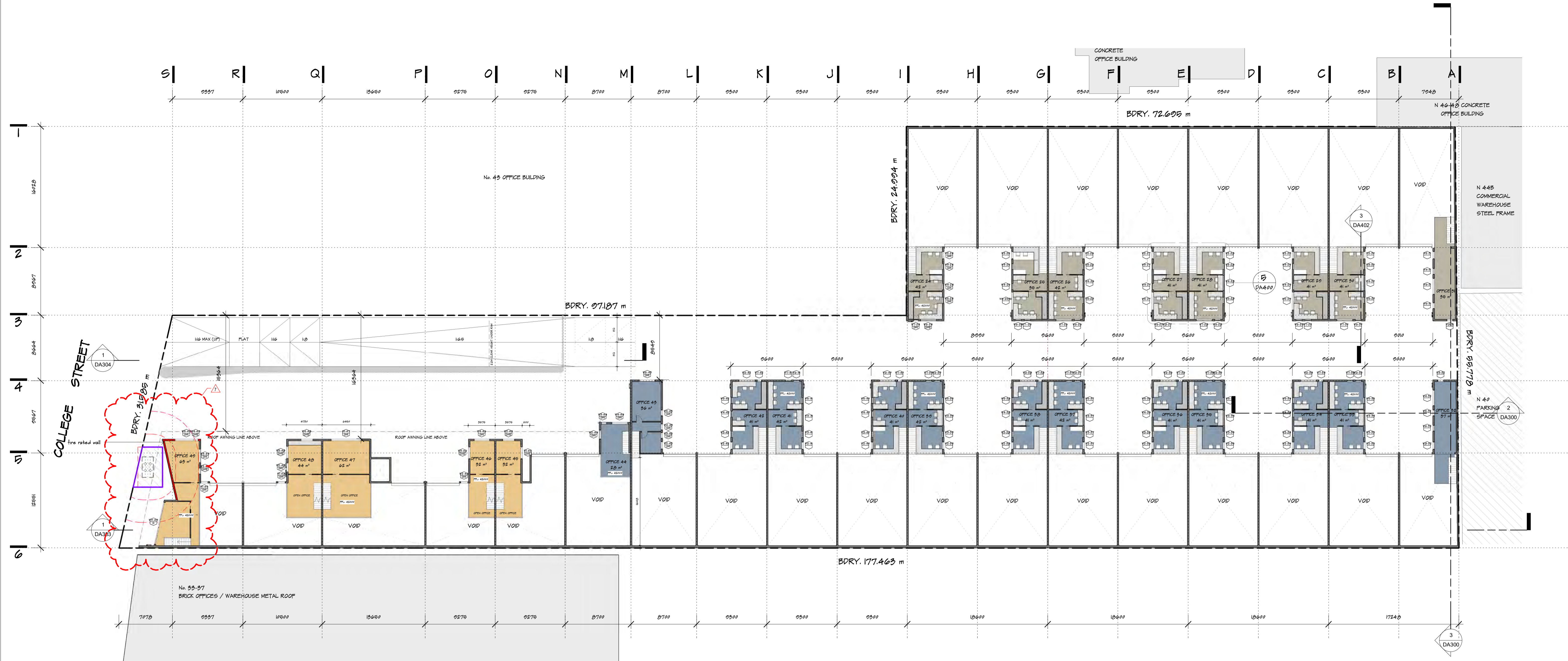
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39-41 College Street, Gladesville NSW 2111
demolition of existing factories & erection of new warehouses

Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	1:250
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust	SCALE 1:250	

GROUND FLOOR

DA103



G MEZZANINE LV | FLOOR PLAN

1 : 250

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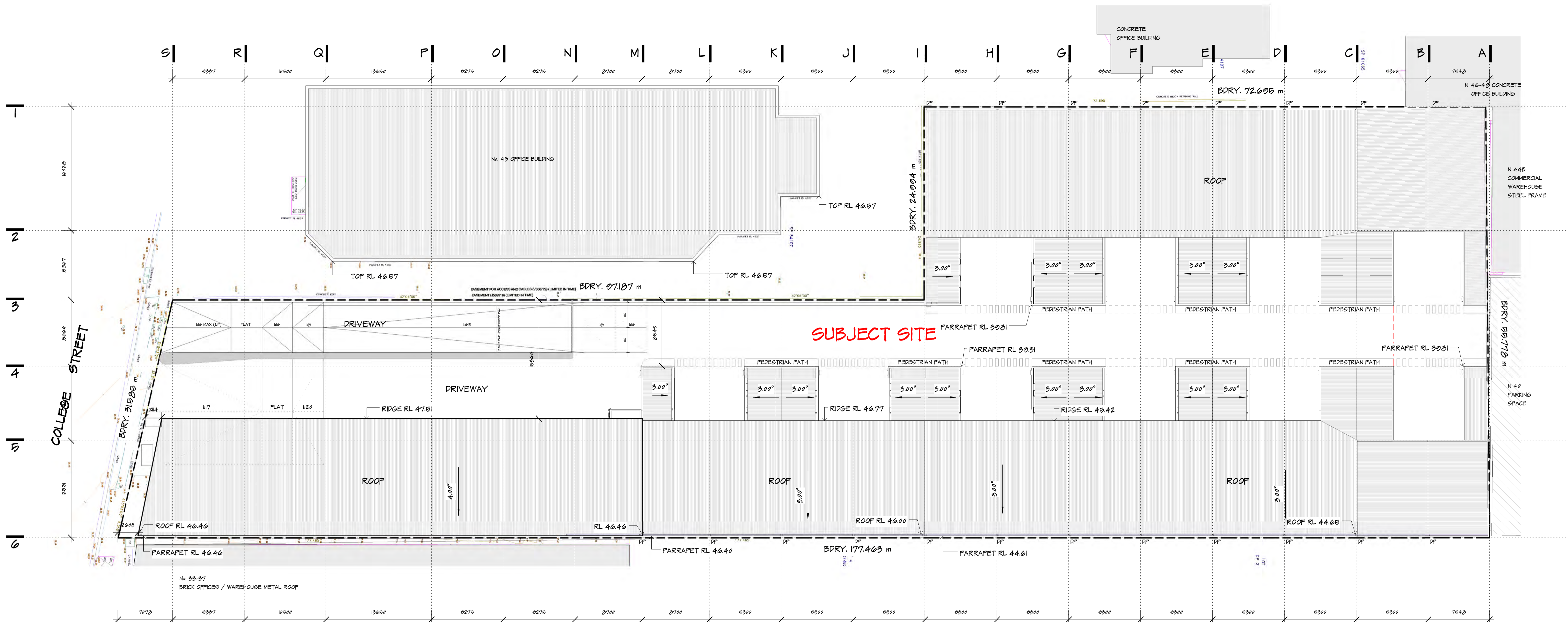
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Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	1 : 250
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust		

GROUND MEZZANINE LEVEL

DA104



ROOF PLAN
1:250

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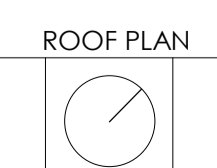
39-41 College Street, Gladesville NSW 2111
demolition of existing factories & erection of new warehouses

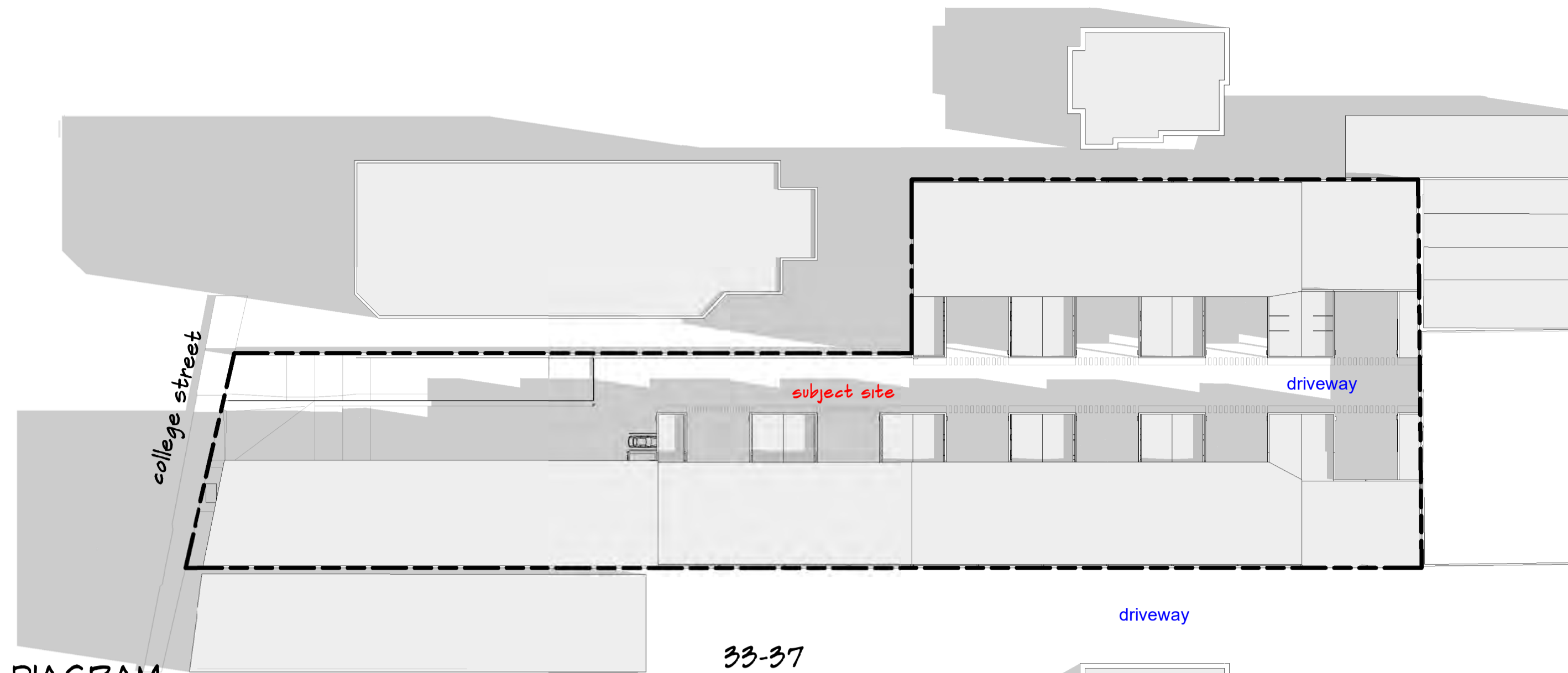
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Designed for	The Trustee for the Ash Rd Trust	SCALE 1:250	

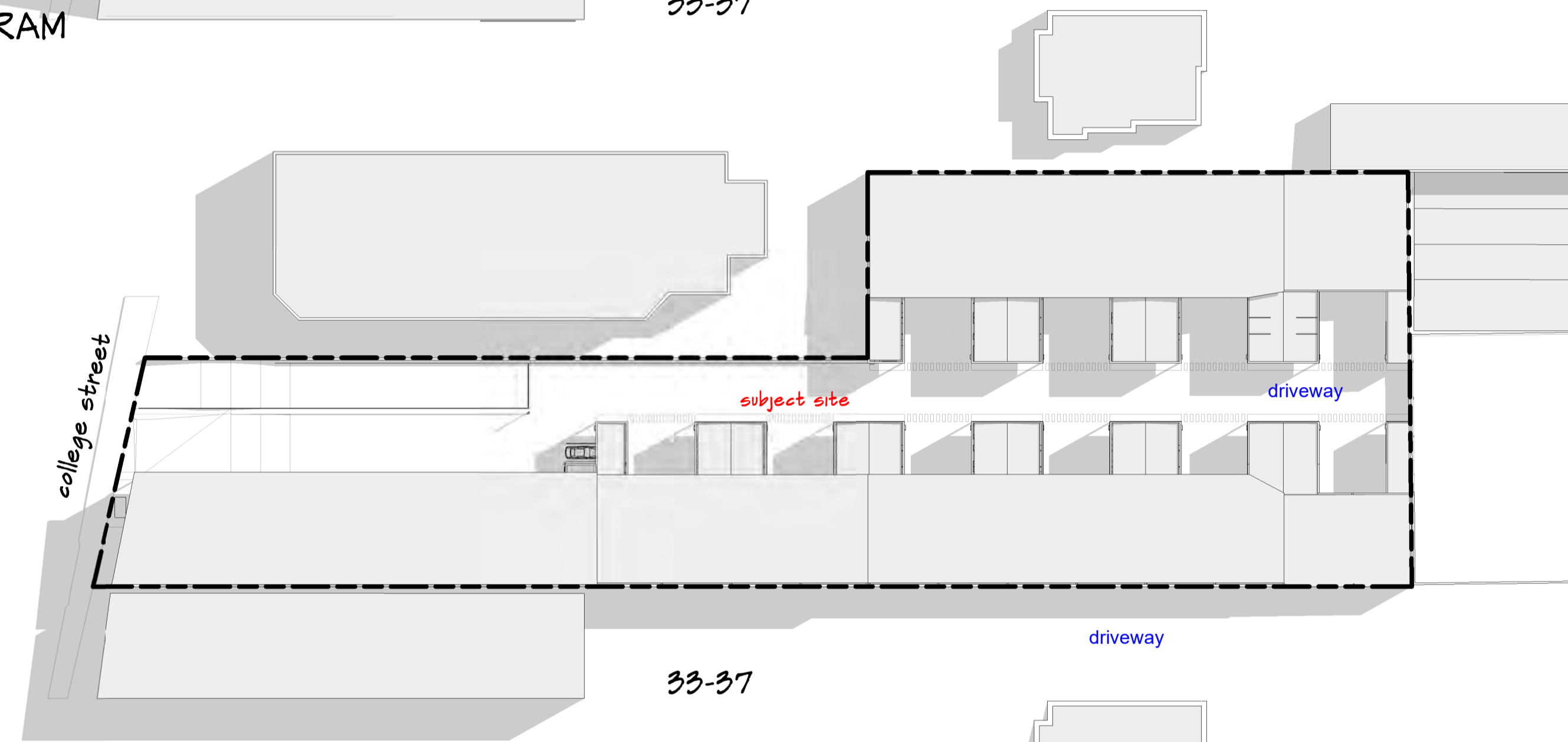
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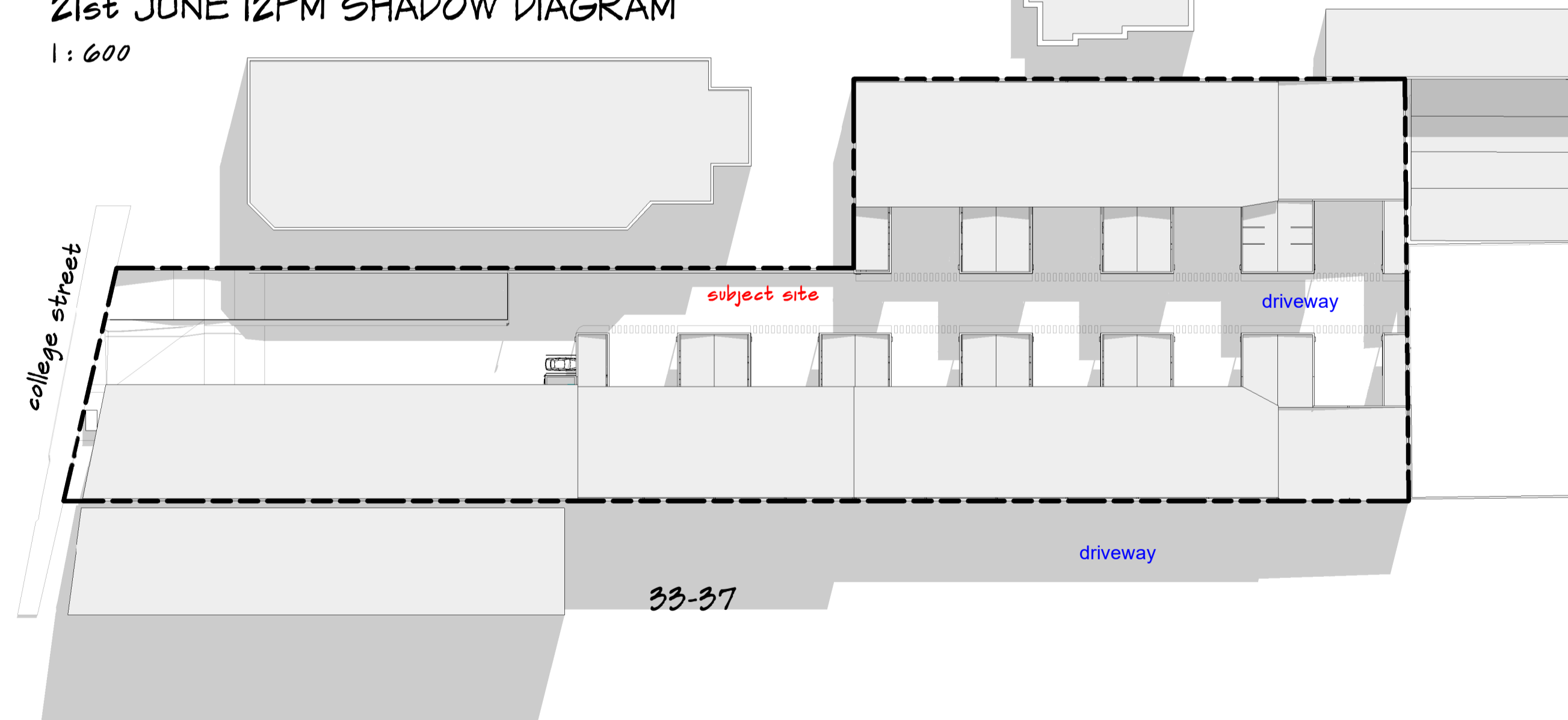




21st JUNE 9AM SHADOW DIAGRAM
1:600



21st JUNE 12PM SHADOW DIAGRAM
1:600



21st JUNE 3PM SHADOW DIAGRAM
1:600

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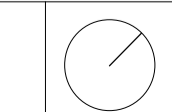
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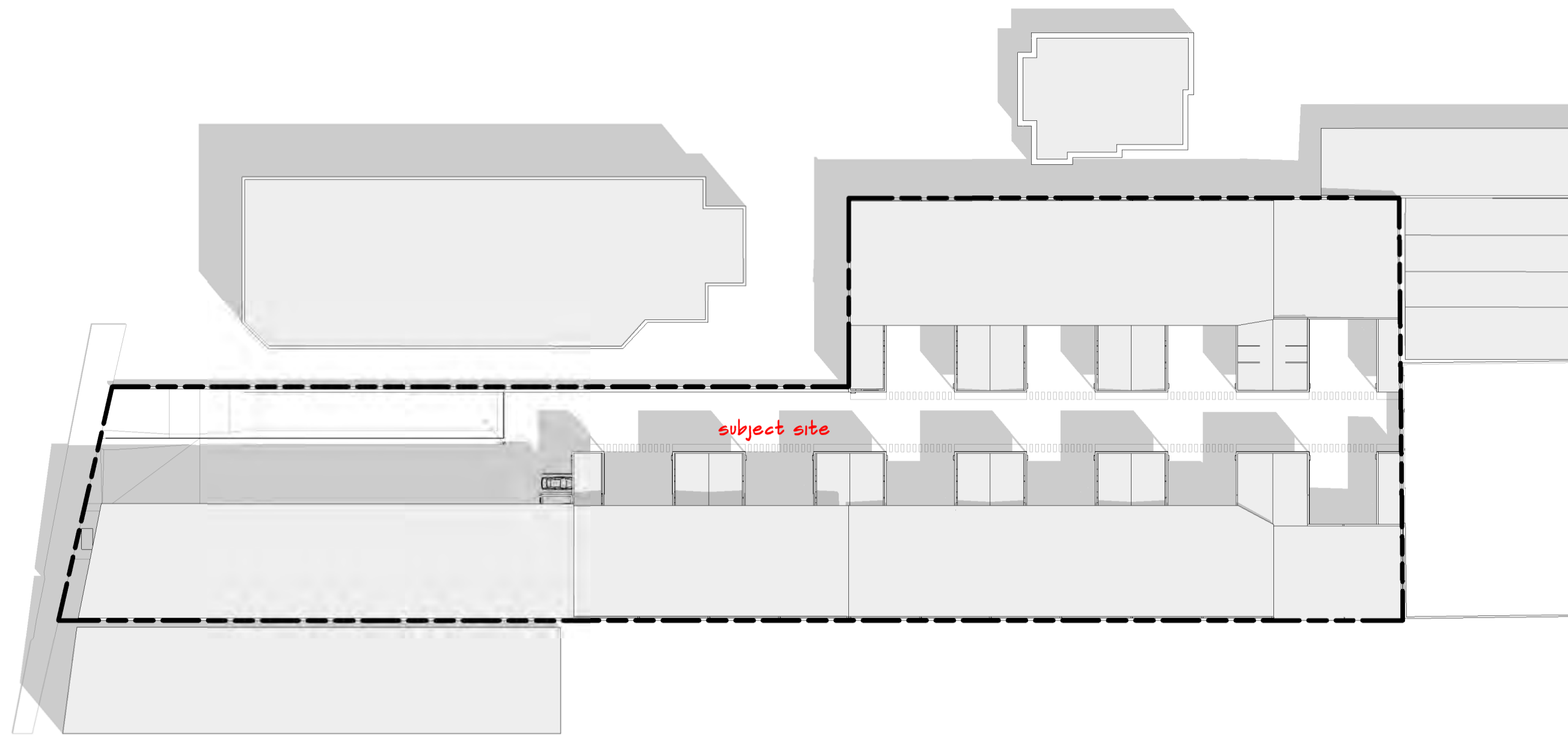
39-41 College Street, Gladesville NSW 2111
demolition of existing factories & erection of new warehouses

Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	1:600
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust		

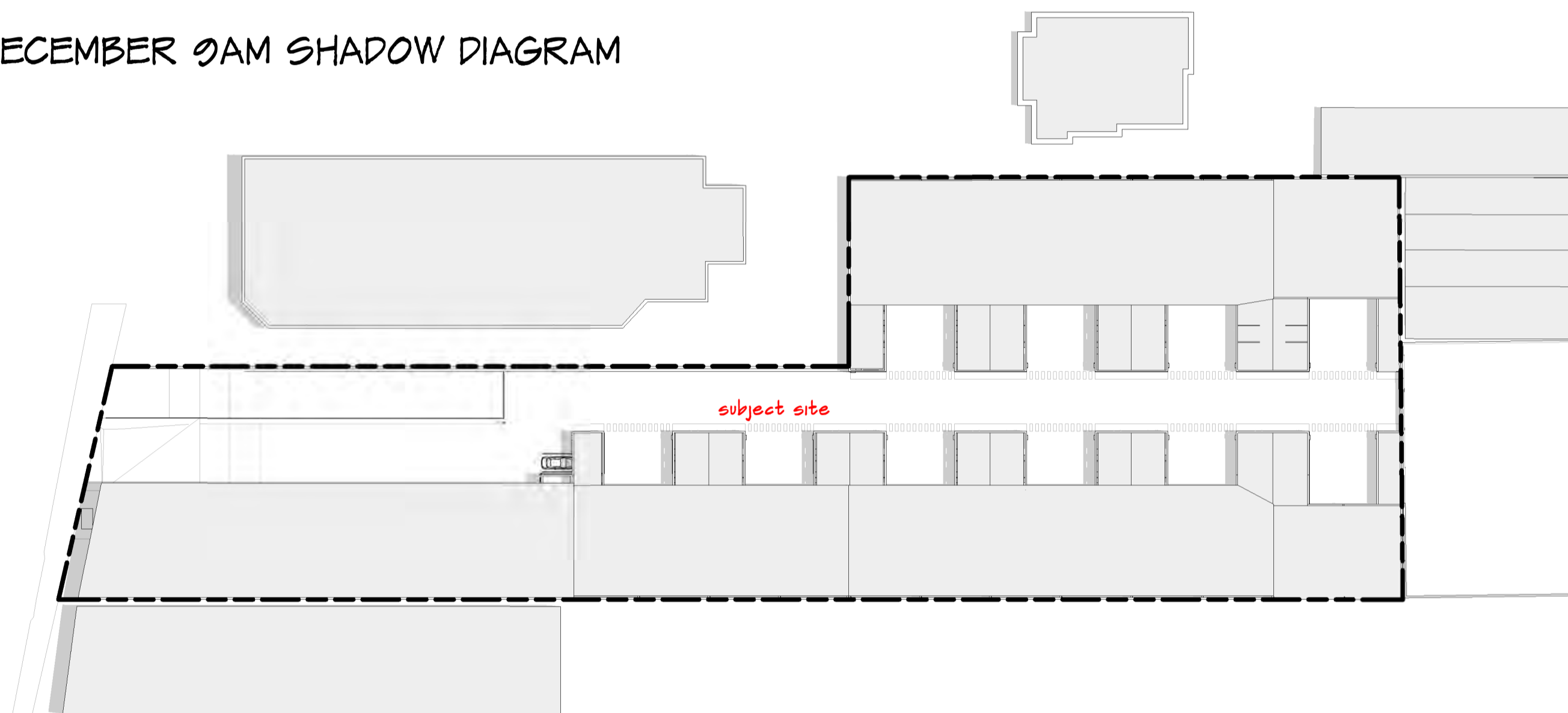
SHADOW DIAGRAM



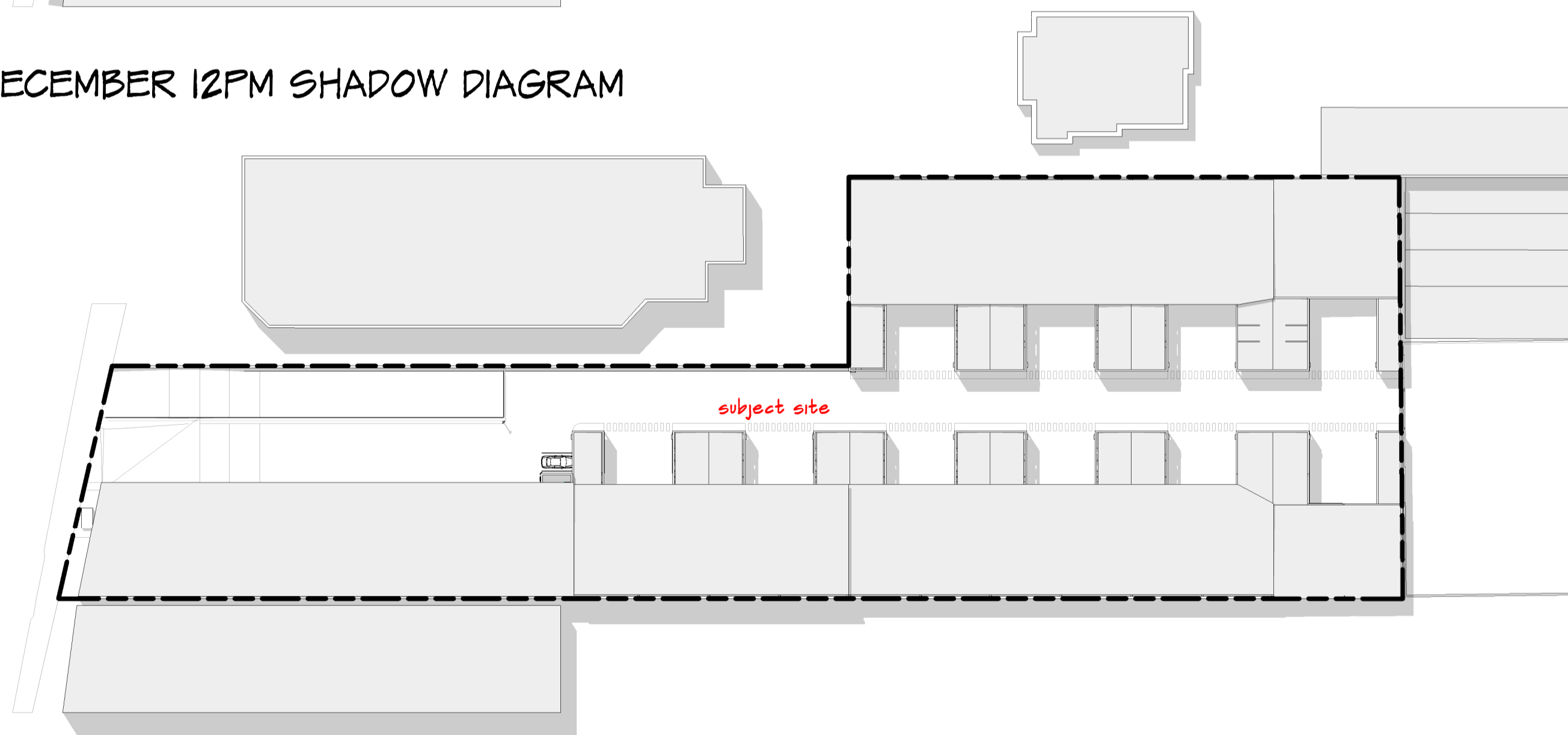
DA106



21st DECEMBER 9AM SHADOW DIAGRAM
1 : 600



21st DECEMBER 12PM SHADOW DIAGRAM
1 : 600



21st DECEMBER 3PM SHADOW DIAGRAM
1 : 600

DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

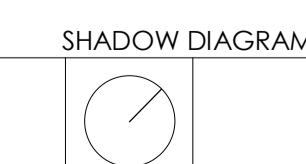
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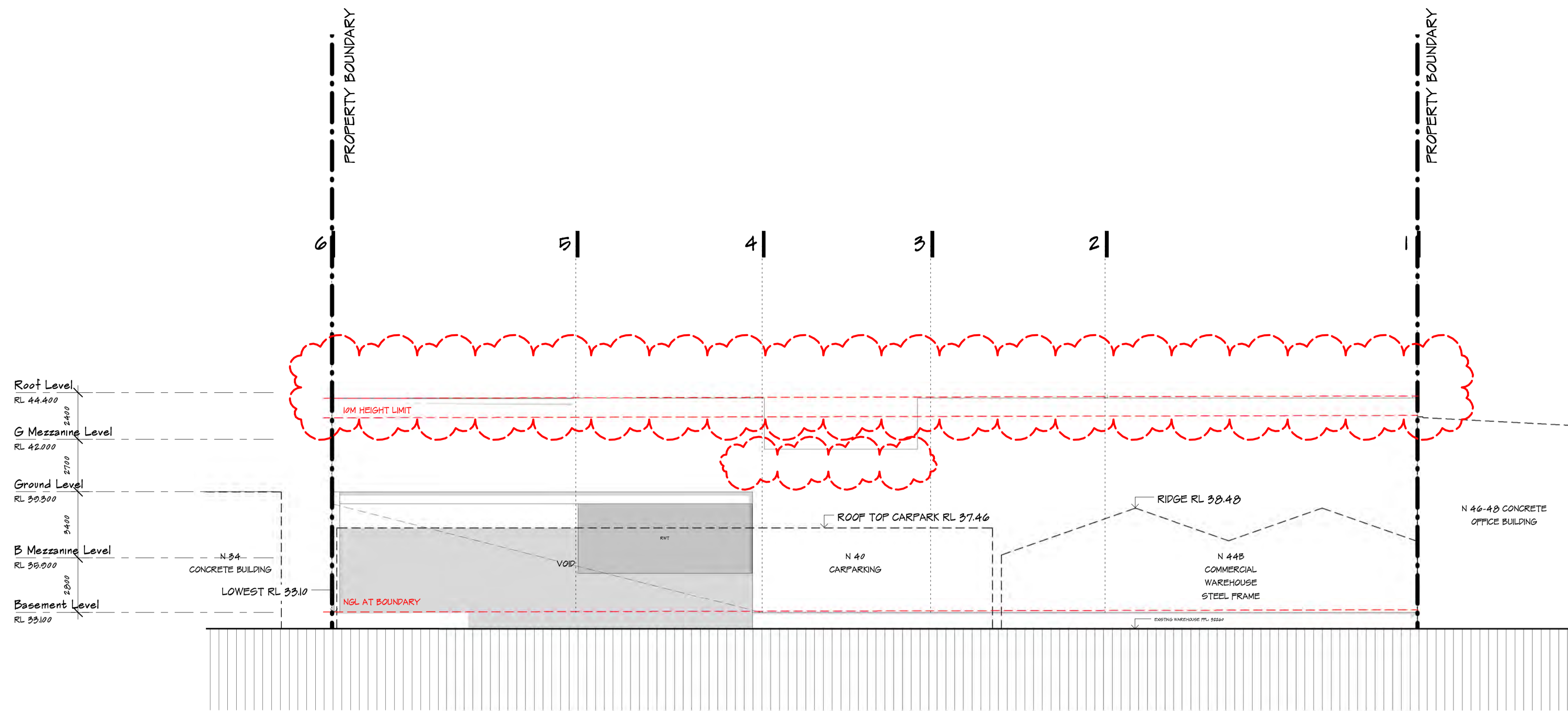
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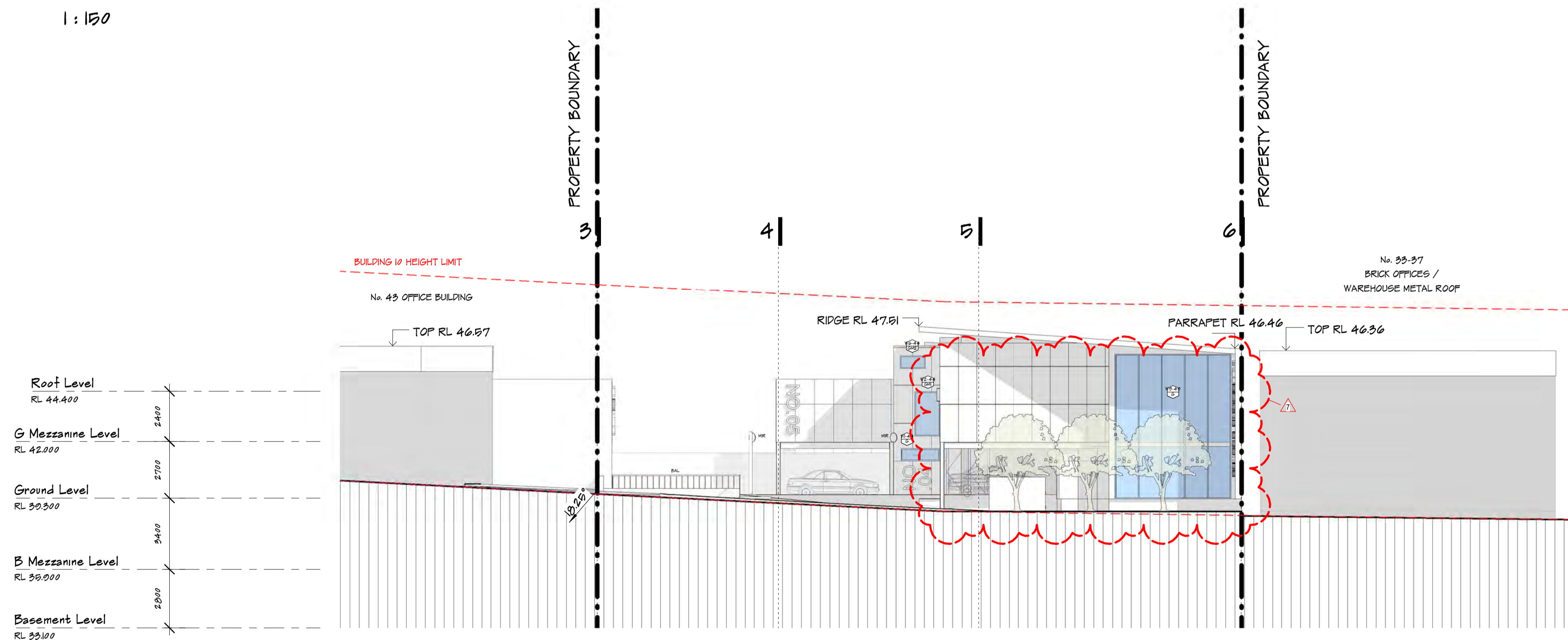


CODE LEGEND

CODE	DESCRIPTION
BAL	Balustrade
MIR	Mirror
RWT	Rainwater Tank



BUILDING ELEVATION - NORTH EAST
1 : 150



BUILDING ELEVATION - SOUTH WEST
1 : 150

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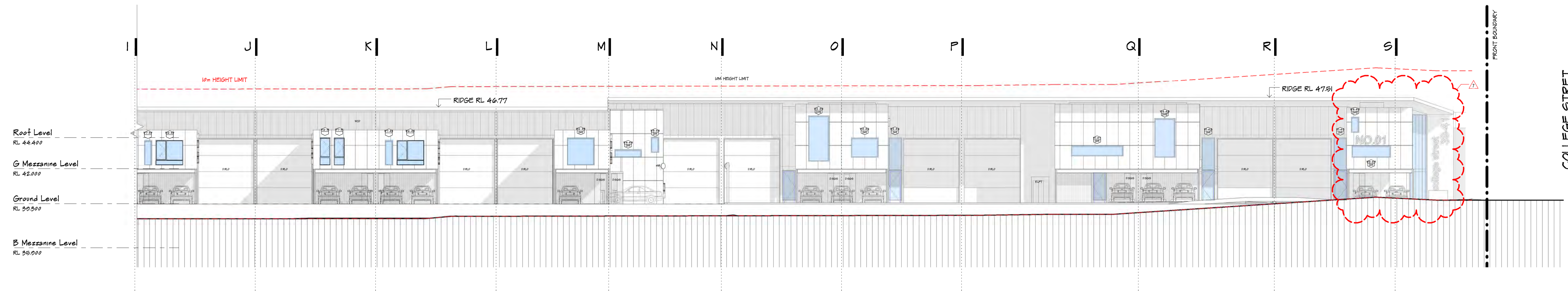
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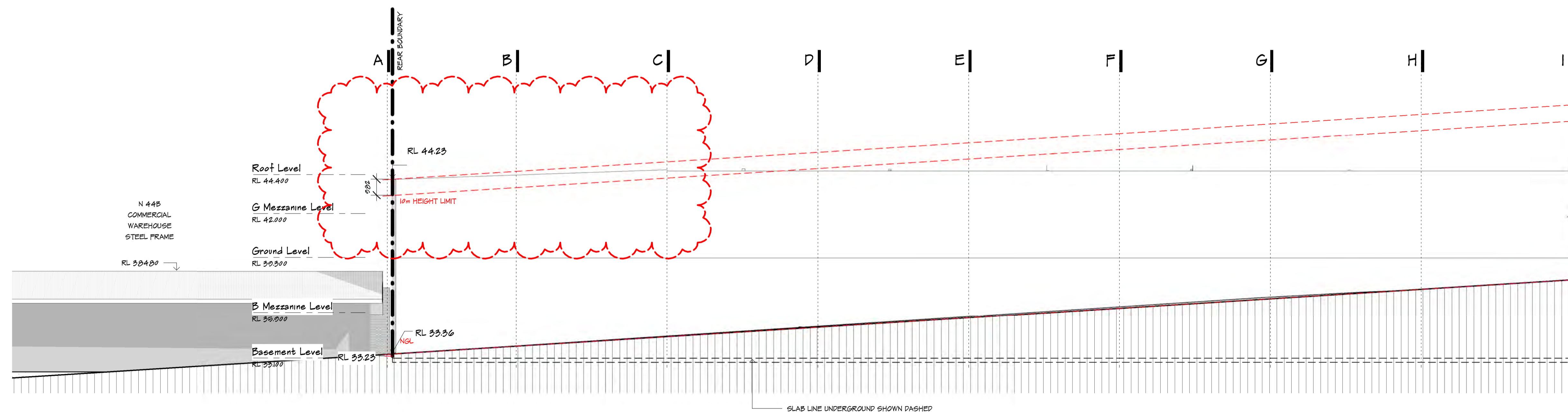
Project number	210311	Date	29/03/21	BUILDING ELEVATION
Prepared by	F.N	Scale	1 : 150	
Designed by	M.S			
Designed for	The Trustee for the Ash Rd Trust			

CODE LEGEND

CODE	DESCRIPTION
D,RLD	Door - Roller
D,SGS	Door - Single Leaf, Sliding
ELFT	Lift
MIR	Mirror
WCD	Wall Cladding



BUILDING ELEVATION - NORTH WEST I-S
1:150



BUILDING ELEVATION NORTH WEST A-I
1:150

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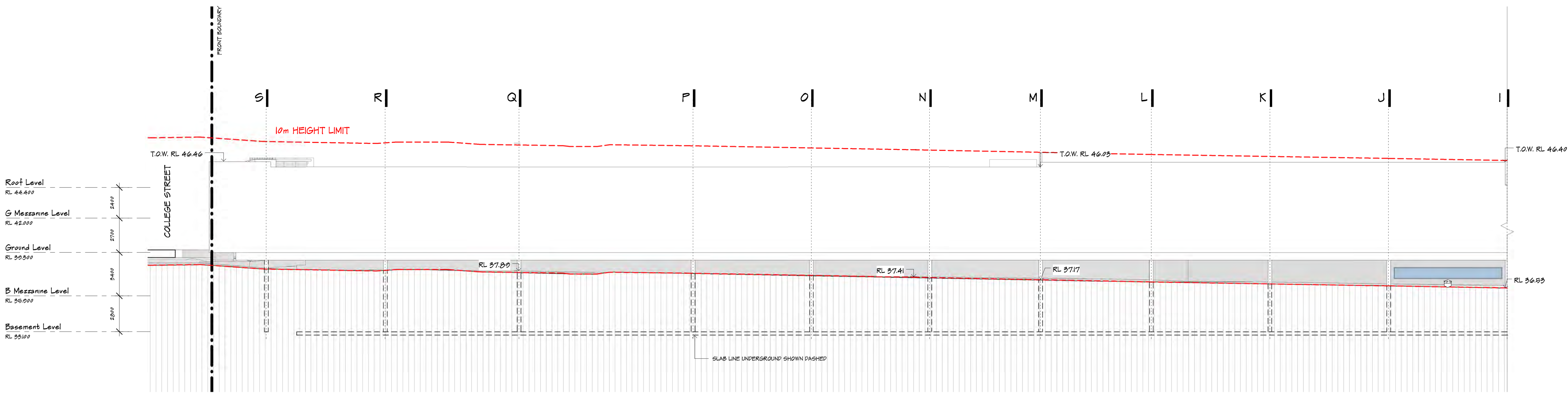
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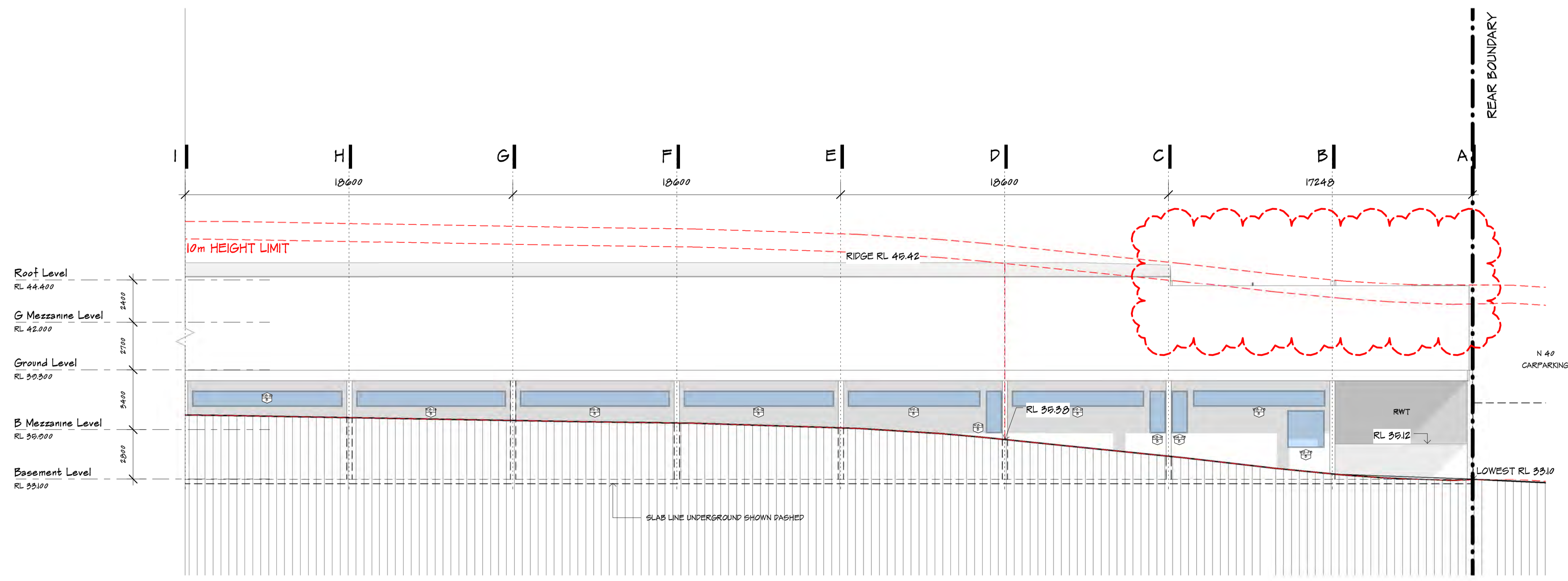
Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	1:150
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust	SCALE 1:200	

BUILDING ELEVATION		DA202
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BUILDING ELEVATION - SOUTH EAST S-I

1:150



BUILDING ELEVATION - SOUTH EAST I-A

1:150

DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

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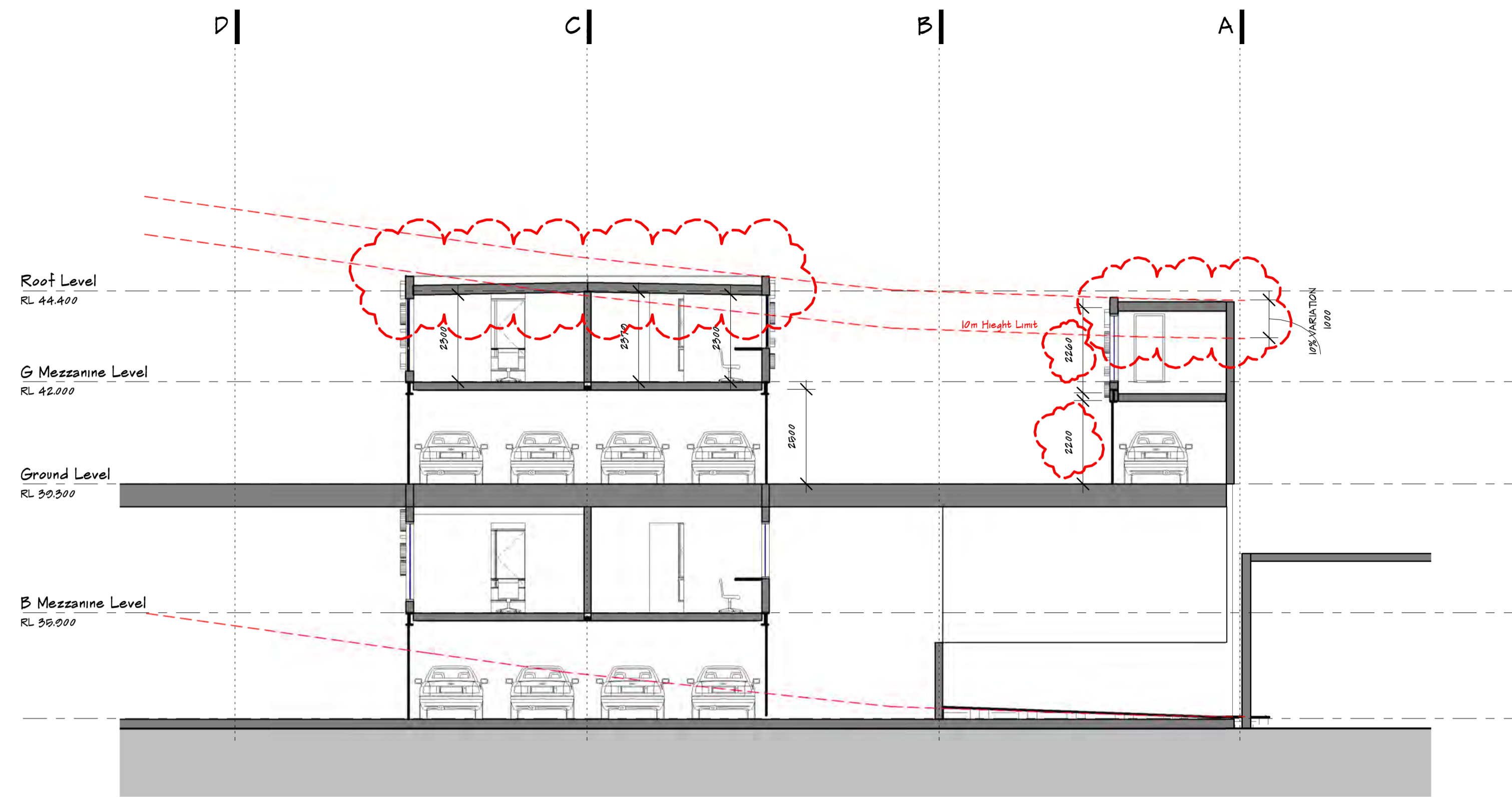
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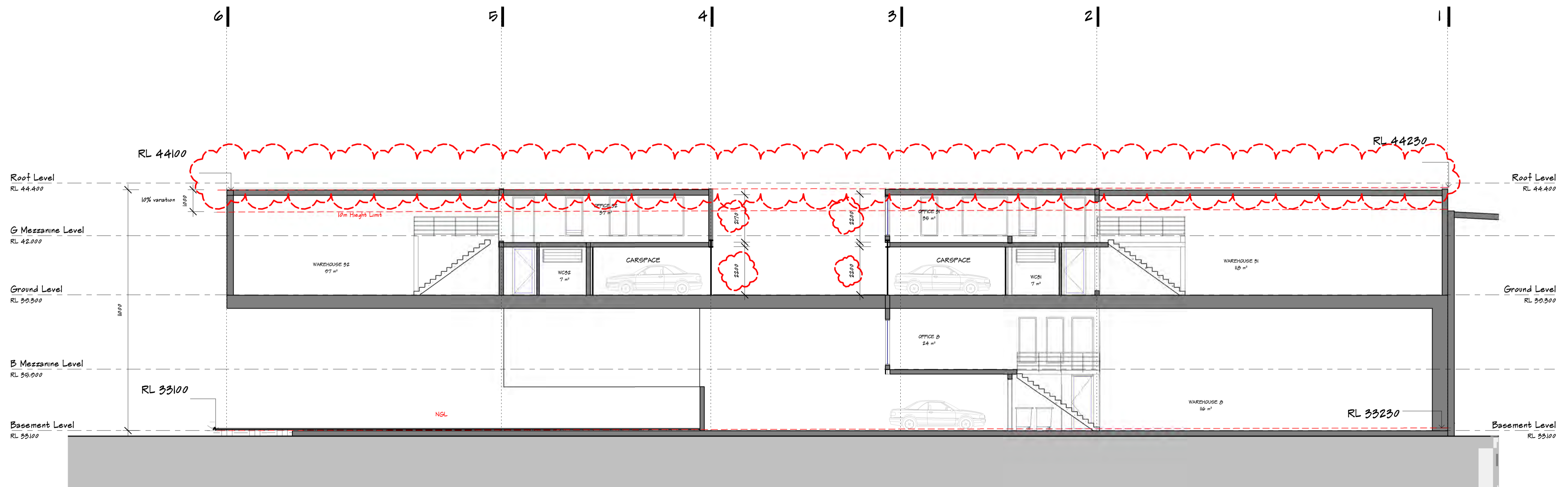
BUILDING ELEVATION

DA203



SECTION PERPENDICULAR TO LOWEST RL

1 : 100



SECTION PARALLELL TO LOWEST RL

1 : 100

DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

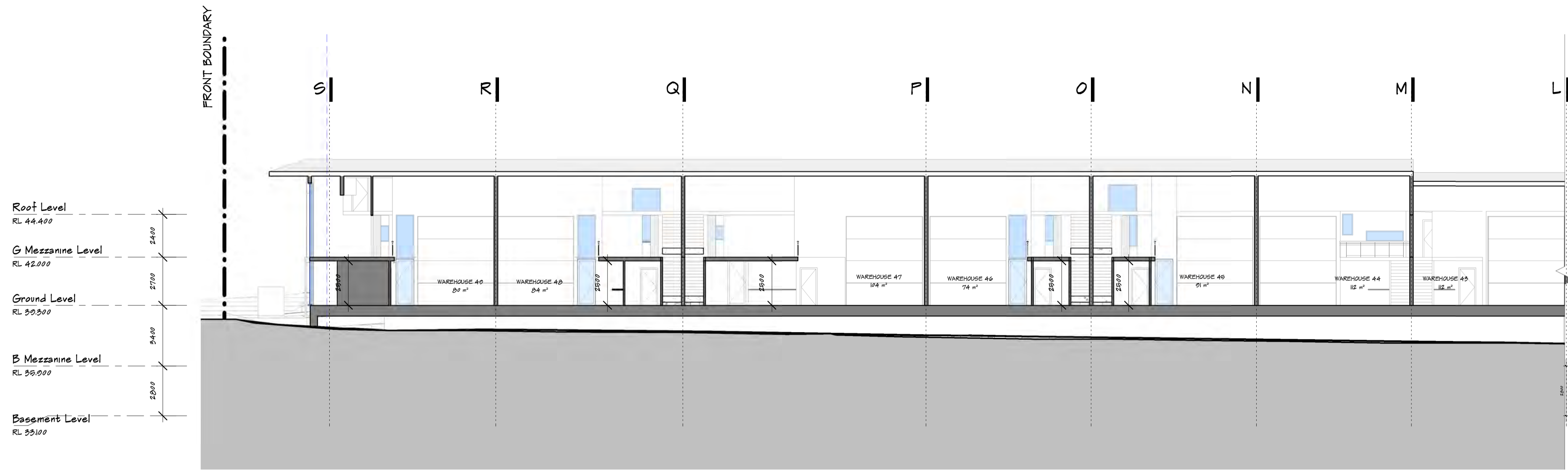
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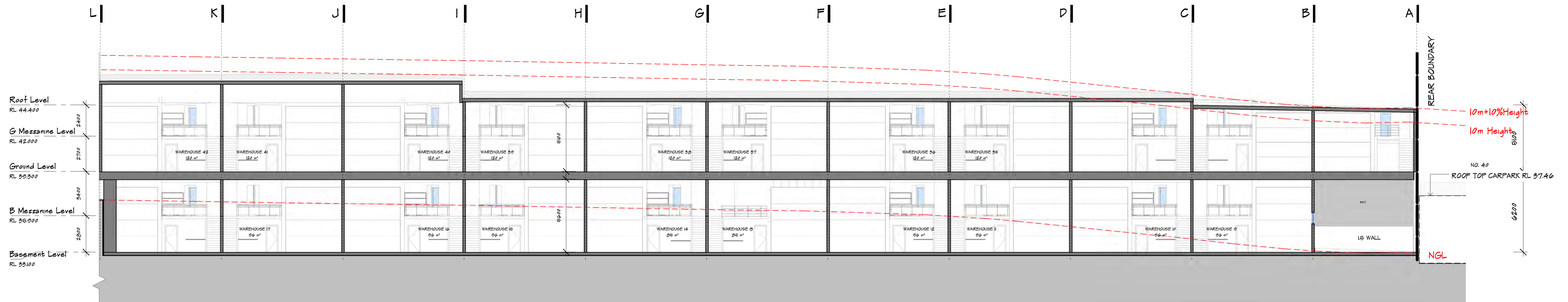
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Project number	210311	Date	29/03/21
Prepared by	Author	Scale	1 : 100
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust	ICAM:180	



SECTION NORTH WEST J-G
1:150



SECTION NORTH WEST G-A
1:150

DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

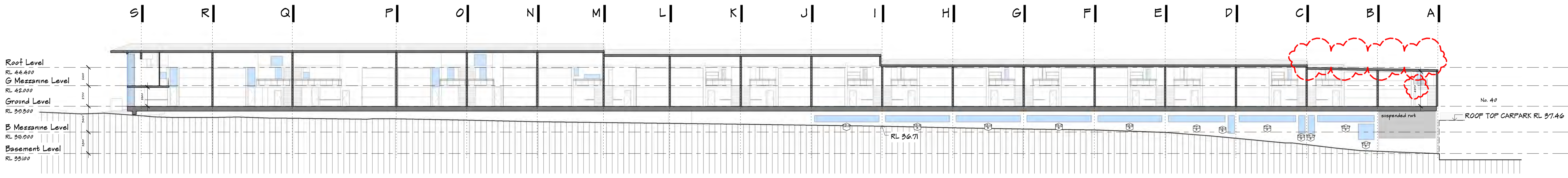
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SOUTH EAST SECTION AT BOUNDARY
1:250

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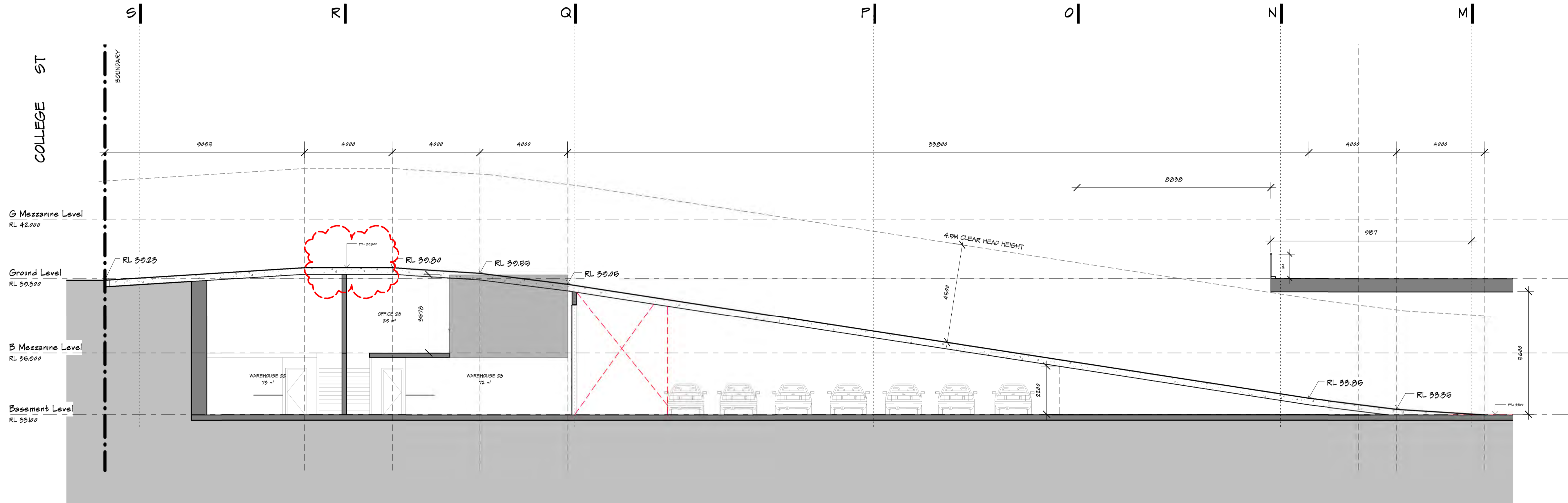
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Designed by	M.S		
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SOUTH BOUNDARY SECTION

DA303



DRIVEWAY SECTION
1 : 100

DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

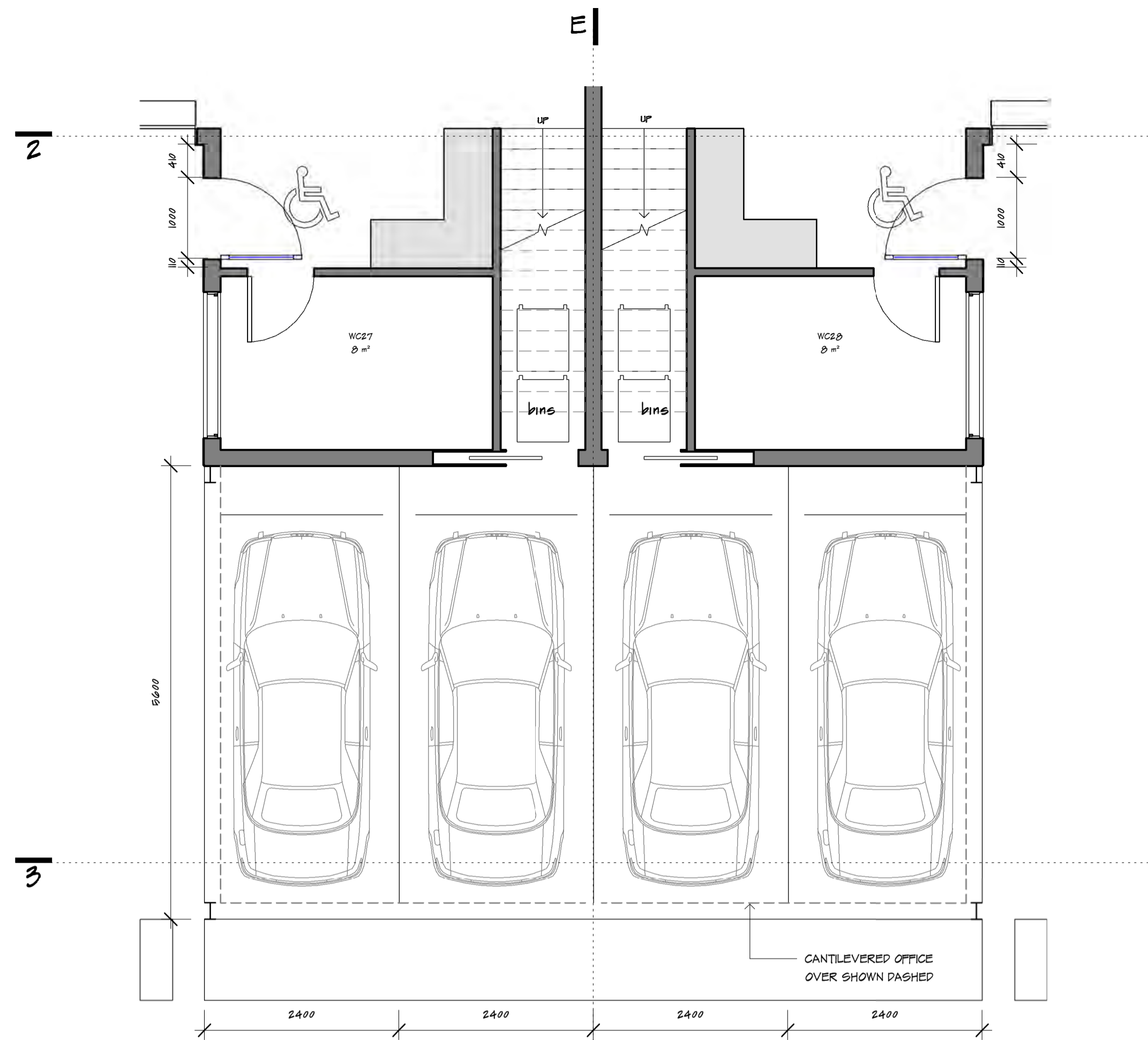
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3	Additional Information 2	22.01.28	City of Ryde Council
4	Additional Information 3	22.03.18	City of Ryde Council
5	DA-Height Drop-F-Revision 1	22.04.28	City of Ryde Council
6	DA-Height Drop-F-Revision 2	22.05.18	City of Ryde Council
7	Substation + Front Facade	22.08.04	City of Ryde Council

39-41 College Street, Gladesville NSW 2111
demolition of existing factories & erection of new warehouses

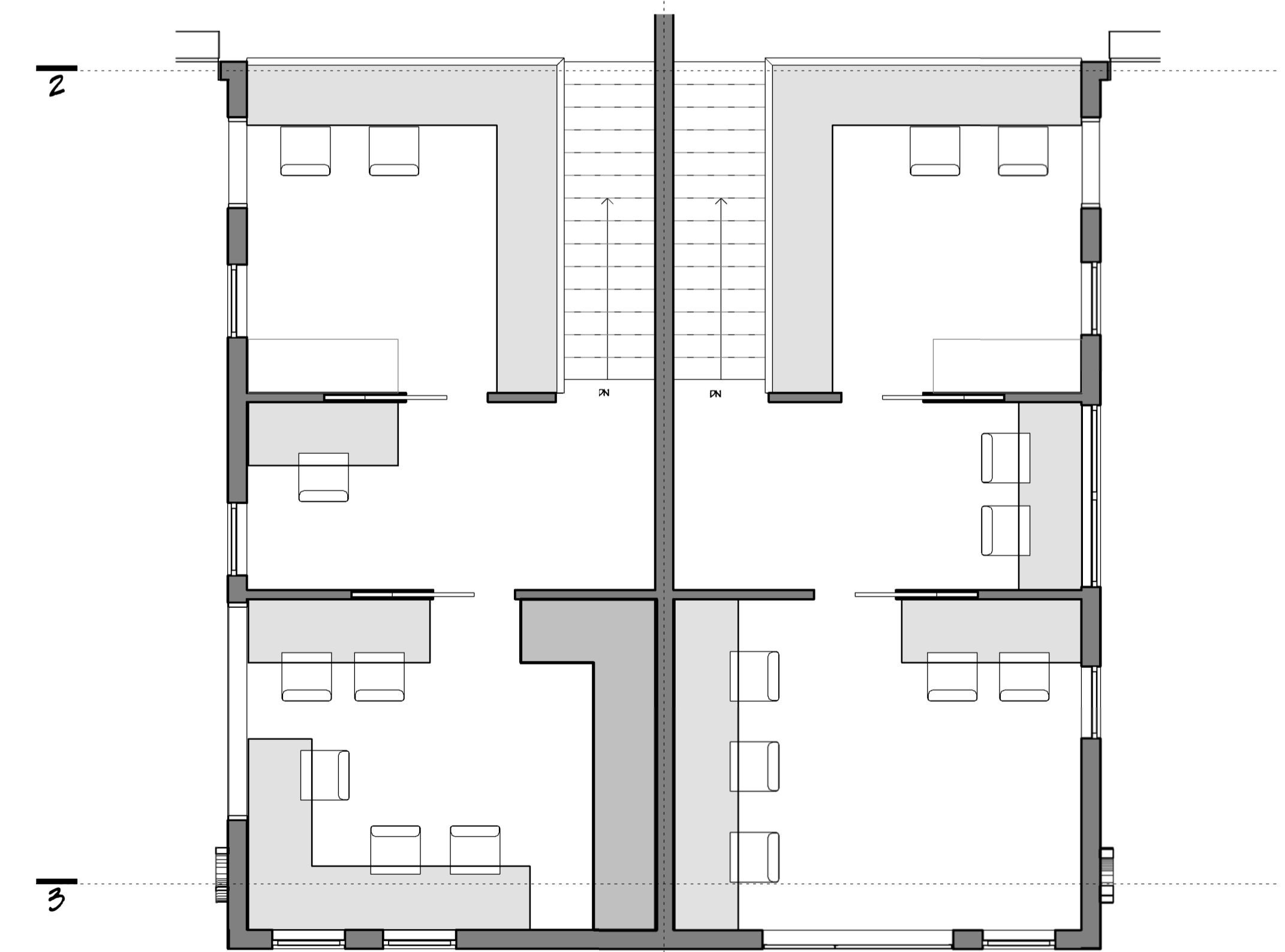
GENERAL:
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Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	1 : 100
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust		

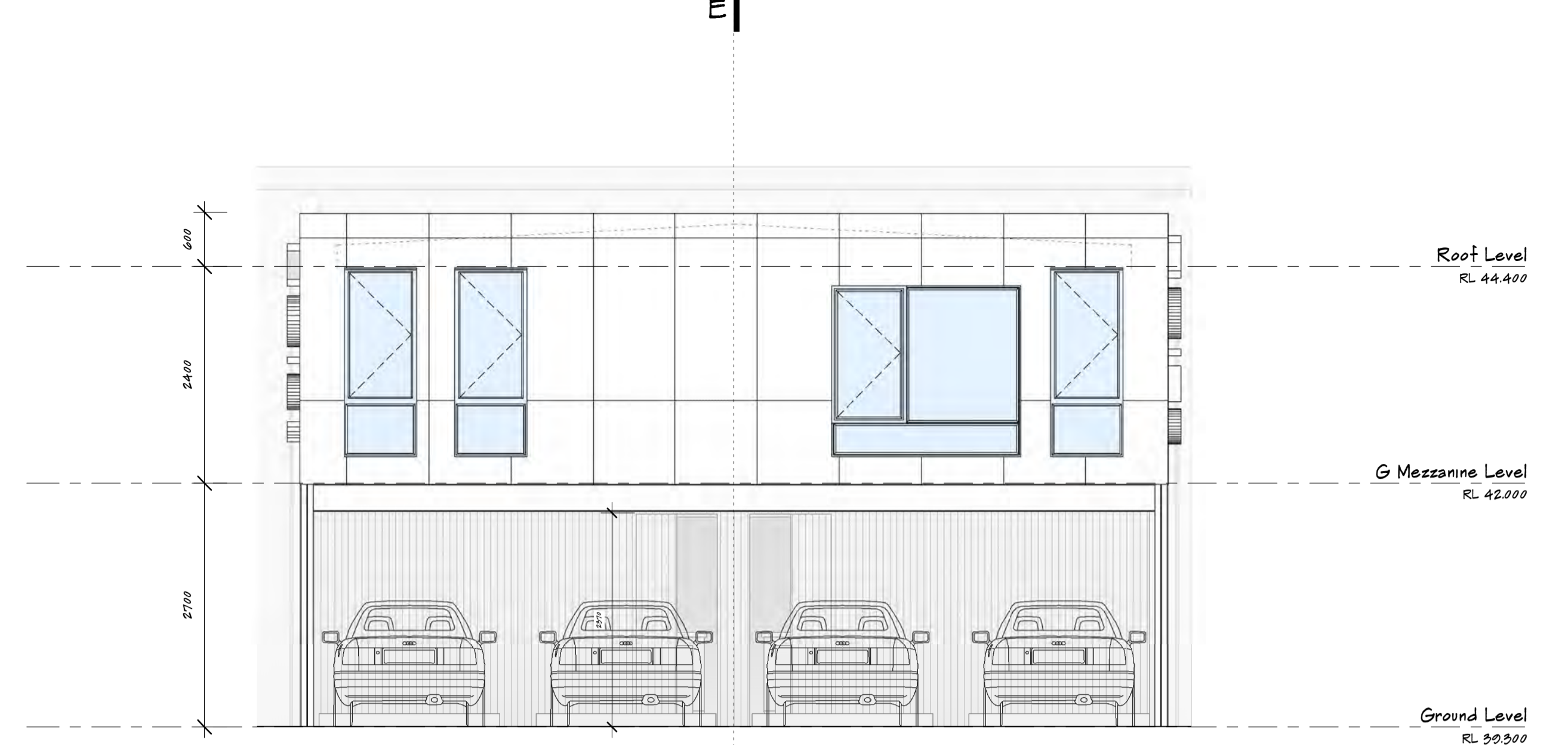
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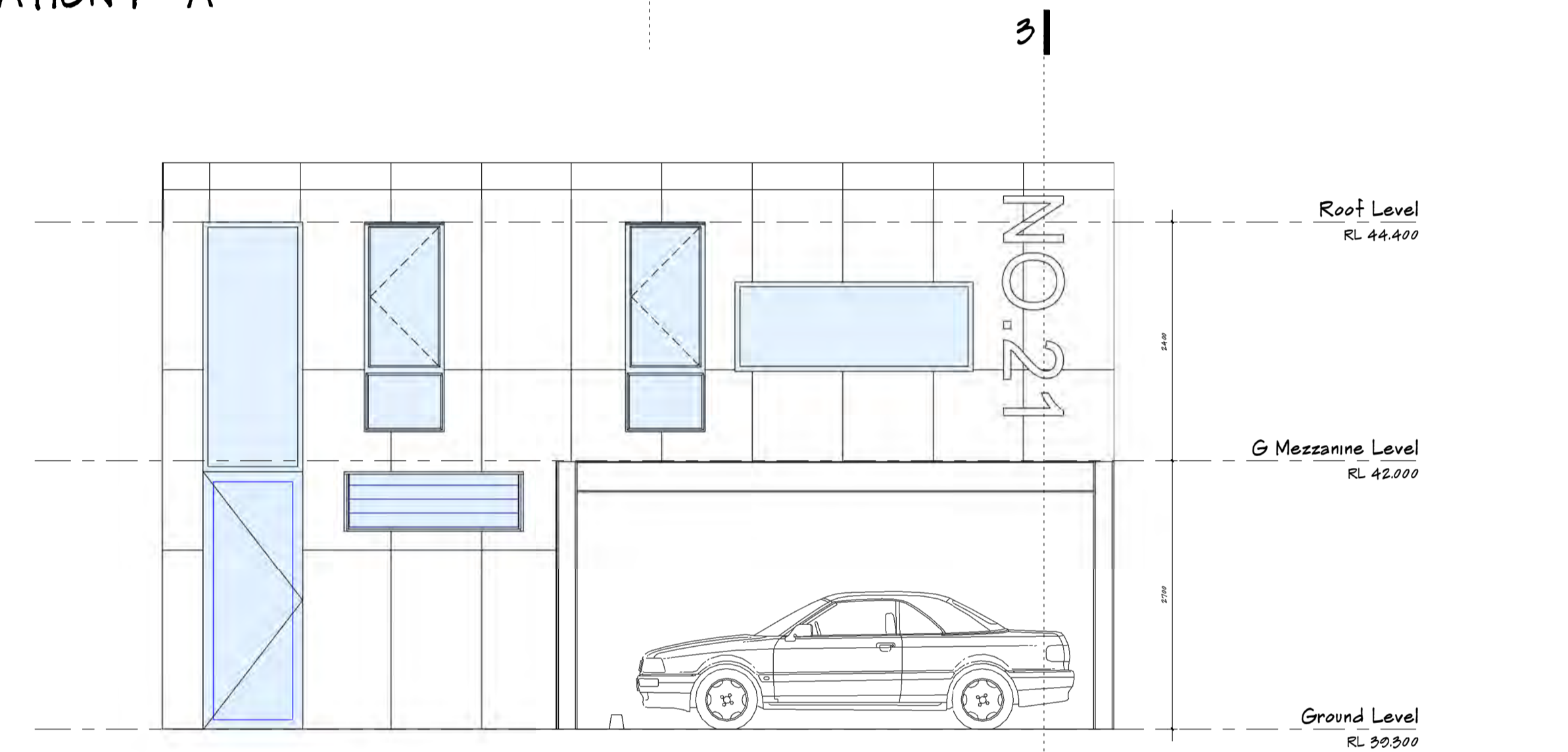
TYPICAL OFFICE LAYOUT GROUND
1:50



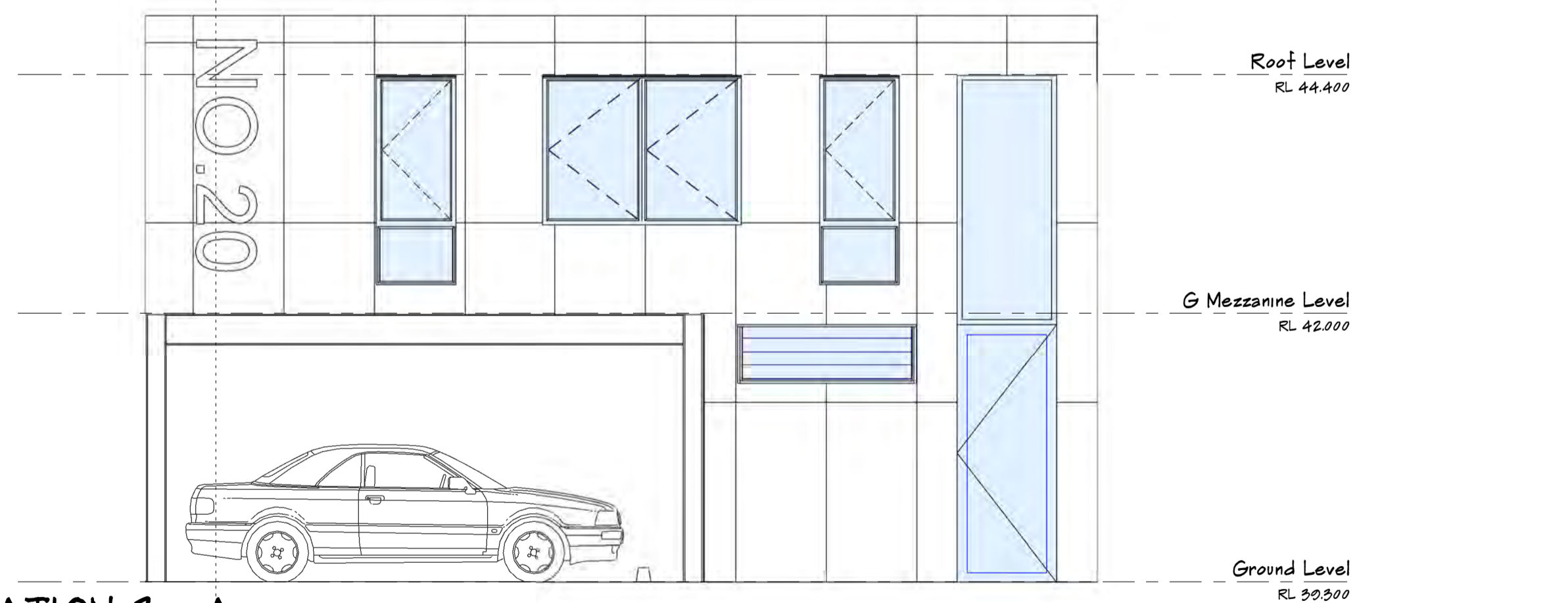
TYPICAL OFFICE LAYOUT MEZZANINE LEVEL
1:50



ELEVATION 1 - A
1:50

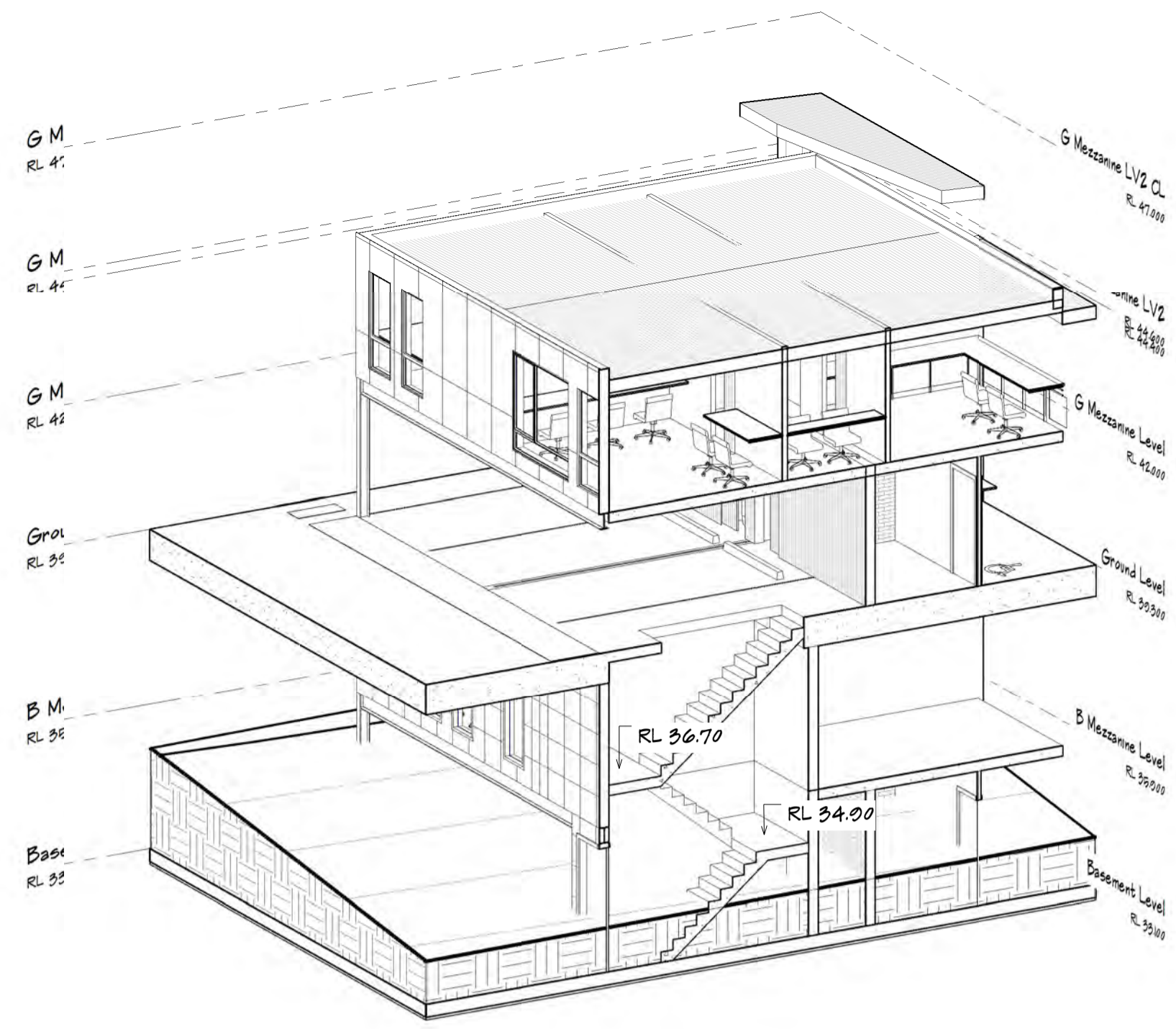


ELEVATION 2 - A
1:50

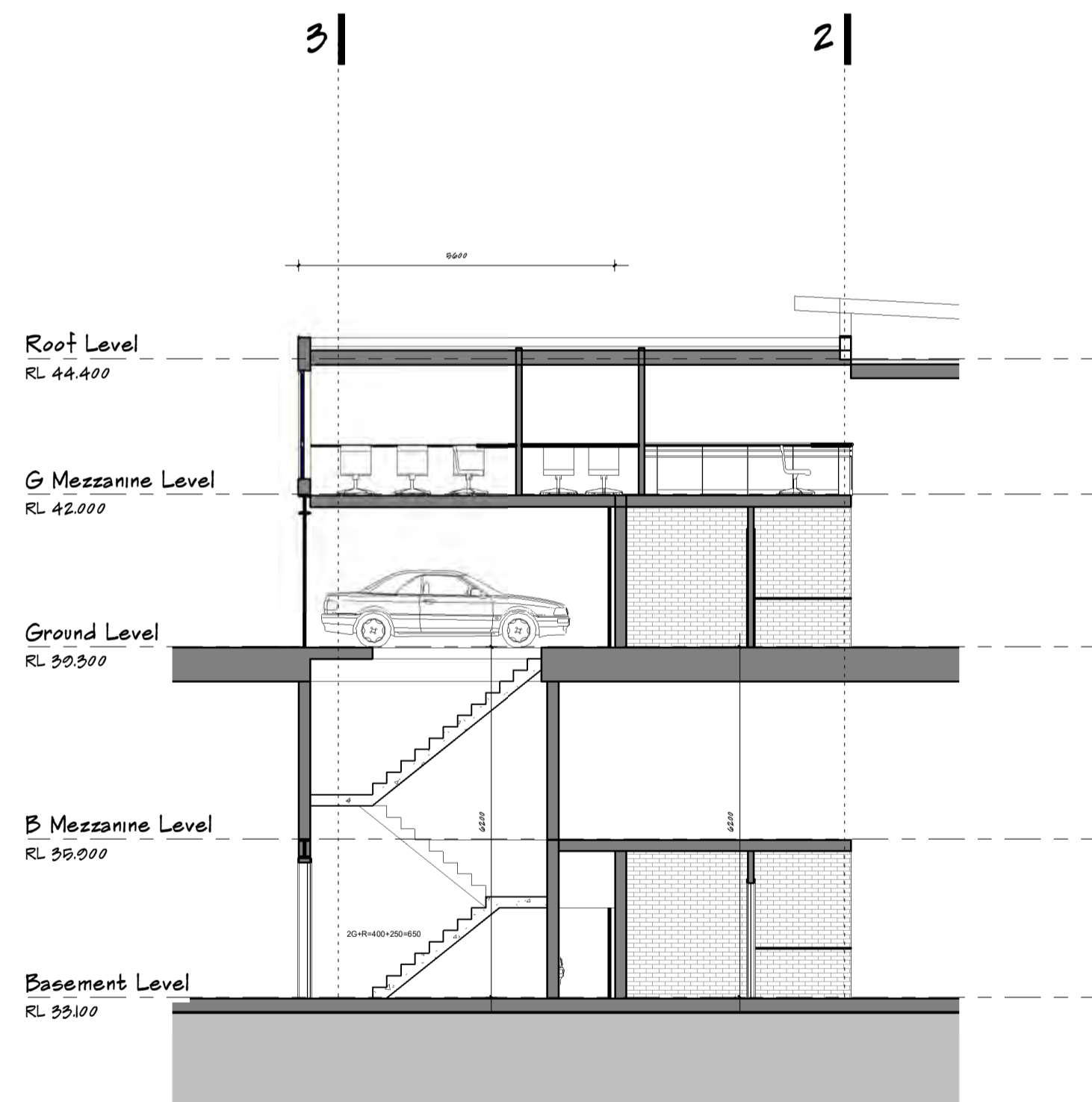


ELEVATION 3 - A
1:50

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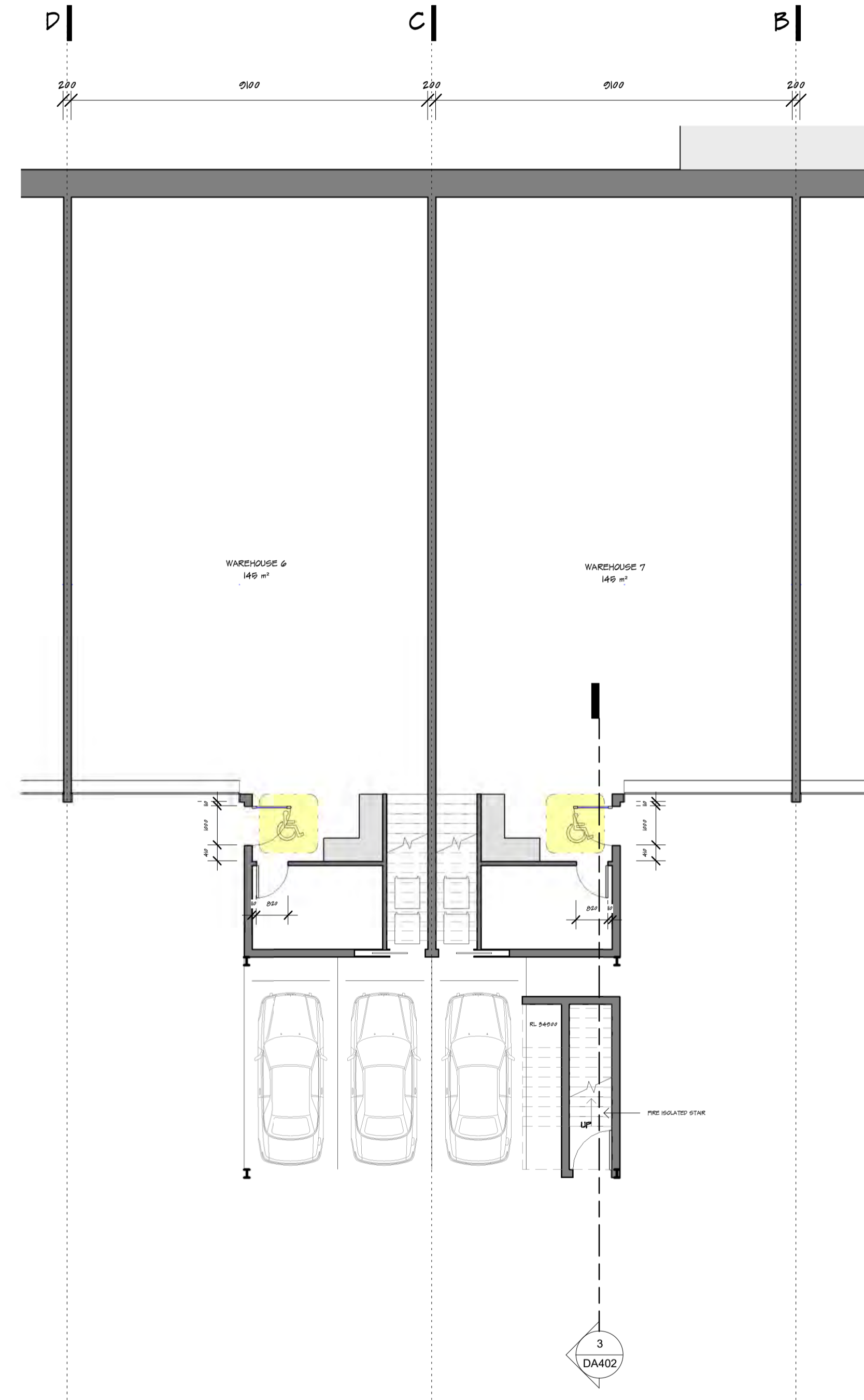


FIRE STAIRS SECTIONAL PERSPECTIVE



FIRE STAIR SECTION

1 : 100



FIRE STAIRS PLAN

1 : 100

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39-41 College Street, Gladesville NSW 2111

demolition of existing factories & erection of new warehouses

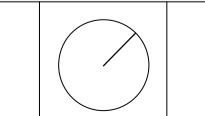
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Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust	SCALE 1:100	

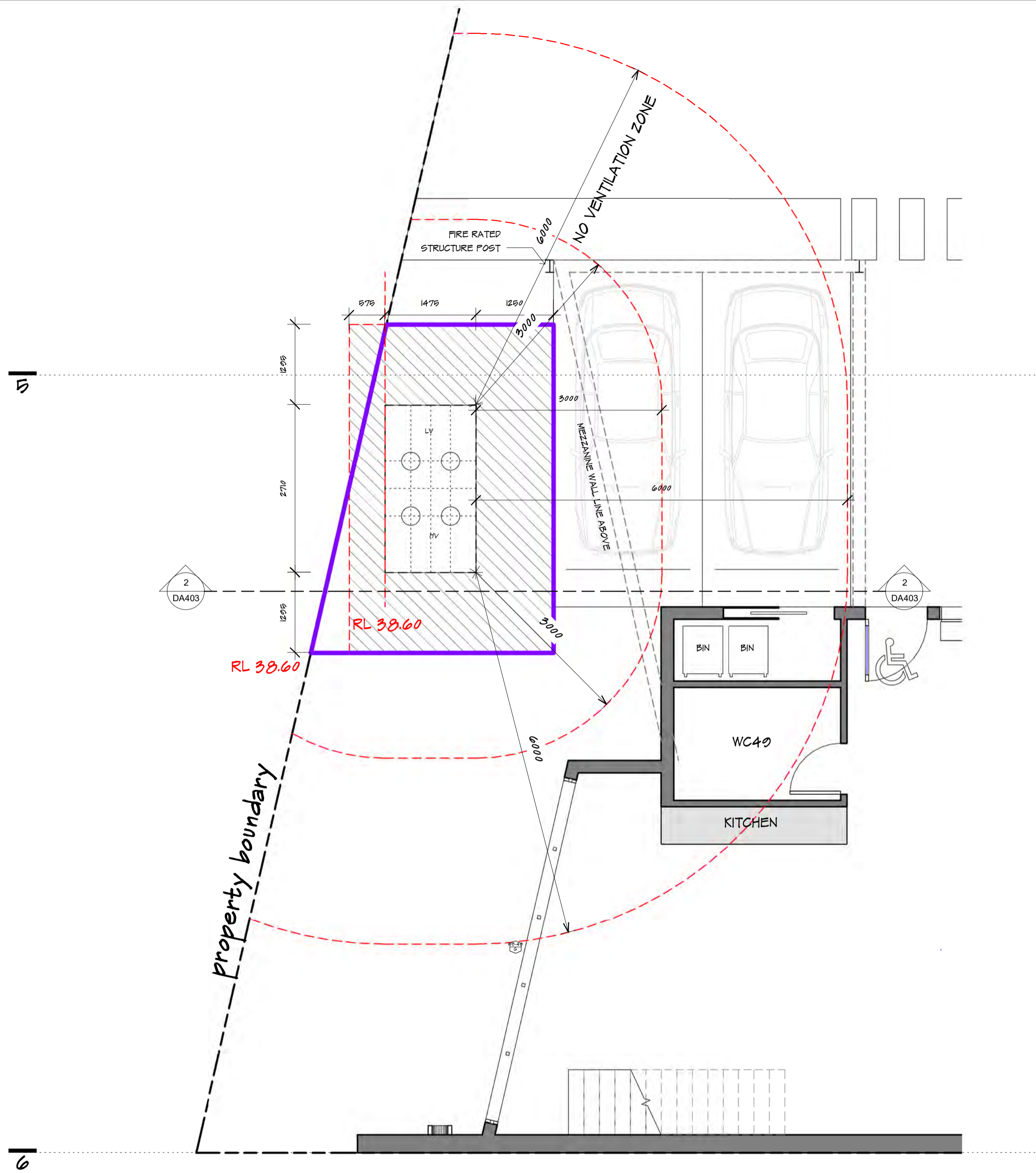
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DETAILS - FIRE STAIR

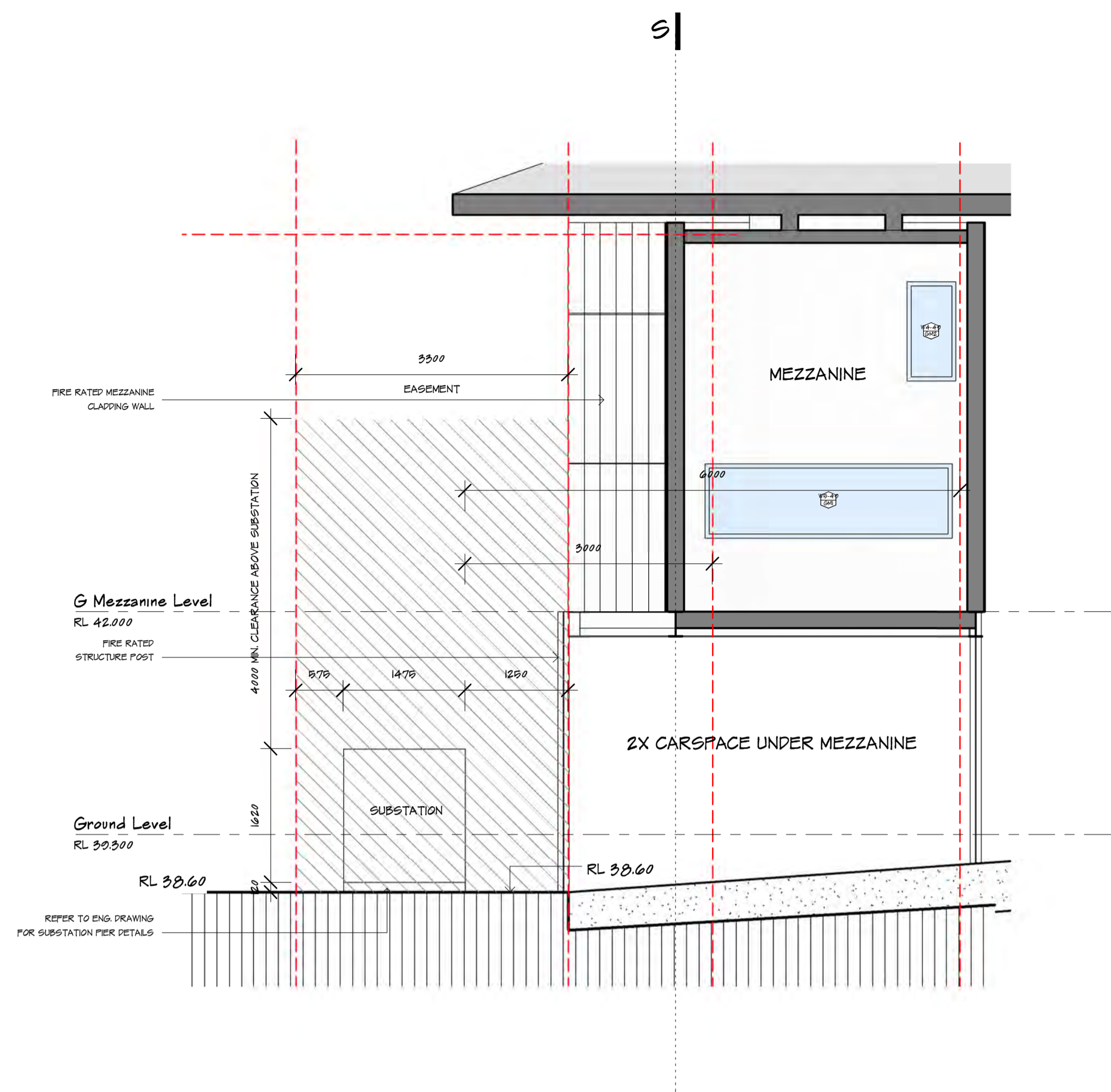


DA402



NEW SUBSTATION LOCATION DETAILS

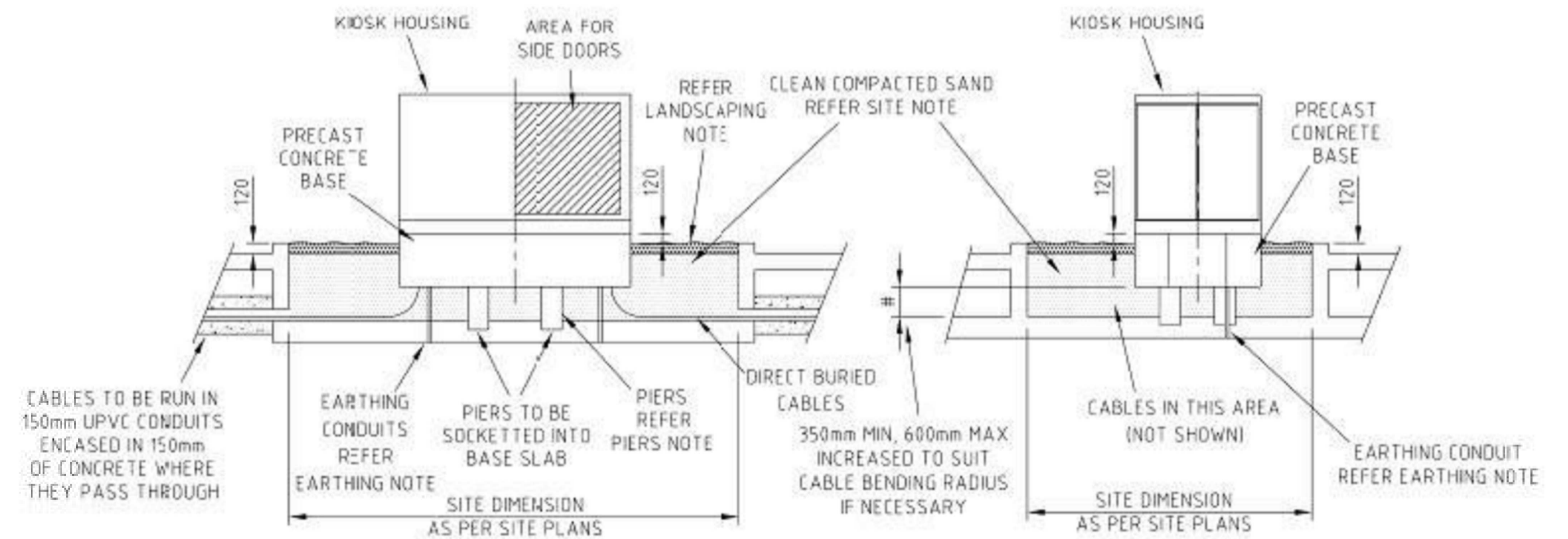
1:50



VERTICAL CLEARANCE

1:50

SUBSTATION DETAILS AS PER AUSGRID REQ.



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Project number	210311	Date	29/03/21
Prepared by	Author	Scale	1:50
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust		

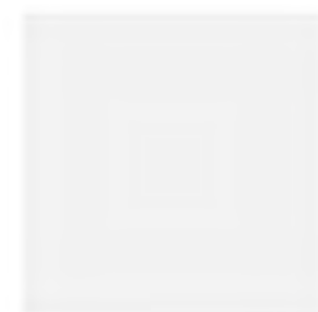
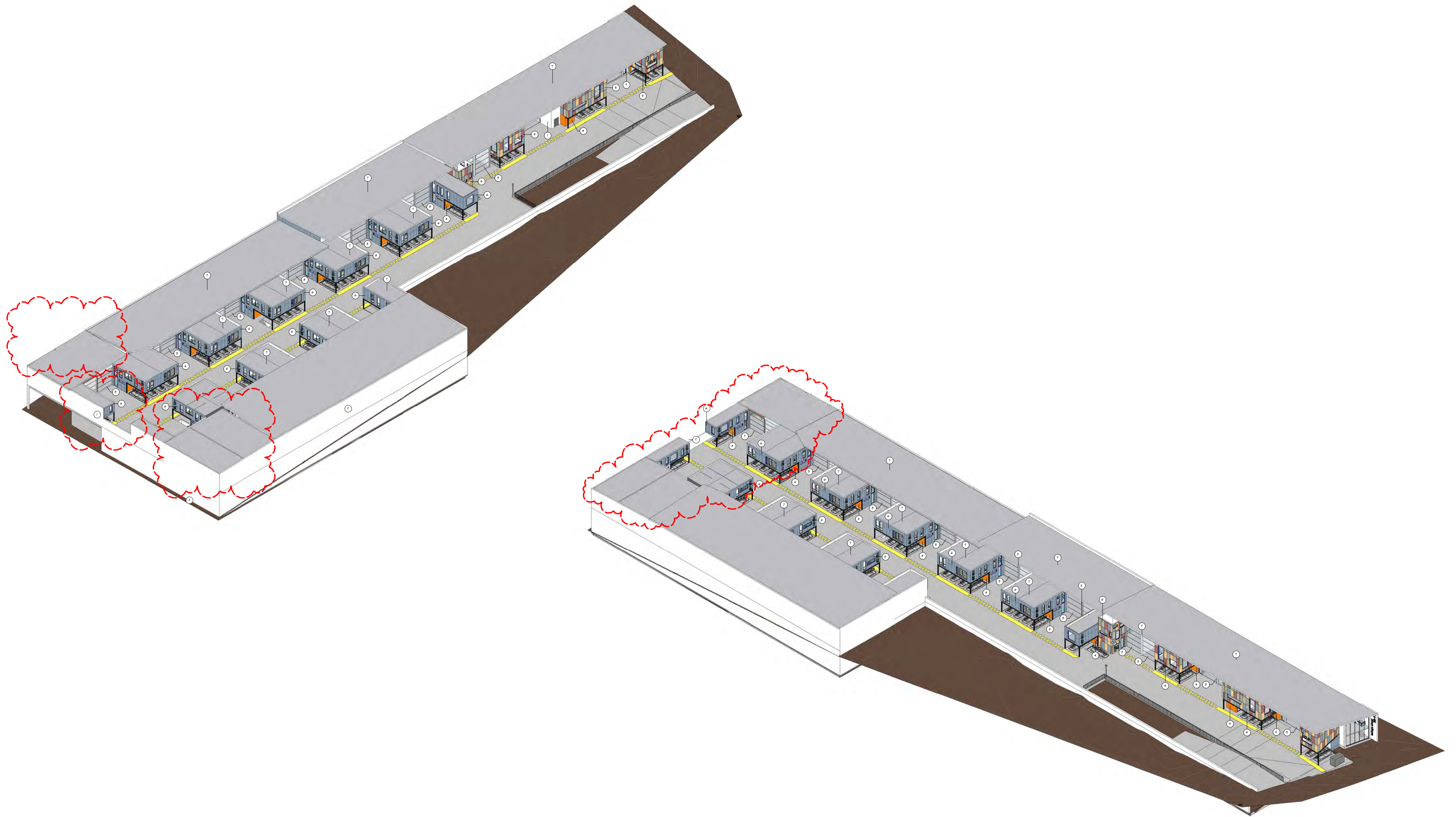
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DETAILS - SUBSTATION



DA403



1. CEMENTAL RENDERED WALL



2. FIBER CEMENT CLADDING



3. TRANSLUCENT ROLLER DOOR



4. YELLOW CLADDING



5. RAINBOW CLADDING



6. BLUE CLADDING



7. COLORBOND ROOF

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DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

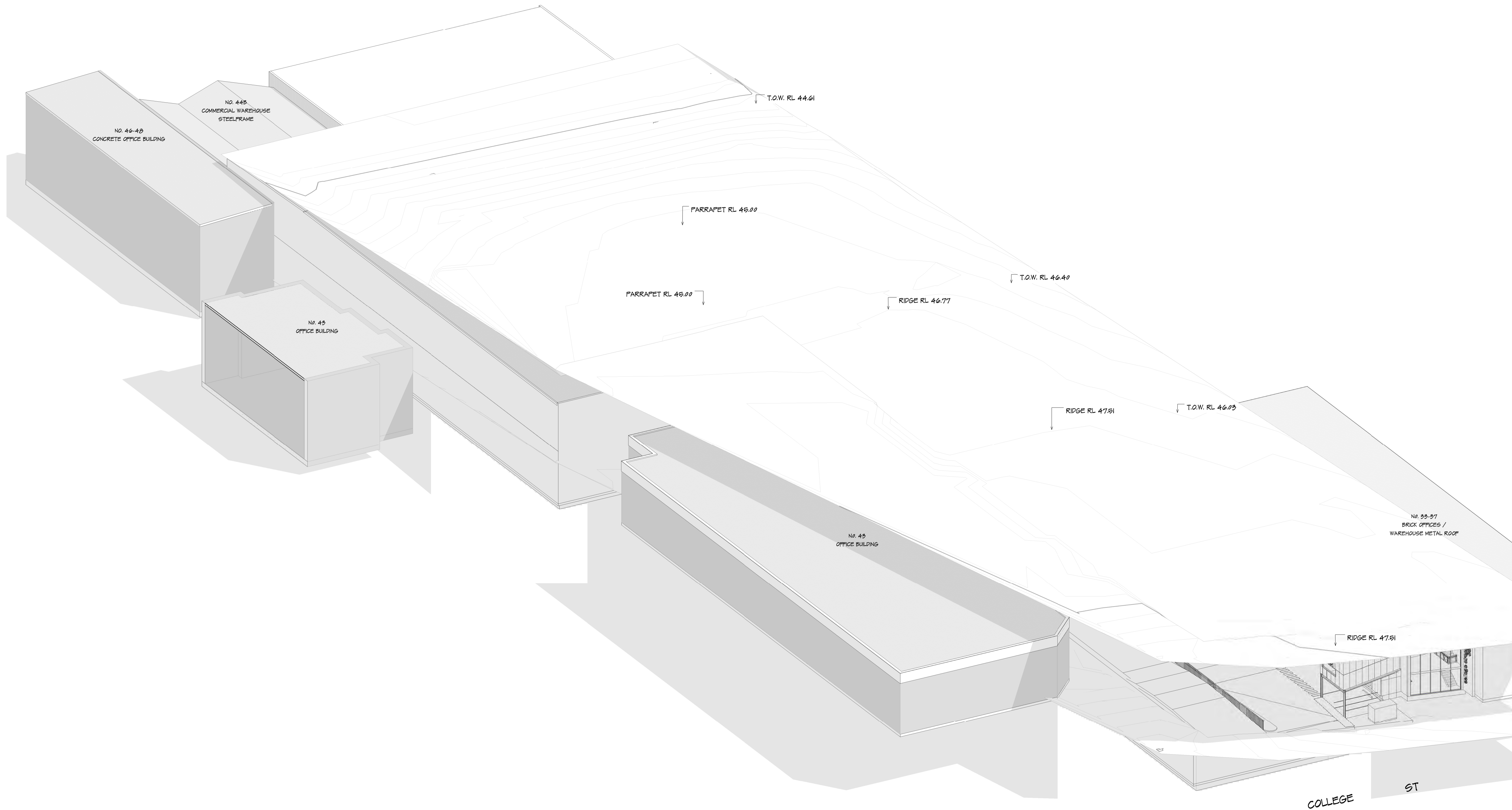
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Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust	SCALE 1:200	

EXTERIOR FINISHES SCHEDULE



DA500



DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

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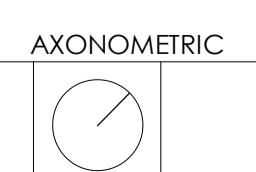
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202A L2/55 GRAFTON ST
BONDI JUNCTION NSW 2022
1/589A TOORAK RD TOORAK VIC 3142

No.	Description	Date	Issued to
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39-41 College Street, Gladesville NSW 2111
demolition of existing factories & erection of new warehouses

Project number	210311	Date	29/03/21
Prepared by	F.N	Scale	
Designed by	M.S		
Designed for	The Trustee for the Ash Rd Trust		



DA601



DEVELOPMENT APPLICATION - NOT FOR CONSTRUCTION

GENERAL:
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demolition of existing factories & erection of new warehouses

Project number	210311	Date	29/03/21	3D PERSPECTIVE
Prepared by	F.N	Scale		
Designed by	M.S			
Designed for	The Trustee for the Ash Rd Trust			DA602