

Item 2
**121 Tennyson Road, Tennyson point - LDA2021/0166
 New dual occupancy (attached) and strata subdivision**

Report prepared by: Deren Pearson - Assessment Officer - Town Planner

Report approved by: Madeline Thomas - Senior Coordinator Development Assessment
 Sandra Bailey - Manager Development Assessment
 Liz Coad - Director City Planning and Environment

**City of Ryde
 Local Planning Panel Report**

DA Number	LDA2021/0166
Site Address & Ward	121 Tennyson Road, Tennyson Point Lot C DP 358695 East Ward
Zoning	R2 Low Density Residential
Proposal	New dual occupancy (attached) and strata subdivision
Property Owners	S Roche & K Roche
Applicant	Nigel White
Report Author	Deren Pearson, Assessment Officer – Town Planner
Lodgement Date	19 May 2021
No. of Submissions	5 submissions objecting to the development during the first notification period. 7 submissions objecting to the development during the second notification period. 1 petition objecting to the development.
Cost of Works	\$1,716,000.00
Reason for Referral to Local Planning Panel	Contentious Development – More than 10 unique submissions objecting to the proposal have been received as a result of public notification of the application.
Recommendation	Approval

Attachments	<ol style="list-style-type: none"> 1. Compliance Table – RLEP 2014 & RDCP 2014 2. Compliance Table – Chapter 10 of SEPP (Biodiversity and Conservation) 2021 3. Compliance Table – DCP for Chapter 10 of SEPP (Biodiversity and Conservation) 2021 4. Draft conditions of consent 5. Architectural Plans
--------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1. Executive Summary

The proposal is for the construction of a new dual occupancy (attached) development and strata subdivision. This application is reported to the Ryde Local Planning Panel (RLPP) for determination in accordance with the *Environmental Planning and Assessment Act 1979 (the Act)*, Section 9.1 - Directions by the Minister for the following reasons:

- The proposal is a 'Contentious development' to which more than 10 unique submissions objecting to the proposal have been received as a result of public notification of the application.

The development application was notified on two separate occasions. During the first period, 5 unique submissions objecting to the development were received. In response to concerns raised by Council and the issues raised in the submissions, the applicant submitted amended plans on 28 September 2021. These plans were renotified from 5 October to 26 October 2021. In response, 7 further unique submissions were received. A petition from 5 surrounding property owners objecting to the development was received by Council on 14 February 2022. The issues raised in the submissions include non-compliance with the built form controls within Ryde DCP 2014, view sharing, visual privacy, overshadowing and vehicle and pedestrian safety. The issues raised in these submissions are not considered sufficient to warrant the refusal of the application.

The amended proposal complies with the principal development standards within Ryde LEP 2014 and it results in a built form that is not out of character with waterfront development in the Tennyson Point locality. The proposal is non-compliant with the built form controls within Ryde DCP 2014 for the number of storeys, wall plate height, front setback, side setbacks, deep soil area within the front setback and the extent of excavation. However, the variations sought to the built form controls within Ryde DCP 2014 are supported on merit.

The assessment of the amended application against the relevant planning framework and consideration of various design matters by Council's Technical Departments have not identified any issues that cannot be dealt with by conditions of consent. The proposal does not result in any significant adverse impacts upon neighbouring properties or the streetscape, which cannot be suitably managed by conditions of consent. The site is considered to be suitable for the proposed development. The application is therefore satisfactory when evaluated against section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The proposal is recommended for approval subject to the conditions of consent in **Attachment 4**.

2. The Site and Locality

The site is legally described as Lot C within DP 358695 and is known as 121 Tennyson Road, Tennyson Point. The waterfront site is irregular in shape with a frontage of 23.165 metres to Tennyson Road. The north side boundary is 58.89 metres in length and the south side boundary is 58.521 metres long. The rear boundary is the mean high water mark to Morrison's Bay and has a width of approximately 6.70 metres. The site has an area of 847.30m².

The site is located on the low side of Tennyson Road, to the west of the intersection with Deeble Street. The site falls from the front south-east corner (RL11.28) to the Mean High Water Mark at the rear of the property (RL1.29).

The site presently accommodates a three storey single dwelling with a detached double garage, swimming pool and boat shed. Driveway access is located adjacent to the south side of the street frontage with a concrete driveway and turning bay accessing the garage. Existing landscaping within the property consists of a large Jacaranda on the front boundary, a Mango tree to the rear of the existing dwelling and an English oak in the foreshore area adjacent to the boatshed. An Ivory curl tree is located within the road reserve at the front of the property at the junction of the front and side boundaries of the neighbouring property at 123 Tennyson Road. A manicured Murraya hedge occupies the nature strip at the front of the site.



Figure 1 - Aerial photograph of site



Figure 2 - The Site as Viewed from Tennyson Road

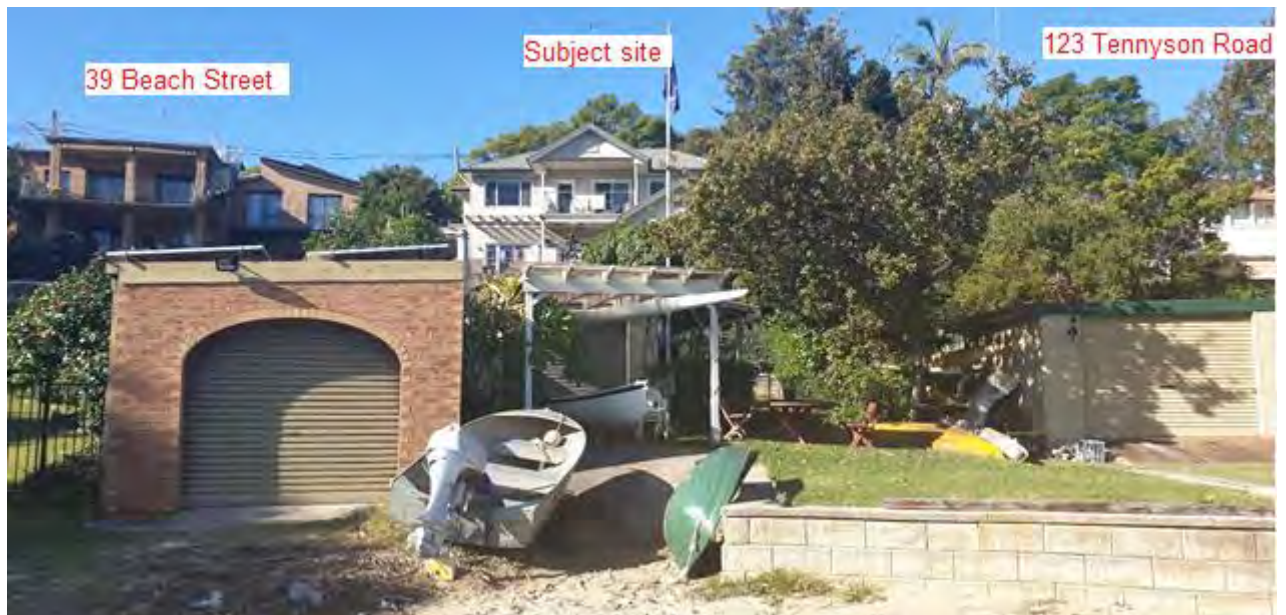


Figure 3 - The Site as Viewed from the Morrison's Bay Foreshore

Adjoining properties

The site is adjoined to the north by 39 Beach Street, which contains a single dwelling house, boatshed and a detached double garage within the front setback to Tennyson Road.



Figure 4 - Neighbouring Dwelling and Detached Double Garage at 39 Beach Street

The site is adjoined to the south by No. 123 Tennyson Road, which contains two dwelling houses on the one large allotment (1884m²) with a pedestrian bridge linking the two buildings. The dwellings are known as 121A and 123 Tennyson Road.



Figure 5 - Neighbouring Site at 123 Tennyson Road

The neighbouring properties opposite the site to the east consist of a row of single dwelling houses at 5 Deeble Street and Nos. 140, 142 and 144 Tennyson Road.



Figure 6 - Neighbouring Dwelling Houses to the East of the Site

3. The Proposal

Development consent is sought for a new dual occupancy (attached) and strata subdivision. The proposal comprises the following works:

- Removal of Tree 5 (Lilly Pilli) and Tree 6 (Mexican Fan Palm);
- Construction of a new dual occupancy (attached) development consisting of the following:

North Unit

- Second Floor: Open plan living, kitchen and dining with a deck, laundry, single carport and entry foyer;
- First Floor: Three (3) bedrooms, two (2) bathrooms and deck;
- Ground Floor: Stair access to undercroft area providing access to back yard and rainwater tank storage.

South Unit

- Third Floor: Living/office/bedroom and front deck;
- Second Floor: Open plan living, kitchen and dining with a deck, double garage and entry foyer;
- First Floor: Three (3) bedrooms, three (3) bathrooms, laundry, storeroom and deck;
- Ground Floor: Stair and lift access to undercroft area providing access to back yard and rainwater tank storage.

- Two (2) swimming pools. One pool is proposed at the rear of each proposed dwelling;
- Landscaping Works
- Strata title subdivision into two lots, with common property for vehicular access on the Tennyson Road frontage and at the rear of the site for foreshore access. The submitted plans do not include pedestrian access from the North unit to the rear common property, therefore design amendments are required as recommended by condition 1(a) in the draft consent to ensure access is provided.

Amended submitted 28 September 2021

- Deletion of second garage space for the northern dwelling
- Increased landscaped area within front setback
- Garage floor levels amended to achieve driveway grades compliant with Australian Standards
- Northern dwelling ridge level reduced from RL18.18 to RL16.95
- Southern dwelling ridge level reduced from RL17.30 to RL17.15
- Reduction in gross floor area
- Several windows on the North and South elevations have been replaced by highlight windows
- Privacy screening to rear balconies

Amended plans dated 9 December 2021

- Site plan details demolition of walls of the existing boatshed, resulting in an open structure;
- Sigh Line Montage included to provide a comparison between the view impact of the existing dwelling, proposed building and potential building envelope based on height and setback controls and development standards (Plan SK43, page 20 of current plans)

Amended plans dated 25 March 2022

- Notations added describing the dwellings as ‘North Unit’ and ‘South Unit’;
- Security gates removed on Ground floor;
- Alterations to North Dwelling lowering the floor and roof height by 350mm to comply with 9.5m height limit. Ridge level of 16.95m unchanged.
- Existing ground level at the northern wall of the building detailed on the North Elevation. Levels obtained from Survey.



Figure 7 - Proposed Site Plan

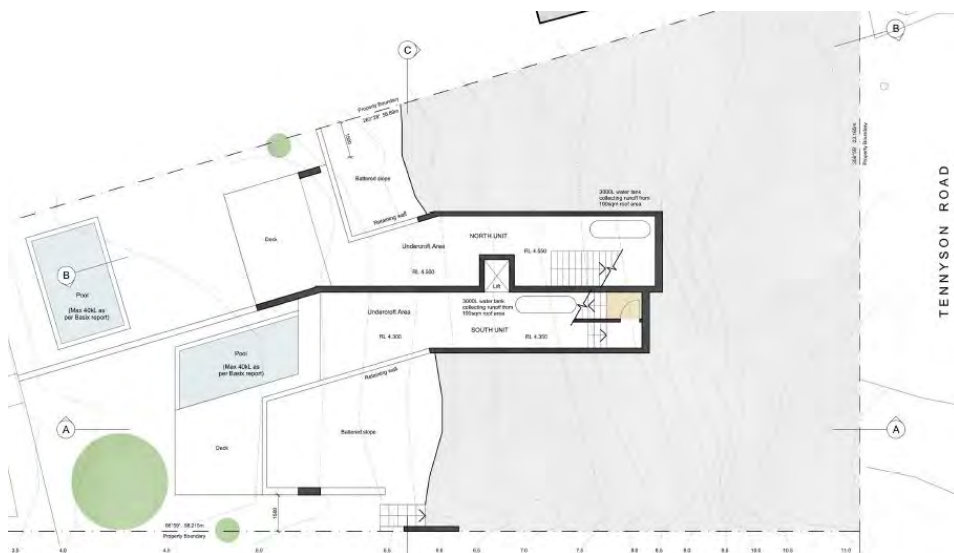


Figure 8 - Proposed Ground Floor Plan



Figure 9 - Proposed First Floor Plan



Figure 10 - Proposed Second Floor Plan



Figure 11 - Proposed Third Floor Plan



Figure 12 - Proposed East (Tennyson Road) Elevation



Figure 13 - Proposed South Elevation



Figure 14 - Proposed West Elevation



Figure 15 - Proposed North Elevation

4. Background

Date	Action
19 May 2021	Application lodged.
26 November 2020 to 22 January 2021	Application notified. Five (5) submission received.
1 September 2021	<p>A request for information was sent to the applicant requesting amended plans addressing the following issues:</p> <ul style="list-style-type: none"> - Non-compliant driveway grades and sight lines; - Building height non-compliance; - Floor Space Ratio non-compliance; - Built for and extensive driveway within the front setback; - Windows overlooking 123 Tennyson Road; and - Height reduction to allow for sharing of views.
28 September 2021	<p>Applicant submits amended architectural plans and further information. The following amendments were made:</p> <ul style="list-style-type: none"> - Garage floor level raised from RL10.75 to RL10.99 to achieve compliant grade; - Pruning of hedge to provide sight lines; - Ridge height reduced from RL18.18 to RL17.15; and - Reduced Gross Floor Area;
5 October to 26 October 2021	Amended plans renotified. Seven (7) submissions received.
7 December 2021	<p>A request for information was sent to the applicant requesting:</p> <ul style="list-style-type: none"> - Amended plans detailing existing ground levels on the site plan, elevations and sections; - Amended plans complying with the maximum Floor Space Ratio of 0.5:1; and - Amended plans or installation of height poles addressing concerns relating to view sharing.

10 December 2021	Amended plans submitted by Applicant. The amended plans were not notified as the changes made were limited to the boatshed and further information regarding building height.
15 December 2021	Height poles erected on the subject site and inspections carried out from neighbouring properties at: <ul style="list-style-type: none"> - 5 Deeble Street - 140 Tennyson Road - 142 Tennyson Road - 144 Tennyson Road
22 March 2022	A request for further information was forwarded to the Applicant seeking further information and amended plans confirming that the development complies with the development standards for Floor Space Ratio and Building Height.
31 March 2022	Amended plans submitted by Applicant. The amended plans were not notified as the changes on the plans were limited to further information with regard to existing ground levels on the architectural plans and plans for the boatshed detailing demolition of the walls and retention of the roof and supporting structure.

5. Planning Assessment

This section provides an assessment of the DA against section 4.15(1) matters for consideration of the *Environmental Planning and Assessment Act 1979*.

5.1 State Environmental Planning Instruments

Instrument	Proposal	Compliance
State Environmental Planning Policy Resilience and Hazards 2021		
Chapter 2 Coastal Management		
The aim of this Policy is to promote an integrated and coordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016 including the management objectives for each coastal management area by – (a) managing development in the coastal zone and protecting the environmental assets of the coast, and	The site is mapped as being within a coastal environment area and coastal use area on the Coastal Management Map. The proposal would not result in any unreasonable impacts upon the environmental assets of the coast.	Yes

<p>(b) establishing a framework for land use planning to guide decision-making in the coastal zone, and</p> <p>(c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the <i>Coastal Management Act 2016</i>.</p>		
Chapter 4 Remediation of Land		
<p>The object of this Chapter is to provide for a State wide 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.</p>	<p>Pursuant to Clause 4.6(1) consideration has to be given as to whether the land is contaminated. The subject site has been historically used for residential purposes. As such, it is unlikely to contain any contamination and further investigation is not warranted in this case.</p>	Yes
State Environmental Planning Policy (BASIX) 2004		
<p>The certificate demonstrates compliance with the provisions of the SEPP and is consistent with commitments identified in the application documentation.</p>	<p>A BASIX Certificate (see Certificate No. 1181553M and dated 08 March 2021) has been submitted with the application. A standard condition has been included in the Draft Consent requiring compliance with this BASIX certificate.</p>	Yes
State Environmental Planning Policy Biodiversity and Conservation 2021		
Chapter 2 Vegetation in non-rural areas		
<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 retains the existing Jacaranda and English Oak and the proposal has been considered satisfactory by Council's Landscape Architect. The proposal does not unduly impact upon any existing biodiversity or trees or vegetation on the site.</p>	Yes
Chapter 10 Sydney Harbour Catchment		
<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</p>	<p>The site is located within the Foreshores and Waterways Area and subject to consideration under the provisions of the SREP.</p> <p>The site is mapped pursuant to Clause 10.13 as being zoned W8 Scenic Waters Passive Use. The objectives of the zone have been</p>	Yes

<p>foreshore and waterways by establishing planning principles and controls for the catchment as a whole.</p>	<p>considered below and the matters for consideration under the SEPP have been assessed and are held at Attachment 2 of this report.</p>	
<p>The objectives of this zone are as follows: <i>(a) to give preference to unimpeded public access along the intertidal zone, to the visual continuity and significance of the landform and to the ecological value of waters and foreshores,</i> <i>(b) to allow low-lying private water-dependent development close to shore only where it can be demonstrated that the preferences referred to in paragraph (a) are not damaged or impaired in any way, that any proposed structure conforms closely to the shore, that development maximises open and unobstructed waterways and maintains and enhances views to and from waters in this zone,</i> <i>(c) to restrict development for permanent boat storage and private landing facilities in unsuitable locations,</i> <i>(d) to allow water dependent development only where it can be demonstrated that it meets a demonstrated demand and harmonises with the planned character of the locality,</i> <i>(e) to ensure that the scale and size of development are appropriate to the locality and protect and improve the natural assets and natural and cultural scenic quality of the surrounding area, particularly when viewed from waters in this zone or areas of public access.</i></p>	<p>The proposal is consistent with objectives of the zone as the proposal does not impede public access and the proposed works result in an acceptable visual presentation to the waterway.</p> <p>The proposed building is not within the foreshore building line, and the modification to the boat shed does not result in a development that is inconsistent with the surrounding development and would not impact the scenic quality of the surrounding area.</p>	<p>Yes</p>

5.2 Draft Environmental Planning Instruments

Draft Remediation of Land State Environmental Planning Policy (SEPP)

The Draft Remediation of Land SEPP does not seek to change the requirement for consent authorities to consider land contamination in the assessment of DAs. As discussed within the SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land (formerly SEPP No. 55 – Remediation of Land) assessment above, the proposed land use is low density residential consistent with the historical use of the site. As such, it is unlikely to contain any contamination and further investigation is not warranted in this case.

Draft Environment SEPP

The draft Environment SEPP was exhibited from 31 October 2017 to 31 January 2018. The consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways and urban bushland areas. Changes proposed include consolidating SEPPs, which include:

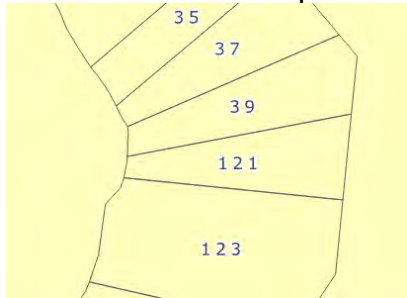
- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005


The proposal is consistent with the provisions of the draft SEPP.


5.3 Ryde Local Environmental Plan 2014 (RLEP 2014)

Under Ryde LEP 2014, the property is zoned R2 Low Density Residential, and the proposed dwelling is permissible with Council's consent. The following is a summary of the clauses under Ryde LEP 2014 applicable to the development.

Ryde LEP 2014	Proposal	Compliance
4.1A Dual occupancies (attached) subdivisions		
(a) on or after the day Ryde Local Environmental Plan 2014 (Amendment No 28) commences, a development application made for a dual occupancy (attached) has been approved for the lot, and— <ul style="list-style-type: none"> (i) the lot to be subdivided a minimum 580m² (ii) 1 dwelling each lot (iii) Each lot at least 290m² (iv) Primary road frontage equal or > 7.5 metres 	The proposal complies with the development standards as follows: <ul style="list-style-type: none"> (i) Site area is 847.3m². (ii) One dwelling on each strata lot. (iii) Each strata lot has an area of greater than 290m². (iv) Front boundary setback area is Common Property, however, the width of each strata lot exceeds 7.5m. 	Yes

4.1B(2) Minimum lot sizes for dual occupancies and multi dwelling housing		
(a) Minimum 580 m ²	847.3m ²	Yes
(b) the primary road frontage of the lot is equal to or greater than 15 metres.	23.165m	Yes
4.3(2) Height		
9.5m	Roof RL (highest): RL13.70m EGL (lowest) under: RL4.26 Height of Building = 9.44m	Yes
4.4(2) & 4.4A(1) FSR		
0.5:1 (423.65m ²) Site area: 847.30m ²	Ground Floor: 0m ² First Floor: 182.10m ² Second Floor: 221.70m ² Third Floor: 31.50m ² Excluded garage area: 18m ² Total GFA: 417.30m ² FSR = 0.49:1	Yes
Clause 5.7 Development below mean high water mark		
The objective of this clause is to ensure appropriate environmental assessment for development carried out on land covered by tidal waters. Development consent is required to carry out development below mean high water mark.	The subject site has a frontage to Glades Bay. The proposal does not include any works below the mean high water mark and is considered acceptable.	Yes
6.1 Acid Sulfate Soils		
(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. Acid sulfate soils map: 	The site is identified as being Class 5 land on the Acid Sulfate Soils map. The proposal does not involve any excavation in the foreshore area and is not likely to result in the lowering of the water table.	Yes

6.2 Earthworks		
<p>(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>Land identified as being subject to slope instability (yellow):</p> 	<p>The site is not located within proximity of any cultural or heritage items. The proposal includes excavation to a depth of 4.5 metres associated with the ground floor stair access and undercroft area. The proposed excavation is not considered to result in any adverse detrimental impacts upon environmental functions and processes or neighbouring uses.</p> <p>The proposal was referred to Council's Consultant Structural Engineer who has reviewed the submitted geotechnical report and advised that the proposal has an acceptable level of risk if the recommendations within the submitted report are adopted as part of the development.</p> <p>The redevelopment of the site, given its sloping nature involves appropriate levels of cut and fill which does not adversely impact the amenity of adjoining properties and is considered to be consistent with the provisions of Clause 6.2(3).</p>	<p>Yes</p>
Clause 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</p>	<p>Yes</p>

	<p>of stormwater runoff on adjoining properties and receiving waters. The proposal includes a stormwater management system discharging to Morrisons Bay. The proposal has been considered acceptable by Council's Senior Development Engineer.</p>	
Clause 6.5 Limited development on foreshore area		
<p>The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.</p> <p>Foreshore building line (red):</p> 	<p>The site is subject to the foreshore building line which is located approximately 15 metres from the rear boundary of the site, being the Mean High Water Mark. The proposal includes alterations to the existing boatshed which is located forward of the foreshore building line in accordance with Clause 6.5(2)(c). The proposed dual occupancy development is located behind the foreshore building line.</p> <p>The proposal is not considered to impact upon natural foreshore processes or affect the significance and amenity of the foreshore area consistent with the objectives of the clause. The proposal is satisfactory and consistent with the requirements of Clause 6.5(3).</p>	<p>Yes</p>

Aims and objectives for residential zones:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a variety of housing types.

The proposal is for the provision of a new dual occupancy (attached) development which provides for a variety of housing types and provides for the housing needs of the community within a low density residential environment. The second objective is not of relevance to the proposed development. The proposed satisfies the relevant objectives for residential developments.

5.4 Ryde Development Control Plan 2014 (RDCP 2014)

The development is subject to the provisions of Part 3.3 – Dwelling Houses and Dual Occupancy under the RDCP 2014. A full assessment of the proposal under DCP 2014 is illustrated in the compliance table at **Attachment 1**.

The provisions of DCP 2014 have been considered in this assessment and it is concluded that the proposed is consistent with the aims and objectives of RDCP 2014. Where strict compliance has not been achieved, in accordance with Section 4.15 (3A)(b) flexibility has been sought to allow a reasonable alternative solution that achieves the objects the standard. These matters are discussed below:

2.1 Desired Future Character, 2.2 Dwelling Houses and 2.8.1 Building Height

Control 2.3 of RDCP 2014 requires that new dual occupancy (attached) buildings are to meet the controls for dwelling houses set out in section 2.2.1 *New Dwelling Houses*. The proposed building is part three storeys in height, which results in non-compliance with the following controls:

- 2.1 Desired Future Character – The desired future character is one that has a low scale determined by a maximum two storey height limit
- 2.2.1 New Dwelling Houses – Control (b) states that residential dwellings are to be a maximum of two storeys in height
- 2.8.1 Building Height – Control (a) requires that buildings are a maximum of two storeys in height and a maximum wall plate height of 7.5 metres

The proposal results in a wall plate height of up to 9.23m, which exceeds the maximum wall plate height of 7.5m required by control 2.8.1(a). The extent of the non-compliance is depicted in **Figures 7 and 8** below. The proposed three storey building height and wall plate height non-compliances are considered to be acceptable for the following reasons:

- The building is two storeys in height when viewed from Tennyson Road;
- The development is generally consistent with the character of buildings when viewed from Morrisons Bay with regard to the building height;

- Three storey presentation to Morrisons Bay is common in the vicinity of the site;
- The building steps down the site and is a maximum of 9.44 metres in height, which complies with the 9.5 metre development standard for height of buildings;
- The steep slope of the building footprint warrants a variation to the maximum wall plate height control;
- The development does not result in any material impacts to the adjoining properties.



Figure 16 - Wall Plate Height Non-Compliance (South Elevation)



Figure 17 - Wall Plate Height Non-Compliance (North Elevation)

2.5.1 Streetscape, 2.6.1 Deep Soil Areas, 2.9.1 Front Setback and Section 2.11.1 Car Parking

The proposal is inconsistent with the controls within sections 2.5.1, 2.6.1, 2.9.1 and 2.11.1 of RDCP, which require carports and garages to be set back at least 1m behind the façade of the dwelling and to match the prevailing orientation of parking structures in the streetscape. The proposal includes a carport within the front setback and a double garage that is not set back 1m from the façade of the building.

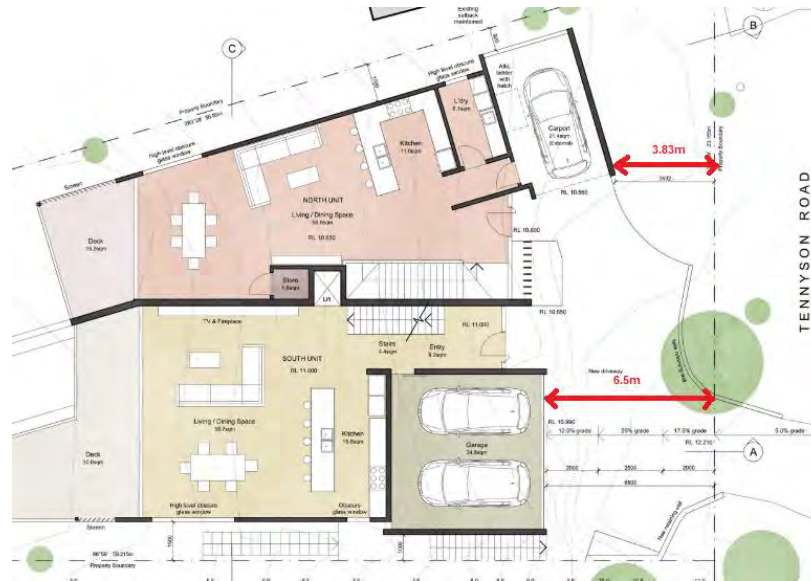


Figure 18 - North Unit Carport Within Front Setback

The proposal is considered to be acceptable for the following reasons:

- The proposal is designed to allow vehicles to enter and exit the site in a forward direction, generally consistent with the existing driveway on site. This is required to provide safe access and egress due to the location of the site at the intersection with Deeble Street and the bend in Tennyson Road;
- The car parking structures are not a dominant site feature as the site slopes away from the street and the carport and garages are located below street level;
- The carport non-compliance occupies only 8m² of the 144.58m² front setback area;
- The articulated façade of the building utilises varied setbacks and materials to limit the visual impact of the building; and
- A front garden area is provided which allows for new landscape screening of the built form in conjunction with the existing Jacaranda and hedging.



Figure 19 - Tennyson Road (East) Elevation

2.6.2 Topography & Excavation

Control 2.6.2(b) states that the area under the dwelling footprint may be excavated or filled so long as the depth of excavation is limited to a maximum of 1.2 metres. The proposed building includes an undercroft area within the footprint of the building providing stair access to the rear yard from within the dwelling, which would require excavation to a depth of up to 4.5 metres below the existing ground level. The proposal results in a significant non-compliance with the control, however it is limited to the internal stairs and undercroft of the building. The alteration to the natural topography would not be visible from outside of the site.

Control 2.6.2(c) requires that areas outside the dwelling footprint may be excavated and/or filled so long as the maximum excavation depth is 900mm and the maximum depth of fill is 500mm. Construction of the proposed swimming pools requires excavation up to 1.4m in depth, which exceeds the numerical requirements of the control. However, the excavation is within the upper level of the rear yard of the site where the ground levels have already been significantly altered in the past through the construction of the dwelling house and terraced private open space area. The proposed excavation would not result in any significant amenity impacts upon neighbouring properties and Council's consultant structural engineer has raised not objection to the development with respect to landslip hazard. The objectives of the control are generally achieved, therefore a variation to the control is supported.

2.9.2 Side Setbacks

The proposal is inconsistent with the minimum side setback of 1.5m required by control 2.9.2(b) of RDCP 2014. The proposed carport for the north unit is set back 900mm from the northern side boundary and the double garage for the south unit is set back 1m from the southern side boundary. The remainder of the building complies with the minimum setback. The non-compliance is considered to be acceptable for the following reasons:

- The carport and garage are located at ground floor level and would not contribute any significant bulk to the building when viewed from Tennyson Road since the land slopes away from the street;
- The north unit carport non-compliance spans only 3.80m of the 58.89m north side boundary;
- The south unit garage non-compliance spans only 6.30m of the 58.215m south side boundary;
- Spatial separation between dwellings is achieved with the building being set back a minimum of 1.5m from the side boundaries above ground floor level;
- Public views from Tennyson Road to the waterway would be available on the northern side of the building between 121 Tennyson Road and 39 Beach Street;
- The non-compliance does not result in any unreasonable overshadowing or visual privacy impacts upon neighbouring properties;
- Access is still provided along the side boundaries.

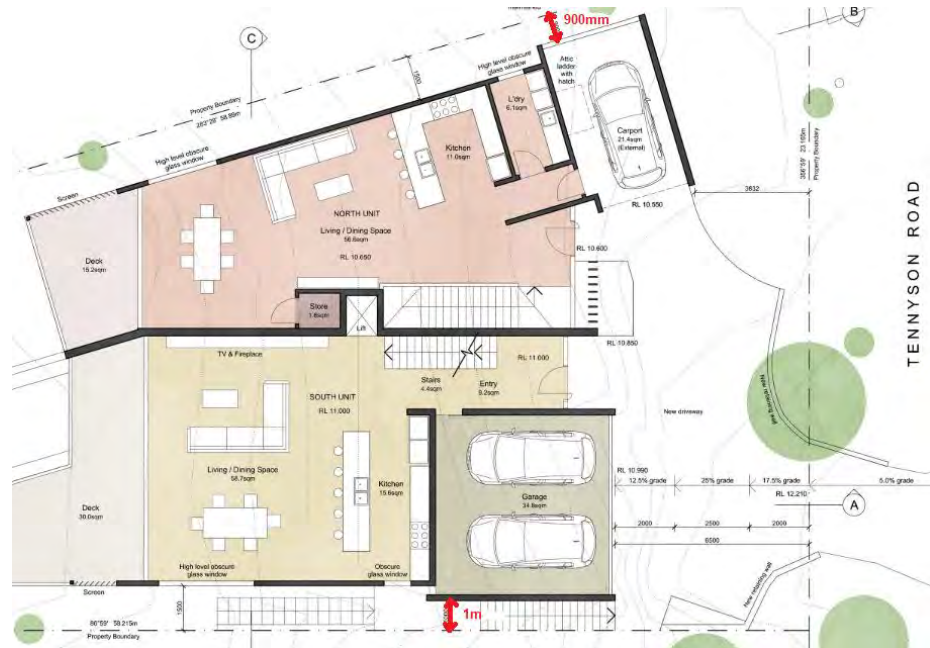


Figure 20 - Side Setbacks to Carport and Garage

2.13 Landscaping

Control 2.13(e) requires that no more than 40% of the front setback is to be hard paved. The proposal results in 60.78% (87.87m²) of the 144.58m² front garden area being hard paved. The proposal retains the existing driveway arrangement which allows for vehicles to enter and exit the site in a forward direction and it has been re-graded to comply with the Australian Standards. As discussed above, it is required that vehicles can enter and exit this site in a forward direction for safety reasons. The carport only encroaches 8m² into the front setback area and 56.71m² of deep soil area is available within the front setback to establish further screen planting. The variation to the landscaped control is considered satisfactory in this instance. Any amendment to the driveway configuration would result in greater adverse impact on the public domain.

The proposed 3m high Lilli Pilli hedging along the side boundaries exceeds the maximum 2.7m high hedging permitted by control 2.13(e), however this is considered acceptable as it will provide further privacy to the neighbouring properties within an area of sloping topography and terraced private open space areas. Council's landscape Architect has reviewed the proposal and raised no objections to the proposed Landscape Plan. Condition of consent 1(a) is recommended requiring an amended landscape plan to be submitted to the Principal Certifying Authority detailing storage areas within the site for the waste containers as this has not been included on the submitted plans. The control variation is supported as the development achieves a suitable landscaping outcome for the site, including how it is viewed from Tennyson Road and Morrisons Bay.



Figure 21 - Existing (left) and Proposed (right) Hard Surface Area within Front Setback

2.14.2 Visual Privacy

The proposed first and second floor rear balconies of the South Unit may result in some overlooking of the neighbouring property to the south at 123 Tennyson Road. The proposal originally did not include any privacy screens along the southern side of these decks, however amended plans received during the assessment of the application provided privacy screens in response to concerns raised by the neighbouring property owners. The amended plans also replaced large windows on the side elevations with highlight windows. The amended plans were notified in accordance with the City of Ryde Community Participation Plan and no further concerns were raised by the neighbours at 123 Tennyson Road. The decks may allow for some impact on the privacy of 123 Tennyson Road when occupants of the South Unit stand at the western side of the rear decks, however during general use the privacy screens would provide a suitable barrier to overlooking between the two properties. The proposal is therefore considered to be acceptable in this regard.



Figure 22 - Proposed South Elevation with Privacy Screens and Highlight Windows

2.14.4 View Sharing

Control 2.14.4(a) of RDCP 2014 requires that the siting of development is to provide for view sharing. The proposal was notified to neighbouring properties in accordance with the City of Ryde Community Participation Plan and submissions were received in response from the owners of the following properties raising concern regarding a loss of views:

- 142 Tennyson Road
- 144 Tennyson Road
- 5 Deeble Street

Site visits were carried out on 21 June 2021 with the owners of Nos. 142 Tennyson Road, 144 Tennyson Road and 5 Deeble Street. The views of Morrisons Bay were observed and it was considered that the plans should be amended to reduce the extent of view loss from the neighbouring properties to the waterway. Council forwarded a written request for further information to the Applicant on 1 September 2021, seeking amended plans to address view loss and non-compliances with Council's LEP and DCP.

Amended plans were received on 29 September 2021 detailing a reduction in the ridge height of the North Unit from RL18.18 to RL16.95 and the South Unit ridge level was reduced from RL17.30 to RL17.15. The amendments to the plans result in the building being a maximum of 8.45m in height on the east elevation when viewed from Tennyson Road. The neighbouring property owners were notified of the amended plans from 5 October to 26 October 2021. Submissions were received from the owners of the following properties during the notification period:

- 140 Tennyson Road
- 142 Tennyson Road
- 144 Tennyson Road
- 5 Deeble Street



Figure 23 - Location of view loss submissions

Further information was requested from the Applicant on 7 December 2021, seeking amended plans that:

- reduce the gross floor area of the building to achieve compliance with the maximum floor space ratio for the site;
- demonstrate compliance with the maximum building height where the land slopes at the rear of the building; and
- further reduction of the ridge height of the North Unit or alternatively height poles indicating the roof line of this dwelling to allow an accurate view sharing assessment.

The applicant submitted amended plans however the ridge height of the north dwelling was unchanged. The plans included a sight line montage of the existing dwelling, proposed building and a diagram outlining the view impacts that would result from a potential compliant building envelope.

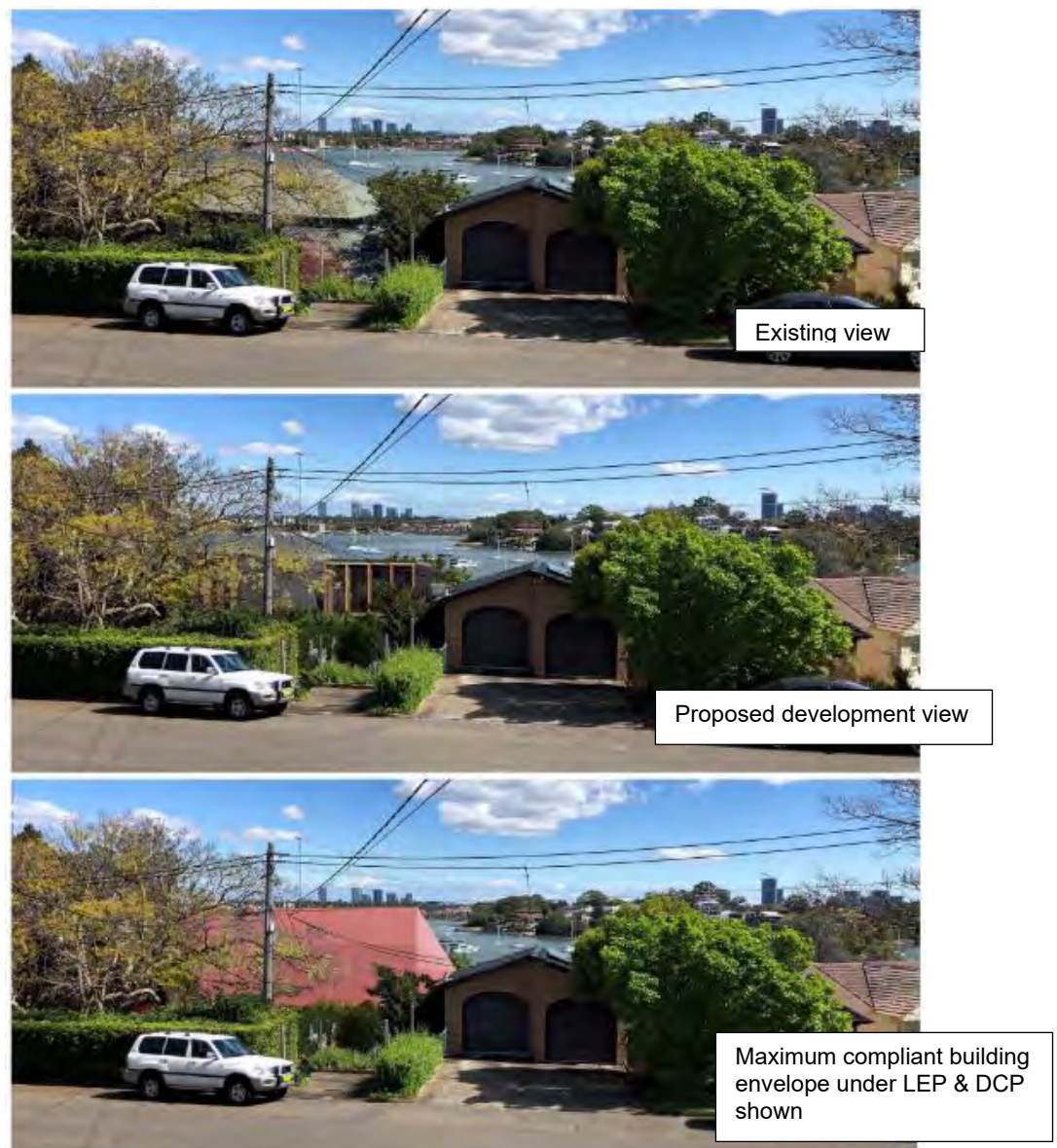


Figure 24 - Sight Line Montage Submitted by Applicant

Height poles were erected by the Applicant as requested by Council and plotted by their surveyor.

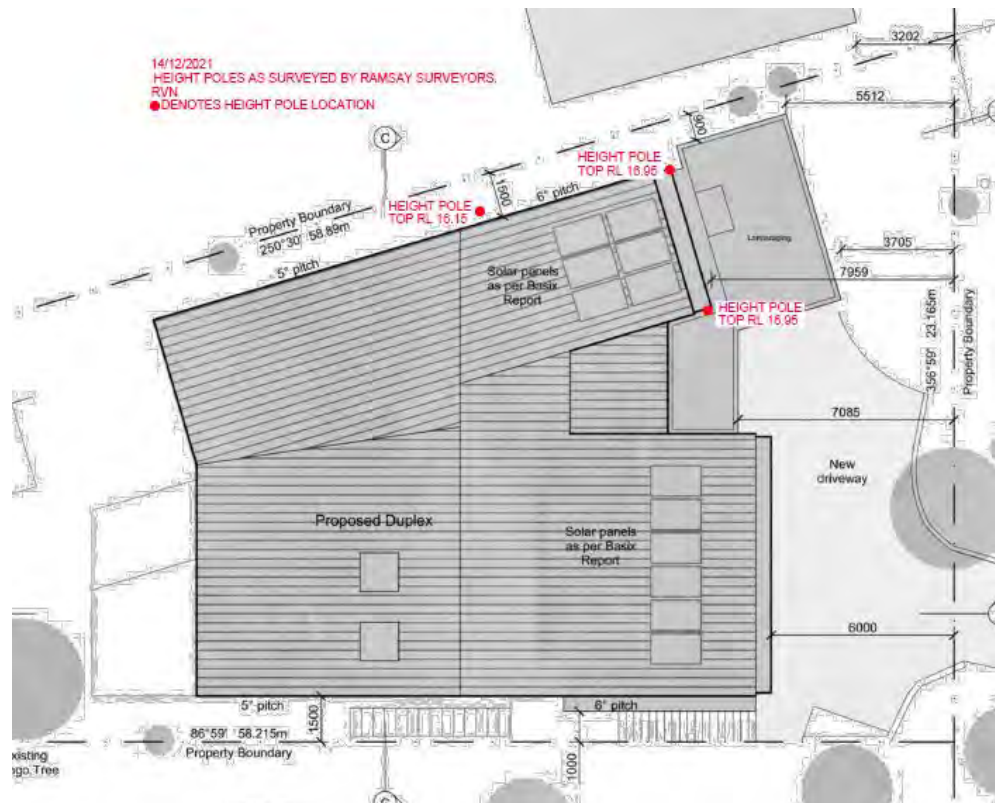


Figure 25 - Plan Detailing Height Pole Locations and levels

The amended plans were not notified to the neighbouring property owners as the building height and setbacks had not changed from the previous amendment, however the affected properties were visited by the Assessing Officer as part of the assessment and the potential view loss is assessed below.

In determining the extent of potential view loss to both neighbouring properties, the four (4) planning principles outlined within the Land and Environment Court Case of *Tenacity Consulting Pty Ltd v Warringah Council (2004) NSWLEC 140*, are applied to the proposal.

1. Nature of the views affected

“The first step is the assessment of the views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured”.

The views obtained from all four neighbouring properties consist of land (Putney, Green Point, Breakfast Point), water (Morrisons Bay) and the interface between the land and water along the foreshore. None of the available views are considered to be iconic.

Photographs of the existing views and potential view impact of the proposed development marked up in red by the assessment officer are included within this assessment.

2. What part of the affected property the views are obtained

“The second step is to consider from what part of the property the views are obtained. For example, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation of retaining side views and sitting views is often unrealistic”.

140 Tennyson Road

The dwelling at No. 140 Tennyson Road is located to the north east of the subject site and consists of a two to three storey detached dwelling. Land and water views are available from the ground floor front balcony and office and the first floor bedroom, living room and balcony. The interface between the land and water is visible on the western side of Morrisons Bay at Putney and across the Paramatta River to Green Point and Breakfast Point.

Figures 26 to 29 show the views available from a sitting position as the views were similar whether observer from a sitting or standing position. The photographs were taken once height poles were erected and then edited by the assessing officer to show the ridge line of the North Unit and clearly indicate the potential impacts of the proposal.

The affected views are obtained across the front and southern side boundaries of 140 Tennyson Road, across the north side boundary of 121 Tennyson Road and also across the front and southern side boundaries of 39 Beach Street. As outlined in the planning principle, views across a side boundary are harder to maintain than those across front and rear boundaries.

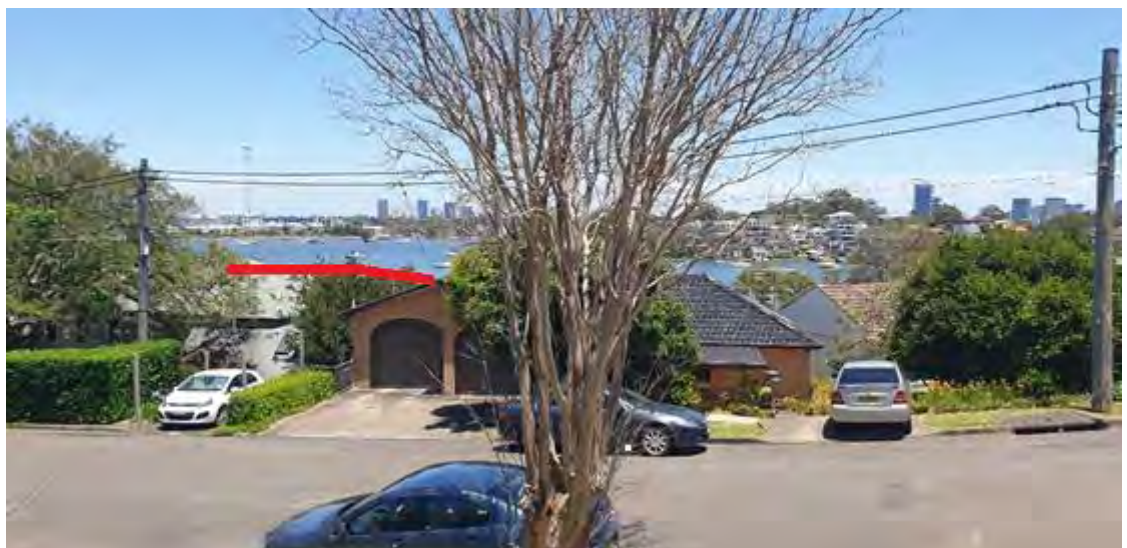


Figure 26 - 140 Tennyson Road - Ground Floor Balcony (Sitting in front of office)

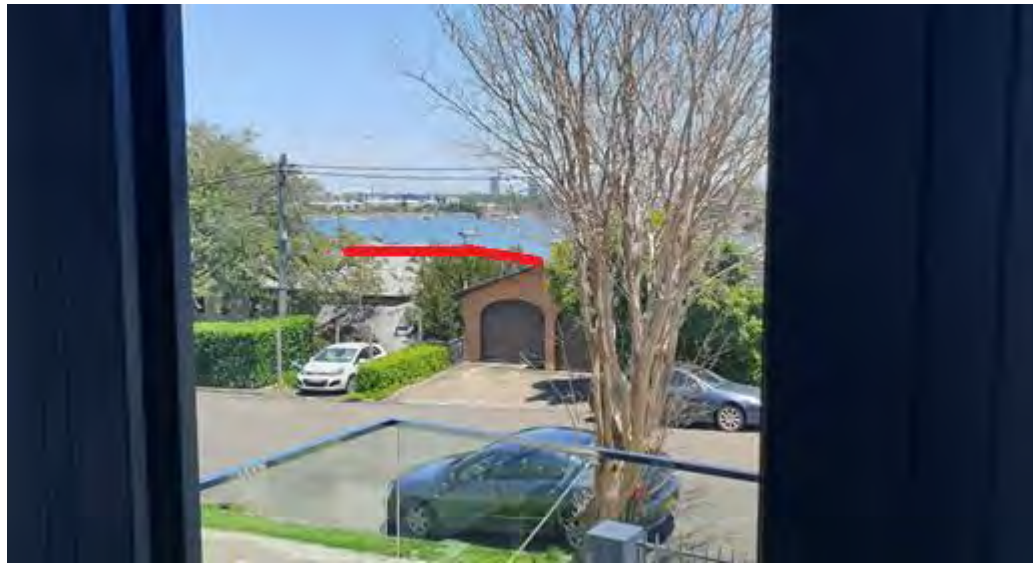


Figure 27 - 140 Tennyson Road - Ground Floor Office (Sitting)



Figure 28 - 140 Tennyson Road - First Floor Living Room (Sitting)



Figure 29 - 140 Tennyson Road - First Floor master Bedroom (Sitting)

142 Tennyson Road

No. 142 Tennyson Road is located to the north-east of the subject site and consists of a single storey detached dwelling. The views are obtained from the front porch, office and bedroom on the western elevation of the dwelling. The interface between the land and water is visible on the western side of Morrisons Bay at Putney and across the Paramatta River to Green Point and Breakfast Point. The views are obtained across the front and side boundaries of 142 Tennyson Road and the subject site. A large portion of the view is filtered and obscured by vegetation.

Figures 30 to 32 show the views from 142 Tennyson Road and the outline of the ridge line over the North Unit.



Figure 30 - 142 Tennyson - Front Porch (Standing)



Figure 31 - 142 Tennyson - Ground Floor Bedroom (Sitting)

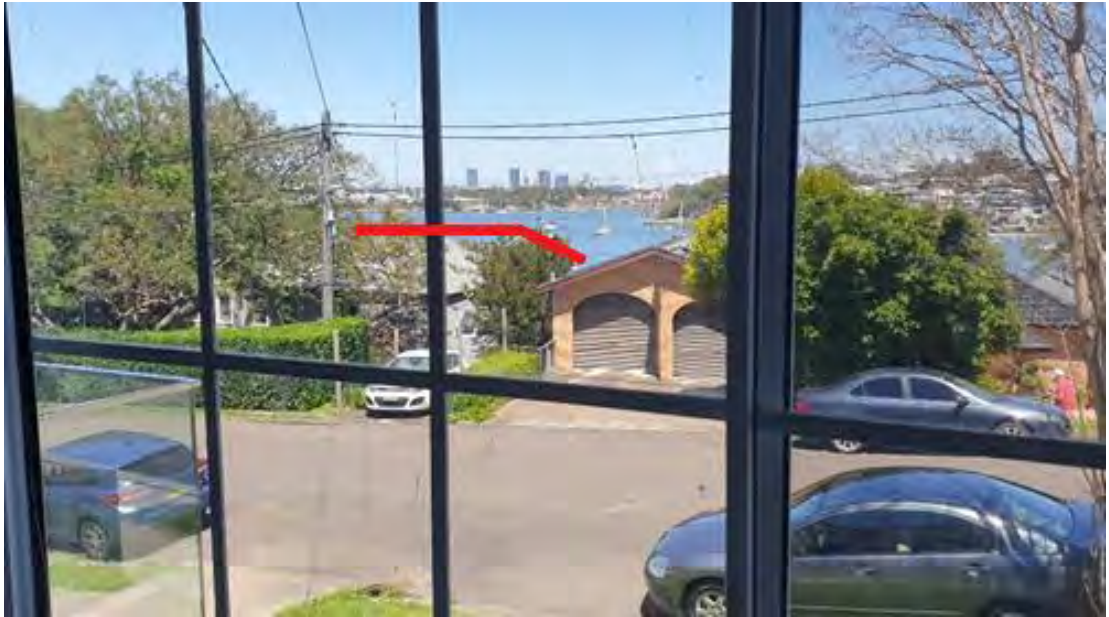


Figure 32 - 142 Tennyson Road - Ground Floor Office (Sitting).

144 Tennyson Road

No. 144 Tennyson Road is located to the east of the subject site and consists of a two to three storey detached dwelling. The views are obtained from the ground floor office and playroom and the first floor bedroom, living room and balcony. The interface between the land and water is visible on the western side of Morrisons Bay at Putney and across the Paramatta River to Green Point and Breakfast Point. The views are obtained across the front boundaries of 144 Tennyson Road and the subject site. A large portion of the view is filtered and obscured by vegetation within the subject site and neighbouring properties.

Figures 33 to 42 below demonstrate the views from 144 Tennyson Road.



Figure 33 - 144 Tennyson - Ground Floor Office (Standing)



Figure 34 - 144 Tennyson - Ground Floor Play Room (Standing)



Figure 35 - 144 Tennyson - First Floor Living Room Balcony (Standing)



Figure 36 - 144 Tennyson Road - First Floor Living Room Balcony (Sitting)



Figure 37 - 144 Tennyson - First Floor Living Room (Standing)



Figure 38 - 144 Tennyson - First Floor Living Room (Sitting)

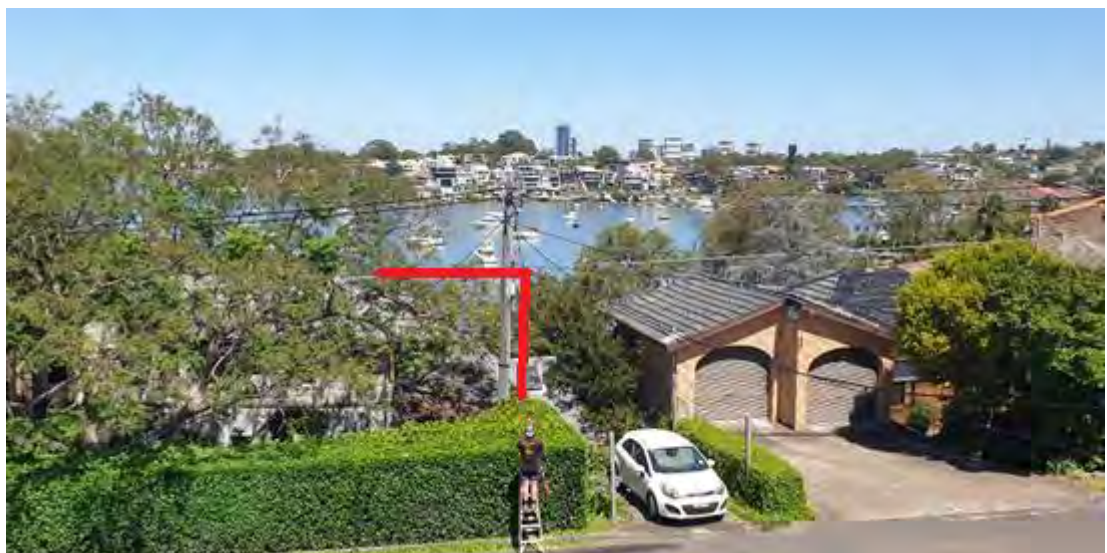


Figure 39 - 144 Tennyson - Living Room/Balcony Doors (Standing)

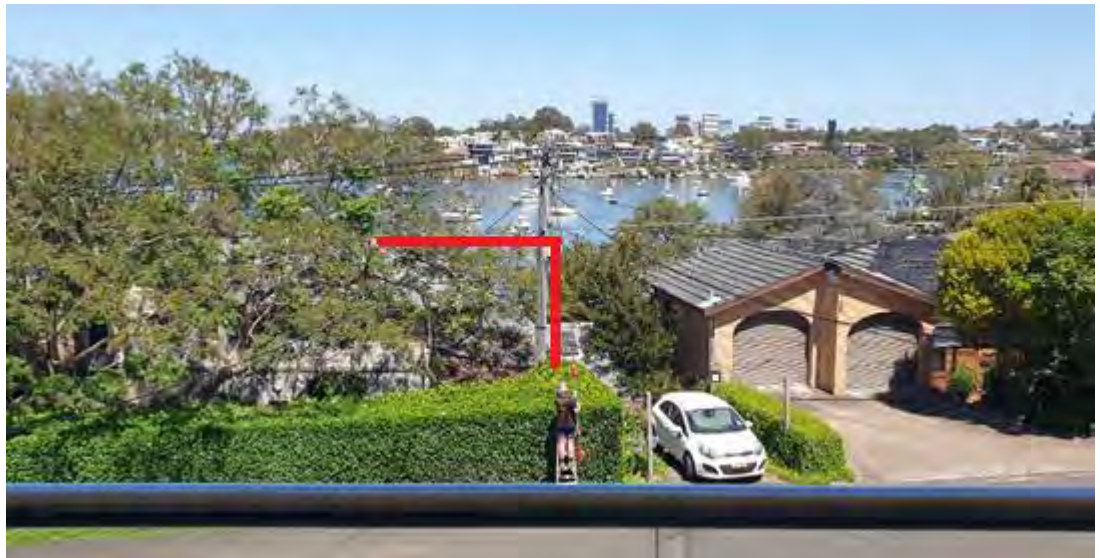


Figure 40 - 144 Tennyson - Living Room/Balcony Doors (Sitting)



Figure 41 - 144 Tennyson - First Floor Master Bedroom (Standing)

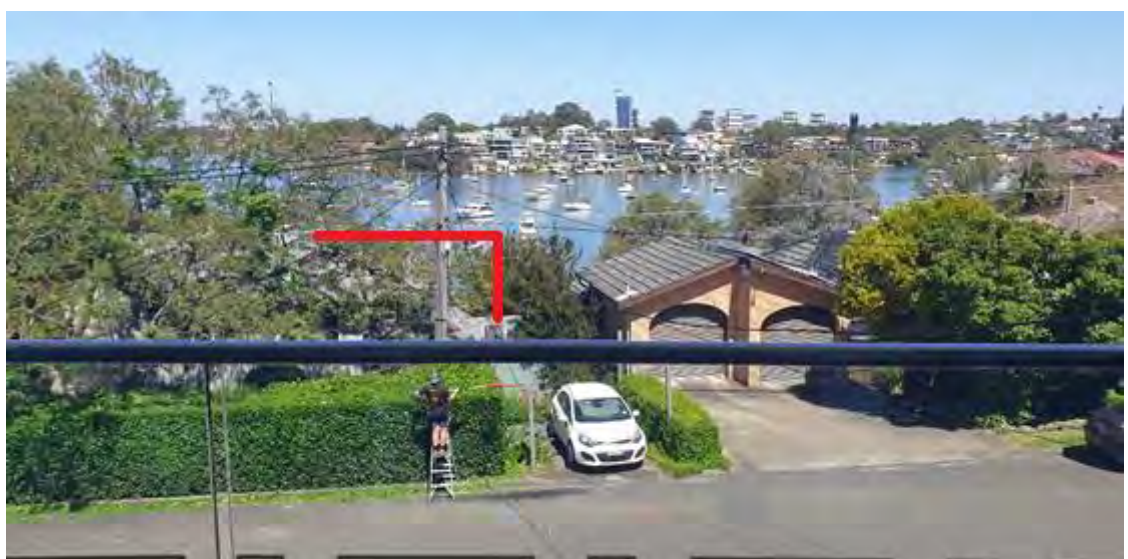


Figure 42 - 144 Tennyson - First Floor Master Bedroom (Sitting)

5 Deeble Street

No. 5 Deeble Street is located to the east of the subject site and consists of a two to three storey detached dwelling with a roof terrace. Views from the rooftop terrace are available across Morrisons Bay and the Parramatta River to Putney, Green Point and Breakfast Point to the south of the subject site. Filtered views are available through the site from the first floor bedroom and balcony to Morrisons Bay and the interface between the land and water on the western side of the bay at Putney. Views were also observed to the south-west of the site towards Breakfast Point from the first floor balcony. No views were observed from the ground floor.

Figures 43 and 44 below demonstrate the views observed from 5 Deeble Street. The height poles were not visible as they are obscured by the Jacaranda at the front of 121 Tennyson Road. **Figures 45 to 47** are the views from the first floor balcony and the roof terrace.



Figure 43 - 5 Deeble Street - 1st Floor Bedroom



Figure 44 - 5 Deeble Street - Ground Floor Laundry



Figure 45 - 21 June 2021 View from Roof Terrace of 5 Deeble Street



Figure 46 - 21 June 2021 View from Roof Terrace of 5 Deeble Street



Figure 47 - Existing View to the South of The Site from First Floor Balcony of 5 Deeble Street

3. Extent of impact

“The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases, this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating”.

140 Tennyson Road

The views from the living room and attached balcony are the most highly valued views and the proposal will not obstruct any views from these areas. A very minor portion of the views from the ground floor balcony, office and the first floor master bedroom may be affected by the proposal, however these views are not valued as highly as those from the living room and the loss of views is very minor.

The view loss is assessed as **negligible** since the views are largely unaffected by the proposal. The views through the site are obtained across the side boundaries of the subject site and are considered to be difficult to maintain. The views enjoyed by 140 Tennyson Road will be largely unaffected by the proposal.

142 Tennyson Road

The views from 142 Tennyson Road are from a bedroom, office and front porch. The existing view corridor to Morrisons Bay is currently obscured by the existing dwelling and vegetation on the site. The proposal includes removal of Tree 5 (Lilli Pilli), however the North Unit would encroach further into the view corridor than the existing dwelling and trees. The living room and private open space area are located to the rear of the dwelling and do not enjoy any views.

The extent of the view impact is assessed as being **minor**. The view that would be lost as a result of the development is hard to protect since the dwelling at 142 Tennyson Road is single storey in height and the view is partly obtained across the side boundary.

144 Tennyson Road

The views from 144 Tennyson Road are obtained from the ground floor office and playroom and the first floor bedroom, living room and balcony. The living room is located on the first floor of the dwelling and enjoys water views to Morrisons Bay and the interface between land and water on the western side of the bay. The views from the first floor living room, bedroom and balcony are obtained across the front boundary and are largely retained with only a minor encroachment by the proposed building into the existing view corridor.

The ground floor office and playroom are impacted to a greater extent and would have little remaining view of the water. However, the existing view of the water is significantly filtered by vegetation and the protection of views from the ground floor (although elevated) of the dwelling house is considered difficult. The extent of view loss from 144 Tennyson Road is assessed as being **minor**.

5 Deeble Street

The property at No. 5 Deeble Street obtains filtered water views through the site from the first floor and the rooftop terrace. No views were observed from the ground floor due to the location of existing buildings and vegetation between the dwelling and the waterway. The first floor views through the site are filtered by the Jacaranda tree and there were no unobstructed views of the water observed from this level.

A panoramic view is available from the rooftop terrace. While this is not the principal area of private open space, it affords the best views of Morrisons Bay, the Parramatta River, Putney, Green Point and Breakfast Point. The proposal would not interrupt the views from the rooftop terrace.

The proposal would encroach on the already significantly filtered view from the first floor of the dwelling to Morrisons Bay, however the impact is considered to be **minor** due to the views available from the rooftop terrace and the views to the south-west towards Green Point and Breakfast Point.

4. Reasonableness of the proposal that is causing the impact

“The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.”

The maximum height of the building above the existing ground level is 9.44m on the north elevation and 8.45m at the east elevation where the building would impact upon part of the view from neighbouring properties. The building complies with the maximum building height of 9.5 metres as required by Ryde LEP 2014 and Ryde DCP 2014. The building exceeds the maximum wall plate height of 7.5m within control 2.8.1, however the impact associated with this non-compliance is considered to be very minor. A development that complies with the 7.5m wall plate height but is built to the maximum height of 9.5m at the 6m front setback line would have a greater impact than the current proposal. The development seeks several other variations to the DCP controls, however none of them result in an impact upon views from the surrounding properties.

The planning principle states that where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. The proposal has been assessed as resulting in a nothing greater than a minor impact upon views from the surrounding properties, therefore the impact is not considered to be unreasonable.

Further, the planning principle states that the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity whilst reducing the impact on the views of neighbouring properties. The ridge height of the North Unit was lowered significantly from RL18.18 to RL16.95 and there is potential to lower the roof further since the kitchen of the North Unit has a raked ceiling ranging from 5.5m to 6m in height. However, the high ceiling has been achieved by utilising a skillion roof with a 6° roof pitch. The aim of the high ceiling is for the amenity and ventilation of the North Unit. Lowering this roof any further would not provide the same amenity to the North Dwelling as the current proposal and given that the ridge line is 1.05m less than the maximum roof height and set back a minimum of 8m from the front boundary, the development is considered reasonable and no further amendments are warranted. The proposal is considered to provide for sharing of views.

5.5 City of Ryde Section 7.11 - Development Contributions Plan 2020

Council's current Section 7.11 Development Contributions Plan 2020 effective 8 September 2021 requires a contribution for the provision of various additional services required as a result of increased development density. The contribution is based on the number of additional dwellings there are in the development proposal. The contribution that are payable with respect to the increase housing density on the subject site (being for residential development outside the Macquarie Park Area) are as follows:

A – Contribution Type	B – Contribution Amount
Community & Cultural	\$6,061.80
Open Space & Recreation	\$10,438.16
Transport Facilities	\$3,204.47
Plan Administration	\$295.57
The total contribution is	\$20,000.00

A Condition on the payment of Section 7.11 Contribution of **\$20,000.00** has been included in the draft notice of determination attached to this report (see condition number 29).

conditions are recommended relating to compliance with BCA and AS.

5.6 Any Planning Agreements

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

5.7 Any Matters Prescribed by the Regulations

The Regulation underpins the day-to-day operation of the NSW planning system. The Regulation guides the processes, plans, public consultation, impact assessment and decisions made by local councils, the Department of Planning and others. Standard conditions are recommended relating to compliance with the BCA and AS.

6. The likely impacts of the development

The assessment demonstrates that the proposal will not have any significant adverse impacts upon any adjoining properties or the environment in general due to the nature of the development. All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report (see DCP 2014). The development is considered satisfactory in terms of environmental impacts.

7. Suitability of the site for the development

The site is zoned R2 Low Density Residential. The proposal is for a new dual occupancy (attached) and strata subdivision. The assessment has demonstrated the proposal is consistent with the statutory requirements and policy controls. The assessment demonstrates the proposal will not result in any significant adverse impacts upon adjoining properties or the streetscape. The proposal is an appropriate development and this has been demonstrated in this report. The proposal is considered to be suitable for the site.

8. Submissions

In accordance with the City of Ryde Community Participation Plan, owners of surrounding properties were given notice of the application. The notification period commenced 24 May 2021 and finished on 14 June 2021. In response, five (5) unique submissions were received

Amended Plans

Amended plans were submitted on 28 September 2021 in response to Council's request for further information. The amended plans were notified to surrounding property owners from 5 October 2021 to 26 October 2021. Seven (7) unique submissions were received during the notification period.

A petition objecting to the proposal was also lodged with Council on 14 February 2022 objecting to the proposal.

Thirteen (13) unique submissions have been received by Council in total.

The following issues were raised in the submissions:

- 1. Loss of Privacy in the rear garden adjacent and the dining and living areas with north facing windows at 123 Tennyson Road. High sill windows and a privacy screen for the rear deck were requested.**

Assessment Officer Comment: Amended plans were requested from the applicant providing highlight windows on the north and south side elevations and privacy screens on the rear decks. The applicant provided amended plans as requested and the proposal adequately protects the visual privacy of adjacent dwellings. The amended plans were notified to surrounding properties and no further submissions were received with regard to privacy.

- 2. Overshadowing of the northern side of the dwelling, resulting in a loss of light and heat in winter along with reduction in solar electricity production. This will cause a need for additional heating and internal lighting.**

Assessment Officer Comment: Some overshadowing would occur to the dwelling immediately to the south of the subject site, however the western windows of this dwelling would receive sunlight between 12pm and 3pm, providing a minimum 3 hours of sunlight in midwinter. The dwelling at 123 Tennyson Road is vulnerable to overshadowing due to its location immediately to the south of the subject site, however the proposal has been suitably located to ensure this dwelling receives adequate sunlight. The amended plans were notified to surrounding properties and no further submissions were received with regard to overshadowing.



Figure 48 - Shadow Diagram - 9am on 21 June



Figure 49 - Shadow Diagram - 12pm on 21 June



Figure 50 - Shadow Diagram - 3pm on 21 June

3. ***The size of the building (four floors) is disproportionately large for this part of the suburb and for the land size. This will detract from the value of adjacent properties, which are 3 storeys maximum to the sides of the subject site.***

Assessment Officer Comment: The proposal has a total of four (4) levels, however the building steps down the site and the amended proposal is not excessive in bulk and scale. The ground (lowest) floor only provides pedestrian access to the rear yard and appears as an undercroft from the western elevation and not a full storey. The building presents as a two storey dwelling to Tennyson Road and a three storey dwelling to Morrisons bay which is consistent with the more modern developments in the vicinity of the site.



Figure 51 - The Site as Viewed from Morrisons Bay. The Existing Dwelling and Several Neighbouring Dwellings are 3 Storeys in Height

4. ***Building is four storeys, therefore not defined as a duplex as per section 2.4 of RDCP 2014***

Assessment Officer Comment: The proposal is for a dual occupancy (attached) which is a permissible development for the site and defined in RLEP 2014 as two dwellings on one lot of land that are attached to each other but does not include a secondary dwelling. RLEP 2014 does not place a limit on the number of storeys for

a dual occupancy (attached) development and the number of storeys is considered acceptable as discussed in this report.

5. **View sharing – loss of views and amenity**

Assessment Officer Comment: The proposal is considered to result in the reasonable sharing of views as discussed within this report. The submissions raises concern with the existing vegetation on the site blocking views, although the owner of the subject site is not required to prune vegetation in the interest of view sharing. The existing Jacaranda at the front of the site is proposed to be retained and this has been supported by Council’s Landscape Architect. The construction works would require some pruning of the tree canopy which may result in an improvement in the views from neighbouring properties, however no further pruning of this tree is required in the interest of improving views.

6. **Loss of public views and devaluation of affected properties. Solar panels would further impact upon views. Planting of 3 x *Syzygium Australe* ‘Pinnacle’ would block views.**

Assessment Officer Comment: Figure 34 below is the current public view from the footpath on the east side of Tennyson Road. As a result of the proposal a view corridor is provided on the northern side of the building where the first floor is set back 1.5m from the northern side boundary. Tree 5 (Lilly Pilli) is proposed to be removed from within the northern setback which will open up the view corridor.



Figure 52: Street View in front of 142 Tennyson Rd

The North Unit carport is located within the northern side setback however it is located below the level of the street and would allow a view corridor over the carport to Morrisons Bay. Views from the public domain are considered to be reasonably provided for.

The valuation of properties is not a matter for consideration under the provisions of the Environmental Planning and Assessment Act 1979.

An amended landscape plan has been lodged with the proposal including a larger front garden area with 7 x *Syzygium Australe* ‘Pinnacle’. Condition of consent 1(a)

is recommended requiring an amended landscape plan replacing these trees with smaller trees that have a maximum mature height of 3m.

The eastern elevation of the North unit is the building element which results in the view loss detailed in the assessment in this report. The roof slopes away to the west at 6° from the east elevation and any solar panels erected on the roof of the building would not result in any significant impacts upon views from neighbouring properties.

7. Desired Future Character

Assessment Officer Comment: The proposal exceeds the maximum two storey height limit stated within the desired future character section of RDCP 2014, however it is considered to be consistent with surrounding development (Figure 51) and acceptable as discussed within this report.

8. Building height and wall plate height

Assessment Officer Comment: The amended plans submitted on 22 March 2022 detail that the proposal complies with the maximum 9.5m height limit required by RLEP 2014 and RDCP 2014. The maximum height of the building is 9.44m. The proposal results in a wall plate height of up to 9.23m, which exceeds the maximum wall plate height of 7.5m required by control 2.8.1(a). The proposed three storey building height and wall plate height non-compliances are considered to be acceptable as the building is two storeys in height when viewed from Tennyson Road and the development is generally consistent with the height of buildings in the vicinity of the site when viewed from Morrisons Bay. The building steps down the site and the steep land slope of the building footprint warrants a variation to the maximum wall plate height control.

9. Side setback

Assessment Officer Comment: The proposal does not meet the minimum side setback of 1.5m that is required for buildings greater one storey in height. The proposed carport for the north unit is set back 900mm from the northern side boundary and the double garage for the south unit is set back 1m from the southern side boundary. The remainder of the building complies with the minimum setback and the non-compliance is considered to be acceptable as the carport and garage are located at ground floor level when views from Tennyson Road and they would not contribute any significant building bulk or impacts upon the streetscape. The non-complying floor levels of these structures are lower than the street level and they would be substantially screened by existing and proposed landscaping. The remainder of the building is set back a minimum of 1.5m from the side boundaries and the numerical non-compliances associated with the carport and garage are considered to be acceptable due to the lack of any impacts.

10. Front setback

Assessment Officer Comment: The plans lodged with the application detailed a front setback of 1821mm from the front boundary to the North Unit garage.

Amended plans have been lodged replacing this garage with a single carport that is set back 3.705m. The proposal is designed to allow vehicles to enter and exit the site in a forward direction and the car parking structures are not dominant site features since the site slopes away from the street and the carport and garages are located below street level. The carport non-compliance occupies only 8m² of the 144.58m² front setback area and is considered acceptable given the lack of visual impacts arising from the carport and garage.

11. Scale – Moving the house substantially forward has increased its scale

Assessment Officer Comment: The existing dwelling is set back 9.25m from the front boundary, with the existing double garage being 2m from the boundary. The front setbacks for the proposed building vary from 8m for the first floor of the North unit to 6m for the South Unit and 3.7m to the proposed single carport. The building footprint of the existing dwelling compared with the proposed development is indicated in **Figure 53** below.



Figure 53 - Existing Dwelling Footprint (red) and Proposed Building Footprint (brown)

The building is located closer to the street than the existing dwelling, however it complies with the front setback control, with the exception of the carport. The building complies with the maximum building height and is 8.45m in height on the east elevation. The street elevation is well articulated with varied setbacks and building materials and finishes which reduce the visual bulk of the building. The building appears two storeys in height when viewed from Tennyson Road. The ground floor of the building is below street level and would generally not be seen from the street. The building is not considered to be unreasonable with regard to bulk and scale and it is not out of character with other waterfront development in Tennyson Point, as discussed within this report.

12. FSR non-compliance

Assessment Officer Comment: Concern was raised regarding the proposal exceeding the maximum FSR for the site. A request for further information was forwarded to the applicant requesting compliance with the maximum FSR of 0.5:1 for the site. Amended plans were submitted by the applicant and the amended development complies with the maximum FSR for the site.

13. Vegetation on public land

Assessment Officer Comment: The existing Jacaranda tree is located on the front boundary of the property and the nature strip. Council's Tree Management Officer has reviewed the proposal with respect to trees on public land and has required that the Jacaranda and Ivory Curl in front of the site are to be protected. Further, the Tree Management Officer has raised no objection to the hedge being located on the nature strip. A footpath is located on the Eastern side of Tennyson Road providing pedestrian access along the street. Council's Senior Coordinator Development Engineering has reviewed the proposal with respect to vehicle and pedestrian safety and imposed conditions of consent requiring the hedge to be removed on the south side of the driveway to provide sight lines (**Figure 54**).

14. Garage orientation does not match the street

Assessment Officer Comment: The location and orientation of the carport and garage provides for vehicles to enter and exit the site in a forward direction, which has been identified as being required for pedestrian and road safety due to the nearby bend in Tennyson Road. The car parking structures would not be visually prominent when viewed from Tennyson Road since they are located below street level. The orientation of the car parking structures is considered to be acceptable.

15. No transition between public and private space – Hedge prevents public access

Assessment Officer Comment: The proposal seeks to retain the existing Murraya hedge which occupies the nature strip in front of the site. There is no footpath along the western side of Tennyson Road because there is a footpath along the eastern side of the street in the vicinity of the site. Safe pedestrian access along Tennyson Road is available.

16. Hedge prevents pedestrian access and restricts driver visibility from the driveway of the property

Assessment Officer Comment: As discussed, there is an existing footpath on the eastern side of Tennyson Road for use by pedestrians. Conditions of consent are recommended requiring removal of the hedge on the south side of the driveway to provide sight lines. Council's Senior Coordinator Development Engineering has assessed that the proposal complies with the relevant Australian Standards with respect to the driveway access.

17. Car Parking – Located in front of the building and number of spaces exceeds 1 space per dwelling.

Assessment Officer Comment: Amended plans have been received reducing the number of car parking spaces from 4 to 3 and reducing the built form in the front setback. The car parking structures would not be visually prominent from the street and they are considered acceptable as discussed within this report.

18. Jacaranda tree should be pruned to allow views of the water from neighbouring properties

Assessment Officer Comment: The submission details the background of negotiations with the property owners of the subject site to prune the Jacaranda tree. The tree has not been pruned and no application has been made to Council seeking approval for pruning this tree. The arborist report submitted with the application provides an assessment that the tree is in good condition and has a high retention value. Council's Landscape Architect has agreed that the tree should be retained and protected.

Any pruning request for the Jacaranda is a private matter which should be explored by further negotiation between the parties involved and if an agreement cannot be reached, the parties have the option of following the steps outlined in the *Trees (Disputes Between Neighbours) Act 2006*.

19. Car Parking – Located in front of the building and number of spaces exceeds 1 space per dwelling.

Assessment Officer Comment: Amended plans have been received reducing the number of car parking spaces from 4 to 3 and reducing the built form in the front setback. The car parking structures would not be visually prominent from the street and they are considered acceptable as discussed within this report.

20. Fences not shown on plans

Assessment Officer Comment: The proposal does not include boundary fencing, only fencing around the swimming pools and between the two proposed rear private open space areas.

21. Proposed development does not give a clear picture of what the end result will look like

Assessment Officer Comment: The detailed plans have been prepared by an architect, based off the levels of a survey prepared by a registered surveyor. The amended plans are now considered to give a fair representation of what the development will look like. The applicant was requested to erect height poles that depict the roofline of the North Unit which would be the most visually prominent. The levels of the poles were confirmed by the surveyor. Adequate information has been submitted to allow an evaluation of the proposal.

9. The Public Interest

The public interest is best served by the consistent application of the requirements of relevant Environmental Planning Instruments and by Council ensuring that any adverse effects on the surrounding area and the environment is minimised. The proposal has been assessed against the relevant planning instruments and is considered to be acceptable. The proposal does not result in any adverse impacts upon adjoining properties or the streetscape. On this basis, the proposal is not considered to raise any issues that would be contrary to the public interest.

10. Referrals

Development Engineer

Council's Senior Coordinator Development Engineering provided the following comments:

The Development Engineering Services review dated 26 August noted the following in summary;

Assessment of the engineering components of the proposed development has revealed the following matters need to be addressed;

- Whilst the existing driveway is to be retained by the works, the current grades are not compliant with the Australian Standard.*
- The sight distance issues from the driveway pose a significant safety hazard.*

Whilst the applicant is likely to appeal this is an existing arrangement, the development will result in increased traffic movements from the access and therefore this will increase the risk to occupants.

Due to the scale of the development, it is warranted that these issues be resolved in the design. It is agreed that the proposed vehicle access arrangement, which allows vehicles to exit in a forward manner, has merit however the design should moderate grade of the driveway (elevating the garage levels) and remove the hedge on the verge so as to provide the sight distance required by AS 2890.1.

The applicant has submitted further documentation which is considered below.

Driveway Grades – The plans have been revised to now propose compliant driveway grades.

Sight Distance – The applicant has nominated that the hedge in the verge be trimmed to no less than 600mm in height on the boundary of the driveway and kerb. It would be prudent to totally remove the hedge on the southern side of the driveway so as to ensure there is adequate sight distance to approaching traffic, as well as pedestrian access to / from the lot at this end of the frontage without having to step out on to the roadway. This is addressed by condition.

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.

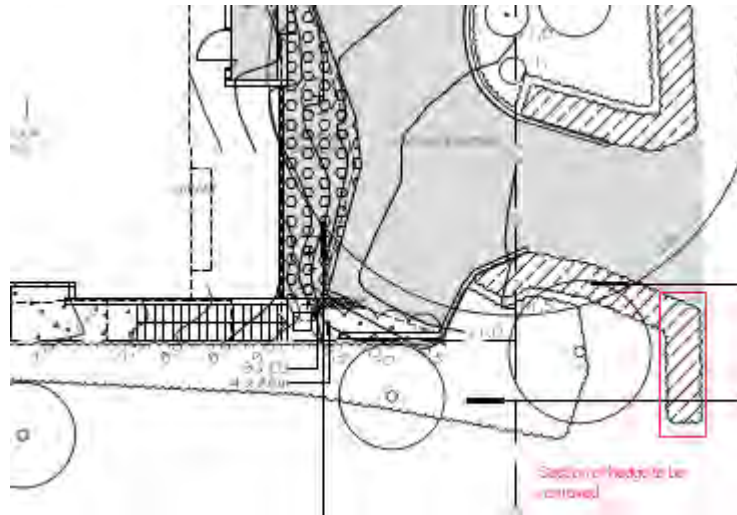


Figure 54 - Section of Hedge to be Removed

Consultant Structural Engineer

The application was referred to Cardno to review the proposal and no objections were raised subject to recommended conditions of consent requiring that all design works and construction works shall be executed in full compliance with the recommendations of the report submitted by White Geotechnical Group.

Landscape Architect

The proposal was referred to Council's Landscape Architect due to the proximity of the building to existing trees. The proposal seeks consent to remove Tree 5 (Lilly Pilli) and Tree 6 (Mexican Fan Palm) and all other trees are proposed to be retained. The proposal retains an existing Jacaranda at the front boundary and a Mango Tree and English Oak in the rear yard. A Red Cedar, Silky Oak and Ivory Curl to the south of the site are also proposed to be retained and the Landscape Architect has raised no objection to the proposal, subject to conditions of consent requiring tree protection measures to ensure that these trees are retained.

Tree Management Officer (TMO)

The proposal was referred to the Tree Management Officer due to the proximity of the development to the existing Jacaranda (Tree 1) located on the front boundary of the site and an Ivory Curl (Tree 2) and Murraya hedge within the road reserve in front of the site. The TMO has raised no objections to the proposal, subject to conditions of consent. No objections were raised by the TMO regarding the hedge occupying the nature strip being retained as part of the development.

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 site and is not contrary to the public interest. Therefore, it is recommended that the application be approved for the following reasons:

- The proposal is consistent with the objectives for R2 zoned land.
- The proposal complies with the statutory provisions set out in the Environmental Planning and Assessment Act 1979.
- The proposal is considered to be low impact to adjoining properties and surrounding environment.
- The proposal is not contrary to the public interest.

12. Recommendation

- A. That the Ryde Local Planning panel, as the consent authority, grant development consent to Local Development Application LDA No. LDA2021/0166 for a new dual occupancy (attached) and strata subdivision on land at 121 Tennyson Road, Tennyson Point, subject to the conditions in attachment 4.
- B. That the objectors be advised of the decision.

ATTACHMENTS

- 1 Compliance Table - Ryde LEP 2014 and Ryde DCP 2014
- 2 Compliance Table - Chapter 10 of SEPP (Biodiversity and Conservation) 2021
- 3 Compliance Table - DCP for Chapter 10 of SEPP (Biodiversity & Conservation) 2021
- 4 Draft Conditions of Consent
- 5 Architectural Plans - subject to copyright provision

Report Prepared By:

Deren Pearson
Assessment Officer – Town Planner

Report Approved By:

Madeline Thomas
Senior Coordinator - Development Assessment

Sandra Bailey
Manager - Development Assessment

Liz Coad
Director - City Planning and Environment

ATTACHMENT 1 – RLEP 2014 & RDCP 2014 COMPLIANCE TABLE

RLEP 2014

Ryde LEP 2014	Proposal	Compliance
4.1A Dual occupancy (attached) subdivisions		
(b) After the date RLEP 2014 (Amendment No 28) commences: (i) minimum 580m ² site area (ii) 1 dwelling on each lot (iii) each resulting lot not less than 290m ² (iv) minimum 7.5m primary road frontage for each resulting lot	The proposal complies with the development standards as follows: (i) 847.30m ² (ii) One dwelling on each lot (iii) Strata title – 847.30m ² site area (iv) Strata title – 23.165m primary frontage	Yes
4.1B(2)(a) & (b) Minimum lot sizes for dual occupancies and multi dwelling housing		
580m ²	847.30m ²	Yes
15m primary frontage	23.165m to Tennyson Road.	Yes
4.3(2) Height		
9.5m	Roof RL (highest): RL13.70m EGL (lowest) under: RL4.26 Height of Building = 9.44m	Yes
4.4(2) & 4.4A(1) FSR		
0.5:1 (423.65m ²) Site Area = 847.30m ²	Ground Floor: 0m ² First Floor: 182.10m ² Second Floor: 221.70m ² Third Floor: 31.50m ² Excluded garage area: 18m ² Total GFA: 417.30m ² FSR = 0.49:1	Yes

RDCP 2014

DCP 2014	Proposed	Compliance
Part 3.3 - Dwelling Houses and Dual Occupancy (attached)		
Section 1.0 Introduction		
Part 1.6 Site Analysis		
Site analysis to be submitted.	Drawing SK40, prepared by Architectural Collaborative and dated 24/09/2021.	Yes
Section 2.0 General Controls		
2.1 Desired Future Character		
Development is to be consistent with the desired future character of the low density residential areas.	The proposed dual occupancy (attached) is consistent with the desired future character of the low density residential area. There is a limited number of dual occupancy (attached) buildings in the vicinity of the site. The	Yes

DCP 2014	Proposed	Compliance
	building is designed to look similar to a detached single dwelling.	
2.2 Dwelling Houses		
(a) Landscape setting which includes significant deep soil areas at the front and rear	The development sits within a landscaped setting.	Yes
(b) Maximum two storeys high	3 storeys.	No (acceptable)
(c) Dwellings address the street	The dwellings address the street.	Yes
(d) Boundary between public and private space is clearly articulated	A hedge is located within the road reserve and this is proposed to be retained.	Yes
(e) Garages and carports are not to be visually prominent features	Garages are not visually prominent.	Yes
(f) Dwellings are to respond appropriately to the site analysis	The development responds appropriately to the site analysis.	Yes
2.3 Dual Occupancy (attached)		
(a) New dual occupancy buildings are to meet the controls for new dwelling houses set out in 2.2.1.	The dual occupancy (attached) development is generally consistent with the new dwelling house controls. Non-compliances are discussed in detail within the assessment report.	Yes
(b) Alterations and additions to dual occupancy buildings are to meet the requirements of 2.2.2.	New development. N/A.	N/A
2.4 Subdivision		
Minimum lot sizes apply under RLEP Clause 4.1A	Strata subdivision proposed. RDCP 2014 subdivision controls are not applicable.	N/A
2.5 Public Domain Amenity		
2.5.1 Streetscape		
(a) Site design, building setbacks and level changes respect the existing topography	The building generally respects the topography of the land and steps down the site.	Yes
(b) Front gardens to complement and enhance streetscape character	The gardens enhance the streetscape character.	Yes
(c) Dwelling design is to enhance the safety and amenity of the streetscape	The site is on the low side of Tennyson Road, however the design of the building provides for some passive surveillance of Tennyson Road.	Yes
(d) Carports and garages visible from the public street are to:		
(i) Be compatible with the building design	The North Unit carport is located within the front setback.	No (acceptable)
(ii) Be setback behind the dwelling's front elevation	The driveway and North Unit carport occupy a substantial area of the front setback.	No (acceptable)
(e) Driveways and hard stand areas are to be minimised		

DCP 2014	Proposed	Compliance
(f) Dwellings, garages and carports are to be orientated to match the prevailing orientation of such buildings in the streetscape	The parking structures are arranged suitably to allow vehicles to enter and leave the site in a forward direction.	Yes
(g) Facades from the public domain are to be well designed.	The façade is articulated and well designed with a variety of materials and finishes used.	Yes
2.5.2 Public Views and Vistas		
(a) A view corridor is to be provided along at least one side allotment boundary where there is an existing or potential view to the water from the street. Landscaping is not to restrict views. Fence 70% open where height is >900mm.	A view corridor is provided on the northern side of the building where the first floor is set back 1.5m from the northern side boundary. Tree 5 (Lilly Pilli is proposed to be removed from within the northern setback which will open up the view corridor.	Yes
(b) Garages/carports and outbuildings are not to be located within view corridor if they obstruct view.	The North Unit carport is located within the northern side setback however it is located below the level of the street and would allow a view corridor over the carport to Morrisons Bay.	Yes
2.5.3 Pedestrian & Vehicle Safety		
(a) Car parking located to accommodate sightlines to footpath & road in accordance with relevant Australian Standard.	Council's Development Engineer recommended conditions of consent to provide sight lines.	Yes
(b) Fencing that blocks sight lines is to be splayed.	Fencing does not block sight lines.	Yes
(c) Refer to relevant AS when designed driveways	No objections raised by Development Engineer.	Yes
2.6 Site Configuration		
2.6.1 Deep Soil Areas		
(a) 35% (296.56m ²) of site area min. (Site area = 847.30m ²)	41.61% (352.52m ²)	Yes
(b) Deep soil area must include: (i) Min 8x8m deep soil area in backyard. (ii) Front garden area to be completely permeable (exception driveway, pedestrian path and garden walls).	North Unit carport occupies the front setback.	No (acceptable)
(c) Dual occupancies need only one 8m x 8m in backyard	8m x 8m DSA provided. Acceptable as addressed above.	Yes
(d) Deep soil areas to have soft landscaping	Soft landscaping provided.	Yes

DCP 2014	Proposed	Compliance
(e) Deep soil areas to be 100% permeable. Not covered by structures, paving or the like, or have below surface structures such as stormwater detention elements.	100% permeable.	Yes
2.6.2 Topography & Excavation		
<p>(a) Building form and siting relates to the original topography of the land and of the streetscape.</p> <p>(b) The area under the building footprint may be excavated or filled so long as:</p> <p>(i) the topography of the site requires cut and/or fill in order to reasonably accommodate a dwelling</p> <p>(ii) the depth of excavation is limited to 1.2m maximum</p> <p>(iii) the maximum height of fill is 900mm</p> <p>(c) Areas outside the dwelling footprint may be excavated and/or filled so long as:</p> <p>(i) the maximum height of retaining walls is not >900mm</p> <p>(ii) the depth of excavation is not >900mm</p> <p>(iii) the height of fill is not >500mm</p> <p>(iv) the excavation and filled areas do not have an adverse impact on the privacy of neighbours</p> <p>(v) the filled areas do not have an adverse impact on the privacy of neighbours</p> <p>(vi) the area between the adjacent side wall of the house and the side boundary is not filled</p> <p>(vii) the filled areas are not adjacent to side or rear boundaries</p> <p>(d) Fill is not allowed in areas of overland flow. Refer to Part 8.2 stormwater management</p> <p>(e) Generally, the existing topography is to be retained.</p>	<p>The proposed development steps down the site and minimises the extent of excavation required.</p> <p>The sloping site topography requires cut and fill to accommodate the development.</p> <p>4.5m excavation at ground floor level to accommodate the internal stair access to the rear yard.</p> <p>The development generally retains the existing site topography and terracing outside of the building footprint. The existing level upper private open space area at the rear of the building is generally retained. The existing pool is proposed to be demolished and two new swimming pools are proposed. Excavation up to 1.40m is proposed for the swimming pools.</p> <p>Retaining walls are up to 1.4m in height with filled areas being set back from the side boundaries. Generally consistent with existing rear private open space arrangement.</p> <p>N/A.</p> <p>Generally, the existing topography is retained.</p>	<p>Yes</p> <p>Yes</p> <p>No (acceptable)</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>
2.7 Floor Space Ratio (FSR)		
(a) FSR of 0.5:1 (423.65m ²) in accordance with Clause 4.4 (Site Area = 847.30m ²)	Ground Floor: 0m ² First Floor: 182.10m ² Second Floor: 221.70m ² Third Floor: 31.50m ²	Yes

DCP 2014	Proposed	Compliance
(b) A floor area of 36m ² maybe excluded when this area accommodates 2 car space. An area of 18m ² may be excluded when the area accommodates 1 parking space.	Excluded garage area: 18m ² Total GFA: 417.30m ² FSR = 0.49:1	
2.8 Height		
2.8.1 Building height		
(a) Building heights are to be as follows: - Maximum height of 9.5 metres for dwellings and dual occupancy. - Outbuildings including garages and carports maximum height 4.5 metres.	Roof RL (highest): RL13.70m EGL (lowest) under: RL4.26 Height of Building = 9.44m	Yes
<u>Maximum wall plate</u> - 7.5m max above FGL or - 8m max to top of parapet <i>NB:</i> <i>TOW = Top of Wall</i> <i>EGL = Existing Ground Level</i> - <i>FGL = Finished Ground Level</i>	Top of Wall: PL16.13 Finished Ground Level: RL6.90 (approx.) Wall Plate Height: 9.23m	No (acceptable)
<u>Maximum number of storeys:</u> - 2 storeys maximum (storey incl basement elevated greater than 1.2m above EGL). - 1 storey maximum above attached garage incl semi-basement or at-grade garages	3 storeys.	No (acceptable)
2.8.2 Ceiling Height		
(a) Habitable rooms to have 2.4m floor to ceiling height (min).	2.7m minimum room height.	Yes
2.9 Setbacks		
2.9.1 Front setbacks		
(a) Dwellings are generally to be set back 6m from street front boundary	North unit carport is proposed 3.705m from the front boundary.	No (acceptable)
(b) On corner sites, the setback along the secondary frontage is to be a minimum of 2m	Single frontage. N/A.	N/A
(c) Garages and carports, including semi-basement garages and attached garages, set back min 1m from façade	North Unit carport is located forward of the façade. Acceptable given the carport is below the street level, screened largely by landscaping and allows vehicular entry and exist in a forward direction.	No (acceptable)
(d) The front setback free of structures. The exception is car	The North Unit carport is located with the front setback however is	No (acceptable)

DCP 2014	Proposed	Compliance
<p>parking structures which comply with 2.11.</p> <p>(e) Attached garages, including semi-basement garages on secondary frontages not to protrude forward of the façade. The exception is garages located on battle axe allotments. These garages do not need to be setback.</p> <p>(f) The outside face of wall built above a garage aligns with the outside face of the garage wall below.</p>	<p>considered acceptable as discussed in this report.</p> <p>Single frontage. N/A.</p> <p>Walls align.</p>	<p>N/A</p> <p>Yes</p>
2.9.2 Side Setbacks		
<p>(a) One storey dwellings setback 900mm</p> <p>(b) Two storey dwellings setback 1.5m</p> <p>(c) The second storey addition to a single storey dwelling are to be set back 1.5m</p> <p>(d) Allotments wider than they are long, one side setback a min of 20% of the width of the lot or 8m, whichever is greater.</p>	<p>Three storey building. N/A.</p> <p>900mm from proposed carport to North side boundary. 1m from proposed South Unit garage to south side boundary. Remainder of building is set back 1.5m.</p> <p>N/A.</p> <p>Allotment is longer than it is wide.</p>	<p>N/A</p> <p>No (acceptable)</p> <p>N/A</p> <p>N/A</p>
2.9.3 Rear Setbacks		
<p>(a) The rear setback min 25% of the site length or 8m, whichever is greater.</p> <p>(b) Allotments wider than they are long, min setback of 4m</p> <p>(c) Dwelling on battle axe allotment are to be setback the rear boundary of the front lot min of 8m. Single storey garage or outbuilding can be within setback.</p>	<p>Not applicable. The foreshore building line applies to the site, requiring buildings to be set back approximately 16m from the mean high water mark. The proposal is set back 30m. The allotment is longer than it is wide. N/A.</p> <p>The site is not a battle-axe allotment. N/A.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
2.10 Outbuildings		
<p>(a) The use of outbuildings is to be ancillary to the residential use of the dwelling.</p> <p>(b) The total area for all outbuildings is not to exceed 20m².</p> <p>(c) Outbuildings cannot be erected between the street alignment and the front building alignment of the dwelling.</p> <p>(d) The design and materials of outbuildings are to</p>	<p>The proposal does not include any outbuildings. The existing boatshed is retained and minor alterations are proposed to remove the walls but retain the existing roof and structural supports.</p>	<p>Yes</p>

DCP 2014	Proposed	Compliance
<p>complement the existing dwelling.</p> <p>(e) An outbuilding may contain a toilet, shower and hand basin but cannot contain a bar, sink or any other kitchen facilities.</p> <p>(f) An outbuilding may be located on the side or rear boundary so long as the external wall is maintenance free and there is no eaves overhang.</p> <p>(g) If an outbuilding is built closer than 900 mm from the side boundary a concrete dish drain is to be constructed between the external wall and the adjacent boundary.</p> <p>(h) The windows of outbuildings are to be at least 900 mm away from a boundary</p> <p>(i) Outbuildings are not to adversely affect the privacy and/or amenity of neighbours.</p> <p>(j) Outbuildings are not to be located in view corridors to the water.</p> <p>(k) An outbuilding is not to be used as a dwelling.</p>		
2.11 Car Parking and Access		
2.11.1 Car Parking		
<p>(a) Dwellings 2 spaces. Dual occ 1 space/dwg</p> <p>(b) Spaces can be enclosed or roofed.</p> <p>(c) Garages setback 1m behind front elevation.</p> <p>(d) Located forward of existing dwelling if: (i) there is no other suitable position (ii) no vehicular access to the rear or side of the site (iii) it is preferred that it is single car width.</p> <p>(e) Garages doors solid. No expanded mesh doors.</p> <p>(f) Preference located off laneways, secondary street frontages.</p> <p>(g) Driveway widths minimised. Driveways single car width except where needed to be</p>	<p>North Unit – Single carport South Unit – Double garage</p> <p>1 x open carport and 1 x enclosed garage</p> <p>North Unit carport located within the front setback.</p> <p>New development. N/A.</p> <p>Solid garage doors proposed.</p> <p>Single street frontage.</p> <p>Driveway is not minimised, however acceptable given that it allows for vehicles to enter and</p>	<p>No (acceptable)</p> <p>Yes</p> <p>No (acceptable)</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>No (acceptable)</p>

DCP 2014	Proposed	Compliance
<p>widened to double garage access.</p> <p>(h) Driveways not roofed.</p> <p>(i) Max width 6m or 50% of the frontage whichever is less</p> <p>(j) Total width garage doors not to be >5.7m</p> <p>(k) Driveways for battle axe enable vehicles to enter and leave in forward direction</p> <p>(l) Garage doors not to be recessed more than 300mm</p> <p>(m) Garage windows >900mm from boundaries</p> <p>(n) Free standing garages max GFA 36m²</p> <p>(o) Design and materials to complement dwelling</p> <p>(p) Setback at least 1m from façade</p> <p>(q) Carports not enclosed.</p>	<p>leave the site in a forward direction.</p> <p>Not roofed.</p> <p>Max 6m.</p> <p>6m.</p> <p>The site is not a battle axe allotment. N/A.</p> <p>200mm.</p> <p>No garage windows proposed.</p> <p>Attached garages. N/A.</p> <p>Complement dwelling.</p> <p>Not set back 1m from façade.</p> <p>Carport is not enclosed.</p>	<p>Yes</p> <p>Yes</p> <p>No (acceptable)</p> <p>N/A</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>Yes</p> <p>No (acceptable)</p> <p>Yes</p>
2.11.2 Semi basement Car Parking		
	N/A.	N/A
2.12 Swimming Pools and Spas		
<p>(a) Swimming pools, fencing and gates must comply with relevant Acts, Regulations and Australian Standards</p> <p>(b) Swimming pools must at all times be surrounded by a child-resistant barrier designed and located to separate the pool from any residential building and/or outbuildings (such as garages and sheds), situated on the site, with the exception of pool houses, and from any adjoining land.</p> <p>(c) The wall of a residential building may form part of the child resistant barrier so long as the wall contains no openable door, window or other opening through which access may at any time be gained to the swimming pool.</p> <p>(d) A spa pool is not required to be surrounded by a child resistant barrier provided that the spa pool is covered or secured by a child-safe structure (e.g. door, lid or mesh) that is fastened to the spa pool by a child-resistant</p>	<p>Conditions of consent are recommended to ensure compliance.</p> <p>Fencing proposed and conditions recommended to ensure compliance.</p> <p>Walls of the building relied upon for pool and conditions are recommended to ensure compliance.</p> <p>N/A.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>

DCP 2014	Proposed	Compliance
<p>device at all times when the spa pool is not in actual use.</p> <p>(e) Pools are not to be located within the front garden setback</p> <p>(f) The finished coping level of the pool must not be higher than 500 mm above the adjacent existing ground level. This maximum height can only be achieved where it will not result in an unreasonably adverse impact on the privacy of neighbours.</p> <p>(g) Pools are to be setback a minimum of 900 mm from the boundary, measured from the outside edge of the coping, deck or pool surrounds including paving, to allow sufficient space for screen planting. Further setbacks may be required to preserve existing screening vegetation.</p> <p>(h) Screen planting is to be provided within a landscape bed, which is to have a minimum width of 900 mm and is to extend for the length of the pool. Planting is to take the form of dense hedging with a minimum height of 2 m and minimum spacing of plants of 1 metre.</p> <p>(i) Pools are to be located at least 3 m minimum from the trunk of a tree over 5 m in height that is to be retained on the site or is located on a neighbouring property.</p> <p>(j) The pool pump/filter is to be located as far away as practicable from neighbouring dwellings and is to be enclosed in an acoustic enclosure that will ensure the noise emitted from the enclosure is not greater than 5dB(A) above the background noise level, measured at the boundary.</p>	<p>Pools are located at the rear of the building.</p> <p>Consistent with existing ground level where the rear yard has been previously terraced.</p> <p>1.4m.</p> <p>Screen planting provided.</p> <p>Pools are not located in the vicinity of existing trees.</p> <p>Conditions of consent recommended to ensure compliance.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
2.13 Landscaping		
<p>(a) Major trees to be retained where practical</p> <p>(b) Lots adjoining bushland, protect and retain indigenous</p>	<p>Existing significant trees are retained.</p> <p>The allotment does not adjoin bushland. N/A.</p>	<p>Yes</p> <p>N/A</p>

DCP 2014	Proposed	Compliance
<p>native vegetation and use native indigenous plant spaces for a distance of 10m</p> <p>(c) Provide useful outdoor spaces</p> <p>(d) Physical connection between dwelling and external ground level</p> <p>(e) Provide landscape front garden. Hard paved areas no more than 40%.</p> <p>(f) Pathway along one side boundary connecting front to rear. Not to be blocked by ancillary structures. Not required where there is rear lane access or corner allotment.</p> <p>(g) Landscape elements in front garden to be compatible with scale of dwelling.</p> <p>(h) Front garden at least 1 canopy tree at least 10m in height</p> <p>(i) Mature tree at least 15m in rear garden with the DSA.</p> <p>(j) Locate and design landscaping to increase privacy between dwellings.</p> <p>(k) Hedge planting on boundary no greater than 2.7m</p> <p>(l) Retaining walls and other landscape elements not to obstruct stormwater overland flow.</p> <p>(m) OSD not to be located within front setback unless it is underneath driveway</p> <p>(n) Landscaping to include POS</p> <p>(o) Designed to improve energy efficient of building and micro climate of external living areas.</p>	<p>Useful outdoor spaces.</p> <p>Physical connection provided through stairs.</p> <p>60.78% (87.87m²) of 144.58m² front garden area is hard paved.</p> <p>Pathways provided.</p> <p>Landscaping compatible with building.</p> <p>Existing mature Jacaranda.</p> <p>Existing English Oak.</p> <p>Privacy between dwelling achieved.</p> <p>3m height dwarf Lilli Pilli and Sweet Viburnum hedges proposed.</p> <p>Council's Senior Coordinator Development Engineering has advised that the proposal is acceptable with regard to stormwater management.</p> <p>OSD not required.</p> <p>POS provided.</p> <p>Energy efficiency achieved.</p>	<p>Yes</p> <p>Yes</p> <p>No (acceptable)</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No (acceptable)</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>
2.14 Dwelling Amenity		
2.14.1 Daylight and Sunlight Access		
<p>(a) Living areas are to be predominantly located to the north where possible</p> <p>(b) Sites with northern side boundary to have increased setback of 4 metres is preferred.</p>	<p>North Unit has north facing living room window.</p> <p>South Unit does not have a north facing living room window due to its location to the south of the party wall.</p> <p>The northern setback is 1.5m, however the North Unit receives suitable access to sunlight.</p>	<p>Yes</p> <p>No (acceptable)</p>

DCP 2014	Proposed	Compliance
<p><u>Subject Dwelling</u></p> <p>(c) Windows to north facing living areas of subject dwellings are to receive at least 3 hours of sunlight between 9am to 3pm on June 21.</p> <p>(d) Private open space is to receive at least 2 hours sunlight between 9am to 3pm on June 21.</p> <p><u>Neighbouring properties:</u></p> <p>(e) For neighbouring properties: (i) sunlight to 50% of principal areas of ground level POS is not reduced to less than 2 hours between 9am to 3pm on 21 June (ii) windows to north facing living areas to receive at least 3 hours of sunlight between 9am and 3pm on 21 June over a portion of surface, where can be reasonably maintained given orientation and topography.</p>	<p>North Unit – 3 hours South Unit – 0 hours</p> <p>The living room windows of the South Unit would not receive sunlight to its living room windows due to its orientation to the southern side of the party wall.</p> <p>2 hours to the POS of both dwellings.</p> <p>The POS of the dwelling to the south at 123 Tennyson Road will receive at least 2 hours sunlight between 9am and 3pm in mid-winter.</p> <p>3 hours to north facing windows of 123 Tennyson Road.</p>	<p>No (acceptable)</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
2.14.2 Visual Privacy		
<p>(a) Orientate the windows of main living spaces (living room, dining, kitchen, family etc) to the front and rear</p> <p>(b) Orientate terraces, balconies and outdoor living areas to front or rear and not side boundary</p> <p>(c) Terraces and balconies are not to overlook neighbour's living areas and POS</p> <p>(d) Living and kitchen windows, terraces and balconies are not to allow direct view into neighbouring dwelling or POS</p>	<p>Living room windows face the rear yard of the proposed dwellings.</p> <p>Terraces and balconies are orientated to the front and rear.</p> <p>The South Unit rear decks do not have privacy screening along the whole southern elevation, however this is considered to be acceptable the proposed privacy screening would prevent overlooking during general use of the deck area.</p> <p>As above.</p>	<p>Yes</p> <p>Yes</p> <p>No (acceptable)</p> <p>No (acceptable)</p>

DCP 2014	Proposed	Compliance
(e) Side windows are to be offset by sufficient distance to avoid visual connection between dwellings.	Side windows are offset and highlight windows are proposed to minimise overlooking between properties.	Yes
(f) Splayed walls with windows are not to be located above ground level where the windows provide views into adjoining property.	No splayed walls are proposed.	N/A
2.14.3 Acoustic Privacy		
(a) Noise of mechanical equipment not to exceed 5dB(A) above background noise measured in or on any premises in vicinity of the item.	Satisfactory subject to standard conditions of consent.	Yes
(b) Dwellings on arterial roads double glazed windows fronting road.	Local road. N/A.	N/A
(c) Dwellings on arterial roads acoustic seal on the front door.	Local road. N/A.	N/A
(d) Dual occupancies are to be designed to reduce noise transmission between dwellings.	Noise transmission is minimised.	Yes
2.14.4 View Sharing		
(a) The siting of development is to provide for view sharing.	The proposal is considered to result in reasonable sharing of views as discussed in this report.	Yes
2.14.5 Cross Ventilation		
(a) Designed to optimise access to prevailing breezes and provide for cross ventilation.	Cross ventilation is achieved for both dwellings.	Yes
2.15 External Building Elements		
2.15.1 Roofs		
(a) Relate roof design to the desired built form by: (i) articulating the roof (ii) roof is consistent with the architectural character of dwelling (iii) eaves minimum 450mm overhang on pitched roofs (iv) compatible roof form, slope, material and colour to adjacent buildings (v) roof height is in proportion to the wall height of the building	The roof is articulated and consistent with the architectural character of the building. The roofing is generally compatible with the more modern buildings being constructed in Tennyson point.	Yes
(b) The main roof not trafficable terrace.	The main roof is not a trafficable terrace. The roof of the carport is landscaped and has maintenance access but is not intended for recreational use.	Yes
(c) Proposed attic contained within the volume of the roof space.	The proposal does not include an attic. The South Unit has a	Yes

DCP 2014	Proposed	Compliance
<p>(d) Skylights to be minimised on roof planes visible from the public domain. Skylights are to be symmetrical.</p> <p>(e) The front roof plane is not to contain both dormer and skylight. Dormers are preferred.</p> <p>(f) Balconies and terraces are not to be set into roofs.</p> <p>(g) Scale of the roof is to be in proportion with the scale of the wall below.</p> <p>(h) Attics may be located in the garage roofs if the garage is located next to the dwelling. Garages located within front or rear setbacks are not to have attics.</p>	<p>mezzanine style multi purpose room on the third floor which appears as the second storey of the South Unit. The building appears as two storeys when viewed from Tennyson Road. Skylights not visible on the street elevation.</p> <p>Neither element is proposed.</p> <p>Balconies and terraces are not set into roofs.</p> <p>Roof is in scale with walls below.</p> <p>An attic is not proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
2.15.2 Attic Dormer Windows		
	The proposal does not include an attic. N/A.	N/A
2.16 Fences		
2.16.1 Front and return Fences and Walls		
<p>(a) Reflect the design of the dwelling</p> <p>(b) Materials compatible with the house and other fences in streetscape</p> <p>(c) Solid fence or wall max 900mm. Open light weight fence (timber picket) 1m.</p> <p>(d) Return fence is to be no higher than front fence</p> <p>(e) Fences max 1.8m if 50% open with solid base max 900mm</p> <p>(f) Fences arterial road solid and 1.8m max</p> <p>(g) No Colorbond or timber paling.</p> <p>(h) Retaining walls max 900mm</p> <p>(i) Overland flow - fencing open not impede flow of water</p> <p>(j) Fence piers max 350mm.</p>	<p>The proposal does not include front fencing or walls. There is an existing Murraya hedge on the nature strip which is proposed to be retained and is considered acceptable. The driveway occupies a large portion of the front setback and the hedge provides screening of the built form to complement the landscaping in the front setback.</p> <p>The driveway allows for vehicles to enter and exit the site in a forward direction. This is considered appropriate for safety reasons due to the location of the site near the intersection of Deeble Street and the bend in Tennyson Road.</p>	N/A
2.16.2 Side and Rear Fences and Walls		
<p>(a) 1.8m Max side and rear fence</p> <p>(b) Overland flow - fencing to be open not impede flow of water</p>	The proposal does not include any fencing along the side boundaries. Existing hedges are	N/A

DCP 2014	Proposed	Compliance
(c) No Barbed wire, broken glass or other dangerous elements. (d) Fencing forward of the foreshore building line open and permeable.	proposed to be retained and new hedges will provide for privacy between dwellings.	
Part 7: Environment		
7.1: Energy Smart, Water Wise		
3.0 The information Guide		
3.2 Required information		
(a) Energy efficiency performance report (b) Site analysis	BASIX Certificate 1181553M, dated 08 March 2021 Energy: 69 Water: 41 Plans consistent with Certificate	Yes
Part 7.2 Waste Minimisation and Management		
2.3 All developments		
(a) Developments must provide space for onsite waste containers	Condition of consent 1(a) is recommended requiring an amended landscape plan detailing waste container storage.	Yes (by condition)
(b) Compliant size of storage areas and number of storage containers.	Space provided for storage containers.	Yes
(c) Space to be provided for bulk waste where appropriate.	Bulk waste storage provided.	Yes
(d) Storage of green waste provided	Storage for green waste provided.	Yes
(e) Stored within the boundaries of the site.	Storage within boundaries of the site provided.	Yes
(f) Site Waste Minimisation and Management Plan (SWMMP) to be submitted.	A Waste Management Plan was submitted with the application.	Yes
(g) Located to provide easy, direct and convenient access.	Convenient access provided.	Yes
(h) No incineration devices.	None proposed.	Yes
(i) Collection point identified on plan.	Collection point in front of dwellings.	Yes
(j) Path for wheeling bin collection not less than 1:14	Slope follows existing ground level.	Yes
2.4 Demolition and Construction		
(a) Demolition must comply with AS and WorkCover	The proposal does not seek consent for demolition.	N/A
(b) Demolition work plan submitted	N/A	N/A
(c) Dedicated area on site for stockpile of materials taking into account environmental factors and amenity impacts.	Space provided for storage of construction materials and waste materials.	Yes
(d) Construction materials to be stored away from the waste materials on site.	Space provided for storage of construction materials and waste materials.	Yes
2.5 Residential Developments comprising 1 or 2 Dwellings		

DCP 2014	Proposed	Compliance
(a) Space inside each dwelling for receptacles for garbage, recycling. (b) Space provided outside the dwellings to store the required garbage, recycling and green waste bins. Screened from street. Easy access to wheel the bins to the kerbside.	Space for waste receptacles provided within each dwelling and outside of the dwellings.	Yes
Part 8: Engineering		
8.1 Construction Activities		
2.1.2 Erosion and Sediment Control Plan		
Erosion and sediment control plan to be submitted.	A condition of consent was recommended by Council's Senior Coordinator of Development Engineering requiring the submission of an erosion and sediment control plan prior to the issue of a Construction Certificate.	Yes
Part 8.2 Stormwater and Floodplain Management		
2.0 Stormwater Drainage		
(a) Drainage is to be piped in accordance with Section 2.0 Stormwater Drainage Application has been consideration satisfactory by Development Engineering and City Works.	Stormwater Plans prepared by Quantum Engineers, Job Number 200419 (Issue A) and dated 29.01.2021. Proposal has been considered satisfactory by Council's Senior Coordinator of Development Engineering.	Yes
4.0 Flooding and Overland Flow		
	The site is not identified as being affected by flooding.	N/A
Part 8.3 Driveways		
3.0 Existing footway crossings		
3.1(a) Existing footway crossings may only be used when they provide access of max of 2 dwgs, correct location and level and adequate width. In good condition and is not a bridge or piped crossing.	Existing footway crossing is retained and Council's Senior Coordinator of Development Engineering has advised that the proposal is acceptable.	Yes
3.2(a) disused footway crossing slabs that become redundant are to be removed and footway restored.	Existing crossing is retained.	Yes
4.0 Designing internal access roads and parking spaces		
4.1 (a) the design of all parking spaces, circulation roads and manoeuvring areas on the property must conform to the minimum requirements of AS2890.1-2004.	Council's Senior Coordinator of Development Engineering reviewed the proposal and advised that the proposal provides suitable car parking, driveway grades and sight lines, subject to conditions of consent.	Yes

DCP 2014	Proposed	Compliance
4.2 Design of Parking Spaces		
(b) Vehicles (85 th percentile) to enter and leave designated parking space in a single 3 point turn manoeuvre. A 99 th percentile vehicle for disabled vehicles. (c) Enter and leave in a forward direction. Waived where the garage is located at the front of a dwelling and insufficient space within front setback to provide a turning area.	The proposal provides for vehicles to enter and exit the site in a forward direction. Council's Senior Coordinator of Development Engineering reviewed the proposal and advised that the proposal provides suitable car parking, driveway grades and sight lines, subject to conditions of consent.	Yes
S2.0 Design Standards		
S2.2 Vehicular crossing widths		
(a) Min 3.0m and max of 5.0m. (b) Max width of 6m to facilitate accessing two adjacent garages if the distance between the space and the street frontage is less than 5.0m	Existing vehicle crossing is retained with a width of 3.20m to 4.80m.	Yes
Part 9.2 Access for People with Disabilities		
4.1.2 Class 1 Buildings		
Accessible path required from the street to the front door, where the level of land permits.	Accessible path not achievable due to the slope of the land.	N/A
Part 9.3 Parking Controls		
2.2 Residential Lane Uses		
- Dwelling houses up to 2 spaces/dwelling - Dual occupancy 1 space/dwelling	North unit: 1 space South Unit: 2 spaces	No (acceptable)

**ATTACHMENT 2 – SEPP (BIODIVERSITY AND CONSERVATION) 2021, CHAPTER 10
SYDNEY HARBOUR CATCHMENT COMPLIANCE TABLE**

Provision	Proposal	Compliance
<i>Cl. 10.19 Biodiversity, Ecology and Environmental Protection</i>		
(a) Development should have neutral or beneficial effect on quality of water entering waterways	The land use remains low density residential and the proposed works on the foreshore are limited to alterations to the existing boatshed. The proposal would result in nothing more than a minor impact in terms of biodiversity, ecology and natural environment impacts. It is considered the proposed development would have a neutral effect on the quality of water entering waterways.	Yes
(b) Development should protect and enhance terrestrial and aquatic species, populations and ecological communities and, in particular, should avoid physical damage and shading of aquatic vegetation (such as seagrass, saltmarsh and algal and mangrove communities)	<p>All works involved with the proposal are to occur above the MHW. The proposal would be unlikely to result in any adverse impacts on any terrestrial and aquatic species, populations and ecological communities.</p> <p>The proposal is unlikely to cause any adverse overshadowing impact on adjacent aquatic areas.</p> <p>Given the above, it is considered the proposed development would protect terrestrial and aquatic vegetation. Appropriate conditions of consent are capable of being imposed with regard to silt and sediment control for any development consent granted for the proposal.</p>	Yes
(c) Development should promote ecological connectivity between neighbouring areas of aquatic vegetation (such as seagrass,	All works associated with the proposal will occur entirely within the site above the MHW. Accordingly, the proposed development is	N/A

Provision	Proposal	Compliance
saltmarsh and algal and mangrove communities)	not considered to have a negative impact on ecological connectivity of aquatic vegetation.	
(d) Development should avoid indirect impacts on aquatic vegetation (such as changes to flow, current and wave action and changes to water quality) as a result of increased access	All works associated with the proposal will occur entirely within the site above the MHWM. Accordingly, the proposed development is not considered to have any indirect impact on aquatic vegetation. It is noted that the proposed development is unlikely to cause any indirect impacts on the natural environment.	Yes
(e) Development should protect and reinstate natural intertidal foreshore areas, natural landforms and native vegetation	All works associated with the proposal will occur entirely within the site above the MHWM. Accordingly, the proposed development is considered to protect the natural intertidal foreshore, natural landforms & native vegetation with minimal adverse impacts on the natural environment.	Yes
(f) Development should retain, rehabilitate and restore riparian land	All works associated with the proposal will occur entirely within the site above the MHWM. Therefore, all riparian land is retained and the proposed development is not considered to have any adverse impacts. The proposed development does not aim to rehabilitate or restore riparian land.	N/A
(g) Development on land adjoining wetlands should maintain and enhance the ecological integrity of the wetlands and, where possible, should provide a vegetation buffer to protect the wetlands	The subject site adjoins wetland protection areas. All works associated with the proposal will occur entirely within the site above the MHWM.	Yes
(h) The cumulative environmental impact of development	All works associated with the proposal will occur entirely within the site above the MHWM, as such it is considered the cumulative	Yes

Provision	Proposal	Compliance
	<p>environmental impact of development to be minimal.</p> <p>Additionally, the proposal does not involve any change in land use and retains the existing residential use. Thus negligible impacts on the natural environment.</p>	
(i) Whether sediments in the waterway adjacent to the development are contaminated, and what means will minimise their disturbance	Sediments in the adjoining waterway are not proposed to be disturbed during proposed works. Sediments are considered unlikely to be containment due to continued history of residential use on the subject site and the surrounding area.	Yes
Cl. 10.20 Public Access to, and Use of, Foreshores and Waterways		
(a) Development should maintain and improve public access to and along the foreshore, without adversely impacting on watercourses, wetlands, riparian lands or remnant vegetation	Access to public will not be restricted any further than existing as a result of the proposed development. No adverse impacts on watercourses, wetlands, riparian lands or remnant vegetation has been identified given that no works are taking place within this zone.	Yes
(b) Development should maintain and improve public access to and from the waterways for recreational purposes (such as swimming, fishing and boating), without adversely impacting on watercourses, wetlands, riparian lands or remnant vegetation	The proposal will not impede or alter existing public access to the river.	Yes
(c) If foreshore land made available for public access is not in public ownership, development should provide appropriate tenure and management mechanisms to safeguard public access to, and public use of, that land	The foreshore is not accessible to the public, however the proposal does not impede public use of the waterway.	N/A
(d) The undesirability of boardwalks as a means of access across or along	Not proposed.	N/A

Provision	Proposal	Compliance
land below the mean high water mark if adequate alternative public access can otherwise be provided.		
(e) The need to minimise disturbance of contaminated sediments	All works are proposed well above MHW and is considered not to disturb any contaminants in water/sediments. Additionally, sediments are considered unlikely to be containment due to continued history of residential use on the subject site and the surrounding area.	Yes
Cl. 10.21 Maintenance of a working harbour		
(a) foreshore sites should be retained so as to preserve the character and functions of a working harbour, in relation to both current and future demand,	The proposal does not alter the existing residential use of the site.	Yes
(b) consideration should be given to integrating facilities for maritime activities in any development,	Existing boatshed retained.	Yes
(c) in the case of development on land that adjoins land used for industrial and commercial maritime purposes, development should be compatible with the use of the adjoining land for those purposes,	Site adjoins R2 low density residential zoned land.	N/A
(d) in the case of development for industrial and commercial maritime purposes, development should provide and maintain public access to and along the foreshore where such access does not interfere with the use of the land for those purposes.	Low density residential use.	N/A
Cl. 10.22 Interrelationship of Waterway and Foreshore Uses		
(a) Development should promote equitable use of the waterway, including use by passive recreation craft	Proposal will not inhibit or prevent equitable use of waterway by passive recreation craft and presents no change from the existing relationship with the waterway.	Yes

Provision	Proposal	Compliance
(b) Development on foreshore land should minimise any adverse impact on the use of the waterway, including the use of the waterway for commercial and recreational uses	Proposal will not inhibit or prevent equitable use of waterway for commercial or recreational uses and presents no change from the existing relationship with the waterway.	Yes
(c) Development on foreshore land should minimise excessive congestion of traffic in the waterways or along the foreshore	Development does not seek to increase or impede any existing traffic conditions in the waterway or along the foreshore and presents no change from the existing relationship with the waterway.	Yes
(d) Water-dependent land uses should have propriety over other uses	Not applicable.	N/A
(e) Development should avoid conflict between the various uses in the waterways and along the foreshores	No change to existing use of site and waterway as part of the proposed development. It is therefore considered conflicts between various uses in the waterways & along the foreshore will be avoided.	Yes
(f) development on foreshore land should minimise any risk to the development from rising sea levels or changing flood patterns as a result of climate change.	The works within the foreshore area are limited minor alterations to the existing boatshed which is minor ancillary development which could be altered in the future in response to rising sea levels.	Yes
Cl. 10.23 Foreshore and Waterways Scenic Quality		
(a) The scale, form, design and siting of any building should be based on an analysis of:		
(I) the land on which it is to be erected, and	The proposal is not out of character with the surrounding development.	Yes
(II) the adjoining land, and	The proposal is not out of character with the surrounding development.	Yes
(III) the likely future character of the locality	The proposed development is generally consistent with	Yes

Provision	Proposal	Compliance
	the current and likely future character of the locality.	
(b) development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries	The proposed development would not create adverse impacts on the visual qualities of Sydney Harbour.	Yes
(c) the cumulative impact of water-based development should not detract from the character of the waterways and adjoining foreshores	Proposed development is totally land based and proposes no water based development. It is therefore considered that proposed development does not detract from the character of the waterways and adjoining foreshores.	N/A
Cl. 10.24 Maintenance, Protection and Enhancement of Views		
(a) Development should maintain, protect and enhance views (including night views) to and from Sydney Harbour	The proposal would not significantly impact upon views to the harbour from neighbouring properties as discussed within this report.	Yes
(b) Development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items	The proposal would not impact upon views from public places, landmarks or heritage items.	Yes
(c) The cumulative impact of development on views should be minimised	Impact on views is minor and acceptable as discussed in this report.	Yes
Cl. 10.25 Boat storage facilities		
(a) development should increase the number of public boat storage facilities and encourage the use of such facilities,	Existing private boat storage.	N/A
(b) development should avoid the proliferation of boat sheds and other related buildings and structures below the mean high water mark,	Existing boatshed.	Yes
(c) development should provide for the shared use of private boat storage facilities,	Facilities are capable of being shared, however the proposal is permissible development and does not result in an unreasonable impact upon the waterway.	Yes

Provision	Proposal	Compliance
(d) development should avoid the proliferation of private boat storage facilities in and over the waterways by ensuring that all such facilities satisfy a demonstrated demand,	Existing boatshed.	Yes
(e) boat storage facilities should be as visually unobtrusive as possible,	Visually unobtrusive.	Yes
(f) in the case of permanent boat storage, the safety and utility of the development should not be adversely affected by the wave environment, and the development should avoid adverse impacts on safe navigation and single moorings.	The boat shed is located above and set back substantially from the mean high water mark.	Yes
Cl. 10.62 Requirement for Development Consent		
(1) Development may be carried out only with development consent	Development consent is sought by the current application.	Yes
(2) Development consent is not required by this clause:	Not applicable.	N/A
(a) For anything (such as dredging) that is done for the sole purpose of maintaining an existing navigational channel, or	The proposed development does not include maintenance of an existing navigational channel.	N/A
(b) For any works that restore or enhance the natural values of wetlands being works:	The proposed development does not include any works that aim to restore or enhance the natural values of wetlands.	N/A
(i) that are carried out to rectify damage arising from a contravention of this plan, and	Not applicable.	N/A
(ii) that are not carried out in association with another development, and	Not applicable.	N/A
(iii) that have no significant impact on the environment beyond the site on which they are carried out.	Not applicable.	N/A
Cl. 10.63 Matters for Consideration		
(2) The matters to be taken into consideration are as follows:		

Provision	Proposal	Compliance
(a) The development should have a neutral or beneficial effect on the quality of water entering the waterways,	The proposed development is residential in use and minor in terms of biodiversity, ecology and environmental impacts. The proposal is considered to have a neutral effect on the quality of water entering waterways.	Yes
(b) The environmental effects of the development, including effects on:		
(i) the growth of native plant communities,	No impact on the growth of native plant communities due to all existing vegetation being retained and all proposed works to be located away and above the MHWM.	Yes
(ii) the survival of native wildlife populations,	Wildlife populations are considered to be unharmed as a result of the proposed development as there are no impacts to any known habitats.	Yes
(iii) the provision and quality of habitats for both indigenous and migratory species,	The quality of habitats for both indigenous and migratory species is fully retained as part of the proposed development.	Yes
(iv) the surface and groundwater characteristics of the site on which the development is proposed to be carried out and of the surrounding areas, including salinity and water quality and whether the wetland ecosystems are groundwater dependant,	The proposed development is considered to have no adverse affects on surface and groundwater characteristics of the site and surrounding areas due to there being no significant change to land use and the development being in compliance with the stormwater controls set out in the Ryde DCP 2014.	Yes
(c) Whether adequate safeguards and rehabilitation measures have been, or will be, made to protect the environment.	Appropriate safeguards to be put in place by way of Council's standard conditions to ensure all runoff, sedimentation & siltation is controlled so as to protect the environment. Rehabilitation measures are not considered necessary	Yes

Provision	Proposal	Compliance
	as no works being undertaken below and beyond the MHWM.	
(d) Whether carrying out the development would be consistent with the principles set out in <i>The NSW Wetlands Management Policy</i> (as published in March 1996 by the then Department of Land and Water Conservation).	The proposal is located within the wetlands protection area and is considered to be consistent with principles set out in <i>The NSW Wetlands Management Policy</i> .	Yes
(e) Whether the development adequately preserves and enhances local native vegetation,	The development is considered to adequately preserve the local native vegetation through proposing no works below and beyond the MHWM, therefore retaining all existing local native vegetation.	Yes
(f) Whether the development application adequately demonstrates:		
(i) how the direct and indirect impacts of the development will preserve and enhance wetlands, and	No adverse impacts.	Yes
(ii) how the development will preserve and enhance the continuity and integrity of the wetlands, and	All works associated with the proposal will occur entirely within the site above the MHWM.	Yes
(iii) how soil erosion and siltation will be minimised both while the development is being carried out and after it is completed, and	Soil erosion and siltation is capable of being minimised during construction through implementation of sediment fences & sediment traps.	Yes
(iv) how appropriate on-site measures are to be implemented to ensure that the intertidal zone is kept free from pollutants arising from the development, and	The standard conditions of consent are capable of being imposed on any consent for the development to provide sufficient sediment control measures ensuring that the intertidal zone is kept free from pollutants arising from the development.	Yes
(v) that the nutrient levels in the wetlands do not increase as a consequence of the development, and	The development is considered not to result in any increase in nutrient levels in any surrounding	Yes

Provision	Proposal	Compliance
	wetlands due to all works associated with the proposal taking place entirely within the site above the MHWM.	
(vi) that stands of vegetation (both terrestrial and aquatic) are protected or rehabilitated, and	No development is proposed within the stands of existing vegetation (both terrestrial and aquatic) therefore protecting them from any adverse impacts.	N/A
(vii) that the development minimises physical damage to aquatic ecological communities, and	The development minimises any adverse impacts on the aquatic ecological communities through ensuring no works are undertaken below the MHWM.	Yes
(viii) that the development does not cause physical damage to aquatic ecological communities,	With all works associated with the proposal being carried out entirely within the site above the MHWM, it is considered that no physical damage to aquatic ecological communities would occur as a result of the proposed development.	Yes
(g) Whether conditions should be imposed on the carrying out of the development requiring the carrying out of works to preserve or enhance the value of any surrounding wetlands.	Standard conditions required.	Yes

**ATTACHMENT 3 -
SYDNEY HARBOUR FORESHORES & WATERWAYS AREA
DCP FOR SEPP (BIODIVERSITY AND CONSERVATION) 2021, CHAPTER 10
SYDNEY HARBOUR CATCHMENT COMPLIANCE TABLE**

In accordance with Section 3 of the SHFWADCP 2005, the following is an assessment of the proposed development against the performance criteria for the established Landscape Character type attributed to the subject site by the SHFWADCP 2005.

For the purposes of the following assessment, the subject site has been identified as being located with the Landscape Character Type 14, being the low topographic developed areas of Parramatta River.



Figure 15 Ecological Communities and Landscape Characters

Provision	Proposal	Compliance
<p>Statement of Character and Intent: These areas are mostly developed with detached residential development on the upper slopes and boat shed and wharves along the foreshore. Further development in these areas must consider protecting key visual elements including rock outcrops, native vegetation, vegetation in and around dwellings and maintaining the density and spacing of development.</p>	<p>The proposed development is for a new dual occupancy (attached) development, swimming pools and alterations to the existing boatshed. The proposed development is not considered to impact on any rock outcrops.</p> <p>Council’s Landscape Architect has reviewed the proposal and advised that the proposal is satisfactory with regard to protection of existing</p>	<p>Yes</p>

Provision	Proposal	Compliance
	<p>vegetation. The foreshore in the vicinity of the site does not contain any significant vegetation.</p> <p>Density and spacing of the development remains largely unchanged as the dual occupancy (attached) has the appearance of a single detached dwelling when viewed from the waterway. Accordingly, the proposed development is considered to be consistent with the character and intent for development in the Landscape Character Type 14 area.</p>	
<p>Performance criteria:</p> <ul style="list-style-type: none"> ▪ consideration is given to the cumulative and incremental effects of further development along the foreshore and to preserving the remaining special features; ▪ development is to avoid substantial impact on the landscape qualities of the foreshore and minimise the removal of natural foreshore vegetation, radical alteration of natural ground levels, the dominance of structures protruding from rock walls or ledges or the erection of sea walls, retaining walls or terraces; ▪ landscaping is carried out between buildings to soften the built environment; and ▪ existing ridgeline vegetation and its dominance as the backdrop to the waterway, is retained. 	<p>Consideration has been given to the cumulative and incremental effects of further development along the foreshore. The proposed development is consistent with surrounding development in terms of design, and bulk and scale.</p> <p>It is considered that minimal impacts will result as part of the development, no natural existing foreshore vegetation is proposed to be removed, natural ground levels close to the shoreline have been maintained and no erection of rock walls, sea walls or ledges have been proposed.</p> <p>No existing mature ridgeline vegetation was identified during the site inspection.</p>	<p>Yes</p>
<p>(c) Development should have neutral or beneficial effect on quality of water entering waterways</p>	<p>Since the site is proposed to be used for low density residential purposes the development will have a neutral effect on the quality of water entering waterways.</p>	<p>Yes</p>

City of Ryde
1 Pope Street, Ryde
Locked Bag 2069, North Ryde NSW 1670
Facsimile 9952 8070
Telephone 9952 8222



Development Consent

Applicant: N White
Suite 10, 241-245 Pennant Hills Road
CARLINGFORD NSW 2118

Consent No: LDA2021/0166

Consent Date: **Valid until:**

The City of Ryde, as the consent authority under the provisions of the Environmental Planning and Assessment Act, 1979 hereby consents to the development as follows:

Property: 121 Tennyson Rd Tennyson Lot C DP 358695
Point
Development: New dual occupancy (attached) and strata subdivision.

subject to the conditions 1 to 101 specified in this consent.

You are advised that failure to observe any condition of approval set out in the consent is an offence and legal proceedings may be instituted by Council.

This Consent does not guarantee compliance with the Disability Discrimination Act and you should, therefore, investigate your liability under the Act.

You are advised of your right of appeal to the Land and Environment Court under Section 8.7 of the Environmental Planning & Assessment Act and your right to request a review of the determination to Council under Division 8.3 of the Environmental Planning & Assessment Act within 6 months after you have received the Consent.

Deren Pearson
Assessment Officer

The fees quoted at the time of issue of this Consent may be subject to variation. Council's annual fees and charges are published in the Management Plan. To confirm fees please contact Customer Service on 9952-8222.

Conditions of Consent for LDA2021/0166:-

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 support documents:

Document Description	Date	Plan No/Reference
Architectural Plans		
Proposed Site Plan, prepared by Architectural Collaborative	31/03/2022	SK01, Rev N
Strata Subdivision Plan, prepared by Architectural Collaborative	31/03/2022	SK02, Rev A
Demolition Plan, prepared by Architectural Collaborative	24/09/2021	SK05, Rev C
Ground Floor Plan, prepared by Architectural Collaborative	25/03/2022	SK10, Rev J
First Floor Plan, prepared by Architectural Collaborative	25/03/2022	SK11, Rev J
Second Floor Plan, prepared by Architectural Collaborative	25/03/2022	SK12, Rev K
Third Floor Plan, prepared by Architectural Collaborative	25/03/2022	SK13, Rev J
Boat Shelter Plan, prepared by Architectural Collaborative	25/03/2022	SK14, Rev A
Proposed Elevations, prepared by Architectural Collaborative	25/03/2022	SK20, Rev H
Proposed Elevations, prepared by Architectural Collaborative	25/03/2022	SK21, Rev K
Proposed Elevations, prepared by Architectural Collaborative	25/03/2022	SK22, Rev I
Proposed Elevations, prepared by Architectural Collaborative	25/03/2022	SK23, Rev K
Proposed Section, prepared by Architectural Collaborative	25/03/2022	SK25, Rev I
Proposed Section, prepared by Architectural Collaborative	25/03/2022	SK26, Rev E
Proposed Section, prepared by Architectural Collaborative	25/03/2022	SK27, Rev E
Stormwater Concept Plans		
Details, Notes & Legend, prepared by Quantum Engineering	29.01.2021	Job Number 200419, Drawing D1 (Issue A)
Site/Ground Floor Plan & Details, prepared by Quantum Engineering	29.01.2021	Job Number 200419, Drawing D2 (Issue A)
Site/First Floor Plan, prepared by Quantum Engineering	29.01.2021	Job Number 200419, Drawing

Conditions of Consent for LDA2021/0166:-

		D3 (Issue A)
Site/Second Floor Plan, prepared by Quantum Engineering	29.01.2021	Job Number 200419, Drawing D4 (Issue A)
Site/Third Floor Plan, prepared by Quantum Engineering	29.01.2021	Job Number 200419, Drawing D5 (Issue A)
Roof Plan, prepared by Quantum Engineering	29.01.2021	Job Number 200419, Drawing D6 (Issue A)
Stormwater Details, prepared by Quantum Engineering	29.01.2021	Job Number 200419, Drawing D7 (Issue A)
Landscaping Plans		
Landscape Plan, prepared by iScape Landscape Architecture	September 2021	01.21/002'B'
Specialist Reports		
Arboricultural Impact Assessment Report, prepared by Seasoned Tree Consulting	15 April 2021	121 Tennyson Road, Tennyson Point
Geotechnical Investigation, prepared by White Geotechnical Group	14 January 2021	J3117
BASIX Certificate	08 March 2021	1181553M
Site Waste Minimisation and Management Plan	12 February 2021	

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

- (a) **Landscaping Plan** – An amended landscape plan shall be submitted to Council for approval detailing:
- (i) A paved area within the site for the storage of waste containers;
 - (ii) Replacement of the proposed 7 x *Syzygium Australe* 'Pinnacle' trees at the front of the North Unit carport with smaller trees that have a maximum mature height of 3m; and
 - (iii) The North Unit swimming pool coping shall be set back 900mm from the boundary between the two dual occupancy dwellings. The landscaping highlighted in red on the approved landscape plan shall be deleted and replaced with a footpath and stairs providing pedestrian access to the foreshore common property area. The swimming pool fencing details and coping level shall be shown on the amended landscape plan.

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

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

2. **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.

Conditions of Consent for LDA2021/0166:-

(Reason: Statutory requirement).

3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 1181553M, dated 08 March 2021.

(Reason: Statutory requirement).

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. **Site Maintenance.** For the period the site remains vacant of any development the subject of this consent, the site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or become a repository for the leaving or dumping of waste.

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

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

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

7. **Hoardings.**

- (a) A hoarding or fence must be erected between the work site and any adjoining public place.
- (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

(Reason: To ensure public safety).

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

(Reason: To ensure public safety).

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

Conditions of Consent for LDA2021/0166:-

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

10. **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).

11. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

(Reason: Access to public utilities).

12. **Roads Act.** Any works performed in, on or over a public road 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 section 138 of the Roads Act 1993.

(Reason: To ensure compliance with the requirements of the Roads Act 1993).

13. **Pool filter – noise.** The pool/spa pump/filter must be enclosed in a suitable ventilated acoustic enclosure to ensure the noise emitted therefrom does not exceed 5dB(A) above the background noise level when measured at any affected residence.

(Reason: To protect the amenity of the adjoining properties).

14. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.

(Reason: Safety).

15. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.

(Reason: To ensure the appropriate discharge of wastewater).

16. **Resuscitation Chart.** A resuscitation chart containing warning “YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL” must be provided in the immediate vicinity of the pool area so as to be visible from all areas of the pool.

(Reason: Safety).

17. **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.

Conditions of Consent for LDA2021/0166:-

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

18. **Service Alterations.** All services or utilities required to be altered in order to complete the development works are to be undertaken in accordance with the requirements of the relevant service provider (eg Telstra, Jemena, Ausgrid, etc), with all costs associated with this alteration to be borne by the applicant.

(Reason: To ensure public services are maintained.)

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

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

20. **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.)

DEMOLITION CONDITIONS

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

A Construction Certificate is not required for Demolition.

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

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

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

Conditions of Consent for LDA2021/0166:-

(Reason: Statutory requirement).

23. Excavation

- (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
- (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with Safework NSW in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

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

24. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by Safework NSW.

(Reason: Safety).

25. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.

(Reason: Safety).

26. **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).

27. **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).

28. **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).

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.

Conditions of Consent for LDA2021/0166:-

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.

29. **Section 7.11.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

A – Contribution Type	B – Contribution Amount
Community & Cultural	\$6,061.80
Open Space & Recreation	\$10,438.16
Transport Facilities	\$3,204.47
Plan Administration	\$295.57
The total contribution is	\$20,000.00

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.

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

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

A copy of the Section 7.11 Development Contributions Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

(Reason: Statutory requirement).

30. **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 Certifying Authority prior to the issue of the **Construction Certificate**.

(Reason: Statutory requirement).

31. **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**.

Conditions of Consent for LDA2021/0166:-

(Reason: Statutory requirement).

32. **Security deposit.** The Council must be provided with security for the purposes of section 4.17(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: dwelling houses with delivery of bricks or concrete or machine excavation)

(Reason: Statutory requirement).

33. **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).

34. **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 Certifying Authority prior to the issuing of the **Construction Certificate**.

(Reason: Statutory requirement).

35. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely 39 Beach Street and 123 Tennyson Road. A copy of the survey is to be submitted to the Certifying Authority (*and Council, if Council is not the Certifying Authority*) prior to the release of the **Construction Certificate**.

(Reason: To identify the condition of properties prior to works commencing).

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

(Reason: Statutory requirement).

37. **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 Certifying Authority prior to the release of the **Construction Certificate**.

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

38. **Fencing.** Fencing is to be in accordance with Council's DCP 2014: Part 3.3 – Dwelling Houses and Dual Occupancy (attached) – Section 2.16 - Fences. Details of compliance are to be provided in the plans for the **Construction Certificate**.

(Reason: Statutory requirement).

Conditions of Consent for LDA2021/0166:-

39. **Lighting of common areas (driveways etc).** Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.

(Reason: To ensure lighting is used in all common areas).

40. **Pool fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2018*. Details of compliance are to be reflected on the plans submitted with the **Construction Certificate**.

(Reason: Statutory requirement).

41. **Pool Boundary Fence (Acting as a pool fence).** Where a boundary fence acts as a barrier to a pool it shall have a height not less than 1.8m on the inside and 'Non-Climbable Zone' (NCZ) formed as a quadrant of 900mm radius down from the top of the inside of the barrier. Details showing compliance are to be reflected on the plans submitted with the **Construction Certificate**.

(Reason: Statutory requirement).

42. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of any Construction Certificate satisfactory evidence is to be provided to the Certifying Authority 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: Statutory requirement).

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

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

Conditions of Consent for LDA2021/0166:-

- a) To ensure there is adequate sight distance for a vehicle emerging from the driveway, the hedge on the south side of the driveway is to be cleared / trimmed back from the verge, as per the splayed region as defined in Figure 3.2 of AS 2890.1. That is, a splayed region 2.5m back from the kerb and 30m along the boundary alignment from the drivers point of view when emerging from the property, shall be clear of obstructions. At the least, the hedge shall be cleared a metre back from kerb.
- b) In addition to item (a), the hedge on the verge on the south side of the driveway shall be trimmed no less than a metre back from the kerb so as to afford some pedestrian amenity, ensuring any residents entering / exiting the property from this frontage do not have to step onto the road carriageway to do so.
- c) 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.
- d) Any points along the vehicle driveway / manoeuvring area which are elevated 600mm or greater above the adjoining surface level, must have a barrier installed to prevent vehicles travelling off the edge of the drive. The barrier must be designed to have sufficient structural integrity for this task.

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

(Reason: Safe vehicle and pedestrian access)

44. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to Parramatta River, generally in accordance with the plans by Quantum Engineers (Refer to Job No. 200419 Dwgs D1 - D7 Rev A dated 29 January 2021) subject to any variations marked in red on the approved plans or noted following;
- Discharge to Parramatta River will require the approval of NSW Roads and Maritime. 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.

Conditions of Consent for LDA2021/0166:-

- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.
- The direct discharge to Sydney Harbour must be in accordance with the requirements of NSW Maritime. Written approval and any conditions are to be submitted with the Stormwater Plans and documentation required by this condition.
- The subsurface drainage system must be designed to preserve the pre-developed groundwater table so as to prevent constant, ongoing discharge of groundwater to the public drainage network, as well as avoid long term impacts related to the support of structures on neighbouring properties.

(Reason: The effective management of stormwater)

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

(Reason: Protection of the environment)

46. **Tree bonds.** Prior to the issue of a Construction Certificate a bond shall be placed upon the Jacaranda and Ivory Curl (Trees 1 and 2) by condition number 78 to the value of \$2000 each. This bond must be paid to Council prior to the issue of a Construction Certificate. A receipt must be provided to the Certifying Authority prior to the issue of the Construction Certificate. The bond is not redeemable until after 12 months of the issuing of the Occupation Certificate. Council's Tree Management Officer must inspect the trees prior to the bond being released and all trees shall be in good health and vigour upon inspection. If the trees are found to be in poor condition or vigour, the bond will not be released.

Conditions of Consent for LDA2021/0166:-

Reason: To ensure the protection of street trees.

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.

47. Site Sign

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

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

(Reason: Statutory requirement).

- 48. Residential building work – insurance.** In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

(Reason: Statutory requirement).

- 49. Residential building work – provision of information.** Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor; and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.

- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder; and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has

Conditions of Consent for LDA2021/0166:-

given the Council written notice of the updated information (if Council is not the PCA).

(Reason: Statutory requirement).

50. 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).

51. Pre-commencement dilapidation report. The submission of a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public and private properties namely 39 Beach Street and 123 Tennyson Road, and public infrastructure (including roads, gutters, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining private properties, prior to the commencement of construction.

(Reason: To identify the condition of adjoining public and private properties prior to the commencement of work).

52. Safety fencing. The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with Safework NSW requirements and be a minimum of 1.8m in height.

(Reason: Statutory requirement).

53. Proposed Property Addressing. Proposed addressing for the new development must have been lodged with Council, prior to the commencement of construction.

(Reason: To ensure the address of the development meets Council's requirements).

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

(Reason: To maintain public safety and amenity in public domain areas adjoining the development site.)

55. 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

Conditions of Consent for LDA2021/0166:-

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 maintain public safety)

56. **Tree Retention.** As identified in the Arborist Assessment prepared by Seasoned Tree Consulting dated 15/04/2021. The following trees on site or adjoining the site are to be retained and protected

Tree No.	Species "Common name"	Notes
1	Jacaranda mimosifolia (Jacaranda)	
2	Buckinghamia celsissima (Ivory Curl)	
3	Toona ciliate (Red Cedar)	In adjoining property.
4	Grevillea robusta (Silky Oak)	In adjoining property.
7	Mangifera indica (Mango)	
8	Quercus robur (English Oak)	

(Reason: Protection of trees to be retained)

57. **Tree Protection** is to be installed before demolition and construction commences as indicated in the Arborist Report "Appendix 1B – Tree Protection Plan" prepared by Seasoned Tree Consulting dated 15/04/2021.

(Reason: Protection of trees to be retained)

58. **Tree Protection Fencing.** All trees to be retained on site and on adjoining site are to have protective fencing and signage around TPZs and must be located in accordance with AS4970-2009: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.

(Reason: Protection of trees to be retained)

59. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on adjoining allotments in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction.

(Reason: Protection of trees to be retained)

60. **Provision of Project Arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site.

Conditions of Consent for LDA2021/0166:-

Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

(Reason: Protection of trees to be retained)

61. **Arborist Report.** All items in the Arborist Report outlined in: "Section 10 Recommendations" prepared by Seasoned Tree Consulting dated 15/04/2021 are to be implemented.

(Reason: Protection of trees to be retained)

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.

62. **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(4) of the *Environmental Planning and Assessment Regulation 2000*.

(Reason: Statutory requirement)

63. **Geotechnical Report.** All design works and construction works shall be executed in compliance with the recommendations in the White Geotechnical Group's Report dated 14 January 2021.

(Reason: Protection of property and life from landslip hazard)

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

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

65. **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).

66. **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).

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

Conditions of Consent for LDA2021/0166:-

- (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).

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

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

69. **Site Facilities**

The following facilities must be provided on the site:

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

(Reason: Statutory requirement).

70. **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).

71. **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).

72. **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 Quantum Engineers (Refer to Job No. 200419 Dwgs D1 - D7 Rev A dated 29 January 2021) 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)

73. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction"

Conditions of Consent for LDA2021/0166:-

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.)

74. **Excavation for services within Tree Protection Zone (TPZ) of Trees 7 and 8.** Any excavation for services or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.
75. **Tree Removal.** As identified in the Arborist Assessment prepared by Seasoned Tree Consulting dated 15/04/2021. The following trees on site are to be removed:

Tree No.	Species "Common name"
5	Syzygium sp. (Lilly Pilli)
6	Washingtonia robusta (Mexican Fan Palm)

(Reason: To accommodate the development)

76. **Project Arborist Inspections.** The Project Arborist is to inspect and document with Certificates of Compliance to the certifying authority as stipulated in SECTION 5 MONITORING AND CERTIFICATION of AS4970-2009.

PROJECT PHASE	ACTIVITIES	PROJECT ARBORIST to
Initial Site Preparation	Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained.	Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage Issue a Certification of Compliance of tree protection measures being in place and soil rehabilitation undertaken
Construction work	Liaison with site manager, compliance and any deviation from approved plan	Maintain or amend protective measures Supervision and monitoring formal notification of any deviation from approved tree protection plan
Stormwater connection installation through TPZ, Implement hard and soft landscape works	Supervise Installation of pipes within tree TPZ	Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works Issue a Certificate of Compliance
Practical Completion	Tree vigour and structure Assessment and	Remove all remaining tree Protection measures

Conditions of Consent for LDA2021/0166:-

	undertake soil rehabilitation for all retained trees	Certification of tree protection and soil rehabilitation for Protected Trees
Defects liability / maintenance period	Tree vigour and structure	Undertake any required remedial tree works Certification of tree protection if necessary

(Reason: Supervision and certification of tree removal and tree protection)

77. **Tree works – Australian Standards.** All tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007).

(Reason: Compliance with Australian Standards)

78. **Protection of Street trees.** The Jacaranda and Ivory Curl (Trees 1 and 2) shall be protected during construction works in accordance with the following requirements:

- (a) All relevant legislation and WHS regulations be adhered to whilst undertaking the works.
- (b) Protection fencing, construction type 1.8m high chainwire fencing, in accordance with AS4970-2009 Protection of trees on Construction Sites, to be installed around the tree in the road reserve to be retained, prior to the issue of the construction certificate.
- (c) A bond shall be placed upon each tree to be retained to the value of \$2000 each as required by condition number 46.

Reason: To identify street trees approved for removal and requirement of replacement plantings.

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.

Conditions of Consent for LDA2021/0166:-

79. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 1181553M, dated 08 March 2021.

(Reason: Statutory requirement).

80. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the any **Occupation Certificate**.

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

81. **Sydney Water – Section 73 Compliance Certificate.** A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. A Section 73 Compliance Certificate must be completed before the issue of any Occupation Certificate. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to www.sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(Reason: Statutory requirement).

82. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of any **Occupation Certificate**.

(Reason: To provide a record of any damage to adjoining properties post construction).

83. **Letterboxes and street/house numbering display.** All letterboxes are to be designed and constructed in accordance with Australia Post requirements and the house/unit numbering displayed shall be in accordance with the official property addressing allocated by Council's Land Information Section. The display of the street address shall be of a sufficient size and clarity to be easily visible from the street. Where a development contains multiple properties, signage is required to be clearly displayed on all unit door entrances. Directional signage is to be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors and lobby entry doors. It is essential that all numbering signage throughout a development is clear to assist emergency service providers locate a destination with ease and speed, in the event of an emergency.

(Reason: To assist in way finding).

Conditions of Consent for LDA2021/0166:-

84. **Swimming Pool Register.** Legislation requires all swimming pools to be registered online at: <http://www.swimmingpoolregister.nsw.gov.au/>. Documentary evidence confirming that the swimming pool has been registered must be submitted to the Principal Certifying Authority prior to the issuing of any **Occupation Certificate**.

(Reason: Statutory requirement).

85. **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) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - c) Confirming that 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).

(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.)

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.

86. **Offensive noise.** The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

(Reason: Public Amenity)

87. **Dual Occupancy (attached) only.** The dual occupancy (attached) development is not to be used or adapted for use as a boarding house or as more than two separate domiciles.

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

88. **Boat Shelter.** The boat shelter shall not be enclosed and is to remain as an open structure for the life of the development.

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

Conditions of Consent for LDA2021/0166:-

89. **Pool fencing.** The pool fence is to be maintained in accordance with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2018*.

(Reason: Statutory requirement).

PRIOR TO SUBDIVISION CERTIFICATE

The following conditions in this Part of the consent apply to the Subdivision component of the development.

All conditions in this Part of the consent must be complied with prior to the issue of a Subdivision Certificate.

90. **Final plan of subdivision.** The submission of a final plan of subdivision suitable for endorsement by the Authorised Officer of Council.

(Reason: Statutory requirement).

91. **Final plan of subdivision – title details.** The final plan of subdivision shall contain detail all existing and/or proposed easements, positive covenants and restrictions of the use of land.

(Reason: Statutory requirement).

92. **Section 88B Instrument.** If required, the submission of an Instrument under Section 88B of the Conveyancing Act 1919, creating Easements, Positive Covenants and Restrictions on Use. This Instrument shall nominate the City of Ryde as the authority empowered to release, vary or modify the terms of the Instrument.

(Reason: Ensure compliance with the conditions of consent).

93. **Final Occupation Certificate.** The final occupation certificate associated with the approved development (including related modifications) must be issued for the entire development prior to the release of the Subdivision Certificate.

(Reason: Statutory requirement).

94. **Driveway marked as Common Property.** To facilitate access to each of the respective garages and ensure there is equitable maintenance of the driveway area, the plan of subdivision must mark the entire driveway area on the lot as Common Property.

(Reason: To facilitate access to each dwelling)

95. **Registration of easements.** The registration of all necessary easements is required to ensure all proposed lots will have legal access to all utility services, drainage and vehicular access. Prior to release of the Subdivision Certificate, certification shall be obtained from a registered surveyor and submitted to Council confirming the above requirement will be met upon registration of the linen plan at the Land and Property Information.

Conditions of Consent for LDA2021/0166:-

(Reason: To ensure both lots will have access to utilities, drainage and vehicle access)

96. **Subdivision Compliance Certificates.** To ensure the new lots created by the subdivision have access to services to function as a wholly separate lot and with appropriate legal instruments relating to the maintenance of services (where required), the following compliance certificates must be provided to Council prior to the release of the Subdivision Certificate;
- a) Surveyor Certification – A registered surveyor must certify that all necessary easements have been created for all services /structures which encroach into adjacent lots or alternatively that all services for each existing dwelling and structures are contained wholly within their respective allotments.
 - b) Sydney Water (Section 73 Compliance Certificate) - A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains.
 - c) Other Utility Providers – Written confirmation confirming compliance with the requirements (including financial costs) of electrical and telecommunication providers (e.g. AusGrid, Telstra).

(Reason: To ensure the new lots have access to services)

97. **Sydney Water – Section 73 Compliance Certificate.** A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. A Section 73 Compliance Certificate must be completed before the issue of any Occupation Certificate. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to www.sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(Reason: Statutory requirement).

98. **Notice of Arrangement (Utility Provider).** Notice of Arrangement and compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Ausgrid, Sydney Water, Telstra, Council etc).

(Reason: Statutory requirement).

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

Conditions of Consent for LDA2021/0166:-

- (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: Statutory requirement).

100. **Building Code of Australia.** Certification from a suitably qualified accredited building consultant will need to be provided confirming compliance with the relevant sections of the Building Code of Australia for the following:

- a) Separating Wall (Part 3.7.3.2). The wall separating the two dwellings has an FRL (Fire Resistance Level) of not less than 60/60/60 extending from the ground to the underside of the roof cladding.
- b) Smoke Alarms (Part 3.7.5.2). The smoke alarms in each dwelling are connected to the consumer mains power and are interconnected as there are alarms on both floor levels.

(Reason: To ensure that the building complies with the Building Code of Australia requirements).

101. **Official Property Addressing.** The property addressing displayed on the administration sheets of a subdivision or strata plan, must be in accordance with the official property addressing allocated by Council's Land Information Section.

(Reason: To assist in way finding).

End of consent



Proposed Duplex Residence

for the Roche Family

121 Tennyson Road, Tennyson Point, NSW 2111
20-0088

31/03/2022

SK01 Site Plan
SK02 Strata Subdivision
-
SK05 Demolition Plan

SK10 Ground Floor Plan
SK11 First Floor Plan
SK12 Second Floor Plan
SK13 Third Floor Plan

SK20 Elevations
SK21 Elevations
SK22 Elevations
SK23 Elevations

SK25 Section
SK26 Section
SK27 Section
-

SK30 Perspective Views
SK31 Perspective Views
-
SK40 Site Analysis Diag's

SK42 Height Diagrams
SK43 Sight Line Montage
SK44 Area Calculation Plan
SK45 Landscape

SK50 Shadow Diagrams
SK51 Shadow Diagrams
SK52 Shadow Diagrams
-



Table of Compliance

	North Residence	South Residence
Boatshed		0sqm (External Covered Area)
Ground Floor	0sqm	2.7sqm
First Floor	93.1sqm	110.3sqm
Second Floor	90.5sqm*	90.1sqm**
Third Floor	-	29.7sqm
TOTAL GFA	183.6sqm	232.8sqm
COMBINED TOTAL GFA	416.4sqm	
Site Area	847.3sqm (Survey)	
Floor Space Ratio (FSR)	416.4 : 847.3	0.491 : 1
Max Allowable FSR	0.500 : 1	

GFA Measured according to the Ryde LEP 2014 - 'the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor,' excluding 'any area for common vertical circulation, such as lifts and stairs, and 'any basement storage' and 'car parking to meet any requirements of the consent authority (including access to that car parking)'

*North Unit carport is not counted as it is not enclosed.
 **South Unit garage is not counted as 36sqm may be excluded from GFA for 2 car parking spaces under the Ryde DCP 2014.

See SK44 for Area Calculation Plans



Development to comply with Basix certificate number 1181553M prepared by Frys Energywise

Project summary		
Project name	ROCHE FAMILY - 20-0088	
Street address	121 TENNYSON Road TENNYSON POINT 2111	
Local Government Area	Ryde City Council	
Plan type and plan number	deposited 832980	
Lot no.	21	
Section no.	-	
No. of residential flat buildings	0	
No. of units in residential flat buildings	0	
No. of multi-dwelling houses	2	
No. of single dwelling houses	0	
Project score		
Water	✓ 41	Target 40
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 69	Target 50

Project address	
Project name	ROCHE FAMILY - 20-0088
Street address	121 TENNYSON Road TENNYSON POINT 2111
Local Government Area	Ryde City Council
Plan type and plan number	deposited 832980
Lot no.	21
Section no.	-
Project type	
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	2
No. of single dwelling houses	0
Site details	
Site area (m²)	847
Roof area (m²)	316
Non-residential floor area (m²)	0.0
Residential car spaces	4
Non-residential car spaces	0

Common area landscape	
Common area lawn (m²)	0.0
Common area garden (m²)	0.0
Area of indigenous or low water use species (m²)	0.0
Assessor details	
Assessor number	DMN/12/1441
Certificate number	0005734640
Climate zone	56
Ceiling fan in at least one bedroom	Yes
Ceiling fan in at least one living room or other conditioned area	Yes
Project score	
Water	✓ 41 Target 40
Thermal Comfort	✓ Pass Target Pass
Energy	✓ 69 Target 50

Multi-dwelling houses

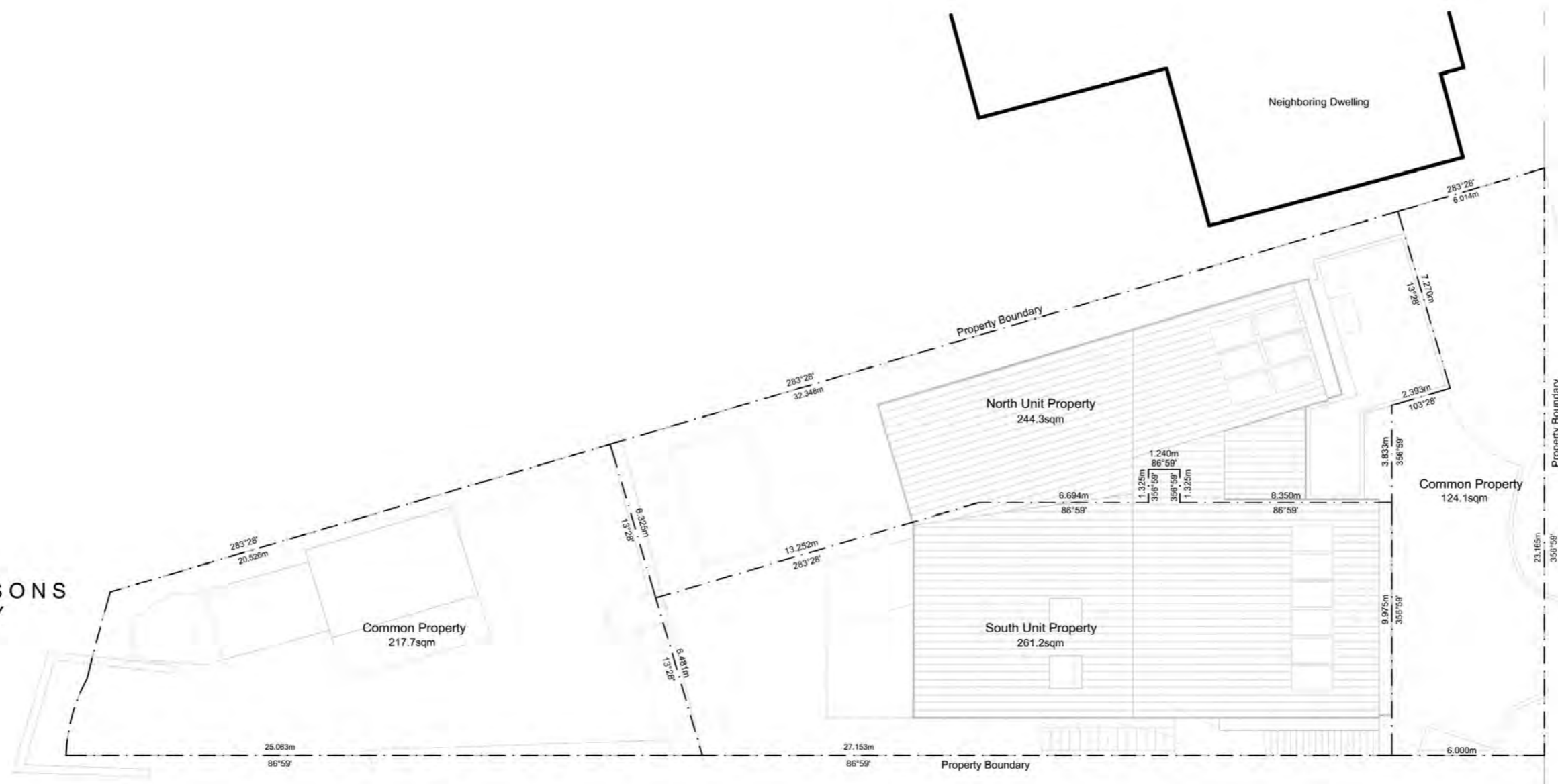
Dwelling no.	No. of bedrooms	Conditioned floor area (m²)	Unconditioned floor area (m²)	Area of garden & lawn (m²)	Indigenous species (min area m²)
D1	3	158.0	61.0	150.0	0.0
D2	3	209.0	35.0	150.0	-





TENNYSON ROAD

MORRISONS BAY

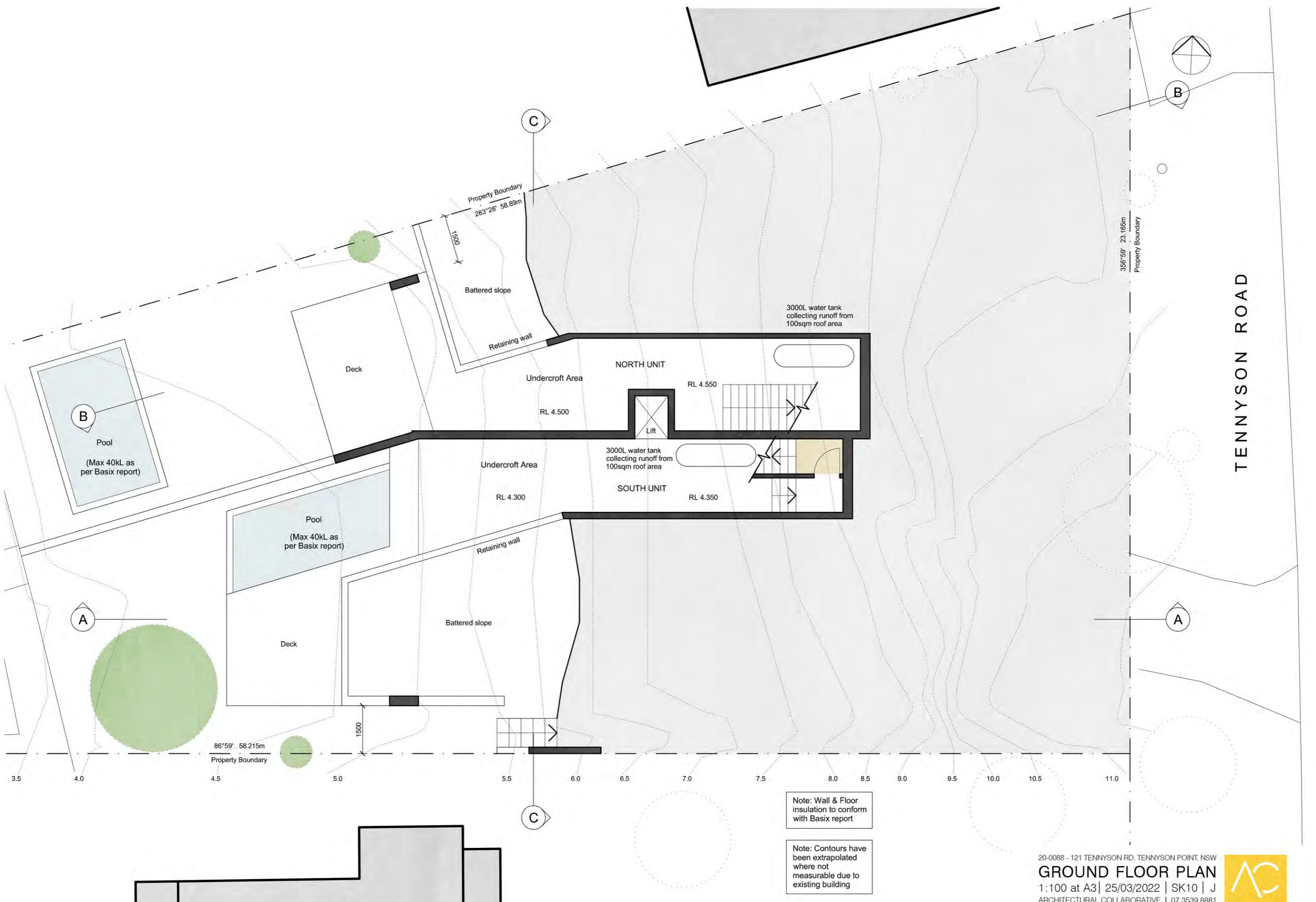


Site Area: 847.3sqm

Note: Dimensions/bearings are indicative, a final strata subdivision plan will need to be prepared by a licensed surveyor post-construction







3.5 4.0 4.5 5.0 5.5 6.0 6.5 7.0 7.5 8.0 8.5 9.0 9.5 10.0 10.5 11.0

86°59' 58.215m
Property Boundary

Property Boundary
283°28' 58.89m

356°59' 23.165m
Property Boundary

Note: Wall & Floor insulation to conform with Basix report

Note: Contours have been extrapolated where not measurable due to existing building

20-0088 - 121 TENNYSON RD, TENNYSON POINT, NSW
GROUND FLOOR PLAN
 1:100 at A3 | 25/03/2022 | SK10 | J
 ARCHITECTURAL COLLABORATIVE | 07 3539 8881



TENNYSON ROAD

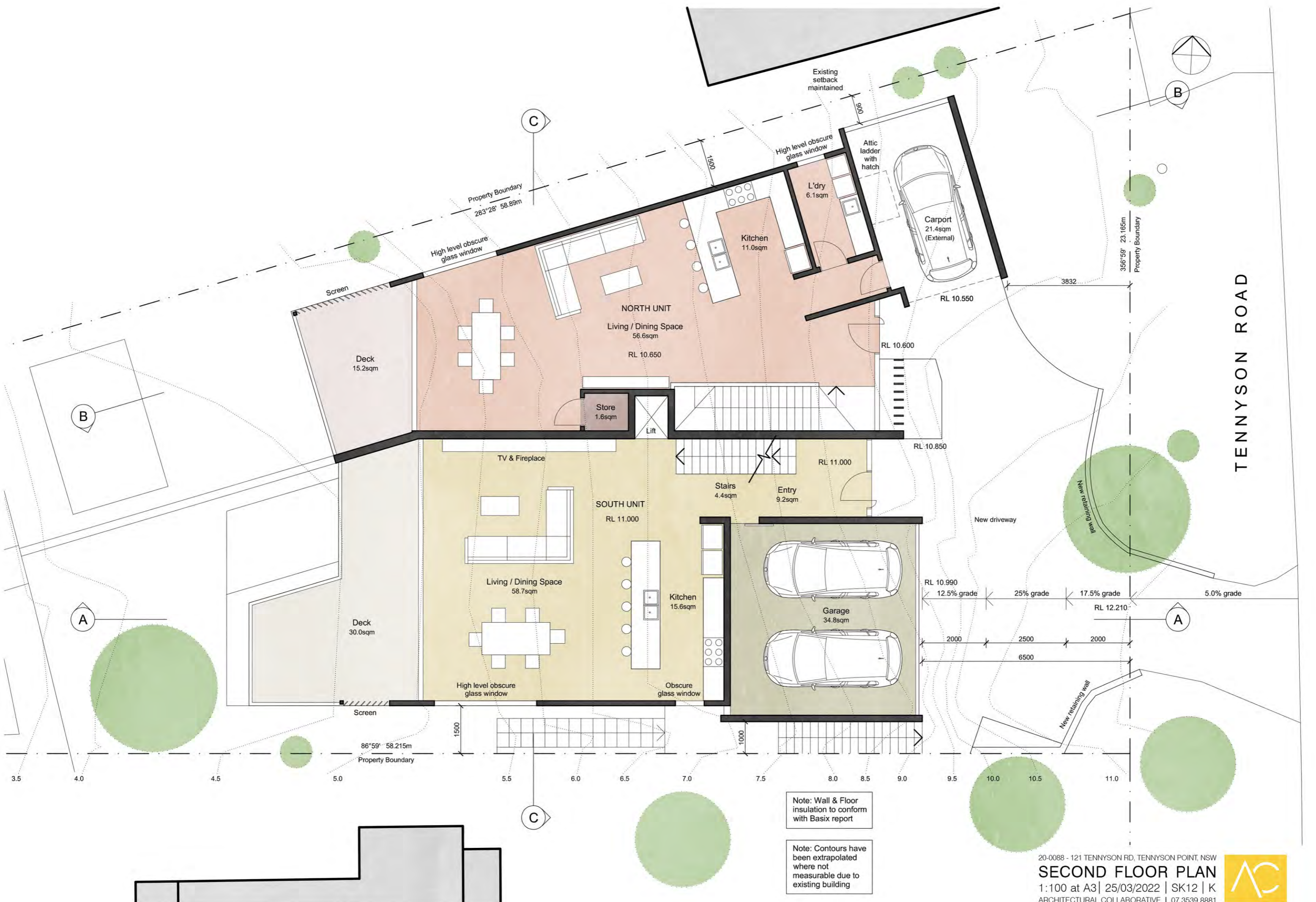


TENNYSON ROAD

Note: Wall & Floor insulation to conform with Basix report

Note: Contours have been extrapolated where not measurable due to existing building





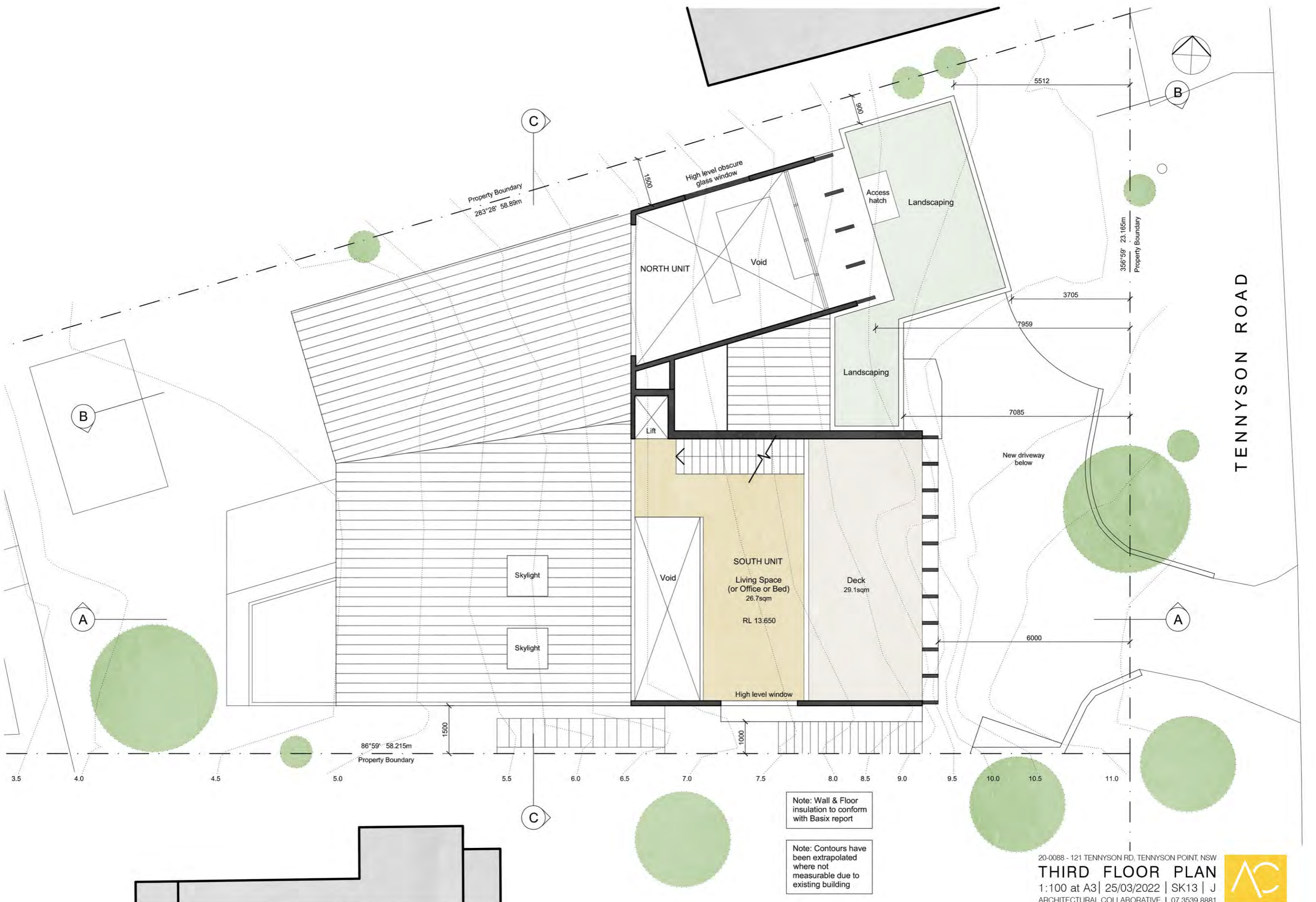
TENNYSON ROAD

Note: Wall & Floor insulation to conform with Basix report

Note: Contours have been extrapolated where not measurable due to existing building

20-0088 - 121 TENNYSON RD, TENNYSON POINT, NSW
SECOND FLOOR PLAN
 1:100 at A3 | 25/03/2022 | SK12 | K
 ARCHITECTURAL COLLABORATIVE | 07 3539 8881





Property Boundary
283°28' 58.89m

356°59' 23.165m
Property Boundary

86°59' 58.215m
Property Boundary

TENNYSON ROAD

NORTH UNIT

SOUTH UNIT

Living Space
(or Office or Bed)
26.7sqm

RL 13.650

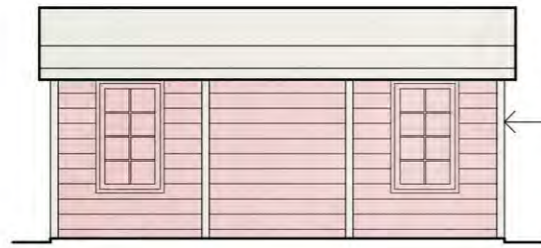
Deck
29.1sqm

Note: Wall & Floor
insulation to conform
with Basix report

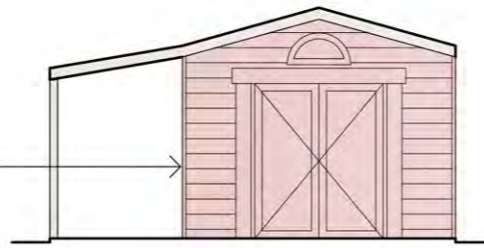
Note: Contours have
been extrapolated
where not
measurable due to
existing building

20-0088 - 121 TENNYSON RD, TENNYSON POINT, NSW
THIRD FLOOR PLAN
1:100 at A3 | 25/03/2022 | SK13 | J
ARCHITECTURAL COLLABORATIVE | 07 3539 8881



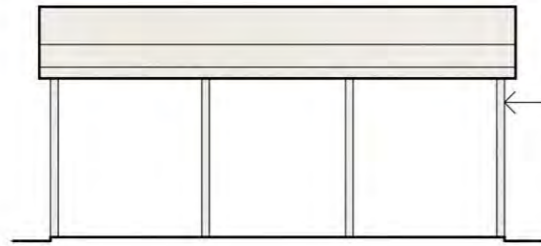


Existing South Elevation

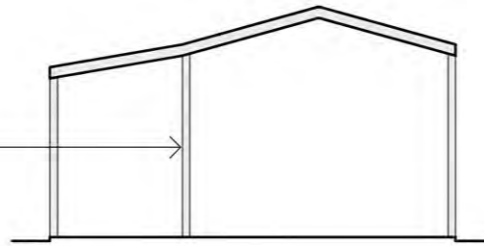


Existing East Elevation

Remove walls/doors/windows
keep structure where required
to hold up existing roof



Proposed South Elevation



Proposed East Elevation

Structure retained where
required to hold up
existing roof (indicative)



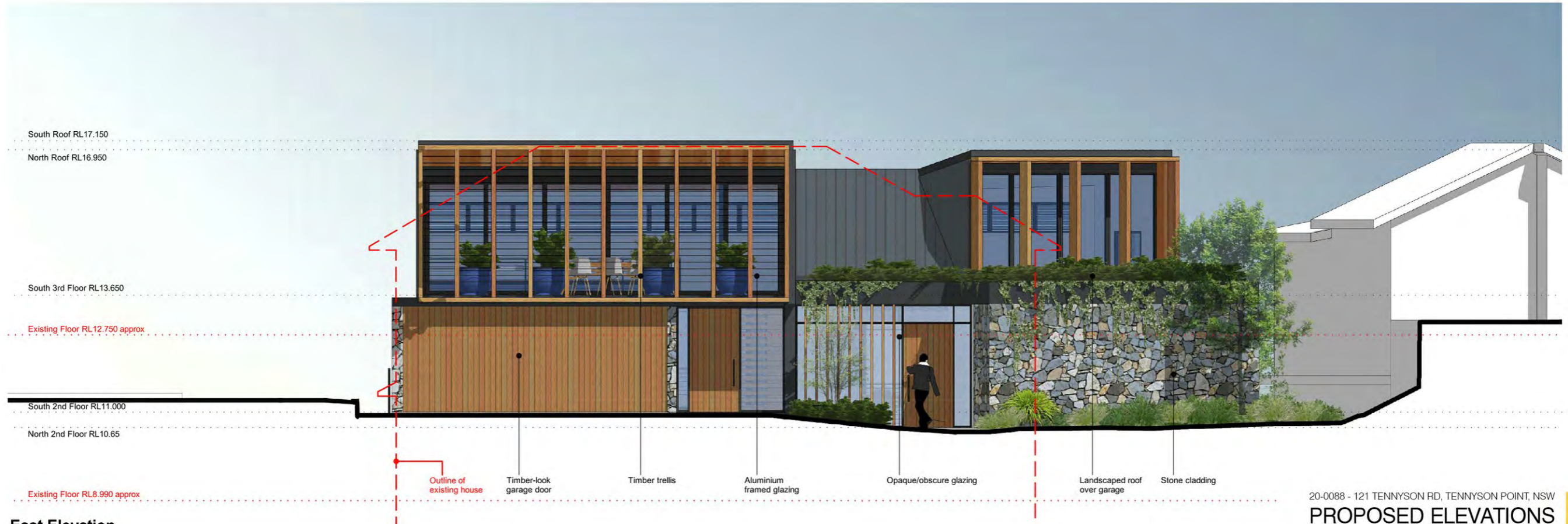
Existing Boat Shelter Plan

Remove walls, keep structure
where required to hold up
existing roof (indicative)





Tennyson Road Elevation (East)



East Elevation





South Elevation





West Elevation

Neighbouring dwelling

Colorbond roof sheeting at 6° pitch

Outline of existing house

South Roof RL17.150
North Roof RL16.950
Roof Fascia RL16.130

Lower Roof RL14.760
Lower Roof RL14.480

Lower Roof Fascia RL13.950
South 3rd Floor RL13.650
Lower Roof Fascia RL13.500

Existing Floor RL12.750 approx

South 2nd Floor RL11.000
North 2nd Floor RL10.65

Existing Floor RL8.990 approx

North & South 1st Floor RL7.600

North Ground Floor RL4.550
South Ground Floor RL4.350

Powdercoated steel cladding

Wire balustrade

Aluminium framed glazing

Retractable sun screens

Battered slope to undercroft

Existing mango tree

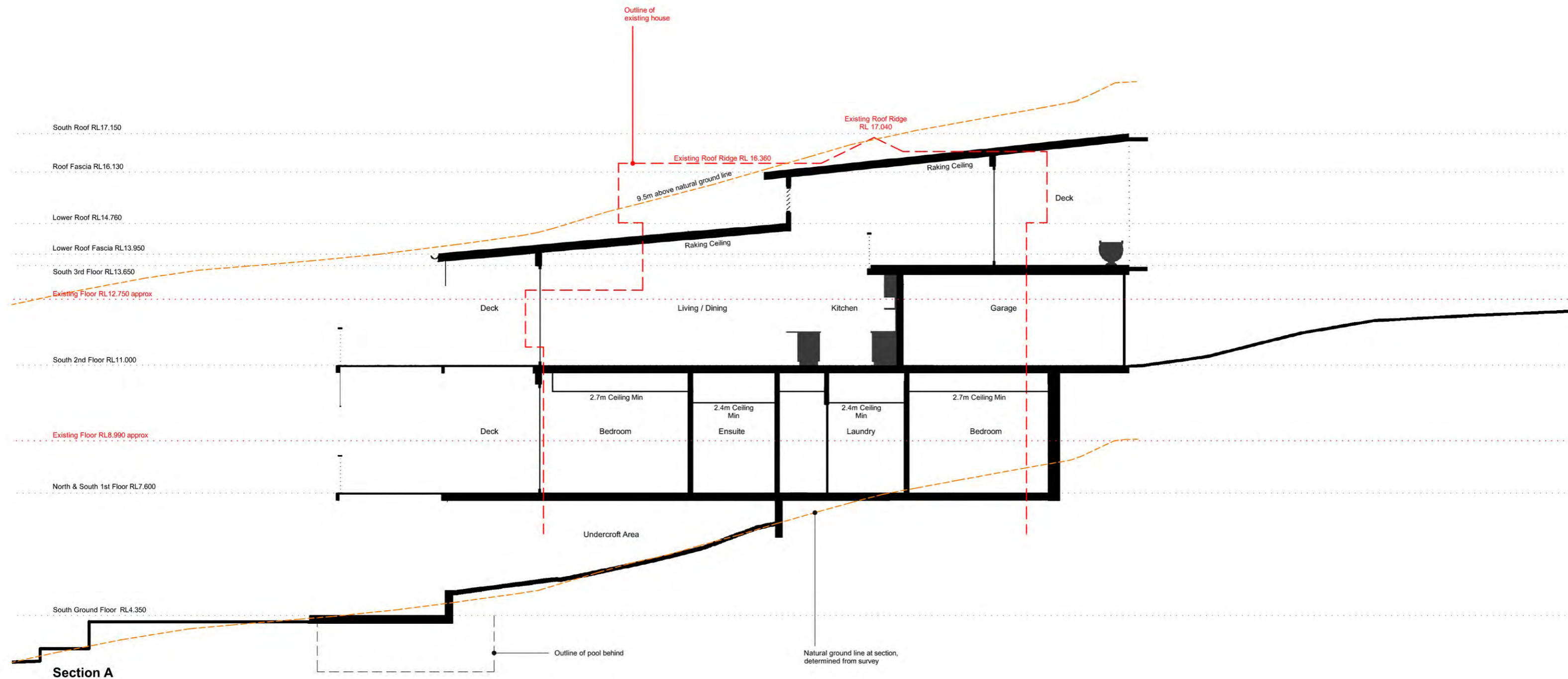
Neighbouring dwelling





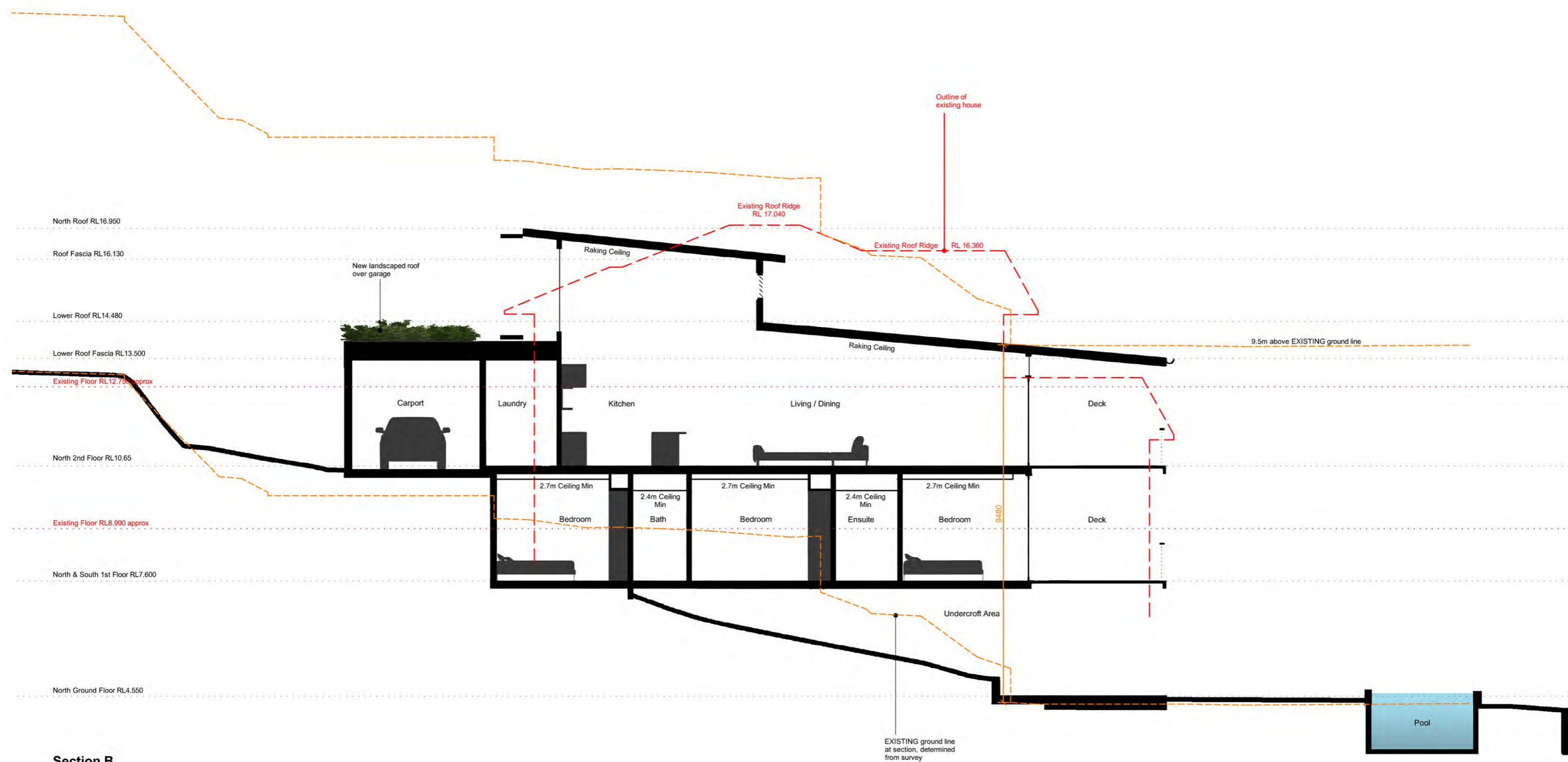
North Elevation





Section A

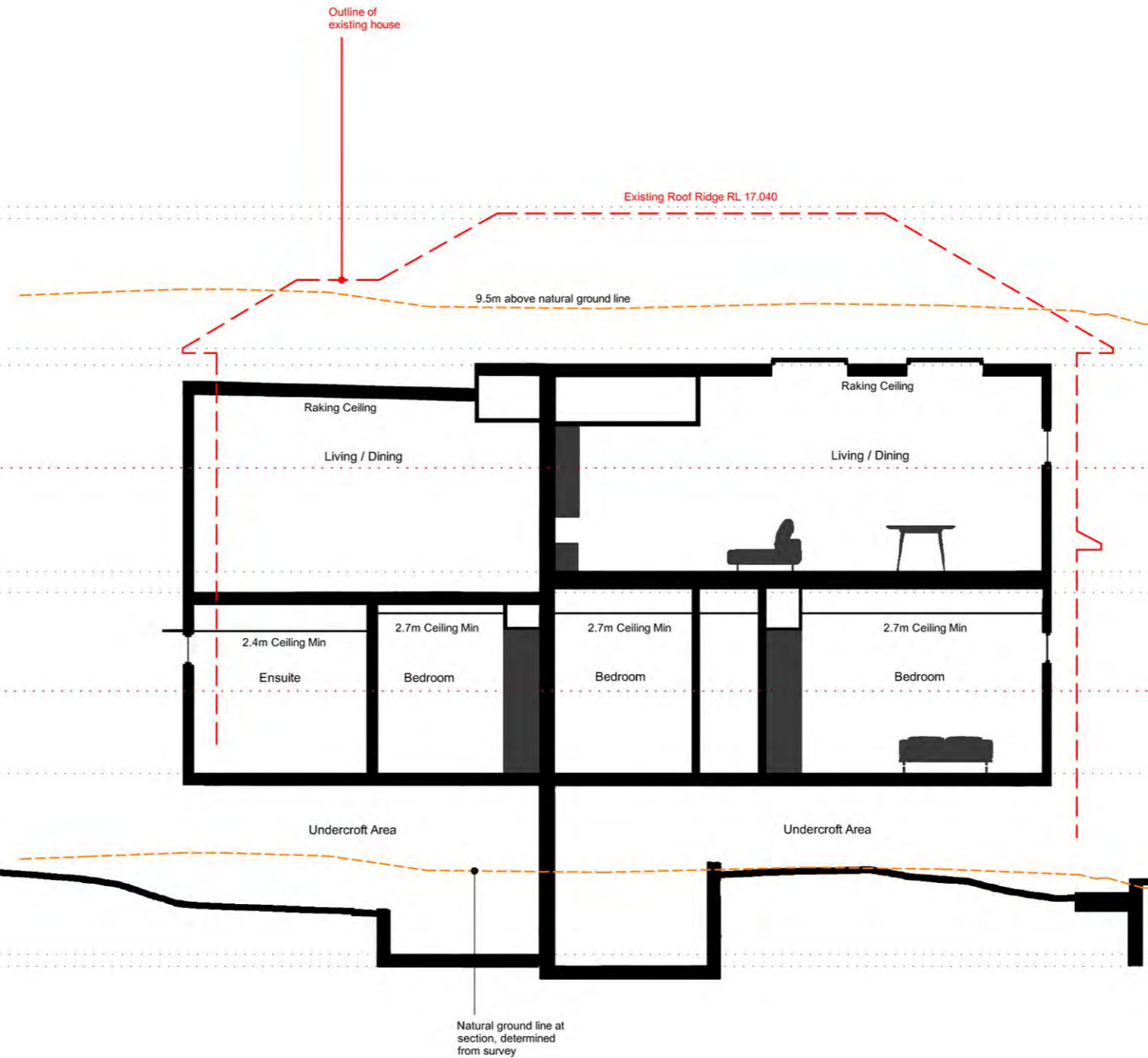




Section B



South Roof RL17.150
 North Roof RL16.950
 Lower Roof RL14.760
 Lower Roof RL14.480
 South 3rd Floor RL13.650
 Existing Floor RL12.750 approx
 South 2nd Floor RL11.000
 North 2nd Floor RL10.65
 Existing Floor RL8.990 approx
 North & South 1st Floor RL7.600
 North Ground Floor RL4.550
 South Ground Floor RL4.350



Section C





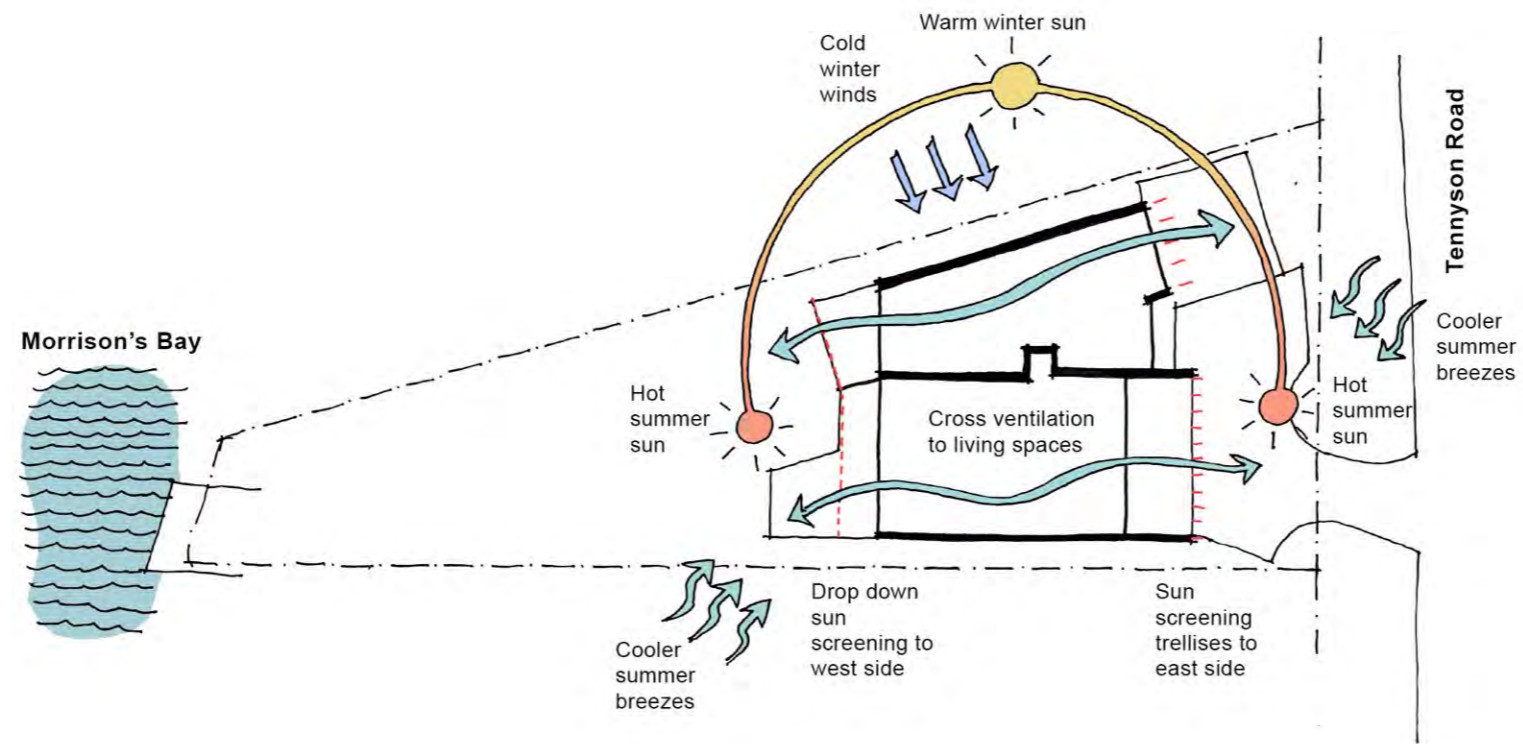
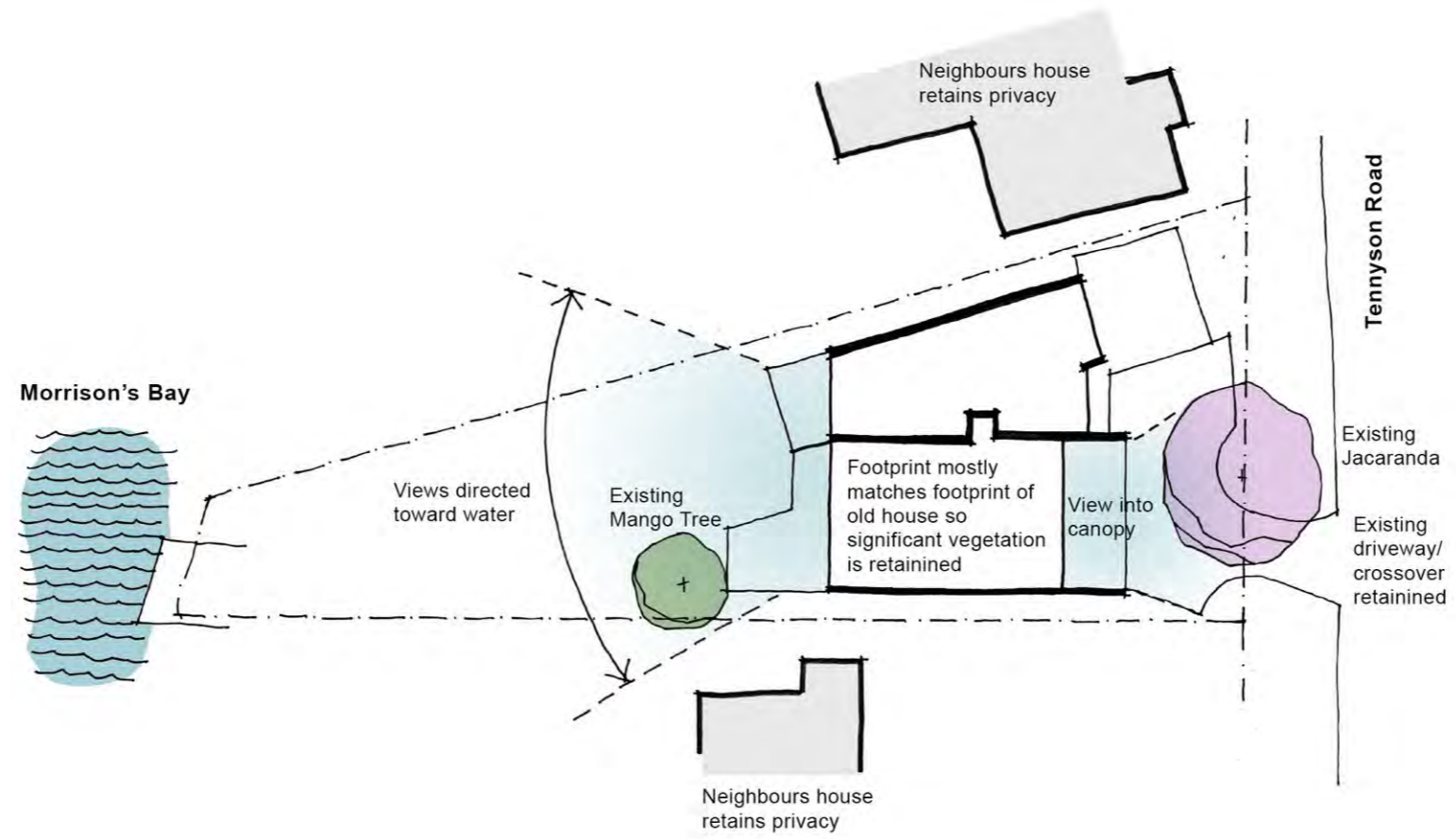
View from Tennyson Road

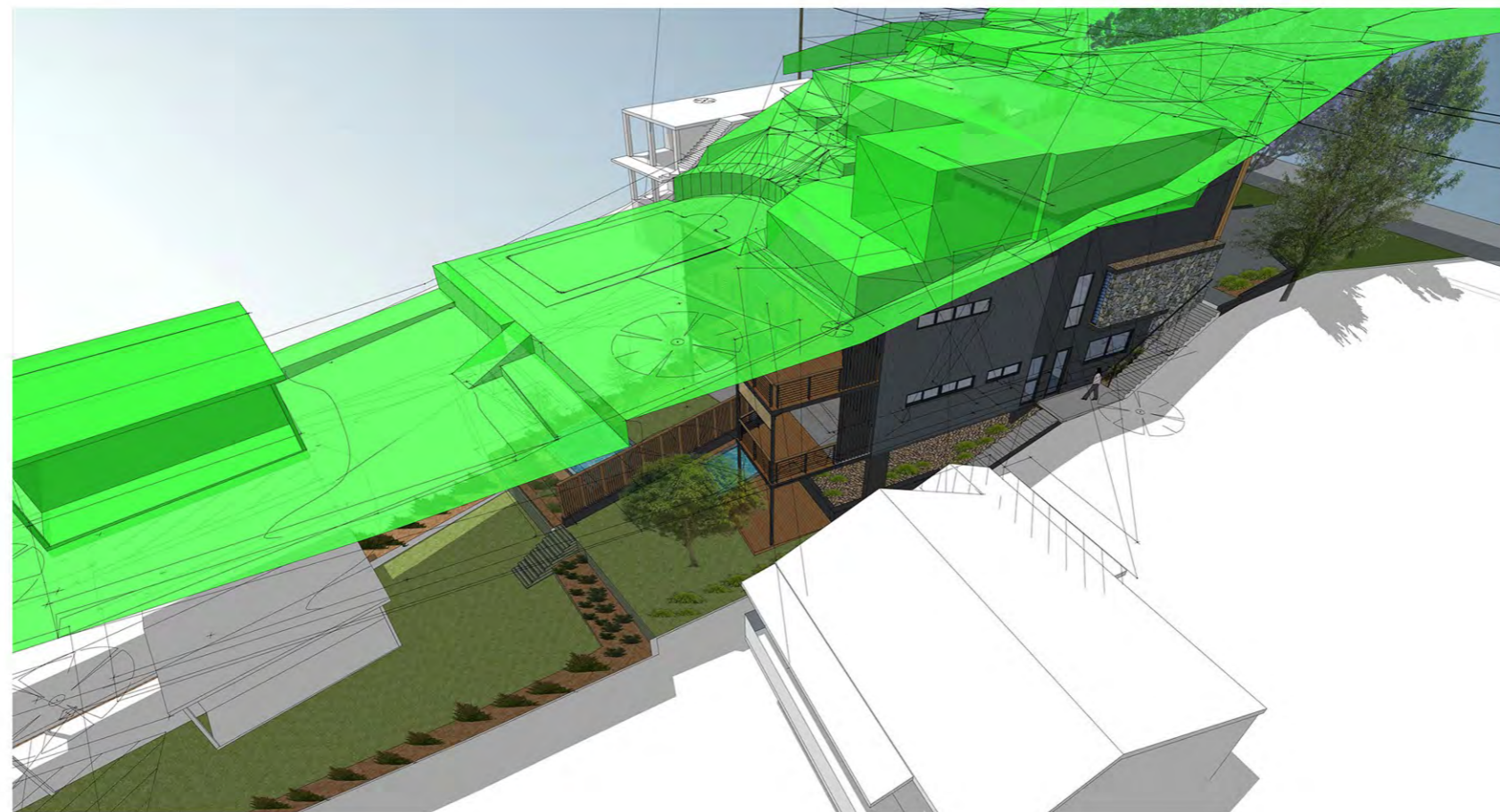
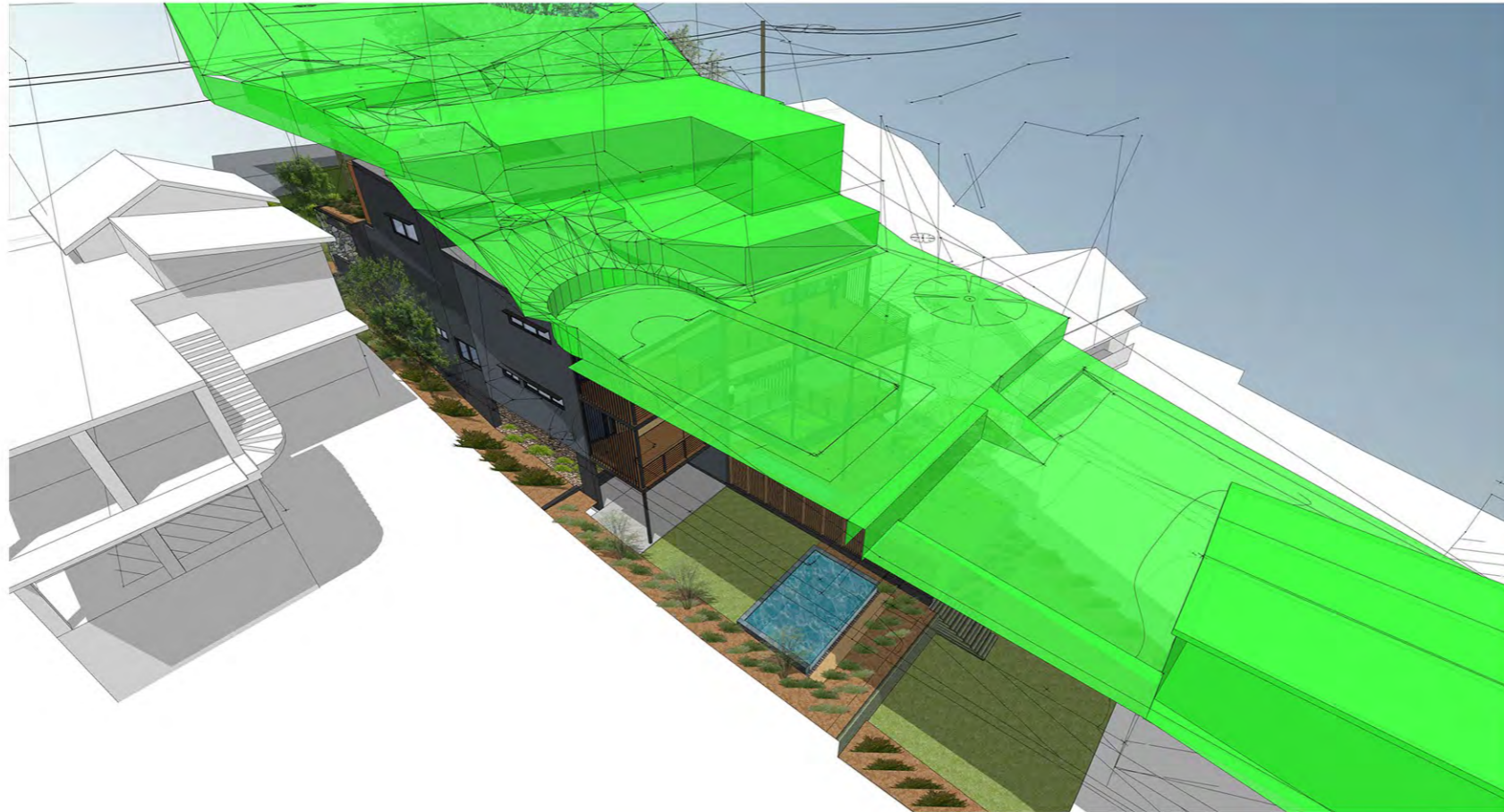
View of Eastern Facade





View of Western Facade (facing waterfront)





Diagrams show the existing surveyed ground plane (green) raised 9.5m above the ground.





The photo at left shows the existing view from the entry level of a neighbour's house (144) on the opposite side of street (note the neighbour's have an additional level above this level).



The proposed development is shown superimposed on the existing view. The roof of the northern unit (at center) is at a lower height than the existing neighbour's garage (at right).



Image showing a possible development in accordance with the heights and setbacks indicated in the Ryde Council DCP 2014 (9.5m height above natural ground, 6m front setback).

The images at left have been generated as accurately as possible within the limitations of software.



Table of Compliance

	North Residence	South Residence
Boatshed		0sqm (External Covered Area)
Ground Floor	0sqm	2.7sqm
First Floor	93.1sqm	110.3sqm
Second Floor	90.5sqm*	90.1sqm**
Third Floor	-	29.7sqm
TOTAL GFA	183.6sqm	232.8sqm
COMBINED TOTAL GFA	416.4sqm	
Site Area	847.3sqm (Survey)	
Floor Space Ratio (FSR)	416.4 : 847.3	0.491 : 1
Max Allowable FSR	0.500 : 1	

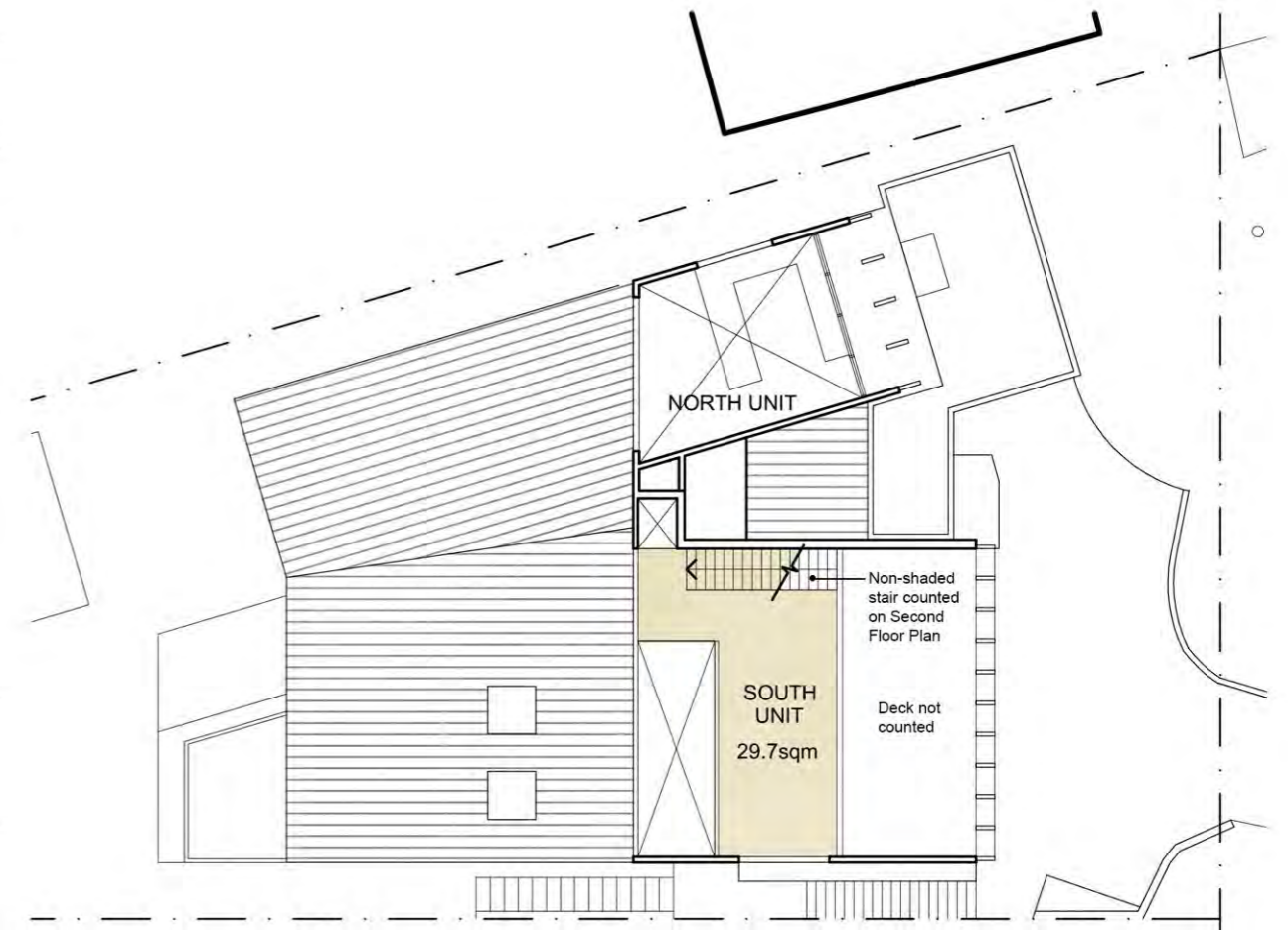
GFA Measured according to the Ryde LEP 2014 - 'the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor,' excluding 'any area for common vertical circulation, such as lifts and stairs, and 'any basement storage' and 'car parking to meet any requirements of the consent authority (including access to that car parking)'

*North Unit carport is not counted as it is not enclosed.
 **South Unit garage is not counted as 36sqm may be excluded from GFA for 2 car parking spaces under the Ryde DCP 2014.

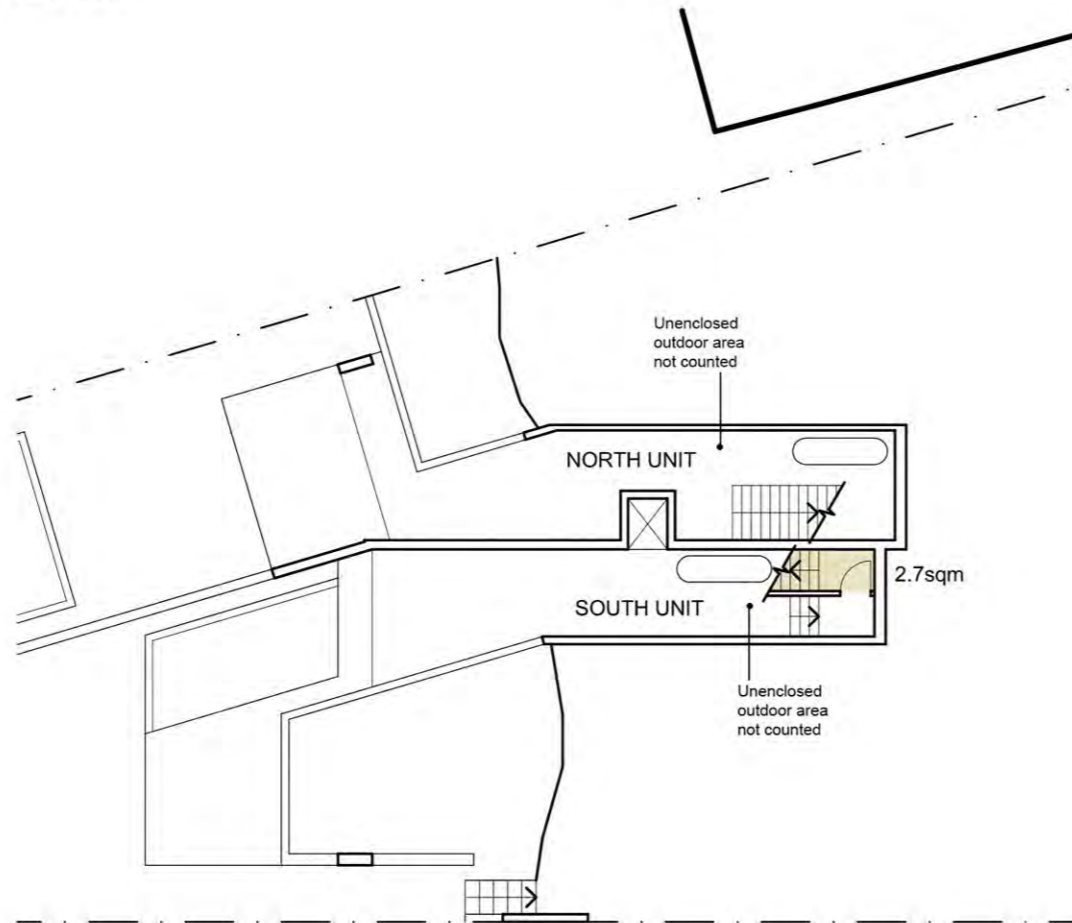
The GFA calculation includes all areas shown coloured



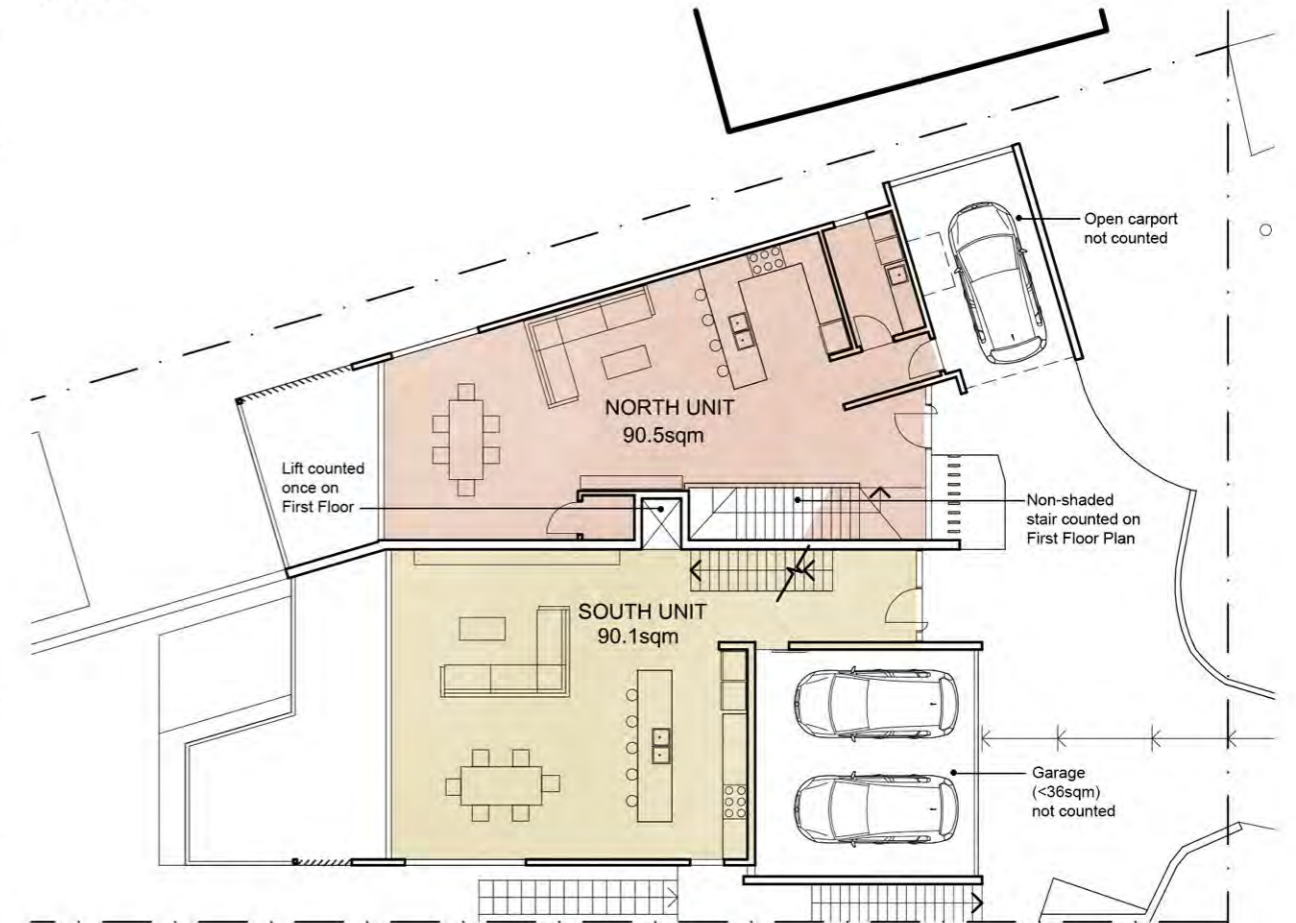
First Floor



Third Floor



Ground Floor



Second Floor





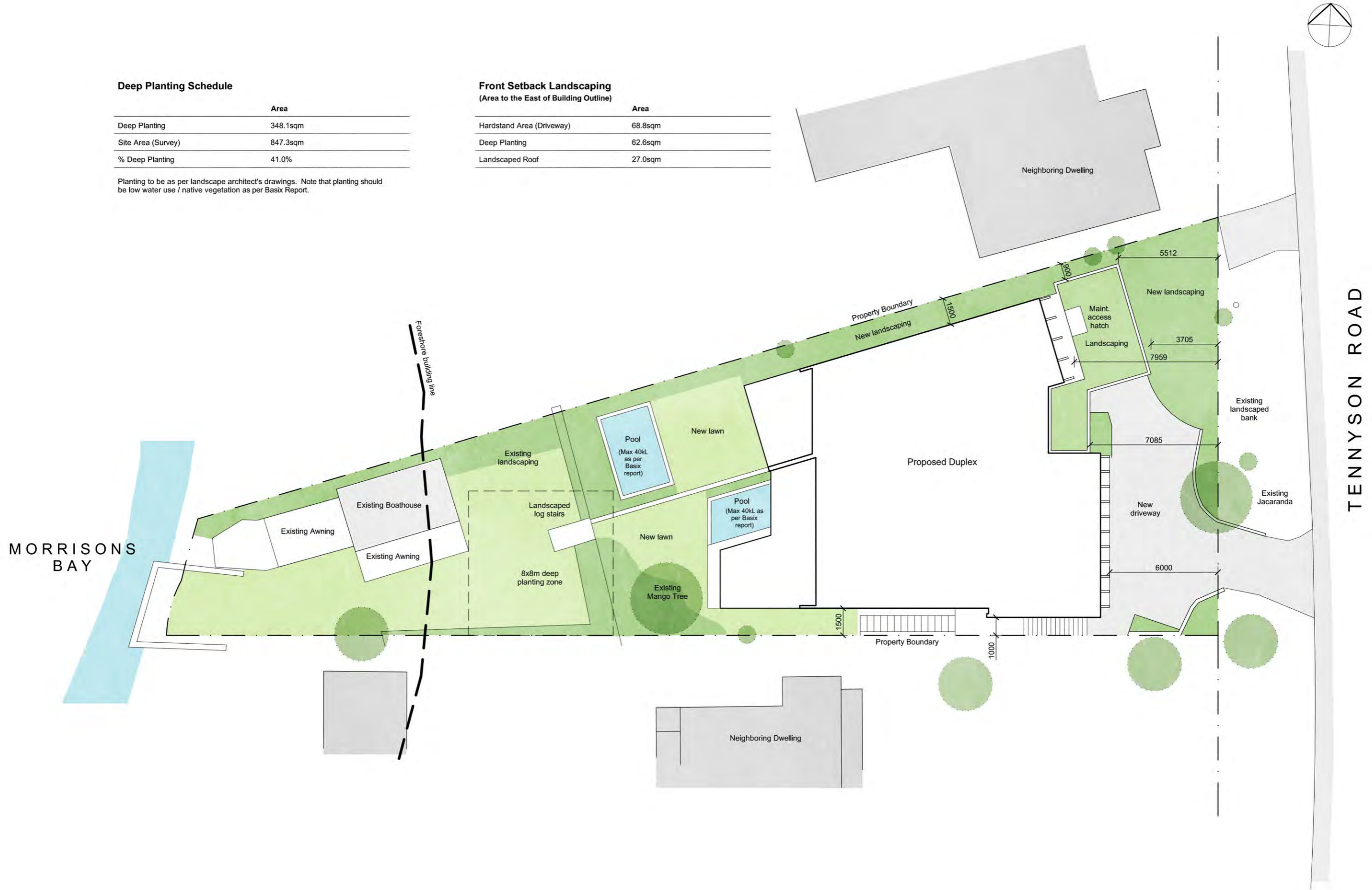
Deep Planting Schedule

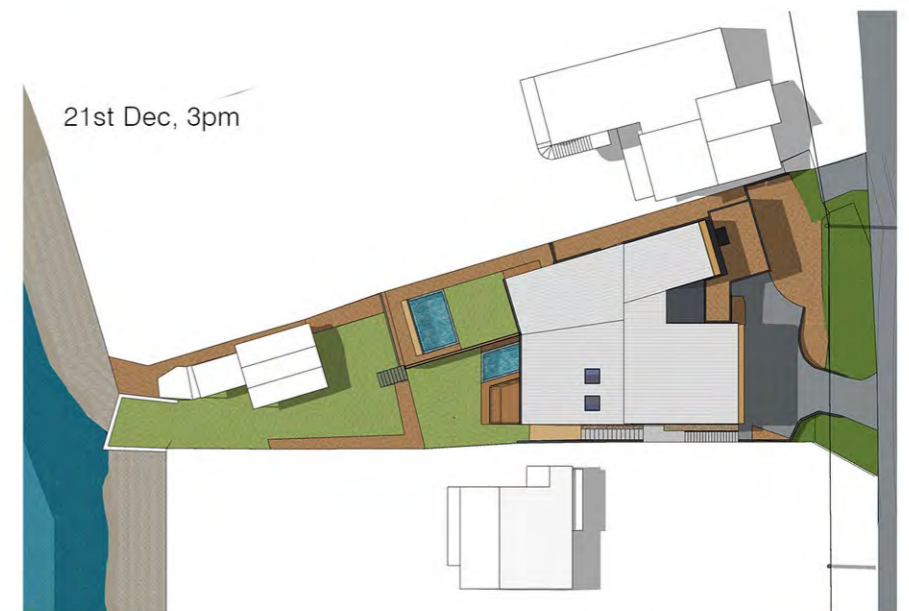
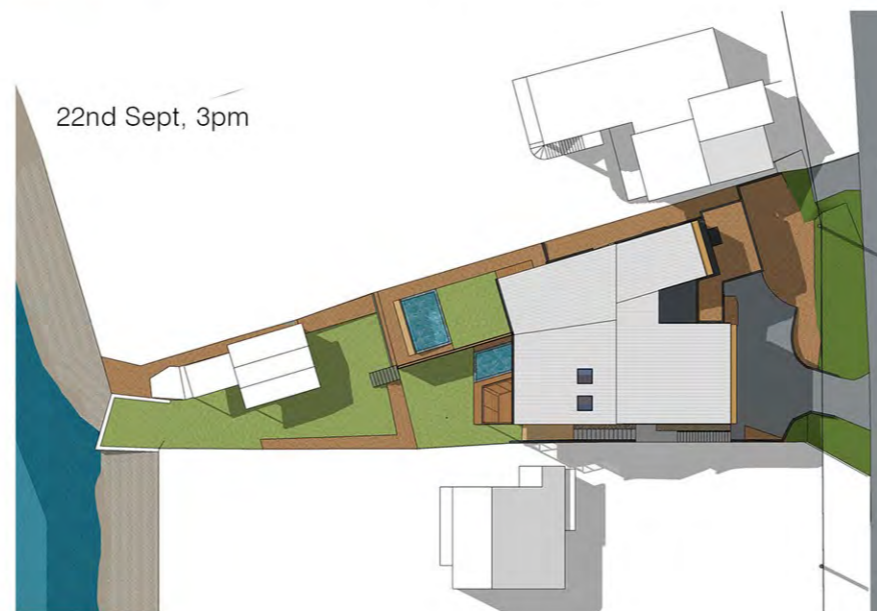
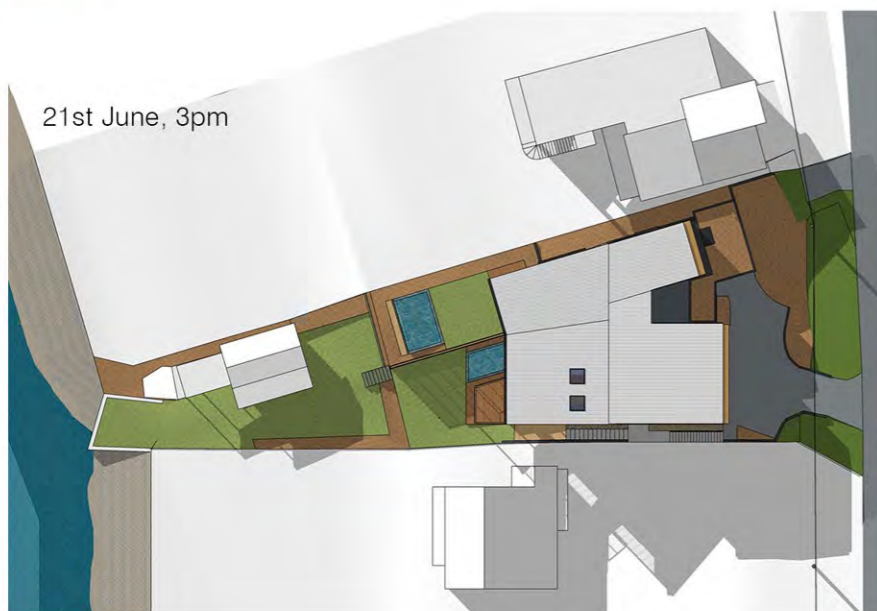
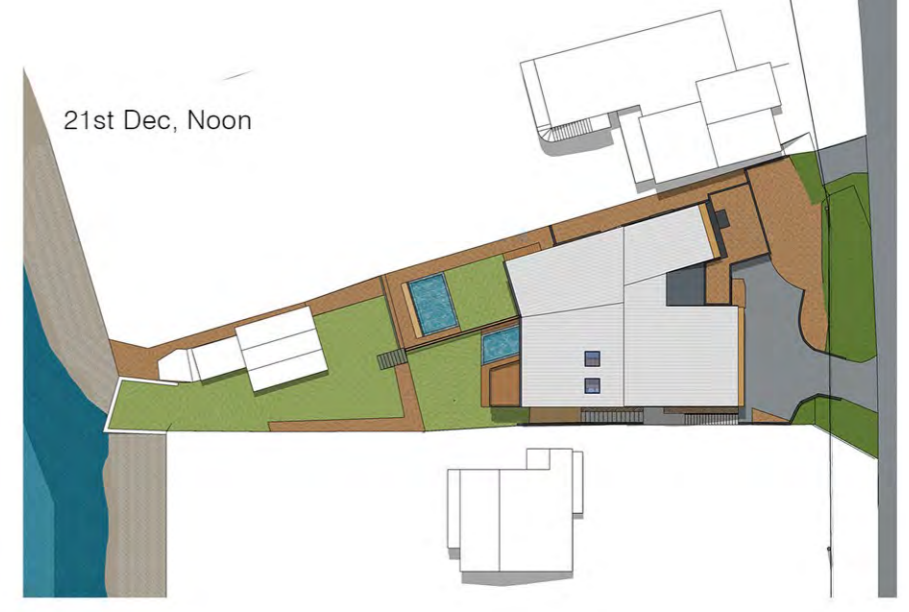
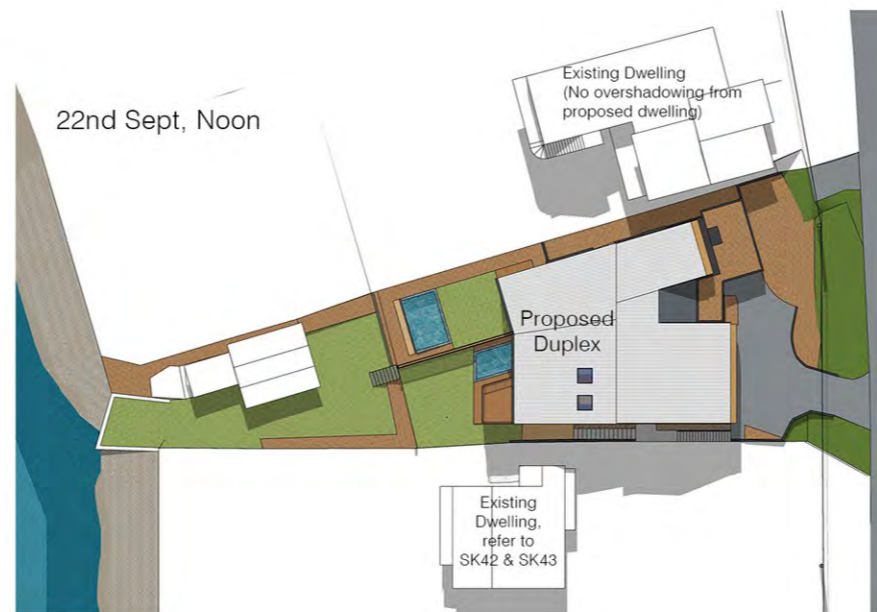
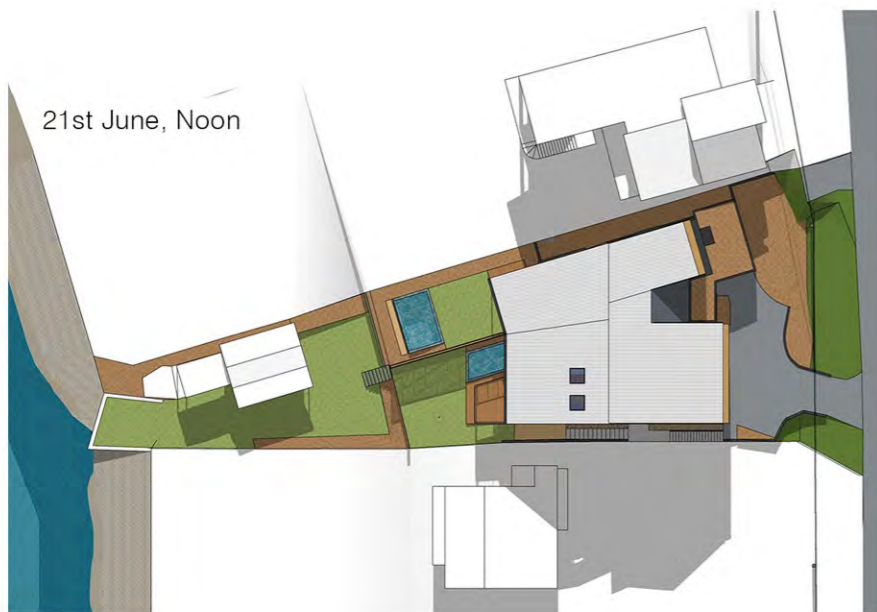
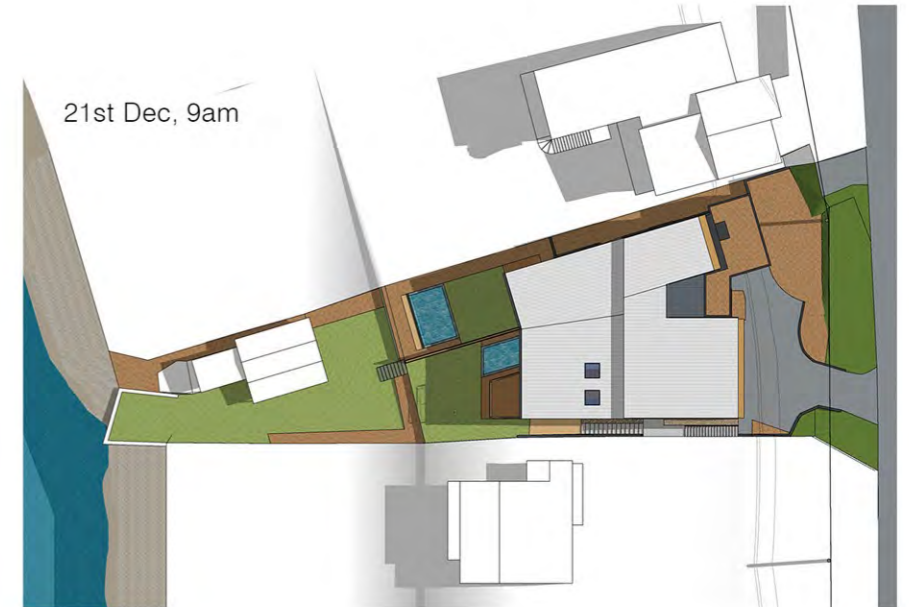
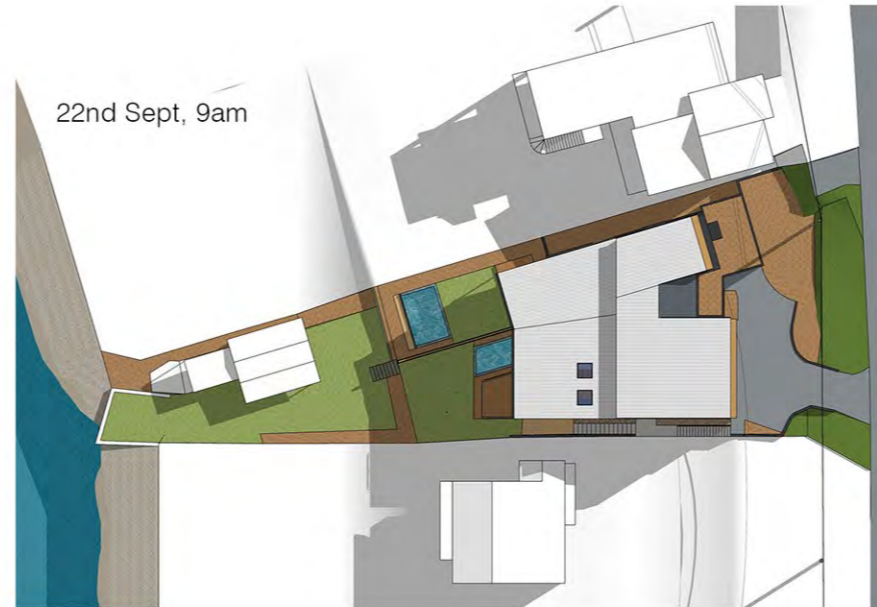
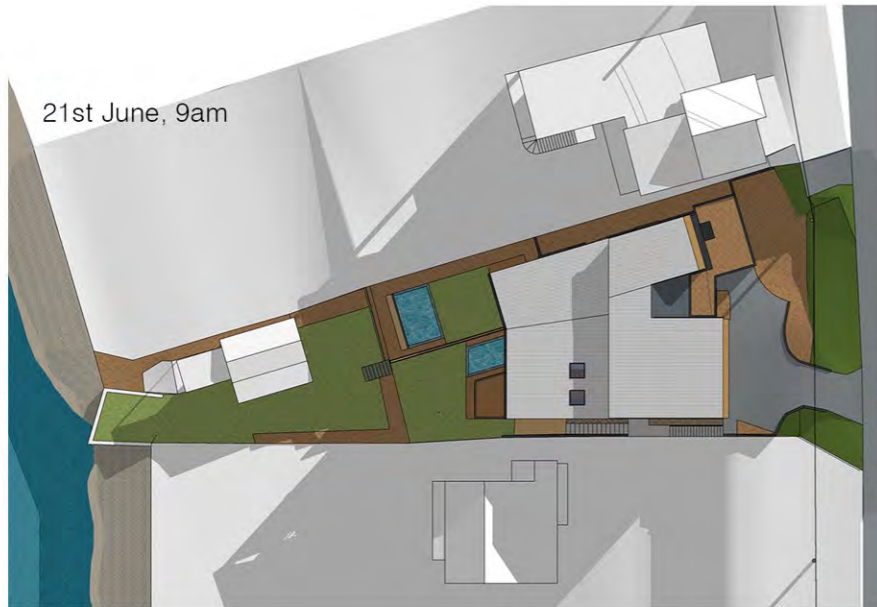
	Area
Deep Planting	348.1sqm
Site Area (Survey)	847.3sqm
% Deep Planting	41.0%

Planting to be as per landscape architect's drawings. Note that planting should be low water use / native vegetation as per Basix Report.

**Front Setback Landscaping
(Area to the East of Building Outline)**

	Area
Hardstand Area (Driveway)	68.8sqm
Deep Planting	62.6sqm
Landscaped Roof	27.0sqm







21st June, 9am **EXISTING**



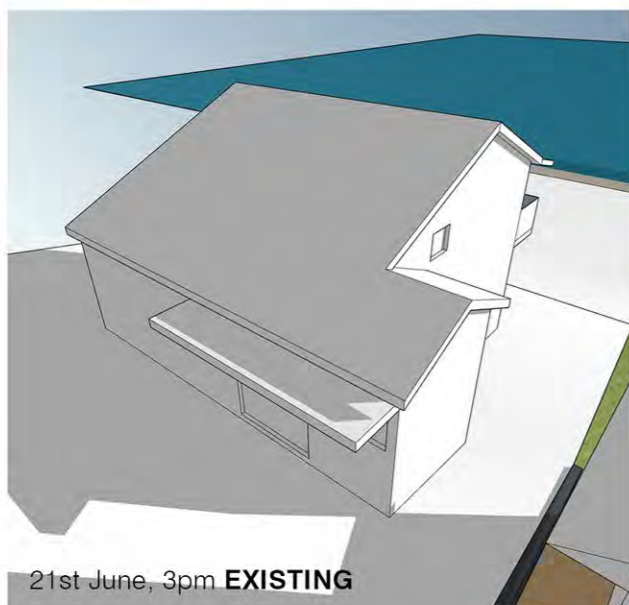
21st June, 9am **PROPOSED**



21st June, Noon **EXISTING**



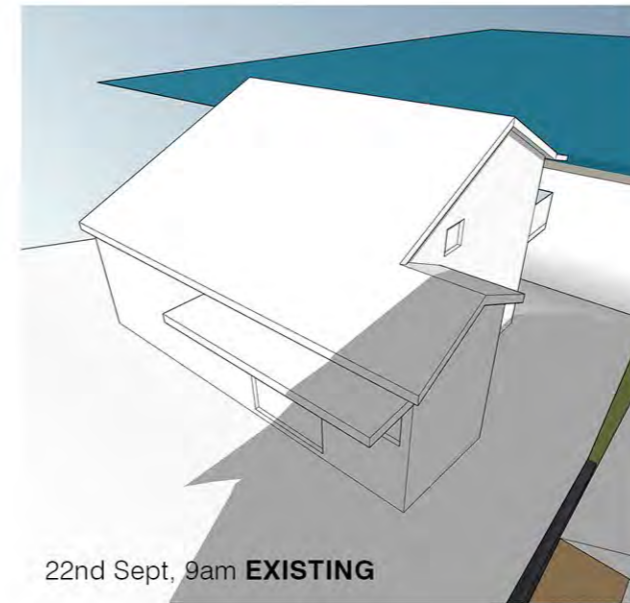
21st June, Noon **PROPOSED**



21st June, 3pm **EXISTING**



21st June, 3pm **PROPOSED**



22nd Sept, 9am **EXISTING**



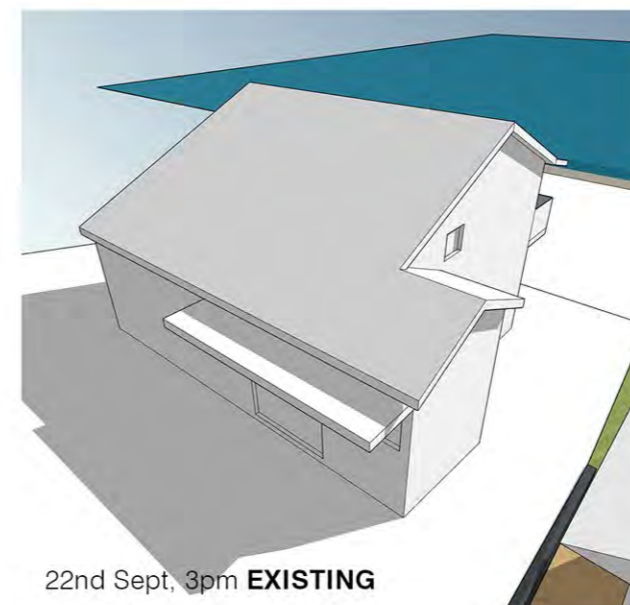
22nd Sept, 9am **PROPOSED**



22nd Sept, Noon **EXISTING**



22nd Sept, Noon **PROPOSED**



22nd Sept, 3pm **EXISTING**



22nd Sept, 3pm **PROPOSED**

These diagrams show the overshadowing effect on the neighbouring property to the south. The view is looking at the neighbour's house from the property boundary of the proposed dwelling in the north-east direction. Note there is no shadowing of the northern neighbour so it has not been included. Images show the overshadowing impact of the proposed dwelling compared to the current impact of the existing dwelling. Existing trees on the neighbours property have not been shown, although they also provide significant shading. Note this neighbouring property has almost no north-facing windows.





21st Dec, 9am **EXISTING**



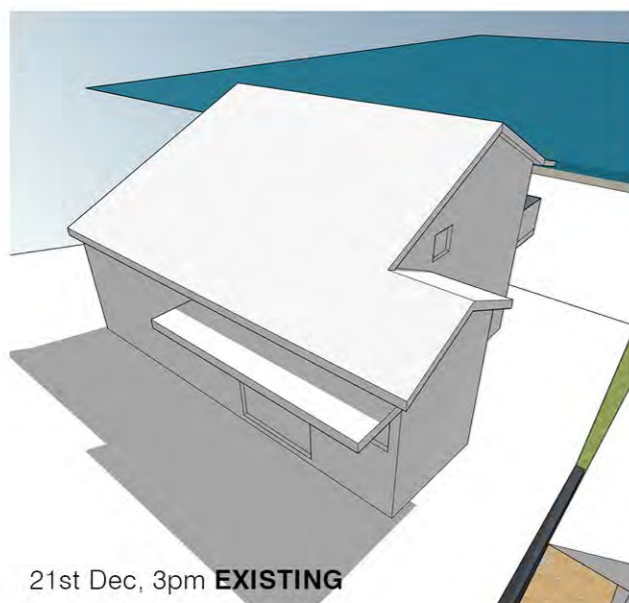
21st Dec, 9am **PROPOSED**



21st Dec, Noon **EXISTING**



21st Dec, Noon **PROPOSED**



21st Dec, 3pm **EXISTING**



21st Dec, 3pm **PROPOSED**



Existing neighbouring dwelling seen from north (above) and east (below)

These diagrams show the overshadowing effect on the neighbouring property to the south. The view is looking at the neighbour's house from the property boundary of the proposed dwelling in the north-east direction. Note there is no shadowing of the northern neighbour so it has not been included. Images show the overshadowing impact of the proposed dwelling compared to the current impact of the existing dwelling. Existing trees on the neighbours property have not been shown, although they also provide significant shading. Note this neighbouring property has almost no north-facing windows.



SCHEDULE OF PLANT MATERIAL

CODE	BOTANICAL NAME	COMMON NAME	QUANTITY	MATURE HEIGHT	CONTAINER SIZE	STAKES
AAm	<i>Acmena smithii</i> 'Allyn Magic'	Dwarf Lilli Pilli	11	1m	200mm	-
CH	<i>Cissus rhombifolia</i>	Grape Ivy	19	prostrate	140mm	-
LM	<i>Liriope muscari</i>	Turf Lily	24	0.4m	140mm	-
LS	<i>Lomandra 'Seascape'</i>	Seascape Lomandra	24	0.4m	140mm	-
MP	<i>Murraya paniculata</i>	Orange Jasmine	3	2m	200mm	-
OJ	<i>Ophiopogon japonicus</i>	Mondo Grass	23	0.2m	140mm	-
PDd	<i>Phormium 'Dark Delight'</i>	New Zealand flax	16	1m	140mm	-
SAP	<i>Syzygium australe</i> 'Pinnacle'	Dwarf Lilli Pilli	11	3m	200mm	-
VO	<i>Viburnum odoratissimum</i>	Sweet Viburnum	12	3m	200mm	-
WFz	<i>Westringia fruticosa</i> 'Zena'	Dwarf Coastal Rosemary	5	1m	200mm	-

The majority of the plants in this schedule have been selected from Ryde Council's BASIX Indigenous Planting List and Sydney Water low water use plants.



SCHEDULE OF EXISTING TREES

KEY	BOTANICAL NAME	COMMON NAME
1.	<i>Jacaranda mimosifolia</i>	Jacaranda
2.	<i>Mangifera indica</i>	Mango Tree
3.	<i>Quercus spp.</i>	Oak Tree

BASIX CALCULATIONS

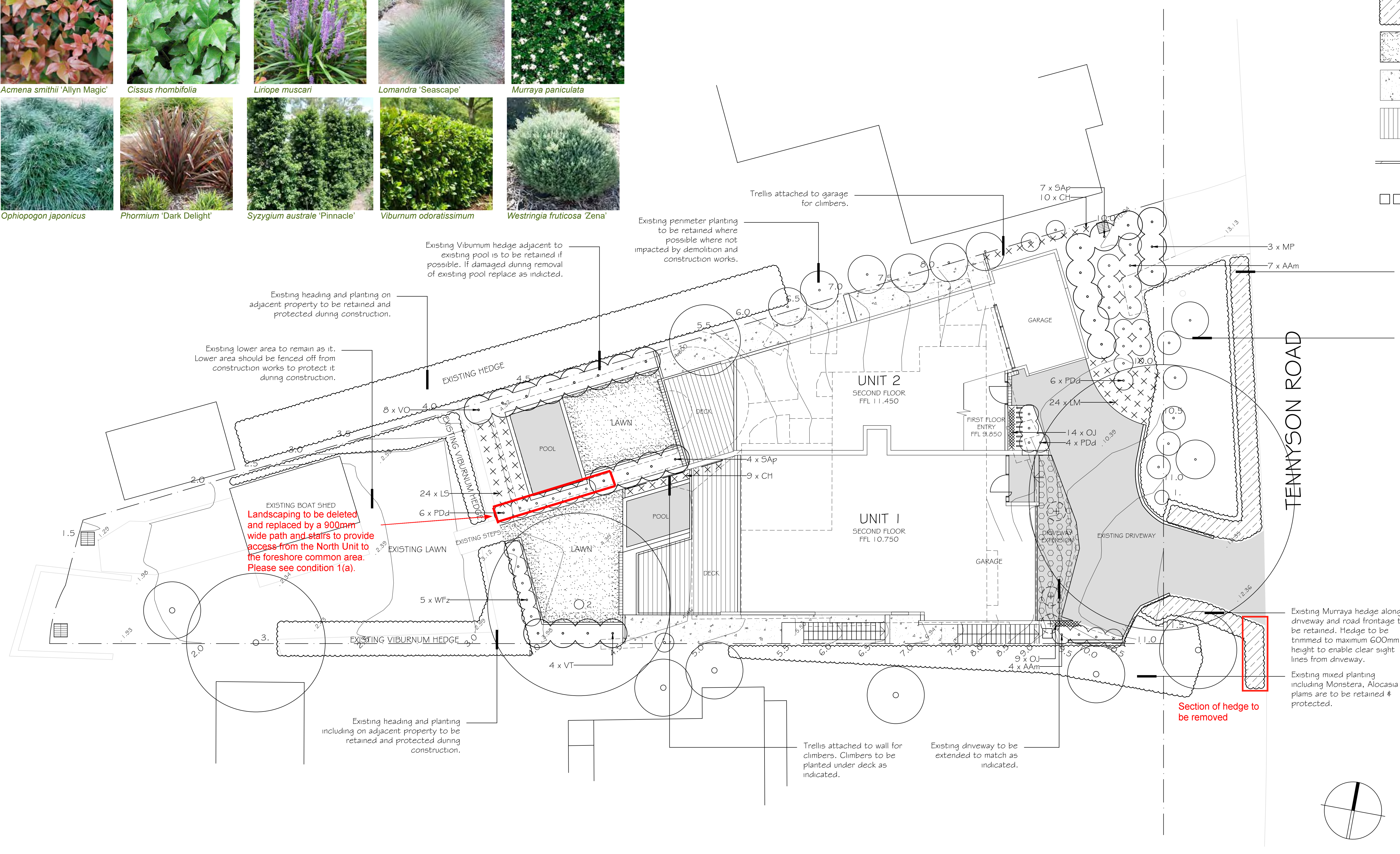
GARDEN AREAS	AREA
Lawn	168.65m ²
Garden Areas	148.68m ²
Permeable pebble mulch	35.53m ²
Total	352.86m² (min 150m² from BASIX)

LEGEND

- + 55.28 EXISTING LEVELS
- + 65.20 PROPOSED LANDSCAPE LEVELS
- EXISTING TREES TO BE RETAINED
- EXISTING TREES TO BE REMOVED
- EXISTING MURRAYA HEDGE TO BE RETAINED AND TRIMMED TO MAXIMUM 600MM HIGH
- NEW TURF AREAS: SOFT LEAF BUFFALO
- PEBBLE MULCH
- DECKING TO ARCHITECTS DETAILS
- BRICK GARDEN EDGING
- STEPPING STONES

REVISIONS

- A** 06.04.21
1. BASIX calculations added.
- B** 27.09.21
1. Revisions to garage and driveway to match Architectural plans.



Existing Murraya hedge along driveway and road frontage to be retained. Hedge to be trimmed to maximum 600mm height to enable clear sight lines from driveway.

Existing mixed planting including Fraxipani, Agave & Tradescantia to be retained & protected. Weeds to be removed.

Verify all dimensions on site before commencing construction or ordering materials. Verify the dimensions of all manufactured products before installation. Use figured dimensions in preference to scaled dimensions. Report any discrepancies to the Landscape Architect for a decision before work commences.

NOTES

This plan is to be read in conjunction with all documentation prepared by Architectural Collaborative.



office. 16/303 pacific highway
lindfield nsw 2070
postal. 25 bent street
lindfield nsw 2070
ph 9416 4290 fax 9416 4735
A.C.N 097 328 580
email ija@netspace.net.au

project
Proposed Duplex
121 Tennyson Road, Tennyson Point

drawing
Landscape Plan

client
Roche Family

date September 2021
scale 1:100 @ A1
1:200 @ A3
job.dwg no. 01.21/002'B'
no. in set ONE/ONE
designed by IJ
drawn by HL

