

Meeting Date: Tuesday 2 June 2015
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 5.00pm

NOTICE OF BUSINESS

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2	16 CAMERON CRESCENT RYDE. LOT 26 DP 13732. Local Development Application for Demolition, subdivision into two (2) lots, new two storey dwelling and pool on proposed Lot 1. LDA2014/0547.	4

1 CONFIRMATION OF MINUTES - Meeting held on 19 May 2015

Report prepared by: Governance, Risk and Audit Coordinator
File No.: GRP/09/5/8 - BP15/655

REPORT SUMMARY

In accordance with Council's Code of Meeting Practice, a motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

RECOMMENDATION:

That the Minutes of the Planning and Environment Committee 7/15, held on 19 May 2015, be confirmed.

ATTACHMENTS

1 MINUTES - Planning and Environment Committee Meeting - 19 May 2015

ITEM 1 (continued)

ATTACHMENT 1

**Planning and Environment Committee
MINUTES OF MEETING NO. 7/15**

Meeting Date: Tuesday 19 May 2015

Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 5.00pm

Councillors Present: Councillors Chung (Chairperson), Laxale and Simon.

Apologies: Councillor Yedelian OAM.

Absent: Councillor Salvestro-Martin.

Staff Present: Group Manager – Environment and Planning, Service Unit Manager – Assessment, Team Leader – Assessment, Assessment Officer – Town Planner, Planning Consultant (Creative Planning Solutions), Senior Development Engineer, Business Support Coordinator – Environment and Planning and Governance, Risk and Audit Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 5 May 2015

RESOLUTION: (Moved by Councillors Simon and Laxale)

That the Minutes of the Planning and Environment Committee 6/15, held on 5 May 2015, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

2 DEFERRED REPORT: 43-45 MAGDALA ROAD, NORTH RYDE. LOT 242 DP 752035. Local Development Application for the use of southern section of existing car park at North Ryde RSL for parking of 30 buses by North Sydney Bus Charters Pty Ltd. LDA2014/0313.

Note: A letter from Chris Jones, General Manager of North Ryde RSL Community Club Limited dated 14 May 2015 formally withdrawing this application was tabled in relation to this Item and a copy is ON FILE.

ITEM 1 (continued)

ATTACHMENT 1

Note: This matter was not considered by the Committee as the Applicant withdrew their application on 14 May 2015.

3 89 CULLODEN ROAD, MARSFIELD - LOT 9 DP 1046404. Development Application for a new two storey boarding house development comprising nine (9) boarding rooms under State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2014/0451.

Note: Russell Prescott (applicant) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Simon and Laxale)

- (a) That Local Development Application No. LDA2014/0451 at 89 Culloden Road, Marsfield being LOT 9 DP 1046404 be approved subject to the **ATTACHED** conditions (**Attachment 1**).
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

The meeting closed at 5.05pm.

CONFIRMED THIS 2ND DAY OF JUNE 2015.

Chairperson

2 16 CAMERON CRESCENT RYDE. LOT 26 DP 13732. Local Development Application for Demolition, subdivision into two (2) lots, new two storey dwelling and pool on proposed Lot 1. LDA2014/0547.

Report prepared by: Assessment Officer - Town Planner; Team Leader - Assessment

Report approved by: Manager Assessment; Group Manager - Environment and Planning

Report dated: 14/05/2015

File Number: GRP/09/5/6/2 - BP15/652

1. Report Summary

Applicant: P Nemes.

Owner: P H Giles.

Date lodged: 5 December 2014

This report considers a development application (DA) for the demolition of an existing dwelling house, subdivision into two (2) lots and construction of a two (2) storey dwelling house and pool and appropriate landscaping on proposed Lot 1 (at the front of the site).

The DA has been notified to neighbours in accordance with Ryde DCP 2014 and a total of six (6) submissions were received. The submissions raised the following key issues:

- Reduction in solar access
- Visual privacy - overlooking
- Side setback - non-compliant with Ryde DCP
- Acoustic privacy - increased noise
- View sharing
- Reduction in cross-ventilation
- Lot size inconsistent with Ryde LEP
- Increased traffic generation
- Loss of trees
- Use of swimming pool

The proposal has been assessed against the controls relating to dwelling houses in Part 3.3 of Ryde DCP 2014 with the following areas of non-compliance:

- Subdivision - lot dimensions (Min. 10m frontage width & a 15m width at a distance of 7.5m from lot frontage required; 9.245m frontage width & 11.5m width at a distance of 7.5m from lot frontage proposed)
- Deep soil area (Min. 35% site coverage required; 32.4% proposed)
- Fill levels (i.e. floor levels substantially elevated above natural ground level)

ITEM 2 (continued)

- Car parking (garage required to be set back 1m from façade; garage is proposed to form façade)
- Fencing – not supported (Max. 900mm high solid front fence required; 1.2m proposed)

The areas of non-compliance regarding garage setbacks is considered minor and does not warrant refusal of the DA as it does not result in substantial adverse impacts to the amenity of the dwelling or surrounding properties. The areas of non-compliance regarding fill levels, deep soil area and subdivision allotment dimensions are more substantial but as discussed throughout this report, seek minor variations and are each justifiable.

The allotment as currently exists is underdeveloped given its size of 1,451m².

Whilst it is accepted that construction of a new dwelling on the site of a larger bulk and scale will result in a minor impact on neighbouring properties in terms of reduced solar access, it is considered that the proposal demonstrates appropriate consideration for Council's planning controls.

The proposed dwelling achieves the objectives of the R2 Low Density Residential zone and is consistent with the desired future character of the zone. Specifically, the character of the streetscape will be maintained.

The subject DA is recommended for approval subject to conditions of consent.

Reason for Referral to Planning and Environment Committee: Requested by Councillor Maggio.

Public Submissions: Six (6) submissions were received objecting to the development.

Clause 4.6 RLEP 2014 objection required? None required.

Value of works? \$628,680

RECOMMENDATION:

- (a) That Local Development Application No. LDA2014/547 at 16 Cameron Crescent being LOT 26 in DP 13732 be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

ITEM 2 (continued)

ATTACHMENTS

- 1 Proposed Conditions
- 2 Compliance Table - Ryde DCP 2014
- 3 Map
- 4 A4 Plans
- 5 A3 Plans - subject to copyright provisions - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:

Lauren Franks
Assessment Officer - Town Planner

Chris Young
Team Leader - Assessment

Report Approved By:

Liz Coad
Manager Assessment

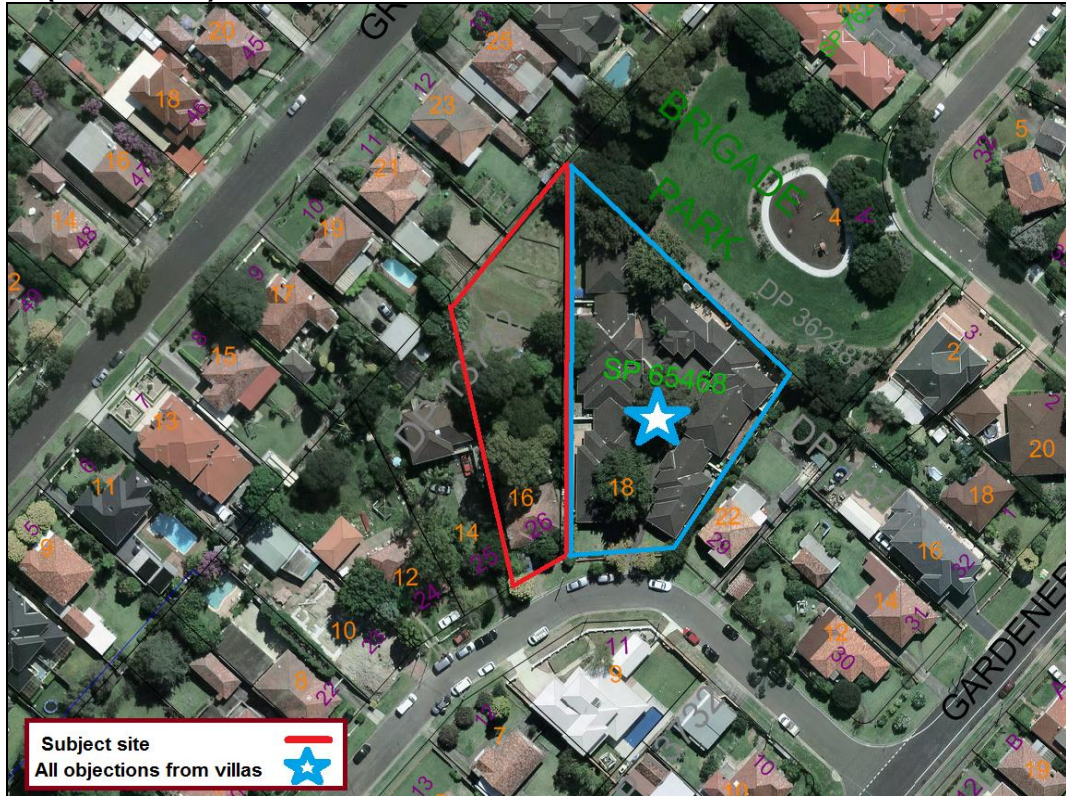
Dominic Johnson
Group Manager - Environment and Planning

ITEM 2 (continued)

2. Site (*Refer to attached map.*)

Address	: 16 Cameron Crescent, Ryde (LOT 26 in DP 13732)
Site Area	: 1,451m ² (by applicant survey) Frontage: 12.24m Eastern side boundary: 85.58m Western side boundary: 64.90m Northern rear boundary: 38.33m
Topography and Vegetation	: A natural valley traverses through the centre of the site with the natural ground level approximately 3m lower than the front boundary and 6m lower than the rear north-eastern corner. Medium and large sized trees are scattered throughout the site. A brick wall extends approximately 43m along the eastern side boundary and at its highest level, reaches a height of approximately 1.4m.
Existing Buildings	: A single storey fibro dwelling house, outbuilding.
Planning Controls	: Ryde LEP 2014
Zoning	: R2 Low Density Residential under Ryde LEP 2014
Other	: Ryde DCP 2014

ITEM 2 (continued)



Aerial photo of subject site and surrounds.



View of subject site from Cameron Crescent.

ITEM 2 (continued)**3. Councillor Representations**

Name of Councillor: Councillor Maggio

Nature of the representation: Call-up to Planning & Environment Committee

Date: 2 January 2015

Form of the representation (e.g. via email, meeting, phone call): Email to Councillor Help Desk

On behalf of applicant or objectors? Objectors

Any other persons (e.g. consultants) involved in or part of the representation: None

4. Political Donations or Gifts

None disclosed in applicant's DA submission or in any submission received.

5. Proposal

The proposal is for the demolition of the existing dwelling house and outbuilding, subdivision of the site into two (2) lots to create a battle-axe lot and construction of a two (2) storey dwelling house and pool on proposed Lot 1.

The proposed subdivision will result in Lot 1 occupying an area of 580.016m² and comprising the following dimensions:

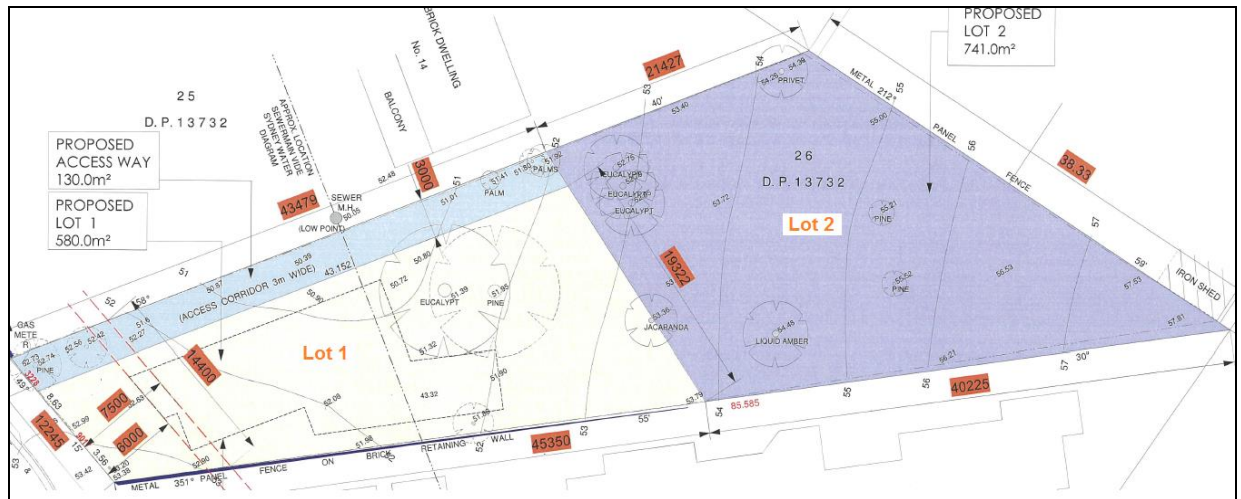
- a frontage width of 9.24m;
- an eastern side boundary of 45.35m;
- a western side boundary of 43.47m; and a rear boundary width of 19.32m.

Lot 2 is a battle-axe lot occupying 741m² that will be accessible via a 43.47m long access handle that is 3m wide. The dimensions of Lot 2 are:

- a southern boundary (formed by the rear boundary of Lot 1) of 19.32m;
- an eastern side boundary of 40.225m;
- a western side boundary of 21.427m; and
- a rear boundary of 38.33m.

ITEM 2 (continued)

The following subdivision plan extract illustrates the size and location of Lot 1 and Lot 2:

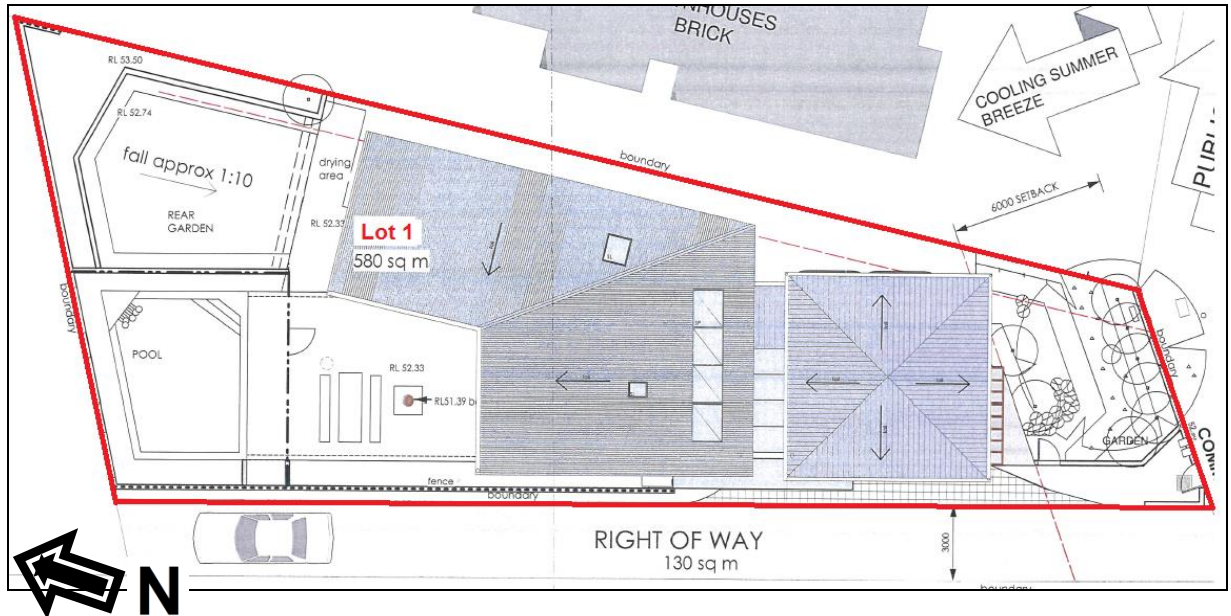


The dwelling house on proposed Lot 1 will have the following features:

- Double garage;
- Open plan kitchen, dining and living room;
- Internal laundry with separate toilet and linen room;
- Four (4) bedrooms (each with a balcony, 3 with a built-in robe, 1 with a walk-in robe and ensuite);
- Linen store room;
- Study;
- Pool;
- Bin storage room;
- Rear timber deck; and
- Front and rear landscaping.

ITEM 2 (continued)

Siting of the proposed dwelling house on Lot 1 and its view from Cameron Crescent is shown in the following site plan and southern elevation plan extracts:



ITEM 2 (continued)

6. Background

The DA was lodged on 5 December 2014 and placed on extended public notification to account for the Christmas / New Year holiday period from 10 December 2014 to 8 January 2015.

On 9 March 2015, clarification was sought via email regarding minor inconsistencies appearing on the architectural plans and amendments to the drainage plan were requested. A response was received 24 March 2015.

On 7 April 2015, a response addressing the concerns raised in submissions was received.

On 4 May 2015, amended drainage plans were received addressing concerns raised by Council's Senior Development Engineer.

7. Submissions

As aforementioned, the original proposal was notified in accordance with Development Control Plan 2014 - Part 2.1, Notification of Development Applications from 10 December to 8 January 2015.

In response, a total of six (6) submissions were received from the owners of neighbouring properties as shown on the aerial photo earlier in this report. The key issues raised in the submissions are summarised and discussed as follows:

- A. *Reduction in solar access.*** *Concerns are raised that the development will reduce the level of sunlight gained to the private open space and living areas of the adjoining villa development at No. 18-20 Cameron Crescent.*

Assessment Officer's Comment

The controls for overshadowing of neighbouring properties in Ryde DCP 2014 are quoted as follows:

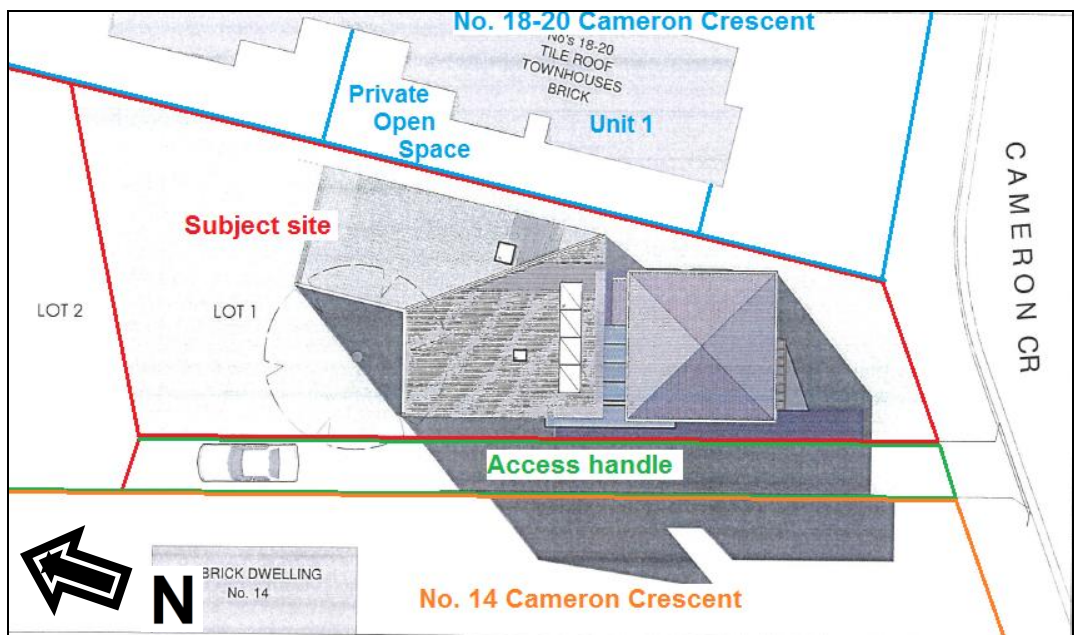
2.14.1(e) For neighbouring properties ensure:

i. sunlight to at least 50% of the principal area of ground level private open space of adjacent properties is not reduced to less than 2 hours between 9am and 3pm on June 21; and

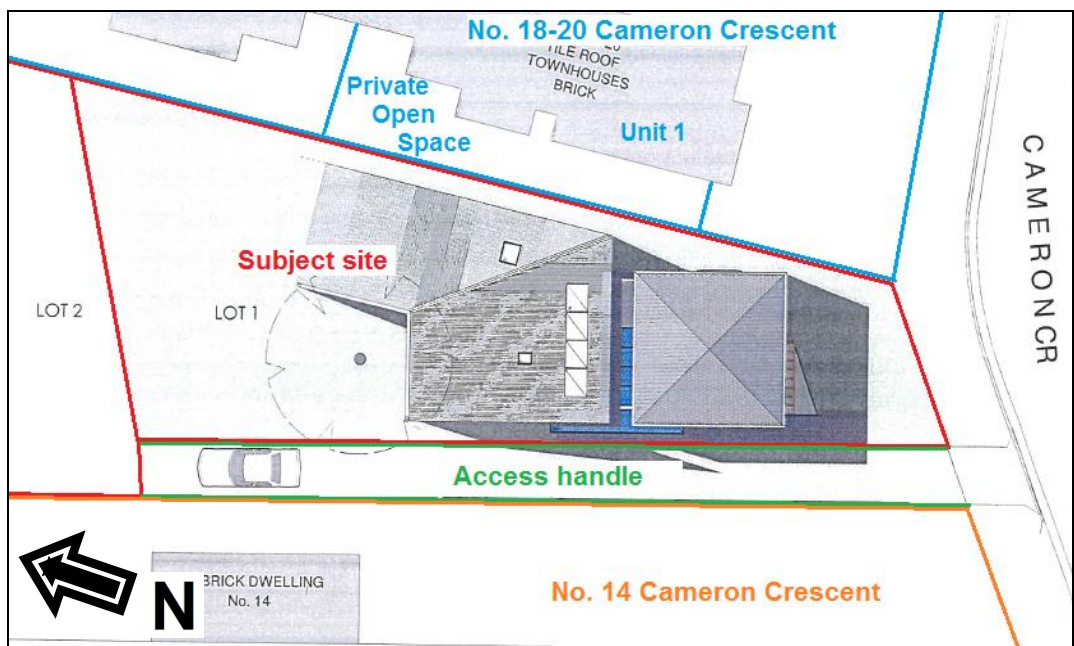
ii. window to north-facing living area of neighbouring dwellings receive at least 3 hours of sunlight between 9am and 3pm on 21 June over a portion of their surface, where this can be reasonably maintained given the orientation topography of the subject and neighbouring sites.

ITEM 2 (continued)

The shadow diagrams submitted with the DA demonstrate full compliance with these relevant development controls relating to solar access. The villa development at No. 18-20 Cameron Crescent is situated on the eastern side and has a higher natural ground level than the subject site. Jointly, these factors assist in minimising the level of shadow cast onto this adjoining property which can be seen in the following plan extracts:

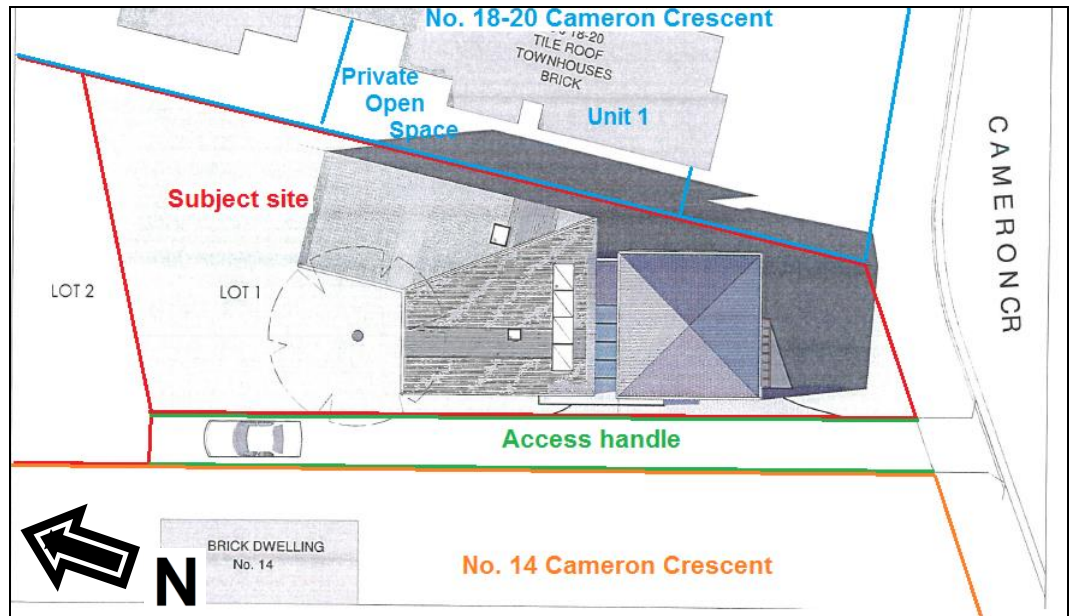


9am – No impact



12noon – No impact

ITEM 2 (continued)



3pm – Minor impact

In relation to clause 2.14.1(e)i, between 9am and 12noon on 21 June, no shadow will be cast from the development onto the private open space of each villa within No. 18-20 Cameron Crescent demonstrating full compliance. It is acknowledged that by 3pm, approximately 45% of the private open space of Unit 1 will be in shadow however, this is considered minor and acceptable.

In relation to clause 2.14.1(e)ii, at no time between 9am and 3pm on 21 June does shadow cast onto any window at No. 18-20 Cameron Crescent. Therefore, existing levels of solar access gained to internal areas of this adjoining property will remain unchanged.

- B. Visual Privacy.** *Concerns are raised that future occupants of the dwelling house will overlook directly into the private open space and windows of the adjoining villa development at No. 18-20 Cameron Crescent.*

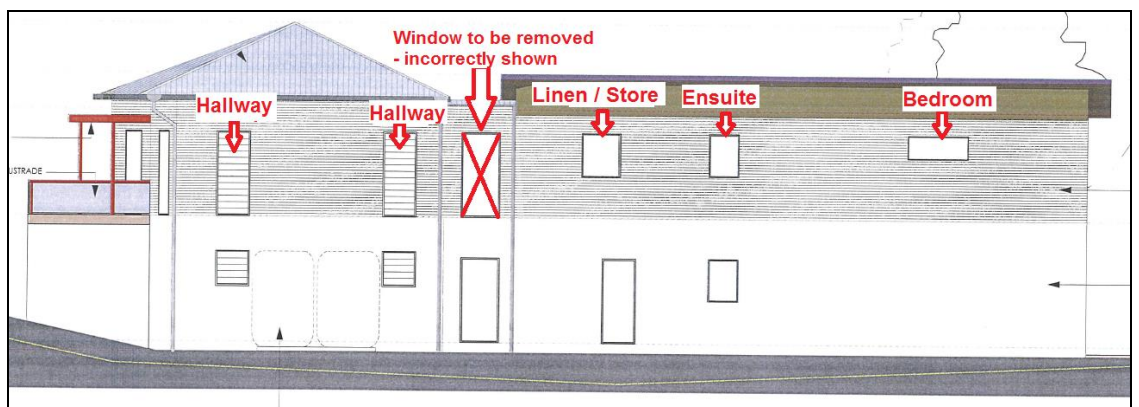
Assessment Officer's Comment

The proposed dwelling house is positioned at a low point of the site. A 43m long retaining wall extends along the shared boundary with No. 18-20 Cameron Crescent varying in height from approximately 300mm to 1.4m. A 1.8m high Colorbond fence sits on top of this retaining wall as seen in the following photo:

ITEM 2 (continued)

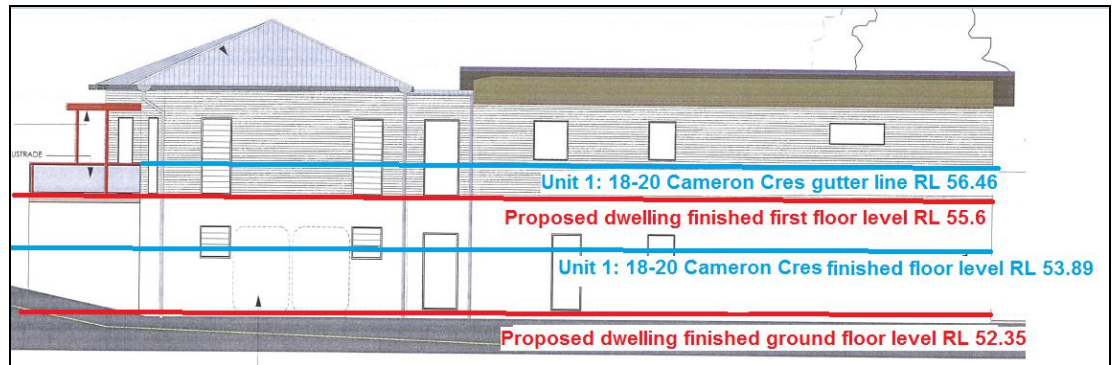


Subsequently, it will not be possible for future occupants to directly look into the villas at No. 18-20 Cameron Crescent from the ground floor. Rooms on the first floor with windows facing No. 18-20 Cameron Crescent are identified in the eastern elevation plan as:



ITEM 2 (continued)

These rooms are not areas where people congregate for entertaining purposes or occupy for long periods. Further, the difference in topography between the subject site and No. 18-20 Cameron Crescent ensures that windows have varying sill heights due to the difference in floor levels of each development as shown below:



It is noted that the applicant has advised that one (1) window within the hallway should be removed to correlate with the floor plans. The following condition has been imposed to address this minor error:

1(a) The window appearing on the *east elevation* (DA 0.06) in the hallway adjoining the linen / store room is to be deleted from the plan.

Finally, no balconies are featured along the eastern elevation.

- C. Side setback.** *Concerns are raised that the proposed development does not comply with the side setback controls stipulated in the Ryde DCP 2014.*

Assessment Officer's Comment

Clause 2.9.2(b) of Ryde DCP 2015 stipulates that a 1.5m side setback distance is to be provided to two (2) storey dwellings. The proposed dwelling house fully complies with this requirement by providing a 1.5m eastern and western side setback.

- D. Acoustic Privacy.** *Concerns are raised that the close proximity of the dwelling house to the adjoining villa development at No. 18-20 Cameron Crescent will result in excessive noise from being heard from the subject site.*

ITEM 2 (continued)Assessment Officer's Comment

The proposed dwelling house maintains a 1.5m eastern and western side setback as required by the Ryde DCP.

It is considered that occupation of a new dwelling house will generate noise levels consistent with the surrounding low density residential area. Further, it is noted that the design of the development shows the position of the swimming pool and outdoor deck confined to the western side of the site which will adjoin the 3m wide access handle to ensure this area is appropriately distanced from the surrounding properties and will minimise noise emanating to No. 18-20 Cameron Crescent.

As previously noted, no balconies have been located along the eastern elevation. Whilst four (4) balconies are proposed, these are accessible from bedrooms only.

- E. *View Sharing.*** *Concerns are raised that the close proximity of the dwelling house to the boundary shared with the villa development at No. 18-20 Cameron Crescent will result in view loss.*

Assessment Officer's Comment

Inspection of the subject site and surrounds confirmed that no water or significant landmark views are gained from the subject site of adjoining properties. Each villa within No. 18-20 Cameron Crescent adjoining the site are single storey and have a private courtyard area surrounded by a 1.8m high colorbond fence limiting their outlook to any views. The following photos confirm that views gained from the villas aligning the shared boundary fence of the subject site.

It is possible the objectors are regarding an outlook to the canopy of large sized mature trees on the subject site as 'views'.

- F. *Cross-ventilation.*** *Concerns are raised that existing levels of cross-ventilation currently gained to the adjoining villa development at No. 18-20 Cameron Crescent will be reduced due to the close proximity of the dwelling house which will adversely impact the health of adjoining residents.*

ITEM 2 (continued)Assessment Officer's Comment

As previously noted, the proposal maintains a 1.5m eastern side setback in compliance with the Ryde DCP. It is not considered that the development will impede the ability for air to flow throughout the villas in No. 18-20 Cameron Crescent.

- G. *Lot size inconsistent with Ryde LEP.*** Concerns are raised that the proposed subdivision does not achieve compliance with the minimum allotment size requirements for battle-axe and standard allotments stipulated in the Ryde LEP 2014.

Assessment Officer's Comment

As per Clause 4.1 and 4.1C of the Ryde Local Environmental Plan 2014, a minimum lot size requirement of 580m² applies to standard subdivisions and 740m² for battle-axe allotments excluding the access handle.

The proposal complies with these requirements as Lot 1 is to have an area of 580.016m² and Lot 2 is to have an area of 741m² excluding the access handle which will have an area of 130m².

- H. *Traffic generation.*** Concerns are raised that the development will increase the level of traffic movement along Cameron Crescent to an unacceptable level.

Assessment Officer's Comment

The applicant has advised that the future ambition for development on the proposed battle-axe allotment is to construct a dwelling house.

Council's Senior Development Engineer has provided the following comment in relation to traffic generation and movement:

"With respect to traffic, the RMS Guide to Traffic Generating Developments provides average vehicle trip rates for single residential dwellings. In general, peak hour movements average out to 1 vehicle trip per hour (vtph) for both the morning and evening peak commute periods (a trip being a one way movement). For this development, the anticipated level of traffic generation will increase (on average) from 1 vtph to 2 vtph. This additional vehicle trip movement is very minor and will not reduce the capacity of the road network or present a vehicle safety issue, such to warrant refusal of the application. Considering that (in the worst case scenario) that both lots were developed and all carspaces having a trip movement in the peak hour period, this would average to 4 vtph, equivalent to a vehicle movement every 15minutes. This level of traffic generation is very low and would not warrant refusal of the application."

ITEM 2 (continued)

- I. **Tree removal.** *Concerns are raised that proposed tree removal does not comply with objectives and development controls within the Ryde DCP 2014.*

Assessment Officer's Comment

Council's Consultant Landscape Architect has inspected the site and is supportive of the proposal and generally agrees with the recommendations in the submitted Arborist Report with the exception of two (2) trees; Tree 18 being *Jacaranda mimosifolia* on a neighbouring allotment and Tree 19 being a *Liquidambar styraciflua* located at the rear of the site and has the capability of being incorporated into the landscape scheme for the proposed rear allotment. Further, Council's Landscape Architect notes that "*many trees are classified as weed species or are small insignificant species with a low retention value.*"

The submitted Landscape Plan demonstrates that a high-quality landscape design incorporating sufficient native trees and shrubs is proposed as part of the dwelling house on Lot 1. The level of deep soil planting is considered appropriate in achieving a balance between the natural and built elements of the proposal.

- J. **Swimming Pool.** *Concerns are raised that the swimming pool will encourage loud / obnoxious and inappropriate behaviour that could offend neighbouring property owners, and should be amended to be an indoor pool.*

Assessment Officer's Comment

There are no development controls within the Ryde DCP, Swimming Pool Act 1992 (as updated) or Swimming Pool Regulation 2008 that requires private swimming pools to become an indoor pool.

This concern was raised by a resident within the adjoining villa development at No. 18-20 Cameron Crescent. In looking at the proposed location of the pool, it can be seen that the pool is located 8.5m from the boundary shared with this property and is positioned along the opposite western side boundary.

ITEM 2 (continued)**8. Clause 4.6 RLEP 2014 objection required?**

None required.

9. Policy Implications**Relevant Provisions of Environmental Planning Instruments etc:****(a) Ryde Planning Scheme Ordinance****Zoning**

Under the Ryde LEP 2014, the zoning of the subject site is R2 Low Density Residential. The proposed subdivision and construction of a 'dwelling house' on one of the lots is permissible with consent under this zoning.

Mandatory RequirementsClause 4.1 – Minimum Subdivision Lot Size

This clause stipulates that any subdivision of land is not to be less than the minimum size shown for the land on the 'Lot Size Map' – 580m² for a standard allotment. The proposed Lot 1 located at the front of the site will have an area of 580.016m² and is fully compliant with this control.

Clause 4.1 – Minimum Lot Size for Battle-axe Lots

This clause applies to land zoned R2 Low Density Residential and stipulates that for a battle-axe lot, a minimum area of 740m², excluding the area of the access handle, is to be provided. The proposed battle-axe allotment will have an area of 741m² excluding the area of the access handle and complies with this control.

Clause 4.3 (2) – Height of Buildings

1. This clause states that the height of a building on any land is not to exceed the maximum height shown for the land on the 'Height of Buildings Map' – which is 9.5m for the subject site. The maximum height of the development as currently proposed is 9.2m, which complies with this clause.

Clause 4.4 – Floor Space Ratio

This clause prescribes a maximum floor space ratio (FSR) of 0.5:1. The FSR for the proposed development has been calculated to be 0.465:1, which complies with this clause.

ITEM 2 (continued)**(b) Relevant State Environmental Planning Policies (SEPPs)**SEPP BASIX:

A compliant BASIX Certificate has been submitted with the DA.

(d) Any draft LEPs

There are no relevant Draft Environmental Planning Instruments for the subject site.

(e) Any Development Control PlanRyde Development Control Plan (DCP) 2014

The proposal has been assessed using the development controls contained in the Ryde DCP 2014. The DCP Compliance Table for this development proposal is held at **Attachment 2** to this report. Non-compliances identified in this table include:

Part 3.3 Dwelling Houses and Dual Occupancy (attached)**A. Subdivision – Section 2.4 (a)**

Ryde DCP 2014 contains the following requirements for residential subdivision:

“(a) Where subdivision of land is proposed, each lot (other than a hatchet shaped lot) must have:

- i. an area of not less than 580m²;*
- ii. frontage to a road of not less than 10m; and*
- iii. a width of not less than 15m at a distance of 7.5m from the frontage of the lot.*

(b) Each hatchet shaped lot must have:

- i. an area of not less than 740m² (not including the access corridor and any part of the lot that is intended for access to other lots);*
- ii. a frontage to a road of not less than 3m; and*
- iii. an access corridor not less than 3m wide.”*

Assessment Officer's Comment

Proposed Lot 2 is a proposed battle-axe lot featuring an area of 741m² (excluding the 3m wide access handle). This lot fully complies with part (b) of this development control.

ITEM 2 (continued)

Proposed Lot 1 fronting Cameron Crescent will have an area of 580.016m² which complies with the minimum lot size. In terms of allotment frontage, Lot 1 has a frontage to Cameron Crescent of 9.24m representing a non-compliance of 0.76m (7.6%) and a width of 11.4m at a distance of 7.5m from the frontage of the lot representing a non-compliance of 3.6m (24%).

It is important to note that the objectives of this control are:

- To retain streetscape, amenity, landscaped areas and private open space in residential zones.
- To maintain a consistent density of development in low density residential areas.
- To ensure that lot sizes enable sufficient areas of open space to be provided within each lot so as to enabling the retention and embellishment of green linkage corridors within residential zones.

The proposed dwelling house has been designed with the irregularity of the site's shape and the amenity of future occupants in mind. The design has orientated the garage to face the western side boundary to avoid an unpleasant view of a double garage door from Cameron Crescent.

Surrounding development comprises a mix of multi dwelling housing and dwelling houses. The proposal for a dwelling house on one of the lots is a form of low density residential development. The proposal is compliant with key development controls of floor space ratio and building height which ensure development along Cameron Crescent is consistent in bulk, scale and density.

The proposed dwelling house has been designed to ensure retention of a 20m high Spotted Gum tree in addition to accommodating an 8m x 8m deep soil area as part of the proposed landscaping arrangements.

Therefore, it is considered that the objectives of the control are appropriately achieved and non-compliance can be justified.

B. Deep Soil Area – Section 2.6.1 (a)

“Sites are to have a deep soil area that is at least 35% of the area of the allotment.”

Assessment Officer's Comment

The proposed dwelling house on Lot 1 will incorporate 32.4% of its allotment or 188.06m² as deep soil area. This represents a non-compliance of 2.6% or 4.88m².

ITEM 2 (continued)

It is important to note that a key objective of this development control is to ensure land retains its ability to absorb rain water so as to reduce stormwater runoff. Council's Senior Development Engineer is satisfied the proposed drainage arrangements can accommodate stormwater runoff based on the provision of 32.4% deep soil area.

A 2nd key objective of this control is to provide space to retain and provide mature tree growth and other vegetation. Whilst some tree removal is proposed which is supported by Council's Consultant Landscape Architect, the proposed dwelling house on Lot 1 has been designed to ensure a 20m high Spotted Gum tree is retained. The Landscape Plan submitted with the application shows that an appropriate level of trees, shrubs and ground cover planting is provided.

As justification can be provided, non-compliance can be supported.

C. Cut & Fill – Section 2.6.2 (c)iii

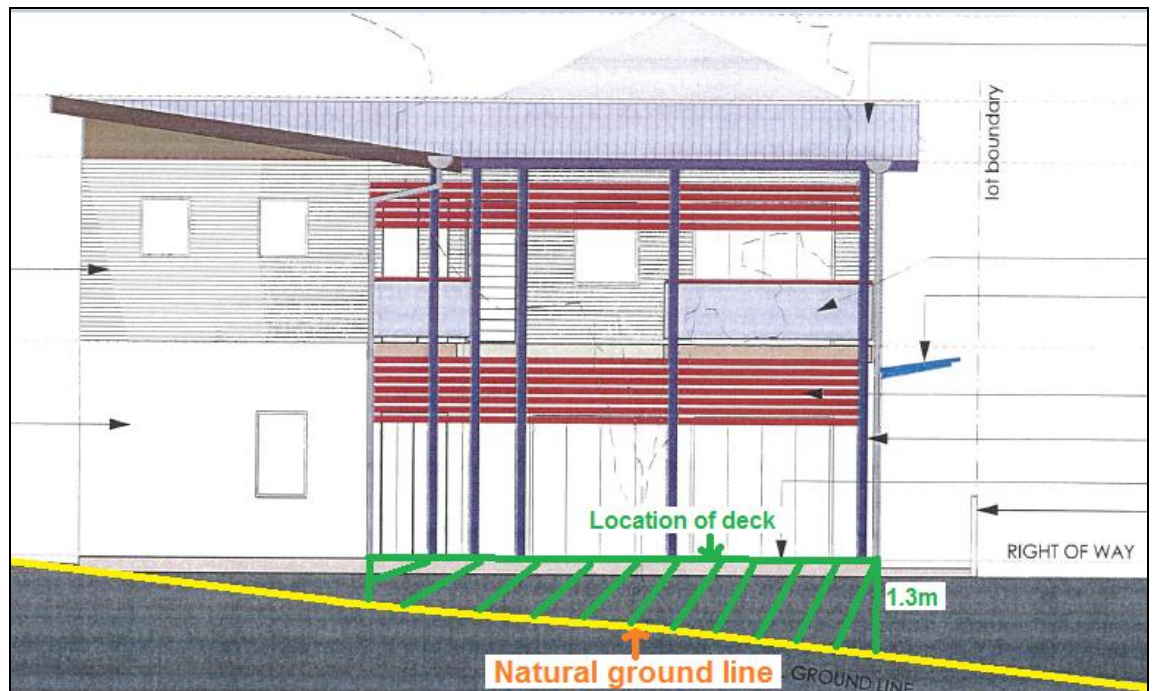
"The area outside the dwelling footprint may be excavated and/or filled so long as:

- the height of fill is not more than 500mm."

Assessment Officer's Comment

At its maximum, the proposed deck at the rear dwelling house will result in a fill of 1.3m representing a non-compliance of 800mm. The area to be filled is highlighted in the plan extract below:

ITEM 2 (continued)



The area confined to the excessive fill is in the north-western corner of the dwelling house at the rear which adjoins the 3m wide access handle offering separation from surrounding properties. Further the topography of the site shows that the point at which the natural ground level dips to 1.3m is small in size (i.e. approximately 5m²) with approximately 40% of the deck's area complying with the maximum fill requirement of 500mm².

Fencing along the western boundary of the proposed Lot 1 will reach a height of 1.77m above the deck's floor level which will ensure privacy to adjoining properties and future occupants is maintained. Furthermore, the Landscape Plan incorporates the provision of the extensive hedge planting along the western side and northern rear boundary of the proposed Lot 1 as a further means to retain privacy.

As a key objective behind this control is to ensure privacy and security of neighbours is maintained, it is considered that the proposal demonstrates compliance with this objective and as such, non-compliance can be supported.

D. Car Parking – Section 2.1.1 (p)

“Garages, whether free standing or incorporated into the house, are to be set back at least 1m from the building's front façade.”

ITEM 2 (continued)

Assessment Officer's Comment

The garage forms the front façade. Due to the irregular shape of the site and the narrow width of Lot 1 at the front boundary being 9.24m, the garage has been positioned in front of the living areas of the dwelling house. This site's shape is a significant constraint and it is accepted that position of the garage at the front of the development is necessary.

The intent of this development control is to prevent streetscapes from being dominated by garage bulk. The applicant has appropriately designed the dwelling house to orientate the garage towards the western side boundary to obscure view of the garage door from Cameron Crescent.

E. Fences – Section 2.16.1(c)

“A solid, front or return fence is to be no higher than 900mm.”

Assessment Officer's Comment

A 1.2m high solid masonry front fence is proposed representing a non-compliance of 300mm. Council's Senior Development Engineer has stated that:

“To ensure that sight distance to and from the property is maintained, the fence will need to be reduced to no greater than 900mm in height in this location.”

Subsequently, non-compliance is not supported and the following condition of consent is recommended:

1(b) The *Fence Elevations* plan is to be amended to show that the front fence does not exceed a height of 900mm.

Section 94 of the Environmental Planning and Assessment Act 1979

Council's Section 94 Development Contributions Plan - 2007

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:

ITEM 2 (continued)

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$ 4,277.74
Open Space & Recreation Facilities	\$10,407.85
Civic & Urban Improvements	\$ 3,539.91
Roads & Traffic Management Facilities	\$ 482.86
Cycleways	\$ 301.62
Stormwater Management Facilities	\$ 958.70
Plan Administration	\$ 81.32
The total contribution is	\$20,000.00

A condition for the payment of a Section 94 Contribution of \$20,000 has been included in the draft conditions of consent (Attachment 1).

10. Likely impacts of the Development
(a) Built Environment

A thorough assessment of the impacts of the proposed development on the built environment has been undertaken as part of the completed assessment of the proposed development including a compliance check against all relevant planning controls and detailed assessment report.

The resultant impacts of the dwelling house are considered to result in a development that is consistent with the desired character of the low density residential areas, and consistent with the nature of modern residential development in Ryde and the wider Ryde local government area.

As a result, the proposed development is considered to be satisfactory in terms of impacts on the built environment.

(b) Natural Environment

Approval of the proposal will result in a moderate level of vegetation removal that is supported by Council's Consultant Landscape Architect due to an appropriate level of replacement natural planting comprised of native species. Proposed landscaping of the front and rear yard will assist in providing a balance between the natural and built environment.

ITEM 2 (continued)**11. Suitability of the site for the development**

A review of Council's Map of Environmentally Sensitive Areas (held on file) identifies the subject site containing non-conservation urban bushland through the centre portion of the site. Council's Consultant Landscape Architect has inspected the site and with the exception of two (2) trees shown to be removed, is supportive of proposed tree removal which heavily consists of weed species. The Landscape Plan reflects a well-considered design that incorporates significant native trees and shrubs appropriate for the development on proposed Lot 1.

12. The Public Interest

It is considered that approval of this DA would be in the public interest.

The development substantially complies with Council's current development controls, and includes a built form that is in keeping with the existing and desired future character of the low density residential area.

13. Consultation – Internal and ExternalInternal Referrals

Senior Development Engineer: Council's Senior Development Engineer states:

It was noted in the initial review that a natural valley traverses the middle of lots on the western side of the site, as evident by the contours. The situation was adverse for development of the property as drainage of the sump posed some issues. The recommended solution would, whilst not fully compliant with the DCP, enable adequate drainage of this area and minimise disruptions to the downstream area.

The following recommendations are noted from the report and are reviewed in the context of the revised plans;

The following amendments to the plan are advised to address these concerns;

- The point of discharge to Cameron Street is to be scaled back such that it is to be some 8 metres downstream of the site frontage.*

Completed.

- Potential drainage of the upstream lot is to be via a charged system, separated into roof and surface drainage systems.*

Completed.

ITEM 2 (continued)

- *Due to the difficulties in draining the driveway access handle, the extent of paved area in this location must be minimised to wheel strips/ tracks only.*

This has not been noted on the submitted plans however the Architect has agreed to this. A general condition marking this is advised.

- *The sump in the driveway access handle will need to be drained without impact to the immediate downstream property. In this regard, and with consideration that the impervious area is to be minimal, a sufficiently deep absorption system will need to be located in the access handle, having a base extending below the depth of footing of the proposed retaining wall. Refer to concept sketch on marked up plan following.*

The consultant has implemented an absorption system though it is no different than Councils standard detail.

As this absorption trench will be atop the retaining wall, it is essential that the base of the trench be founded below the toe of the wall, so as to ensure there is minimal surface seepage to the downstream property. It appears this

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.

Consultant Landscape Architect: Council's Consultant Landscape Architect is generally supportive of the recommendations made in the submitted Arborist Report with the exception of two (2) trees recommended for removal. Six (6) conditions of consent have been recommended.

External Referrals

None required.

14. Critical Dates

There are no critical dates or deadlines to be met.

15. Financial Impact

Adoption of the option(s) outlined in this report will have no financial impact.

ITEM 2 (continued)**16. Other Options**

None relevant.

17. Conclusion

The proposed development has been assessed using the heads of consideration listed in Section 79 of the Environmental Planning & Assessment Act 1979 and is generally considered to be satisfactory for approval.

The proposed development complies with the mandatory requirements of the Ryde LEP 2014 relating to subdivision, building height and floor space ratio, and meets the objectives and development controls of Ryde DCP 2014.

On this basis, the proposal is considered acceptable and is recommended for approval subject to conditions.

ITEM 2 (continued)

ATTACHMENT 1

Proposed Conditions of Consent

STAGED DEVELOPMENT CONDITION

In accordance with Section 83B of the Environmental Planning and Assessment Act this development comprises a Staged Development.

1. **Stage 1:** Stage 1 of the development shall comprise of the following:

- Subdivision of the site into 2 allotments.

Stage 2: Stage 2 of the development shall comprise the following:

- Demolition of the existing dwelling house; and
- Construction of a new 2 storey dwelling house and pool on proposed Lot 1.

STAGE 1 – 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.

2. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate**:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$4,227.74
Open Space & Recreation Facilities	\$10,407.84
Civic & Urban Improvements	\$3,539.91
Roads & Traffic Management Facilities	\$482.86
Cycleways	\$301.62
Stormwater Management Facilities	\$958.70
Plan Administration	\$81.32
The total contribution is	\$20,000.00

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

ITEM 2 (continued)

ATTACHMENT 1

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.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business 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>.

3. **Final plan of subdivision.** The submission of a final plan of subdivision plus 3 copies suitable for endorsement by the Authorised Officer of Council.
4. **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.
5. **Section 88B Instrument.** The submission of an Instrument under Section 88B of the Conveyancing Act 1919 plus 3 copies, 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.
6. **Section 73 Certificate.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

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

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

7. **Utility provider – compliance.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc).

ITEM 2 (continued)

ATTACHMENT 1

Conditions imposed by Senior Development Engineer:

8. **Restriction as to User, Site cover.** A restriction as to user under Section 88 of the Conveyancing Act 1919 shall be placed on the property title of the new rear lot, to limit the extent of impervious paving contained upon the driveway access handle to on the site. The terms of the restriction shall be generally in accordance with Council's draft terms for restricting site cover and to the satisfaction of Council.
9. **Existing Easements and Restrictions.** The applicant must acknowledge all existing easements and restrictions of the use of land on the final plan of subdivision.
10. **Removal of encroachments.** All structures, services etc. are to be wholly contained within the legal property boundaries of each lot. All existing structures and services etc are either to be demolished, relocated and/or have appropriate easement/s registered over the encroachment to ensure their legal operation. Prior to issue of Subdivision Certificate, a certificate shall be obtained from a registered surveyor and submitted to the Principal Certifying Authority to confirm this requirement has been met.
11. **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.
12. **Provision of Services.** To ensure satisfactory effluent disposal and utility services are available to all proposed lots, the applicant is required to submit to Council the following certificates from the following public authorities
 - I. S73 Certificate from Sydney Water indicating reticulated sewer has been made available to each lot
 - II. Integral Energy indicating satisfactory arrangements have been made for the provision of underground electricity supply to lot 2
 - III. A telecommunication service provider stating that satisfactory arrangements have been made for the provision of underground telephone services to each lot
13. **88B Instrument.** The submission of an instrument under Section 88B of the Conveyancing Act 1919 with 2 copies, creating any Easements, Positive Covenants and Restrictions on use, the City of Ryde being the authority empowered to release vary or modify the same.

ITEM 2 (continued)

ATTACHMENT 1

STAGE 2 – GENERAL CONDITIONS

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

14. **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	Reference / Job No.	Drawing / Sheet No.	Dated
<ul style="list-style-type: none"> • Demolition Plan • Proposed Subdivision • BASIX & Thermal Commitments 	10.03 10.03 14.03	DA 01 DA 0.20 DA 0.30	July 2014
<ul style="list-style-type: none"> • Site Plan • Site Analysis • Ground Floor Plan • Level 1 Plan • Roof Plan • Elevations – East, South • Elevations – West, North • Sections: A.A, B.B, C.C. • Survey • Shadow Diagrams 	14.03	DA 0.01 DA 0.02 DA 0.03 DA 0.04 DA 0.05 DA 0.06 DA 0.07 DA 0.08 DA 0.09 DA 0.10	July 2014
<ul style="list-style-type: none"> • Landscape Plan • Fence Elevations • Landscape Details 	-	L01 A L02 A L03 A	Feb 2014
<ul style="list-style-type: none"> • Cover Sheet & Calculations • Stormwater Management Plan • Proposed Subdivision Drainage • Typical Details • OSD Calculation Sheet & Typical Details 	11056	D1 (Issue B) D2 (Issue B) D3 (Issue B) D4 (Issue B) D5 (Issue B)	21.04.15

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

- (a) The window appearing on the *east elevation* (DA 0.06) in the hallway adjoining the linen / store room is to be deleted from the plan.
- (b) The *Fence Elevations* plan is to be amended to show that the front fence does not exceed a height of 900mm.
- (c) The roof ridge line appearing on *Section B.B* (DA 0.08) is to be amended to RL 60.640 to reflect the ridge line height appearing on the remaining architectural plans.

ITEM 2 (continued)

ATTACHMENT 1

- (d) To ensure vehicles entering the property do not queue over the footpath whilst using the visitor car reader / intercom, the device must be located no less than 5m inside the site boundary.

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

15. **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.
16. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered 570223S, dated 4 September 2014.
17. **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:
- Protect and support the adjoining premises from possible damage from the excavation, and
 - Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

Protection of Adjoining and Public Land

18. **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.
19. **Hoardings.**
- A hoarding or fence must be erected between the work site and any adjoining public place.
 - Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
20. **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.
21. **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.

ITEM 2 (continued)

ATTACHMENT 1

22. **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.

Works on Public Road

23. **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.
24. **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 139 of the Roads Act 1993.

Swimming Pools/Spas

25. **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.
26. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.
27. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.
28. **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.

Conditions imposed by Senior Development Engineer:

29. **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 2014 DCP Part 8.5 “Public Domain Works”, except otherwise as amended by conditions of this consent.
30. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant’s expense.

ITEM 2 (continued)

ATTACHMENT 1

31. **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 will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
32. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) required within the road reserve. No works shall be carried out on the footpath without this permit being paid and a copy kept on the site.

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.

33. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
- 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
 - 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.
34. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
35. **Excavation**
- (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
 - (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001:

ITEM 2 (continued)

ATTACHMENT 1

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.

36. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.
37. **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 docket must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
38. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
39. **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.

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

40. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
41. **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**.

ITEM 2 (continued)

ATTACHMENT 1

42. **Security deposit.** The Council must be provided with security for the purposes of section 80A(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)
43. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
- Infrastructure Restoration and Administration Fee
 - Enforcement Levy
44. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
45. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

46. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
47. **Fencing.** Fencing is to be in accordance with Council's DCP 2014: Part 3.3 – Dwelling House and Dual Occupancy (attached) – Section 2.16 - Fences. Details of compliance are to be provided in the plans for the **Construction Certificate**.
48. **Tree planting – location.** The *Angophora costata* tree proposed in the front yard is to be planted a minimum of 3m from any adjoining residential property boundary. Details are to be submitted to and approved by the Principal Certifying Authority prior to the issue of the **Construction Certificate**.

ITEM 2 (continued)

ATTACHMENT 1

49. **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 2008*. Details of compliance are to be reflected on the plans submitted with the **Construction Certificate**.

Conditions imposed by Senior Development Engineer:

50. **Construction near Pipeline in Drainage Easement.** The footings for buildings and other structures adjacent to the drainage easement shall be taken a minimum of 100 mm below the invert of the existing pipeline. The existing location and depth of the stormwater pipe, along with the design of the footings, must be submitted to the Accredited Certifier for approval, with the application for a Construction Certificate.
51. **Boundary Alignment Levels.** The applicant is to apply to Council for site specific boundary alignment levels prior to the issue of the Construction Certificate. The application would need to be accompanied by engineering plans of any civil works along the frontage of the development site. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.
52. **Reconstruction of Footpath Crossing.** The existing footpath crossing is not in accordance with Council specifications and is likely to dilapidate during construction of the development. Accordingly the driveway crossover must be replaced with a crossing which conforms with Council's requirements in terms of design, materials and construction details. Finished levels shall conform with property alignment levels issued by Council's Public Works Division and all grades and gradient transitions must comply with AS 2890.1.
53. **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) must be undertaken;

- a) To allow for adequate sight distance from a vehicle exiting the property to pedestrians in the footpath area, the eastern side of the driveway entry at the property boundary must ensure clear sight distance along the footpath is maintained by provision of either a splayed region defined by Figure 3.3 of AS 2890.1 (2004). Ideally the region is to be free of all obstructions, otherwise any solid obstructions are to be no greater than 900mm above finished surfaces and horizontal fencing/ slats are to permit more than 50% visual permeability.

These amendment(s) must be clearly marked on the plans submitted with the application for a Construction Certificate to demonstrate compliance with this condition.

ITEM 2 (continued)

ATTACHMENT 1

54. **Stormwater Management.** To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted with the application for a Construction Certificate.

Stormwater runoff from the development shall be collected and piped by gravity flow to {insert point of discharge}, generally in accordance with the plans by EZE Hydraulic Engineers Pty Ltd. (Refer to Job No. 11056 Dwgs D1 to D5 dated 21 April 2015) subject to the following variation(s);

- The drainage line in the new driveway access handle extending between the boundary discharge pit and sediment control pit must be deleted as it will result in runoff being directed to the absorption trench from the front lot. The absorption system is intended to accommodate runoff from the driveway area only.
- To prevent and minimise the degree of subsurface flow into the downstream areas from the absorption system, the base of the absorption trench must be extended 600mm below the surface level of the downstream property, ideally below the footing system of the retaining wall.

The detailed plans, documentation and certification of the system must be prepared by a chartered civil engineer and comply with the following;

- The certification must state that the submitted design (including any associated components such as 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 City of Ryde – DCP 2014 Part 8.2 (Stormwater Management).
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.

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.

55. **Site Sign**

- o 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.

ITEM 2 (continued)

ATTACHMENT 1

- 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.
56. **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.
57. **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 given the Council written notice of the updated information (if Council is not the PCA).
58. **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.
59. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

ITEM 2 (continued)

ATTACHMENT 1

Conditions imposed by Consultant Landscape Architect:

60. **Tree works – provision of arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

Conditions imposed by Senior Development Engineer:

61. **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.

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*.
63. **Construction noise.** The L₁₀ noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
64. **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.
65. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
66. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- Fill is allowed under this consent;
 - The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;

ITEM 2 (continued)

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- the material is reused only to the extent that fill is allowed by the consent.
67. **Construction materials.** All materials associated with construction must be retained within the site.
68. **Site facilities**
The following facilities must be provided on the site:
- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
69. **Site maintenance**
The applicant must ensure that:
- approved sediment and erosion control measures are installed and maintained during the construction period;
 - building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - the site is clear of waste and debris at the completion of the works.
70. **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”.
71. **Drop-edge beams.** Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.
72. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.
73. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.
74. **Tree works – Australian Standards.** Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.

Conditions imposed by Consultant Landscape Architect:

75. **Tree removal.** All tree removal work is to be carried out in accordance with the NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 2 qualifications.

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76. **Tree protection – Trees 18 & 19.** Tree no. 18 (*Jacaranda mimosifolia*) and 19 (*Liquidambar styraciflua*) identified within the Arboricultural Impact Assessment dated 7 November 2014 prepared by McArdle Arboricultural Consultancy are to be retained.
77. **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 the subject site and neighbouring allotments and that recommendations contained within Arboricultural Impact Assessment dated 7 November 2014 prepared by McArdle Arboricultural Consultancy are carried out. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised throughout construction.
78. **Tree Pot Sizes.** The proposed *Angophora costata* and *Glochidion ferdinandi* are to have a minimum pot size of 100 Litres at planting.
79. **Hold points and certification.** The Tree Protection Schedule provides a logical sequence of hold points for the various development stages including pre construction, construction and post construction. It also provides a checklist of various hold points that are to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be made available to Ryde City Council on completion of the projection.

Conditions imposed by Senior Development Engineer:

80. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures at the commencement of works on the site. Suitable erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the above referenced document.
81. **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 EZE Hydraulic Engineers Pty Ltd. (Refer to Job No. 11056 Dwgs D1 to D5 dated 21 April 2015) submitted in compliance to the condition labelled “Stormwater Management.”

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.

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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.

82. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate numbered 570223S, dated 4 September 2014.
83. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
84. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

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

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

85. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.

Conditions imposed by Senior Development Engineer:

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

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87. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention and onsite disposal/ absorption components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's draft terms for these systems as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7, and to the satisfaction of Council, and are to be registered on the title(s) prior to the release of any Occupation Certificate.
88. **Compliance Certificates – Engineering.** 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 the City of Ryde DCP 2014, Part 9.3 “Car Parking”.
 - b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with the City of Ryde DCP 2014, Part 8.2, “Stormwater Management” 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 after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - d) 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 the City of Ryde DCP 2014, Part 8.1 “Construction Activities”.
 - e) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council’s satisfaction.
89. **On-Site Stormwater Detention System - Marker Plate.** To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with City of Ryde, Development Control Plan 2014: - Part 8.2; Stormwater Management. The plate may be purchased from Council's Customer Service Centre at Ryde Civic Centre (Devlin Street, Ryde).

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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.

90. **Single dwelling only.** The dwelling is not to be used or adapted for use as two separate domiciles or a boarding house.
91. **Pool fencing.** The pool fence is to be maintained in accordance with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*.

ITEM 2 (continued)

ATTACHMENT 2

Ryde Development Control Plan 2014
Compliance Check – Part 3.3 Dwelling Houses and Dual Occupancy (attached)

DCP 2014	Proposed	Compliance
Part 3.3 - Dwelling Houses and Dual Occupancy (attached)		
Desired Future Character		
Development is to be consistent with the desired future character of the low density residential areas.	The proposed development is consistent with the desired future character of the low density residential area as detailed further in this table.	Y
Dwelling Houses		
- To have a landscaped setting which includes significant deep soil areas at front and rear.	Front and rear gardens proposed.	Y
- Maximum 2 storeys.	2 storeys	Y
- Dwellings to address street.	Dwelling presents to Cameron Crescent.	Y
- Garage/carports not visually prominent features.	Garage not prominent feature as setback in front elevation of building.	Y
Subdivision		
Lots other than hatchet shaped lots		
- Min. 580m ² , frontage to a road no less than 10m and 15m width at a distance of 7.5m from lot frontage.	Lot 1: 580.016m ² , 9.245m frontage width and 11.4m width at a distance of 7.5m from lot frontage.	No (variation supported)
Hatchet shaped lots		
- Min 740m ² (excl. access handle), frontage to a road no less than 3m and an access corridor no less than 3m.	Lot 2: 741m ² (excl. access handle), frontage to road of 3m and access corridor of 3m.	Y

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DCP 2014	Proposed	Compliance
Public Domain Amenity		
Streetscape - Front doors and windows are to face the street. Side entries to be clearly apparent. - Single storey entrance porticos. - Articulated street facades.	Front doors and windows face street. Single entrance portico. Articulated street façade.	Y Y Y
Public Views and Vistas - 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. Garages/carports and outbuildings are not to be located within view corridor if they obstruct view. Fence 70% open where height is >900mm.	No water or significant views gained from site.	Y
Pedestrian & Vehicle Safety - Car parking located to accommodate sightlines to footpath & road in accordance with relevant Australian Standard. - Fencing that blocks sight lines is to be splayed.	Condition to be included to ensure height of front fence does not exceed 900mm. Dev. Eng. satisfied sightlines are provided for through imposition of condition restricting front fence to 900mm height.	Y Y
Site Configuration		
Deep Soil Areas - 35% of site area min. - Min 8x8m deep soil area in backyard. - Front yard to have deep soil area (only hard paved area to be driveway, pedestrian path	Permeable (deep soil) area: 188.06m ² approx. (32.4% of site area). Rear DSA dimensions: 8m x 8m provided.	No (variation supported) Y

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
and garden walls). - Dual occupancy developments only need 1 of 8 x 8m area (doesn't have to be shared equally).	Front DSA: 100% permeable area in front yard=37.23m ² . Hard surface areas have been kept to a minimum in the front yard.	Y
<p>Topography & Excavation</p> Within building footprint: - Max cut: 1.2m - Max fill: 900mm Outside building footprint: - Max cut: 900mm - Max fill: 500mm - No fill between side of building and boundary or close to rear boundary - Max ht retaining wall 900mm	Within BF Max cut: - Max fill: 900m (internal stairwell) Outside BF Max cut: - Max fill: 1.4m (deck) No fill between side of dwelling house and boundary. Standard condition imposed requiring any new retaining wall height not to exceed 900mm.	Y No (variation supported) Y Y
Floor Space Ratio		
Ground floor	162.64m ²	
First floor	143.2m ²	
Detached car parking structures	-	
Outbuildings (incl covered pergolas, sheds etc)	-	
Total (Gross Floor Area)	305.84m ²	
Less 36m ² (double) or 18m ² (single) allowance for parking	269.84m ²	
<p>FSR (max 0.5:1)</p> <p>Note: Excludes wall thicknesses; lifts/stairs; basement storage/vehicle access/garbage area; terraces/balconies with walls <1.4m; void areas.</p>	<p>0.465:1</p>	<p>Y</p>

ITEM 2 (continued)

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DCP 2014	Proposed	Compliance
Height		
- 2 storeys maximum (storey incl basement elevated greater than 1.2m above EGL).	2 storeys.	Y
- 1 storey maximum above attached garage incl semi-basement or at-grade garages.	1 storey above garage.	Y
Wall plate (Ceiling Height) - 7.5m max above FGL <i>or</i> - 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>	TOW RL: 58.4 FGL below (lowest point): RL: 51.8 TOW Height (max)= 6.6m	Y
9.5m Overall Height <i>NB:</i> <i>EGL = Existing Ground Level</i>	Max point of dwelling RL: 60.84 EGL below ridge (lowest point): RL: 51.64 (under garage) Overall Height (max)= 9.2m	Y
Habitable rooms to have 2.4m floor to ceiling height (min).	2.8m min room height.	Y
Setbacks		
SIDE Single storey dwelling - 900mm to wall - Includes balconies etc	<u>Ground Floor</u> Eastern side: 1.5m Western side: 1.5m	Y
SIDE Two storey dwelling - 1500mm to wall - Includes balconies etc	<u>First Floor</u> Eastern side: 1.5m Western side: 1.5m	Y
Side setback to secondary frontage (cnr allotments): 2m to façade and garage/carports	No secondary street frontage.	N/A

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
<p>Front</p> <ul style="list-style-type: none"> - 6m to façade (generally) - Garage setback 1m from the dwelling façade - Wall above is to align with outside face of garage below. - Front setback free of ancillary elements eg RWT, A/C 	<p>6m</p> <p>Garage setback 1m</p> <p>Wall above aligns with garage.</p> <p>Front setback is free of ancillary elements.</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
<p>Rear</p> <ul style="list-style-type: none"> - 8m to rear of dwelling OR 25% of the length of the site, whichever is greater. <p>Note: 10.86m is 25% of site length (calculated using shortest side)</p>	<p>11.5m (measured to rear of dwelling house from approx. centre of rear boundary.</p>	<p>Y</p>
<p>Sites wider than they are long</p> <ul style="list-style-type: none"> - One side setback of 8m or 20% of allotment width, whichever is greater. - Rear setback 4m min (in addition to 8m side setback). <p>NB: Side setback on irregular allotments can be measured at the centre line of the site. (must have 8x8m DSA)</p>	<p>Site is not wider than it is long.</p>	<p>N/A</p>

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
Outbuildings		
<ul style="list-style-type: none"> - Not within front setback. - Max area – 20m² - Max wall plate (ceiling) height 2.7m - Max O/A height 4.5m – Ridge to EGL - To be single storey. - Windows not less than 900mm from boundary. - Concrete dish drain if setback less than 900mm. - Design to complement new dwelling. 	No outbuildings proposed.	N/A
Car Parking & Access		
General		
<ul style="list-style-type: none"> - Dwelling: 2 spaces max, 1 space min. - Dual Occupancy (attached): 1 space max per dwelling. - Where possible access off secondary street frontages or laneways is preferable. - Garages and carports facing the street: max 6m wide or 50% of frontage, whichever is less. - Behind building façade. 	<p>Number/location of car spaces: 2</p> <p>Access from: Access handle</p> <p>External width: 7m (garage does not face the street with door orientated towards western boundary). Garage is behind building façade.</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
Garages		
<ul style="list-style-type: none"> - Garages setback 1m from façade. - Total width of garage doors visible from public space must not exceed 5.7m and be setback not more than 300mm behind the outside face of the building element immediately above. 	<p>Corner of garage forms façade.</p> <p>Width of opening: 7m (garage not visible from public place and is directed towards western side boundary). Door setback: 300mm</p>	<p>No (variation supported)</p> <p>Y</p>

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
<ul style="list-style-type: none"> - Garage windows are to be at least 900mm away from boundary. - Free standing garages are to have a max GFA of 36m² - Materials in keeping or complimentary to dwelling. 	<p>Window setback: At its minimum = 1.7m</p> <p>Garage is attached.</p> <p>Materials: consistent with new dwelling.</p>	<p>Y</p> <p>Y</p> <p>Y</p>
<p>Carports</p> <ul style="list-style-type: none"> - Sides 1/3 open (definition in BCA) - Design & materials compatible with dwelling. 	<p>No carport proposed.</p>	<p>N/A</p>
<p>Parking Space Sizes (AS)</p> <ul style="list-style-type: none"> o Double garage: 5.4m wide (min) o Single garage: 3m w(min) o Internal length: 5.4m (min) 	<p>Internal measurements: 6.355m (l) x 7.07m (w)</p>	<p>Y</p>
<p>Driveways</p> <ul style="list-style-type: none"> - Extent of driveways minimised 	<p>Driveway minimised.</p>	<p>Y</p>
<p>Semi-basement car Parking</p> <ul style="list-style-type: none"> - Ramps must start 2m from the boundary (not on public land). - Walls are not to extend beyond walls of dwelling above. 	<p>No semi-basement car parking proposed.</p>	<p>Y</p>
<p>Swimming Pools & Spas</p>		
<ul style="list-style-type: none"> - Must comply with all relevant Acts, Regulations and Australian Standards. - Must at all times be surrounded by a child resistant barrier and located to separate pool from any residential building and/or outbuildings (excl cabanas) and from adjoining land. - No openable windows, 	<p>Can comply. Standard conditions to be imposed.</p> <p>Pool surrounded by child-resistant barrier. Gate opens outwards.</p>	<p>Y</p> <p>Y</p>

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
doors or other openings in a wall that forms part of barrier. - Spa to have lockable lid. - Pools not to be in front setback.	No windows or doors (aside from pool gate) located within pool area. No spa proposed. Pool located within rear setback.	Y Y Y
Pool coping height - 500mm maximum above existing ground level <i>(only if no impact on privacy)</i>	Pool coping RL: 52.33 EGL (lowest point below coping): RL: 52 Coping Height (max)= 0.33	Y
Pool Setback - 900mm min from outside edge of pool coping, deck or surrounds to allow sufficient space for amenity screen planting - Screen planting required for pools located within 1500mm, min bed width of 900mm for the length of the pool. Min ht 2m, min spacing 1m - Pool setback 3m+ from tree >5m height on subject or adjacent property - Pool filter located away from neighbouring dwellings, and in an acoustic enclosure	Setback (min): 1.3m Landscaping proposed around pool for screening. Pool is setback more than 3m from trees in excess of 5m in height. Pool filter proposed along western side boundary. This is acceptable as boundary will align access handle and is well distanced from the proposed dwelling and adjoining dwellings.	Y Y Y Y
Landscaping		
Trees & Landscaping - Major trees retained where practicable. - Physical connection to be provided between dwelling and	Trees retained where possible. Council's Landscape Arch. satisfied with proposal. Physical connection provided between indoor and outdoor	Y Y

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
<p>outdoor spaces where the ground floor is elevated above NGL eg. stairs, terraces.</p> <ul style="list-style-type: none"> - Obstruction-free pathway on one side of dwelling (excl cnr allotments or rear lane access) - Front yard to have at least 1 tree with mature ht of 10m min and a spreading canopy. - Back yard to have at least 1 tree with mature ht of 15m min and a spreading canopy. - Hedging or screen planting on boundary mature plants reaching no more than 2.7m. - OSD generally not to be located in front setback unless under driveway. 	<p>spaces.</p> <p>Obstruction-free pathway provided at one side of dwelling.</p> <p>1 x smooth barked apple tree proposed in front yard which has the capacity to reach 10m height requirement.</p> <p>Backyard to retain an existing Spotted Gum tree which has a height in excess of 15m.</p> <p>Hedge planting appropriate.</p> <p>OSD not located within front setback.</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>
<ul style="list-style-type: none"> - Landscaped front garden, with max 40% hard paving 	<p>Hard Paving: 21.8%</p>	<p>Y</p>
<p>Landscaping for lots with Urban Bushland or Overland Flow constraints</p> <ul style="list-style-type: none"> - Where lot is adjoining bushland protect, retain and use only native indigenous vegetation for distance of 10m from bdy adjoining bushland. - No fill allowed in overland flow areas. - Fences in Overland Flow areas must be of open construction so it doesn't impede the flow of water. 	<p>Approx. 1/3 of the site contains non-conservation urban bushland. The site is not flood affected.</p> <p>Proposed landscaping considered appropriate by Council's Landscape Arch.</p>	<p>Y</p>

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
Dwelling Amenity		
<p>Daylight and Sunlight Access</p> <ul style="list-style-type: none"> - Living areas to face north where orientation makes this possible. - 4m side setback for side living areas where north is to the side allotment boundary. <p><u>Subject Dwelling:</u></p> <ul style="list-style-type: none"> - Subject dwelling north facing windows are to receive at least 3hrs of sunlight to a portion of their surface between 9am and 3pm on June 21. - Private open space of subject dwelling is to receive at least 2 hours sunlight between 9am and 3pm on June 21. <p><u>Neighbouring properties are to receive:</u></p> <ul style="list-style-type: none"> - 2 hours sunlight to at least 50% of adjoining principal ground level open space between 9am and 3pm on June 21. - At least 3 hours sunlight to a portion of the surface of north facing adjoining living area windows between 9am and 3pm on June 21. 	<p>Living areas face north.</p> <p>North directed to the rear.</p> <p>North facing windows will be able to receive in excess of 3hrs solar access to a portion of their surface.</p> <p>As the rear yard is orientated to the north, a high level of solar access is achieved and is well in excess of the min. 2hrs between 9am and 3pm on June 21.</p> <p>Each adjoining property will receive min. 2hrs sunlight to at least 50% of their principal open space between 9am and 3pm on June 21. All adjoining properties will easily receive min. 3hrs sunlight to a portion of their north facing windows between 9am and 3pm on June 21.</p>	<p>Y</p> <p>N/A</p> <p>Y</p> <p>Y</p> <p>Y</p>
<p>Visual Privacy</p> <ul style="list-style-type: none"> - Orientate windows of living areas, balconies and outdoor living areas to the front and rear of dwelling. 	<p>Living areas and 2 balconies orientated to the rear. 1 balcony orientated to the front.</p>	<p>Y</p>

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
<ul style="list-style-type: none"> - Windows of living, dining, family etc placed so there are no close or direct views to adjoining dwelling or open space. - Side windows offset from adjoining windows. - Terraces, balconies etc are not to overlook neighbouring dwellings/private open space. 	<p>No window directly looks into adjoining dwelling or open space.</p> <p>Side windows are offset and located at different sill heights to adjoining properties due to slope of the land.</p> <p>Balconies do not overlook neighbouring properties.</p>	<p>Y</p> <p>Y</p> <p>Y</p>
<p>Acoustic Privacy Layout of rooms in dual occupancies (attached) are to minimise noise impacts between dwellings eg: place adjoining living areas near each other and adjoining bedrooms near each other.</p>	<p>Proposal is for a dwelling house and subdivision of land.</p>	<p>N/A</p>
<p>View Sharing - The siting of development is to provide for view sharing.</p>	<p>No existing water or significant views gained from site or adjoining properties.</p>	<p>Y</p>
<p>Cross Ventilation - Plan layout is to optimise access to prevailing breezes and to provide for cross ventilation.</p>	<p>Plan optimal for cross ventilation.</p>	<p>Y</p>
<p>External Building Elements</p>		
<p>Roof</p> <ul style="list-style-type: none"> - Articulated. - 450mm eaves overhang minimum. - Not to be trafficable Terrace. - Skylights to be minimised and placed symmetrically. - Front roof plane is not to have both dormer windows and skylights. 	<p>Roof is well articulated. 450mm eaves overhang provided. No trafficable terrace proposed. Skylights minimised and symmetrically located. No dormer windows proposed.</p>	<p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p> <p>Y</p>

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
<p>Attic Dormer Windows</p> <ul style="list-style-type: none"> - Max 2 dormer windows with a max total width of 3m. - Highest point to be 500mm min below roof ridge and 1m min above the top of gutter. - Total roof area of attic dormer: 8m² - Front face to be setback 1m min back from external face of wall below. - Balconies set into roof not permitted. 	<p>No attic dormer windows proposed.</p>	<p>Y</p>
<p>Fencing</p>		
<p>Front/return:</p> <ul style="list-style-type: none"> - To reflect design of dwelling. - To reflect character & height of neighbouring fences. - Max 900mm high for solid (picket can be 1m). - Max 1.8m high if 50% open (any solid base max 900mm). - Retaining walls on front bdy max 900mm. - No colorbond or paling Max width of piers 350mm. 	<p><u>Front fence:</u> 1.2m high solid masonry fence. Standard condition to be imposed requiring height not to exceed 900mm.</p>	<p>No (variation not supported)</p>
<p>Side/rear fencing:</p> <ul style="list-style-type: none"> - 1.8m max o/a height. 	<p>1.8m high colorbond fencing around periphery to remain.</p>	<p>Y</p>

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
Special requirements for Battleaxe Lots		
<ul style="list-style-type: none"> - Must be setback from rear boundary of front allotment 8m min (in addition to having an 8m/25% rear setback). Single storey garage or carport may be within setback. - Must have hard paved area in front setback for turning, so vehicles can enter & exit in a forward direction. - View corridor to water coordinated with that of front allotment or along access handle. 	DA includes subdivision to create battle-axe arrangement however, no development is proposed on this lot at this time.	N/A
Part 7.1 - Energy Smart, Water Wise		
External Clothes Drying Area		
External yard space or sheltered ventilated space for clothes drying	Clothesline shown in rear yard.	Y
Part 7.2- Waste Minimisation & Management		
Submission of a Waste Management Plan in accordance with Part 7.2 of DCP 2014.	The applicant has submitted a Waste Management Plan in accordance with Part 7.2 of DCP 2014.	Y
Part 8.2 - Stormwater Management		
Stormwater		
Drainage is to be piped in accordance with Part 8.2 - Stormwater Management.	Dev. Eng. satisfied with proposed stormwater arrangements.	Y
Part 9.2- Access for People with Disabilities		
Accessible path required from the street to the front door, where the level of land permits.	Path provided to front door.	Y

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
Part 9.4 – Fencing		
Front & return fences		
Front and return fences that exceed 1m in height are to be 50% open.	Standard condition requiring front and return fence to be no higher than 900mm to retain sightlines.	Y
Part 9.6 – Tree Preservation		
<p>Where the removal of tree(s) is associated with the redevelopment of a site, or a neighbouring site, the applicant is required to demonstrate that an alternative design(s) is not feasible and retaining the tree(s) is not possible in order to provide adequate clearance between the tree(s) and the proposed building and the driveway.</p> <p>Note: A site analysis is to be undertaken to identify the site constraints and opportunities including trees located on the site and neighbouring sites. In planning for a development, consideration must be given to building/site design that retains healthy trees, as Council does not normally allow the removal of trees to allow a development to proceed. The site analysis must also describe the impact of the proposed development on neighbouring trees. This is particularly important where neighbouring trees are close to the property boundary. The main issues are potential</p>	Trees to be removed and planted are supported by Council’s Landscape Arch.	Y

ITEM 2 (continued)

ATTACHMENT 2

DCP 2014	Proposed	Compliance
<p>damage to the roots of neighbouring trees (possibly leading to instability and/or health deterioration), and canopy spread/shade from neighbouring trees that must be taken into account during the landscape design of the new development.</p>		

ITEM 2 (continued)

ATTACHMENT 3

 Indicates submissions received.

