

Meeting Date: Tuesday 18 August 2015
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 5.00pm

NOTICE OF BUSINESS

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1 CONFIRMATION OF MINUTES - Meeting held on 4 August 2015

Report prepared by: Section Manager - Governance**File No.:** CLM/15/1/3/2 - BP15/1112

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 11/15, held on 4 August 2015, be confirmed.

ATTACHMENTS

1 MINUTES - Planning and Environment Committee Meeting - 4 August 2015

ITEM 1 (continued)

ATTACHMENT 1

**Planning and Environment Committee
MINUTES OF MEETING NO. 11/15**

Meeting Date: Tuesday 4 August 2015

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

Time: 5.00pm

Councillors Present: The Mayor, Councillor Pickering and Councillors Chung (Chairperson) and Yedelian OAM.

Leave of Absence: Councillor Salvestro-Martin.

Apologies: Councillors Laxale and Simon.

Staff Present: Acting Group Manager – Environment and Planning, Service Unit Manager – Assessment, Team Leader – Major Development, Team Leader – Assessment, Assessment Officer – Town Planner, Senior Development Engineer, Planning Consultant (SJB Planning), 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 21 July 2015

RESOLUTION: (Moved by Councillor Yedelian OAM and The Mayor, Councillor Pickering)

That the Minutes of the Planning and Environment Committee 10/15, held on 21 July 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.

ITEM 1 (continued)

ATTACHMENT 1

2 9 JORDAN STREET, GLADESVILLE. LOT 5 DP 665257. Local Development Application for Demolition of existing building and construction of a seven storey residential flat building containing 21 apartments over two levels of basement containing 24 car parking spaces. LDA2014/0450.

Note: A Memorandum from the Acting Group Manager - Environment and Planning, dated 4 August 2015 was tabled in relation to this Item and a copy is ON FILE.

Note: Dr Margo Orum (objector), Robert Burns (objector representing various lot owners at 1 Jordan Street), Bob Coyne (objector representing Telstra) and Anthony Rowan (planner representing the applicant) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by The Mayor, Councillor Pickering and Councillor Yedelian OAM)

(a) That Local Development Application No. LDA2014/0450 at 9 Jordan Street, Gladesville being LOT 5, DP 665257 be approved subject to the **ATTACHED** conditions (Attachment 1), with an amendment to Condition 27 to read as follows:-

27. 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
<i>Community & Cultural Facilities</i>	<i>\$40,152.26</i>
<i>Open Space & Recreation Facilities</i>	<i>\$98,846.74</i>
<i>Civic & Urban Improvements</i>	<i>\$33,619.66</i>
<i>Roads & Traffic Management Facilities</i>	<i>\$4,585.90</i>
<i>Cycleways</i>	<i>\$2,864.58</i>
<i>Stormwater Management Facilities</i>	<i>\$9,105.06</i>
<i>Plan Administration</i>	<i>\$772.30</i>
<i>The total contribution is</i>	<i>\$189,946.50</i>

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.

*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.*

ITEM 1 (continued)

ATTACHMENT 1

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>.

- (b) That Condition 54 for the Construction and Traffic Management Plan, be amended to take into consideration the impacts of construction noise on the adjoining property at 1 Jordon Street, Gladesville. This is to include consultation with the adjoining owners and tenants and appropriate measures to mitigate noise are to be provided, including a consultation strategy. The measures put in place are to be at the cost of the applicant.
- (c) That Condition 8 (Hours of Work), be amended so that building activities (including demolition) may only be carried out between 7.00am and 5.00pm Monday to Friday and between 8.00am and 4.00pm on Saturday. Prior approval from Council is required for works outside of these hours. No building activities are to be carried out on a Sunday or a public holiday.
- (d) 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.

3 5 BUENA VISTA AVENUE, DENISTONE. LOT 64 DP 16433. Local Development Application for Alterations & first floor addition to dwelling, carport, and convert outbuilding to a secondary dwelling. LDA2015/0049.

Note: A Memorandum from the Acting Group Manager - Environment and Planning, dated 4 August 2015 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillor Yedelian OAM and The Mayor, Councillor Pickering)

- (a) That Local Development Application No. LDA2015/49 at 5 Buena Vista Avenue, Denistone being LOT 64 in DP 16433 be approved subject to the **ATTACHED** conditions (Attachment 1), with an amendment to Condition 18 to read as follows:-

18. 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**:*

ITEM 1 (continued)

ATTACHMENT 1

A – Contribution Type	B – Contribution Amount
<i>Community & Cultural Facilities</i>	\$1,492.65
<i>Open Space & Recreation Facilities</i>	\$3,674.60
<i>Civic & Urban Improvements</i>	\$1,249.80
<i>Roads & Traffic Management Facilities</i>	\$170.48
<i>Cycleways</i>	\$106.49
<i>Stormwater Management Facilities</i>	\$338.48
<i>Plan Administration</i>	\$28.71
<i>The total contribution is</i>	\$7,061.21

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.

*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>.

(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 6.05pm.

CONFIRMED THIS 18TH DAY OF AUGUST 2015.

Chairperson

- 2 120-124A VICTORIA ROAD GLADESVILLE. LOTS 1 and 2 DP 552766 and LOT A DP 439417. Local Development Application for construction of a six storey residential flat building with forty six (46) apartments and basement parking containing fifty six (56) car parking spaces. LDA2014/0379.**

Report prepared by: Consultant Town Planner - City Plan Strategy and Development

Report approved by: Team Leader - Major Development Team; Manager - Assessment; Acting Group Manager - Environment and Planning

File Number: GRP/09/5/6/2 - BP15/1123

1. Report Summary

Applicant: St Peters DMG Development Pty Ltd

Owner: St Peters DMG Development Pty Ltd

Date lodged: 2 September, 2014

This report considers an application for the construction of a residential flat building ("RFB") comprising 46 apartments set over a basement parking. A more detailed description of the development is provided in section 2 below.

The site is of an irregular shape, with frontages of 34.6m to Victoria Road, Gladesville and 23.3m to Pearson Street, and an area of 1,400m². Adjacent and surrounding development is a mix of retail/commercial and residential.

The proposal has been the subject of evaluation by Council's Urban Design Review Panel, both at pre-lodgement stage and following submission of the development application. The design the subject of this report, which has evolved through a series of amended plans, has adopted the primary recommendations identified by the Panel.

The development fully complies with the requirements of RLEP 2010 (Gladesville Town Centre and Victoria Road Corridor) and Part 4.6 of DCP 2010 Gladesville Town Centre and Victoria Road Corridor. There are some minor non-compliances to the numeric requirements in the Residential Flat Design Code. These non-compliances relate to building separation, communal open space and daylight access. These variations can all be justified based on the merit of the application.

The application was advertised and notified in accordance with Council's Notification DCP (Part 2.1 of DCP 2010) with 17 submissions received, all of which raised objections or concerns. The main issues in those submissions relate to matters of traffic, parking, amenity impacts, and inconsistency with the character of the locality and construction impacts. All of these matters have been addressed in detail within this report.

ITEM 2 (continued)

Having regard to the assessment provided within this report, this application is recommended for approval and the on-street parking matters raised in many of the submissions and not considered to be impacted by this development will be investigated separately.

Reason for Referral to Planning and Environment Committee:

Requested by Councillor Pendleton and the number of submissions received by Council.

Public Submissions: 17, all raising objections or concerns.

Clause 4.6 RLEP 2010 objection required? No

Value of works: \$9.16 million (including GST)

A full set of the plans is **CIRCULATED UNDER SEPARATE COVER** as additional information provided to Councillors - subject to copyright provisions.

RECOMMENDATION:

- (a) That Local Development Application No. 2014/0379 at 120-124A Victoria Road Gladesville, being LOTS 1 and 2 DP 552766 and LOT A DP 439417 be **APPROVED** subject to the attached conditions (**Attachment 1**).
- (b) That the persons who made submissions be advised of Council's decision.
- (c) That the parking issues raised by the residents in Pearson Street be referred to the Group Manager - Public Works to investigate other possible solutions to address the more general on-street parking issues in Pearson Street in consultation with those residents.

ATTACHMENTS

- 1 Draft Conditions of Consent
- 2 RDCP Compliance Table
- 3 Map
- 4 A4 Plans
- 5 A3 Plans - subject to copyright provisions - CIRCULATED UNDER SEPARATE COVER

ITEM 2 (continued)

Report Prepared By:

Brad Roeleven
Consultant Town Planner - City Plan Strategy and Development

Report Approved By:

Sandra Bailey
Team Leader - Major Development Team

Liz Coad
Manager - Assessment

Sam Cappelli
Acting Group Manager - Environment and Planning

ITEM 2 (continued)**2. SITE** (*refer to attached map*)

- Address** : 120-124A Victoria Road, Gladesville
LOTS 1 and 2 DP 552766 and LOT A DP 439417
- Site Area** : Area: 1,400m²
Frontage: 34.6m to Victoria Road
23.3m to Pearson Street
Depth: Variable due to irregular shape of allotment.
44.9m along northern boundary. 53.5m along southern boundary
- Topography and Vegetation** : The site falls from north to south with a change in level of about 1.6m along the Victoria Road frontage, and 2.2 along Pearson Street. The site also falls from east to west, with a maximum change in level of 4.4m through the centre of the site. Given the extent of existing development vegetation is limited, comprising isolated trees generally over the western portion of the site in proximity to Pearson Street.
- Existing Buildings** : Existing improvements comprise 2 separate low rise commercial buildings set adjacent to Victoria Road. Those building are vacant and in a poor state of repair. The balance of the site is hardstand, used for parking and vehicle access.
- Planning Controls Zoning** : B4 Mixed Use under Ryde Local Environmental Plan (Gladesville Town Centre and Victoria Road Corridor centre) 2010
- Other** : Environmental Planning & Assessment Act 1979 and Regulation 2000
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
State Environmental Planning Policy No. 55 - Remediation of Land
State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development
State Environmental Planning Policy – Building Sustainability Index (BASIX) 2004
State Environmental Planning Policy (Infrastructure) 2007
Ryde Local Environmental Plan (Gladesville Town Centre and Victoria Road Corridor) 2010
Ryde Local Environmental Plan 2014
Ryde Development Control Plan 2010.
Draft Amendment 3 to State Environmental Planning Policy No. 65.

ITEM 2 (continued)



Figure 1: Site from Victoria Road



Figure 2: Site from Pearson Street.

3. Councillor Representations

Name of Councillor: Councillor Pendleton

Nature of the representation: On behalf of an objector

Date: 8/10/14

Form of representation: Email to the helpdesk.

ITEM 2 (continued)

4. Political Donations or Gifts

Any political donations or gifts disclosed? No

5. Proposal

Construction of a residential flat building comprising 46 apartments (10 x 1 bedroom; 31 x 2 bedroom and 5 x 3 bedroom units) within a 6 storey building set above 2 levels of basement parking. Vehicle access is via Pearson Street only, whilst pedestrian access is available from both street frontages.

Fifty six (56) car parking spaces, resident storage, waste storage and ancillary facilities are provided within the basement levels.



Figure 3: Photomontage of Victoria Road elevation

ITEM 2 (continued)



Figure 4: Photomontage of Pearson Street elevation

6. Background

A summary of key steps in the assessment of this application is set out below:

- 2 September 2014 - the application was lodged.
- 1 October 2014 - Assessed by the Urban Design Review Panel.
- 13 November 2014 - Amended plans received incorporating various design changes to respond to matters raised by the Design Review Panel.
- 22 December 2014 - Letter issued to the applicant advising of various planning concerns.
- 29 January 2015 - Amended plans received incorporating various design changes to respond to matters raised in Council's letter of 22 December 2014.
- 24 April 2014 - Amended plans received providing further details to demonstrate compliance with the LEP height control and calculations for landscape supply and deep soil zones.

ITEM 2 (continued)

- 11 May 2015 - Amended plans received providing a revised design for the basement to address arrangements for storage and plant rooms to resolve non-compliances with the LEP FSR control. Consistent with section 2.9 of the RDCP the amended plans were not renotified as those revisions were necessary to clarify/confirm aspects of the design, and otherwise did not significantly alter the original proposal to an extent that material impacts for either neighbours or the natural environment were likely.
- 21 July 2015 - The Planning and Environment Committee deferred its consideration of the application to enable all public submissions to be assessed. A number of late submissions were received by Council which had not been received in the original assessment report. (See Section 7 Submissions)

7. Submissions

The application as lodged was advertised in accordance with Part 2.1, Notification of Development Applications of the RDCP. A total of 17 submissions were received. Of these submissions, 5 were received during the exhibition period, a further 11 were received after the exhibition period and 1 submission following the Committee meeting of 21 July 2015. All of the submissions raised objections or concerns. Those issues are summarised and grouped below, and a response provided:

- a) *Loss of solar access to adjacent buildings and those opposite the site across Pearson Street.*

Response: The extent of shadowing impacts is acceptable. Refer to section 10(b) below.

- b) *The scale of the building is inappropriate relative to existing buildings. Opposed to the height and magnitude of the building. The floor space ratio seems to be in excess of the Gladesville masterplan. The visual impact and height is excessive, and there is insufficient landscaping. It is an overdevelopment of the site and uncharacteristic for the area. Pearson Street does not contain 'modern' non brick buildings. It is unfathomable in this suburban and heritage area that that a high rise building can be built in full view across multiple suburbs.*

Response: The height and gross floor area of the building comply with the maximum controls specified in Ryde Local Environmental Plan (Gladesville Town Centre and Victoria Road Corridor) 2010. Those same development standards are carried over into the current Ryde Local Environmental Plan 2014. The buildings height and scale is therefore consistent with the desired future character for this locality.

The quantum and distribution of landscaping is satisfactory. The site is not in proximity to any heritage item nor is it within a conservation area. A contemporary built form is therefore acceptable.

ITEM 2 (continued)

- c) *Onsite parking will be used as storage by owners, and tenants will rely upon street parking. It is unclear where the vehicle access is however regardless it will generate increased traffic creating safety concerns, particularly for pedestrians using Pearson Street. The proposal should comply with Council's parking requirements as parking has become a problem in Pearson Street. The site is already used as overflow parking each night, and at times people park on the nature strip. A nearby Church results in the Pearson Street being parked out on Sundays. Council should introduce a resident parking scheme and non-resident time parking restrictions. If the application is approved there should be a condition that owners/residents would not be eligible for the on street parking scheme.*

Response: The total parking supply, including the allocation of resident and visitor spaces, complies with Council's Development Control Plan. Refer to the discussion at section 10(d) below. The introduction of a resident parking scheme is not triggered by this application as the proposal provides an adequate supply of parking onsite. Consideration of any need for such a scheme would be the subject of a separate process. Part of the recommendation includes the requirement that the parking issues raised by the residents in Pearson Street be referred to the Group Manager Public Works to investigate possible solutions to address the issues raised by the residents.

Traffic impacts from this development have been assessed as minor. Refer to the discussion at section 10 (c) below.

Dedicated storage for each unit is provided in the basement consistent with best practice 'rules of thumb' nominated in the Residential Flat Design Code.

- d) *Construction traffic and noise will cause significant disruption and impacts for existing residents. Pearson Street residents are already experiencing building issues with the construction of a nearby nursing home. Construction impacts will continue for years to come.*

Response: It is acknowledged that the demolition, excavation and construction of large developments will alter the amenity of the locality for the duration of those works. A range of conditions are included in the recommendation to ensure those impacts are properly managed, and where necessary, within prescribed criteria. Refer to further details at section 10(j) below.

- e) *The cumulative impact of this development and others like it will place a strain on limited amenities including roads, parklands. Overcrowding of schools. Gladesville has now met its 'quota' for housing from other nearby development and this proposal is not required. Neighbours will also be affected by temporary (transient) residents who have no interest in the community or their surrounds. There is an increase in rubbish in nearby parks.*

ITEM 2 (continued)

Response: The density of the development reflects the outcomes contemplated by the suite of planning controls. Any consent granted to this application will include a condition requiring the payment of a monetary contribution towards improving community facilities, infrastructure and the public domain as identified in Council's Section 94 Development Contributions Plan 2007 (2010 Amendment). There is no housing 'quota' for Gladesville. Traffic generation is addressed at section 10(c) below. Any consideration of the adequacy of the capacity of a public schools is a matter for the Department of Education. The building provides for a mix of unit types to accommodate a range of households. Increasing densities in established centres with good public transport is consistent with broader State government planning policies.

- f) *The building will have serious implications for neighbouring residents in terms of privacy impacts, view loss and overshadowing.*

Response: No views from any adjacent or nearby building will be affected. The extent of shadowing impacts is acceptable as discussed at section 10(b) below.

Privacy to No. 2 Pearson Street will be maintained through a combination of circumstances including separation distances between the buildings and screening provided by a dense stand of bamboo along the northern boundary of that neighbouring site. This proposal also provides for additional plantings at the common boundary between the two sites. It is also noted that the building at No. 2 Pearson Street is oriented towards that street. In its western elevation windows are limited and balconies are recessed into its footprint, offering a further visual protection. The proposed building is sited such so that it does not directly align with No. 2 Pearson Street. The units which are closest to No. 2 Pearson Street (4, 10, 18, 26, and 34) do not have any living room windows or balconies facing that neighbouring building.

- g) *Any concession from compliance with development guidelines sought by the applicant should be notified to local residents, with a period of 30 days in which to respond.*

Response: The application has been notified in accordance with Council's Development Control Plan.

- h) *The use of a consultant to assess the application is contrary to Council's "Code of Conduct - Standards of Conduct November 2014". It is improper and has compromised the impartiality and integrity of the assessment process. Amid allegations of corruption in Ryde Council many developments in Gladesville have been approved which were opposed by the majority of the community.*

ITEM 2 (continued)

Response: The engagement of a planning consultant to assess a development application does not constitute a breach of the Code of Conduct. City of Ryde like many Councils engages consultants for development assessment work through a tender process and all appointments to Council's panel of preferred consultants are approved by Council. Consultants are aware through the tender process of their obligations to identify potential conflicts of interest and notifying Council of such when accepting work offers.

8. Clause 4.6 RLEP (Gladesville Town Centre and Victoria Road Corridor) 2010 objection required?

No.

9. Policy Implications

(a) Relevant Provisions of Environmental Planning Instruments etc:

Environmental Planning and Assessment Regulation 2000

This application satisfies Clause 50 of the Regulation as it is accompanied by the nominated documentation for development seeking consent for a residential flat building including:

- A design verification statement from a qualified designer;
- An explanation of the design in terms of the design quality principles set out in Part 2 of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development; and
- Relevant drawings and montages.

Ryde Local Environmental Plan (Gladesville Town Centre and Victoria Road Corridor) 2010

This application was lodged prior to the commencement of Ryde LEP 2014 and therefore the savings provisions of that instrument apply (per clause 1.8A) such that this application must be assessed relative to the 2010 LEP for the Gladesville Town Centre and Victoria Road Corridor.

Zoning, permissibility and zone objectives

The site is zoned "B4 Mixed Use" and the proposal, defined as a "residential flat building" is permissible with consent.

ITEM 2 (continued)

The zone objectives for the "B4 Mixed Use" zone are:

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

This proposal is consistent with these objectives.

Remaining provisions

Compliance with remaining provisions of the LEP which may be relevant to this application is considered in the following Table:

Clause	Comment	Complies
Clause 2.6 Subdivision	The application nominates that future strata subdivision will be way of a Complying Development Certificate under the Codes SEPP.	N/A
Clause 2.7 Demolition requires consent	This application seeks consent to demolish all existing buildings and structures on site.	Yes
Clause 4.3 Building height	The design as amended satisfies the prescribed maximum building height of 19m	Yes
Clause 4.4 FSR	The design as amended satisfies the prescribed maximum FSR control of 2.7:1	Yes
Clause 5.10 Heritage	The site is not a heritage item but is in proximity to a heritage item. See comments at the end of this table.	Yes
Clause 6.1 Earthworks	Relevant matters nominated in this clause have been considered and no concerns were identified. Appropriate conditions provided by Council's Development Engineer. (see conditions 66, 70,72 and 73)	Yes

ITEM 2 (continued)

Clause 5.10 - Heritage

Although the site is not a listed heritage item, nor is it within a heritage conservation area, adjoining Victoria Road (being the former The Great North Road) is listed in Schedule 5 of the LEP as an item of local heritage item

The Office of Environment and Heritage data base entry for the Great North Road includes the following recommended management policy:

"The overall form of the road should be retained and conserved and remain a road.

Significant fabric should be retained. A Heritage Assessment is required prior to any substantial work or provision of new services. Any future development should preserve the existing form and external surfaces and materials of the road. No scope for development exists. A cohesive planting scheme should be implemented."

This application is consistent with that Policy in that:

- All works are located wholly within the development site, other than for a new public domain treatment comprising street trees and paving across the Victoria Road frontage of the site, and similar works to Pearson Street; and
- All required utility services already exist on site, although it is not known whether augmentation is required.

Given the above it is considered that, consistent with clause 5.10(5) of the LEP, a Heritage Impact Statement is not required in this instance.

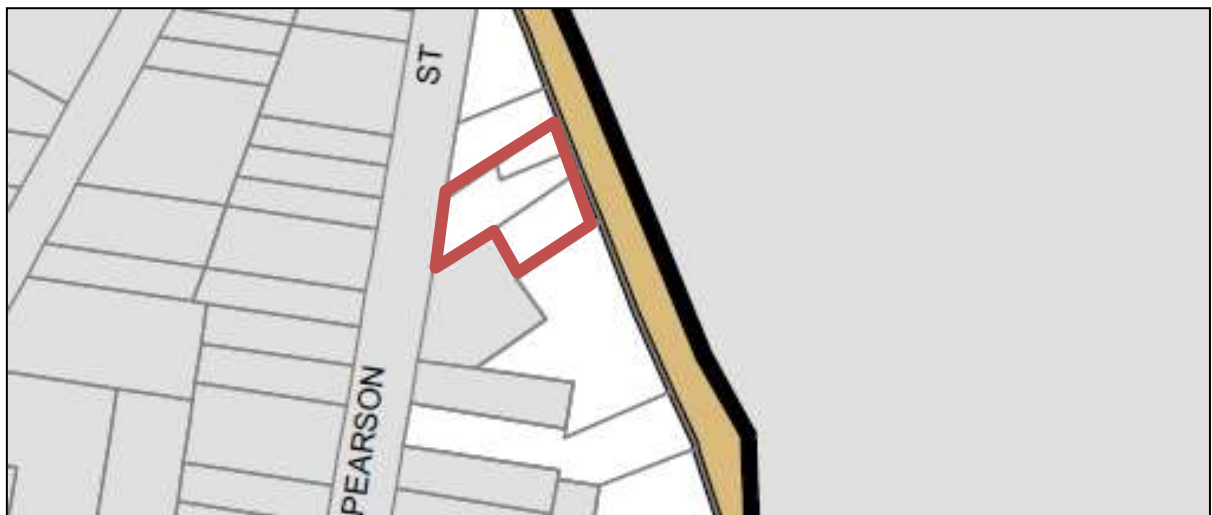


Figure 5: Extract from LEP heritage map (site in red)

ITEM 2 (continued)

Ryde Local Environmental Plan 2014

This instrument came into effect on 12 September, 2014, after this application was lodged. The savings provisions of clause 1.8A of this Plan are such that it does not apply, however it remains a formal matter for consideration in the evaluation of this application as if it were a 'draft' plan.

Zoning, permissibility and zone objectives

The site remains zoned "B4 Mixed Use" and the proposal remains permissible with consent. The zone objectives are different being:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling*

This proposal is consistent with those objectives.

Remaining provisions

Compliance with remaining relevant provisions in the LEP is considered in the following Table:

Clause	Comment	Complies
Clause 4.3 Building height	The design as amended satisfies the prescribed maximum building height of 19m	Yes
Clause 4.4 FSR	The design as amended satisfies the prescribed maximum FSR control of 2.7:1	Yes
Clause 5.1A Land intended to be acquired for a public purpose	The site is not shown on the Land Reservation Acquisition Map as being required for future public purposes.	N/A
Clause 5.10 Heritage	The site is not a heritage item but is in proximity to a heritage item. Comments as per RLEP (Gladesville Town Centre and Victoria Road Corridor) 2010 remain applicable.	Yes
Clause 6.1 Acid sulphate soils	Class 5	Yes

ITEM 2 (continued)

Clause	Comment	Complies
Clause 6.2 Earthworks	Relevant matters nominated in this clause have been considered and no concerns were identified. Appropriate conditions have been provided by Council's Development Engineer. (see conditions 66, 70, 72 and 73)	Yes
Clause 6.4 Stormwater management	Relevant matters nominated in this clause have been considered and no concerns were identified. Appropriate conditions have been provided by Council's Development Engineer (see conditions 36 and 76)	Yes

(b) Relevant SEPPs

State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Contaminated Lands (SEPP 55) establishes State-wide provisions to promote the remediation of contaminated land. Specifically clause 7 requires the Council to consider whether the land is contaminated and, if so, whether it is suitable, or can be made suitable, for the proposed use.

This application is supported by both a Phase 1 Preliminary Site Assessment report and a Phase 2 Environmental Assessment report, which concluded:

"In view of the above findings, it is considered that the site is suitable for the proposed residential use, provided that the following will be implemented during excavation of the proposed basement:

In light of the presence of B(a)P exceeding HIL and ESL criteria and the heterogeneity of contaminants in fill material, it is recommended that all fill material at the site is removed as part of the proposed development. For future off-site disposal of site soils, waste classification testing is recommended to enable appropriate soil disposal in accordance with the DECCW (2009) Waste Classification Guidelines.

It should be noted that prior arrangements with the destination site and/or relevant authorities should be obtained prior to the disposal of any material.

Any soils to be imported onto the site for the purpose of back-filling excavated areas will be Virgin Excavated Natural Materials (VENM) and will also require validation testing in accordance with relevant EPA / OEH regulatory guidelines to confirm soil suitability for the proposed land use."

ITEM 2 (continued)

Council's Environmental Health Officer has reviewed and accepted those reports, and provided suitable conditions for inclusion in any approval. (See conditions 26, 27, 28 and 29).

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development

This Policy aims to improve the design quality of residential flat development. This proposal has been assessed against the following matters relevant to SEPP 65 for consideration:

- Urban Design Review Panel;
- The 10 SEPP 65 Design Quality Principles; and
- The NSW Residential Flat Design Code guidelines.

Urban Design Review Panel

The plans as lodged with the development application addressed a number fundamental design issues identified by the Panel at preDA stage, being:

- Reduction in building depth;
- Redistribution of building height by stepping the building down towards Pearson Street;
- Converting ground floor to residential given the concerns over viability for commercial floor space; and
- Adopting a "T" shaped floor plan.

In its subsequent evaluation of the development application plans the Panel again identified matters that had not been adopted, or fully addressed, and which would allow for an improved development and amenity outcome.

The proposal was subsequently further revised to address issues noted by both the Panel, and planning staff, in relation to:

- Side setbacks and party walls;
- Private and communal open space; and
- Improving the relationship of ground floor units to Victoria Road.

On balance the proposal has reasonably addressed the various design issues that have been raised.

ITEM 2 (continued)

Design Quality Principles

Part 2 of the Policy introduces 10 design quality principles. These principles do not generate design solutions, but provide a guide to achieving good design and the means of evaluating the merits of proposed solutions.

As required by the Environmental Planning and Assessment Regulation, the application is accompanied by a response to the design principles, as prepared by the project architect. The following table provides an assessment of the proposal against the 10 design principles of the SEPP:

Principle	Comment
Context	The Victoria Road corridor is transforming to a high density residential/mixed use precinct. The development generally accords with the desired future character nominated by the LEP and DCP. The building will contribute to the quality and identity of the area.
Scale	The bulk and scale of the proposal reflects the desired future character for the Victoria Road corridor as contemplated by the planning controls.
Built Form	Satisfactory with regard to considerations of building alignments, proportions, building type and articulation/massing of building volume.
Density	The proposed density is sustainable relative to the context of the site in terms of availability of infrastructure, public transport, community facilities and environmental quality.
Resource, energy and water efficiency	Energy and water efficiency targets under SEPP (Basix) 2004 are achieved
Landscape	A satisfactory landscape outcome will be achieved.
Amenity	Amenity for the apartments is satisfactory when tested against best practice 'rules of thumb' identified in the Residential Flat Design Code which supports the SEPP.
Safety and Security	Appropriate outcomes will be achieved through conditions in any consent
Social dimensions and housing affordability	The proposal comprises 46 apartments (9 x 1 bedroom, 32 x 2 bedroom and 5 x 3 bedroom). Of those, 6 apartments (13%) will be adaptable. This is considered to be a suitable mix of housing.
Aesthetics	The composition of building elements and materials is satisfactory.

ITEM 2 (continued)
Residential Flat Design Code

The SEPP requires consideration of the "Residential Flat Design Code" (RFDC) which supports the 10 design quality principles by giving greater detail as to how those principles might be achieved. The following table provides an assessment of the proposal against the matters in the RFDC:

Primary Guidelines	Comments	Comply
Part 01 – Local Context		
Building Height	The building complies with LEP height control (and FSR control) and is therefore consistent with the desired future character for the locality	Yes
Building Depth Apartment building depth of 10m-18m appropriate.	The majority of each floor plate is within this range	Yes
Building Separation	<p>The 'best practice' 12m separation distances are not strictly achieved, but are satisfactory when considered on merit.</p> <p>Due to the awkward shape of the site a portion of the rear of the building achieves only a 9m separation at its closest point from the residential flat building at No. 2 Pearson Street. Generally however, due to the juxtaposition of these two buildings the separation distances otherwise meet or exceed the 12m in the area adjoining the common boundary with No. 2 Pearson Street. Further the level of privacy relative to that common boundary is acceptable noting the arrangement of the floor plates affords a satisfactory level of privacy, and there are substantial boundary plantings at No 2 which will be retained.</p> <p>Nominal setbacks are provided along the eastern and western site boundaries through the use of a party wall design. That outcome is a specific response to the advice of the Design Review Panel, and is appropriate for a "B4 Local Centre" locality which typically has a different built form environment than a traditional residential zone. The side boundary, party wall, treatments include minimal openings to such</p>	Yes on merit

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
	that privacy to/from any future residential building should also be satisfactory in the event that adjacent sites redevelop in the future.	
Street Setbacks	Street setbacks reflect DCP controls and allow for suitable interface with the public domain adjoining the site	Yes
Side and Rear Setbacks	Satisfactory	Yes
Part 02 – Site Design		
Deep Soil Zones (DSZ) Minimum of 25% of open space area should be DSZ. Exceptions may be made in urban	Landscaped area is 296m ² or 21% of the site, including podium plantings. DSZ is 171m ² or 57% of the landscaped area. This acceptable for a mixed use town centre site.	Yes
Fences and Walls	Fences and walls respond to the identified architectural character for the street and are satisfactory.	Yes
Landscape Design	The landscape treatment for the site is satisfactory.	Yes
Open Space Communal open space should generally be at least between 25% and 30% of the site area.	Communal space of 175m ² is provided in two terraces areas at Levels 1 and 6, which is 12.5% of the site area. A variation to communal open space can be supported as: <ul style="list-style-type: none"> • The site has two street frontages which is a constraint to finding a suitable location for common open space; • The communal space provided, particularly at level 6, has a high amenity; and • The site is about 130m from Looking Glass Bay Park, which provides access to an extensive foreshore network of open space 	No but satisfactory on merit
Orientation Optimise solar access to living areas and private open spaces by orientating to the north.	The orientation of the subdivision pattern, and the location of the adjacent building positioned on the northern common boundary precludes units having a primary orientation to the north	Yes
Planting on Structures	The landscape treatment includes planting on the podium as a consequence of the basement parking level. The landscape treatment is satisfactory.	Yes

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
Stormwater Management	Satisfactory subject to conditions recommended by Council's Development Engineer. Refer to sections 10(c), (d) and (e) below.	Yes
Safety	Residential entries are defined, and access is controlled. Most units have direct visual connection to the adjacent public domain, allowing for passive surveillance.	Yes
Visual Privacy Adopt building separation requirements.	Privacy within the development, and for adjacent sites, is satisfactory.	Yes
Building Entry	Entries into the building are provided from both street frontages. Disabled access into, and within the building, is satisfactory.	Yes
Parking	Parking supply and design is satisfactory. See further comments at 10(d) below.	Yes
Pedestrian Access	Building access is arranged to reflect the preferences of the Design Review Panel. Building entries are clearly identifiable. Equitable access is achieved.	Yes
Vehicle Access	The location and design of the access driveway is satisfactory.	Yes
Part 03 – Building Design		
Apartment Layout Single aspect apartments should be limited in depth to 8m from a window.	Achieved	Yes
Apartments should achieve the following minimum sizes: 1 bedroom – 50m ² 2 bedroom – 70m ²	Yes	Yes
Apartment Mix The development should provide a variety of types.	Satisfactory	Yes
Balconies Minimum depth of 2m	Achieved	Yes
Ceiling Heights	Achieved	Yes

ITEM 2 (continued)

Primary Guidelines	Comments	Comply
Waste Management	A waste management plan has been submitted with the development application and is considered satisfactory by Council's Environmental Health Officer.	Yes

State Environmental Planning Policy (Building Sustainability Index) 2004

The development is identified under the Environmental Planning and Assessment Regulation 2000 as a BASIX Affected Building. As such, a BASIX Certificate has been prepared (No. 562197M) which provides the development with a satisfactory target rating. Compliance with the BASIX Certificate commitments can be ensured by appropriate conditions. (See conditions 25 and 90)

State Environmental Planning Policy (Infrastructure) 2007

This Policy provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency. Relevant provisions from this Policy are addressed below:

Clause 101 - Development with frontage to a classified road

Victoria Road is a classified road, and this clause provides that consent must not be granted to development unless Council is satisfied of the following:

- (a) *Where practicable, vehicular access is to be provided by a road other than the classified road;*
- (b) *The safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of the design of vehicular access to the land, or the emission of smoke or dust from the development, or the nature, volume or frequency of vehicles using the classified road to gain access to the land; and*
- (c) *The development is of a type that is not sensitive to traffic noise or vehicle emissions, it is appropriately located and designed, or includes measures to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

In response it is noted:

- All vehicle access is via Pearson Street only;
- The operating characteristics of Victoria Road will not be diminished, as confirmed by Council's Development Engineer (refer to section 10(c) below); and;
- Mitigation of road traffic noise is addressed (see further comments below).

ITEM 2 (continued)

Clause 102 - Impact of road noise or vibration on non-road development

Victoria Road has annual average daily traffic volume of more than 40,000 vehicles. This clause therefore specifies the need to consider guidelines for internal noise levels within adjoining residential development.

The application is supported by an Acoustical Assessment report which identifies glazing/construction measures required to ensure apartments achieve the criteria for internal noise levels nominated in the Policy. That report has been evaluated and accepted by Council's Environmental Health Officer. Appropriate conditions are included in the recommendation (see condition 13).

Clause 104 - Traffic generating development

This proposal is not of a type captured by clause 104 and consequently referral to the Roads and Maritime Services (RMS) is not required. Notwithstanding, consideration of implications for the local road network has been undertaken, and is addressed at section 10(c) below.

(c) Relevant REPs

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This Plan, now a deemed State Environmental Planning Policy, applies to the whole of the Ryde local government area. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given the nature of this project and the location of the site there are no specific controls that directly apply to this proposal, with the exception of the objective of improved water quality. That objective will be achieved through compliance with the Part 8.2 of Ryde DCP 2010.

(d) Any draft Instruments

Draft Amendment 3 - State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

In September and October 2014 the Department of Planning and Environment exhibited proposed changes to this Policy which seek to clarify the intentions of the instrument and obligations on the part of consent authorities in terms of their consideration of both the Policy and the RFDC.

ITEM 2 (continued)

As the draft amendments are uncertain at this stage, they are considered to be of little or no weight in the assessment of this proposal.

(e) Any DCP (e.g. dwelling house, villa)

City of Ryde Development Control Plan 2010

The following sections of the Ryde Development Control Plan 2010 apply to the proposed development.

- 4.6 - Gladesville Town Centre Corridor and Victoria Road Corridor
- 7.1 - Energy Smart, Water Wise
- 7.2 - Waste Minimisation and Management
- 8.1 - Construction Activities
- 8.2 - Stormwater Management
- 8.3 - Driveways
- 9.2 - Access for People with Disabilities
- 9.3 - Car Parking
- 9.4 - Fencing
- 9.6 - Tree Preservation

A full assessment of the proposal against the DCP annexed to this report.

10. Likely impacts of the Development

(a) Site context, built form and public domain

This proposal will achieve a satisfactory outcome for the setting and context of the site given:

- No public vistas or private views will be affected;
- The scale, form and presentation of the building generally accords with key controls in the LEP and DCP (noting justifications for identified departures elsewhere in this report),
- The relationship with adjacent sites is acceptable;
- The residential use of the land is compatible with the prevailing nature of the locality and the relationship with adjacent sites is acceptable;
- Vehicle access is located to ensure safe and efficient movements to and from the site;
- Service areas are located within the building ensuring the streetscape is not diminished by ancillary element such as garbage storage facilities.

ITEM 2 (continued)

(b) Overshadowing of adjacent sites

Midwinter shadow diagrams demonstrate that:

- North facing windows of the adjacent residential flat building at No. 2 Pearson Street will receive 3 hours solar access at midwinter;
- A limited number of dwelling houses opposite the site, across Pearson Street, will be overshadowed at 9am, however such shadowing will have ceased some time before midday; and
- Impacts for buildings further south are limited to the late afternoon, and are mitigated by shadows from existing buildings and vegetation.

(c) Traffic

The application is supported by a Traffic and Parking Impact Assessment report which provides the following details:

".....the proposal is assessed as generating some 69 daily vehicle trips; 9 am weekday peak hour vehicle trips and 7 pm weekday peak hour vehicle trips. On average these flows represent approximately 1 vehicle trip every 6.7 minutes in the am peak period and 8.6 minutes in the pm peak period.

The traffic generation of the proposed development should be discounted by the traffic generating potential of the existing buildings on the site notwithstanding they are currently vacant. As noted earlier a drive-thru Porters Liquor store operated from Nos. 120-124. It is unknown what use operated from No. 124A, however the GFA of the two buildings is approximately 290m². Considered in isolation the Porters Liquor drive-thru retail outlet would have generated significantly higher peak hour vehicle trips than the subject proposal, particularly during the higher turnover pm week day and weekend periods. Accordingly, it is concluded that the subject proposal will generate significantly less traffic than the previous uses on the site and have less impact on Pearson Street and the adjacent road network.

Notwithstanding, the assessed traffic generation of the development scheme will have no significant impact on existing traffic conditions in Pearson Street, the surrounding road network nor present any capacity implications for nearby intersections."

ITEM 2 (continued)

Council's Development Engineer has evaluated that report and has concluded the traffic generated associated with the proposal is minor, stating:

"Considering the environmental capacity of typical suburban roadways is in the order of 200 vehicles per hour during peak periods, the resulting level of traffic generation produced by the proposed development is relatively minor and not anticipated to impact the operation or safety of the surrounding road network. As such this aspect does not warrant further concern."

(d) Parking and access

Parking supply

Based upon the unit yield and mix the DCP nominates the following parking supply requirements:

- Residents - A minimum of 42 spaces and a maximum of 56 spaces; plus
- Visitors - 10 spaces.

The application provides a total of 56 onsite parking spaces, being within the range nominated by the DCP. The allocation of those spaces, being 46 resident and 10 visitor spaces, is also consistent with the DCP.

Access

All vehicle access to the site will be from Pearson Avenue, as is currently the case. Council's Development Engineer has identified the need for minor design changes to ensure the geometry of the driveway meets relevant Australian Standards (see condition 51).

(e) Stormwater

The application is supported by plans detailing arrangements for the collection, temporary storage (OSD) and subsequent disposal of stormwater to Pearson Street. The design as nominated is broadly acceptable, however a range of design modifications have been identified by Council's Development Engineer. Those changes are achieved by means of conditions requiring revised stormwater plans to be prepared to accompany any Construction Certificate (see condition 36 and 76).

(f) Tree removal and landscaping

The application is supported by an Arboricultural Assessment report which considers the health of the 4 trees on site, all of which are nominated for removal. A further tree (Camphor laurel), was not considered by the report due to it being an undesirable species, however it too is to be removed.

ITEM 2 (continued)

Council's Consultant Landscape Architect has evaluated the arborist report and raised no objection to the removal of these trees.

The Consultant Landscape Architect also advised that landscape plan provided with the application is generally satisfactory, subject to a range of amendments, which are achieved by means of conditions which are included in the recommendation (see conditions 1)

(g) Waste Management

Council's Public works Team (waste) advises that arrangements of the storage and collection of waste are satisfactory.

(h) Acoustic

In addition to the discussion at section 9(b) above regarding measures to limit intrusion into the apartments from road traffic noise, the applicant's acoustic report also makes recommendations regarding:

- Sound insulation requirements between apartments; and
- Noise from mechanical plant/equipment.

Council's Environmental Health Officer has similarly provided conditions to ensure those recommendations are implemented. (See condition 13)

(i) Access

The application is supported by an Access Compliance Assessment Report which provides the summary:

"The purpose of this report is to assess the proposed Development Application architectural plans and details for compliance with: -

- *The prescriptive Deemed to Satisfy (DtS) Accessibility Provisions of Part D3 of the Building Code of Australia (BCA) Volume One Edition 2014;*
- *City of Ryde Council's Development Control Plan 2010- Part 9.2 Access for People with Disabilities;*
- *AS 4299 -1995 (Adaptable Housing); and*
- *The Disability Access to Premises - Buildings Standards (DAPS) 2010.*

ITEM 2 (continued)

The outcomes of this assessment report conclude that the proposed design is capable of achieving compliance with the abovementioned requirements subject to undertaking on works referenced within this report in accordance with the applicable codes and standards."

Included in the recommendation is a condition requiring the matters identified in that report to be resolved in conjunction with any plans prepared for a Construction Certificate (see condition 30).

(j) Construction Management

Included in the recommendation are multiple conditions to manage the construction process including:

- Dilapidation reports (see condition 42 and 61).
- Sediment and erosion control (see condition 72 and 73).
- Construction traffic management plan (see condition 55).
- Construction noise (see condition 4 and 64).
- Safety fencing (see condition 57).
- Dust control (see conditionn66).

11. Suitability of the site for the development

These matters have been considered in the assessment of the development application. The proposal adequately responds to the site's characteristics, and accordingly is considered suitable.

12. The Public Interest

The proposal satisfactorily addresses relevant planning controls in a manner which is appropriate to its context and setting. The proposal is therefore considered to be orderly and economic use of the land.

13. Consultation

The application has been assessed by the following sections of Council:

- Environmental Health Officer
- Senior Development Engineer
- Consultant Landscape Architect
- Public Works

All have provided conditions for inclusion in any approval granted to this application.

ITEM 2 (continued)

14. Conclusion

This application has been assessed relative to section 79C of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. On balance the proposal has demonstrated a satisfactory response to the intention and objectives of the design principles and controls contained within the Residential Flat Design Code in accordance with SEPP 65, and with local planning controls.

Accordingly, approval of the development application is recommended.

ITEM 2 (continued)

ATTACHMENT 1

LDA 2014/0379 CONDITIONS OF CONSENT

GENERAL

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

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

Architectural plans - Brooks Projects Architects

Document Description	Date	Rev	Plan No/Reference
Basement 2 plan	11.5.15	L	SK1L
Basement 1 plan	30.1.15	J	SK2J
Level 1 plan	11.5.15	W	SK3W
Levels 2 - 5	30.1.15	P	SK4P
Level 6 plan	30.1.15	P	SK5P
Site and roof plan	24.4.15	F	SK6F
Victoria Road elevation	29.1.15	F	SK7F
West elevation	29.1.15	F	SK8F
North elevation	29.1.15	F	SK9F
South elevation	29.1.15	F	SK10F
Section D-D	23.4.15	A	SK19A

Landscape plans - Vision Dynamics

Document Description	Date	Rev	Plan No/Reference
Landscape Concept Plan	1.9.14	A	14126DA1

Prior to the issue of a **Construction Certificate**, the following amendments shall be made:

- **Amendment of landscape plans.** The landscape plans shall be updated to be consistent with the approved architectural plans and other relevant conditions of this consent, prior to the issue of the Construction Certificate.
2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.

ITEM 2 (continued)

ATTACHMENT 1

3. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
4. **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.
5. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
6. **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.
7. **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.
8. **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.
9. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.

ITEM 2 (continued)

ATTACHMENT 1

10. **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.
11. **Road Opening Permits.** 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) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.
12. **Pipes and ducts.** No service ducts or pipes are to be visible from the street.
13. **Road traffic noise criteria for sensitive developments.** The building(s) must be designed and constructed so that the road traffic noise levels inside the building(s) comply with the noise criteria specified in *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning, 2008).

In this regard all acoustical treatments nominated in the acoustical assessment report (Rodney Stevens Acoustics: Ref 13658R1, dated 27.8.14) and any related project documentation must be implemented during construction
14. **Mechanical ventilation of rooms.** If the airborne noise level with windows and doors open exceeds the above noise criteria by more than 10dBA, an approved system of mechanical ventilation must be provided so that the building occupants can leave the windows and doors closed.
15. **Tree removal.** This consent authorises the removal of the following trees:
 - Tree 1 is a mature *Ficus rubignosa* (Port Jackson Fig). Tree 2 is a *Jacaranda mimosifolia* (Jacaranda).
 - Tree 3 is a *Eucalyptus sp.* (Eucalypt).
 - Tree 4 is a mature *Chamaecyparis obtusa* (Cypress).
 - *Cinnamomum camphora* (Camphor Laurel).

ITEM 2 (continued)

ATTACHMENT 1

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

16. **Tree protection - no unauthorised removal.** This consent does not authorise the removal of any neighbouring trees unless specifically authorised by a condition of this consent.
17. **Australian Standards.** Any works approved by this consent must be carried out in accordance with all relevant Australian Standards.

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 (e.g. 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.

18. **Tree works - provision of Arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Project Arborist alter, Council is to be notified, in writing, within seven working days.
19. **External materials and colours.** A final schedule of all external materials and colours shall be submitted to Council for approval prior to the issue of any Construction Certificate.

Balustrades to Victoria Road shall comprise opaque glazing to improve the visual privacy to balconies.

20. **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**.

ITEM 2 (continued)

ATTACHMENT 1

21. **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: other buildings with delivery of bricks or concrete or machine excavation).
22. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
23. **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**.
24. **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	\$123,591.34
Open Space & Recreation Facilities	\$304,256.88
Civic & Urban Improvements	\$103,483.50
Roads & Traffic Management Facilities	\$14,115.66
Cycleways	\$8,817.38
Stormwater Management Facilities	\$28,026.00
Plan Administration	\$2,377.18
The total contribution is	\$584,667.94

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.

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.

ITEM 2 (continued)

ATTACHMENT 1

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>.

25. **BASIX.** Prior to the issue of Construction Certificate the Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.
26. **Remediation of land.** The land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use.

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

27. **Notice of remediation work.** Before commencing remediation work written notice must be submitted to Council in accordance with clause 16 of *State Environmental Planning Policy No. 55 - Remediation of Land*.
28. **Remediation work.** All remediation work must be carried out in accordance with the requirements of:
 - (a) *State Environmental Planning Policy No. 55 - Remediation of Land*;
 - (b) Any relevant guidelines published by the NSW Environment Protection Authority; and
 - (c) any council policy or development control plan relating to the remediation of land
29. **Council may require site audit of validation report.** If requested by Council, a site audit statement and a site audit summary report from an accredited site auditor under the Contaminated Land Management Act 1997 must be submitted to Council verifying the information contained in the site validation report.

ITEM 2 (continued)

ATTACHMENT 1

30. **Disabled access.** Prior to the issue of a Construction Certificate, a report is to be provided from a suitably qualified access consultant to verify that the Construction Certificate drawings fully comply with Development Control Plan 2010 – Access for People with Disabilities, the Building Code of Australia and Australian Standards AS1428.1, AS4299, AS1735.12 and AS2890.6. The Construction Certificate drawings shall demonstrate compliance with the recommendations in the report by Certified Building Specialists dated 18 August, 2014. (Ref: A405911)

The report is to be provided to the PCA and Council (if Council is not the PCA).

31. **Design verification.** Prior to a Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a qualified designer. This statement must include verification from the designer that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development*. This condition is imposed in accordance with Clause 143 of the *Environmental Planning and Assessment Regulation 2000*.
32. **Soil Depth Over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Residential Flat Design Code. Information verifying that the development complies with these requirements to be provided on the Construction Certificate plans.
33. **Parking Spaces.** The following shall be provided:

A maximum of 56 car parking spaces are to be provided as follows:

- (a) 10 visitor car spaces are to be provided on site, each clearly marked “Visitor Car Parking”. One (1) of those spaces shall be accessible; and
- (b) 46 resident car spaces are to be provided on site.

Details to be shown on the Construction Certificate plans. Note that the area immediately adjacent to the stormwater detention tank, on each basement level, is not approved as parking spaces.

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34. **Service infrastructure/utilities.** All service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like shall be located within the building envelope. Where this is not possible and subject to Council approval such infrastructure shall be located on the subject site and appropriately screened from view. Details of all service infrastructure/utilities are to be approved prior to the issue of the Construction Certificate.
35. **Waste and Recycling Services.** All garbage and recycling rooms must be constructed in accordance with the following requirements:
- (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
 - (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
 - (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
 - (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
 - (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
 - (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
 - (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
 - (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
 - (i) The room must be provided with adequate artificial lighting; and
 - (j) a hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.

Details are to be submitted on the Construction Certificate plans.

36. **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.

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Stormwater runoff from the development shall be collected and piped by gravity flow to public inground drainage infrastructure generally in accordance with the plans by Lomford Engineers (Refer to Project 120VIC-H Dwg201-Iss. H, Dwg301-Iss. D, Dwg401-Iss. C, Dwg501-Iss. C, Dwg 601-Iss.D dated 27 August 2014) subject to the following variation(s) as marked in red on the approved plans:

- Due to the rate of discharge, the system must discharge directly to the inground public drainage network in Pearson Street. This will require the installation of a new inlet pit on the eastern side of the Pearson Street, generally fronting the site and the extension of a 375mm RFC (min.) line to the existing drainage infrastructure located on the western side of Pearson Street. Refer to condition “Public Domain Works – Council Approval.”.
- The above ground detention basin is not approved and must be deleted from the plans. To satisfy the SSR parameter, the below ground detention tank must be enlarged (deepened) accordingly.
- The encroachment of the onsite detention storage tank into Pearson Street roadway is not supported and must be revised such to be fully contained within the confines of the site.

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.

37. **Public Domain Works – Council Approval.** To facilitate access to and from the approved development and ensure the serviceable state of the infrastructure fronting the site is consistent with the life of the development, the following works shall be undertaken in association with the development at no cost to Council;

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- a) Due to the degree of runoff from the site, the property drainage system must discharge directly to the inground public drainage infrastructure. This will require the installation of a “V” grate inlet and gully pit (RMS “SK1” or similar) located in the dish drain on the eastern side of Pearson Street in proximity to the site frontage and extension of a 375mm (min.) RFC pipe to connect to the existing inground drainage infrastructure. The point of connection must be made to either an existing inlet pit or new junction pit. Any variations to these works are subject to consultation with Councils Public Works – Drainage section.

Detailed engineering plans prepared by a Civil engineer in accordance with City of Ryde Environmental Standards - Development Criteria - 1999 Section 4 - Public Civil Works, Council’s DCP Part 8.2 (Stormwater Management) and associated annexure shall be submitted to Council for approval. At a minimum, the plans must show works in plan view, longitudinal sections and details at a scale relevant for the level of detail and include all existing services/ infrastructure to be retained in the area of works.

A separate plan is required for the proposed parking and traffic control sign layout. This aspect is subject to Councils consideration and Local Traffic Committee.

The approval of the Public Domain engineering plans and payment of any Council inspection fees (in accordance with Council’s Management Plan) must be finalised prior to the issue of a Construction Certificate.

38. **Geotechnical – Design, Certification and Monitoring Program.** The proposed development involves the construction of subsurface structures and excavation that has potential to adversely impact neighbouring property if undertaken in an inappropriate manner. To ensure there are no adverse impacts arising from such works, the applicant must engage a suitably qualified and practicing Civil or Structural Engineer specialising in geotechnical and the hydrogeological field to design, certify and oversee the construction of all subsurface structures associated with the development.

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to:
- provide appropriate support and retention to neighbouring property,

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- ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
 - ensure that the treatment and drainage of groundwater will be undertaken in a manner which generally maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- b) A Geotechnical Report and Monitoring Program to be implemented during construction that:
- is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
 - details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
 - details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.

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

39. **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.

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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.

40. **Evidence of connection by gravity flow.** Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all of the premises will be connected directly to the sewerage system by gravity flow must be submitted with the application for the Construction Certificate.
41. **Mechanical Ventilation details.** Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted for approval with the application for the Construction Certificate. Such details must include:
- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems;
 - (b) A site survey plan showing the location of all proposed air intakes exhaust outlets and cooling towers and any natural ventilation openings in the vicinity; and
 - (c) A design certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and the conditions of this Consent.
42. **Dilapidation survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction and excavation work, namely:
- No. 2 Pearson Street,
 - No. 114 Victoria Road, and
 - No. 126 Vitoria Road.

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

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43. **Hoarding Fees.** Where hoardings are required an application shall be made to Council with all fee in accordance with Council's Management Plan are to be fully paid prior to issue of Construction Certificate. The fee payable is for a minimum 6 months period. Should the time extend beyond this period an extension of time application together with payment for the additional fee is required to be submitted to Council for approval.

44. **Public Domain Works - Footpath Landscaping.** Public domain improvement works are to be undertaken along the Victoria Road & Pearson Street frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual, Section 2 Gladesville. The work is to include but not be limited to paving, street furniture and plantings. A Public Domain plan is to be submitted to Council for approval prior to the issue of the Construction Certificate. Full details, including plans, specifications, sections, finished levels and material schedules shall be submitted to Council for approval prior to the issue of any Construction Certificate. These plans shall incorporate the following:

- (a) Full width grey granite footpath paving type 2 to be constructed along the Victoria Road and Pearson Street frontages of the site.
- (b) Provision of a minimum of three street trees on the Victoria Road frontage in accordance with Council's secondary streets planting details.

The street tree selection for Victoria Road is to comply with section 2.2.5 Street Trees, Paving and Street Furniture of the Public Domain Technical manual. Figure 13 of the manual identifies *Platanus acerifolia* (London Plane Tree) in a 200L pot size as the designated street tree for the area. It is recommended that 3 trees be planted along the site frontage at equal centres and under planted with *Liriope muscari* 'Royal Purple'.

The tree pits are to be vaulted beneath the pedestrian area to allow adequate soil volume for the trees to establish. A suitably qualified Landscape Architect is to designate the vault dimensions and Council is to be notified in writing of the detail of the proposed tree vaulting. Should these details change during the course of works, Council is to be notified. A member of Council's public works department shall inspect the installation of the tree vault and the tree to ensure compliance with the Certified Landscape Documentation. The location of underground services is not to conflict with the location of the Tree Vaults.

- (c) Provision of a minimum of two street trees on the Pearson Street frontage in accordance with Council's secondary streets planting details. It will be necessary to discuss with Council the appropriate type of trees to be provided.

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- (d) All telecommunication and utility services are to be placed underground along the Victoria Road and Pearson Street frontages of the site.
- (e) New street lighting in Victoria Road and Pearson Street shall be designed and installed to Australian Standard AS1158.3.1-1999 Road Lighting, with vehicular luminance category V3 for Victoria Road and V5 for Pearson Street, and pedestrian luminance category P2 and to Ausgrid requirements.

Plans prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network are to be submitted to Council and Ausgrid for approval prior to commencement of work.

45. **Public Domain works- Maintenance Period.** The Public domain works will incur a 24 month maintenance period to ensure the successful establishment of the plant material.

Any damage caused to council property within the public domain along Victoria Road or Pearson Street shall be rectified at the expense of the applicant.

46. **Public Domain Works – Infrastructure.** Detailed engineering plans for the public domain infrastructure works, prepared by a Chartered Civil Engineer (with NPER registration with Engineers Australia), are to be submitted to Council for approval prior to the issue of any Construction Certificate.

The works shall be in accordance with the City of Ryde Development Control Plan 2014 Parts 8.2 - Stormwater Management and 8.5 - Public Civil Works, and the City of Ryde Public Domain Technical Manual, Section 2 Gladesville.

The following works shall be completed at no cost to Council, prior to the issue of any Occupation Certificate;

- (a) The removal of all redundant vehicular crossings in Pearson Street and Victoria Road and replacement with new kerb and gutter.
- (b) The construction of a new vehicular crossing on the Pearson Street frontage of the site.
- (c) Construction of full width granite footway along the Victoria Road and Pearson Street frontages of the site.
- (d) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to council and their requirements being fully complied with.

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- (e) Adjustment of levels and grades of all infrastructure (footpath, kerb and gutter, road pavement, etc.) and provide a smooth transition to existing infrastructure.

47. **Vehicular Footpath Crossings.** Footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicular traffic. The crossing(s) are to be constructed to match the paving style along the frontage of the development site and conform to the driveway access levels issued by Council's Public Works Group. The location, design and construction shall comply with the City of Ryde Development Control Plan 2014 Part 8.3 Driveways and Part 8.5 - Public Civil Works, and all relevant Australian Codes and Standards.

In order to avoid the access driveway looking like a public road, kerbs shall not be returned to the boundary alignment line.

The applicant shall provide Council with certification from a Chartered Civil Engineer (with NPER registration with Engineers Australia) confirming that the vehicle crossing design meets Council requirements and the relevant standards, prior to the issue of the Construction Certificate.

48. **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.
49. **Driveway Access Levels.** The applicant is to apply to Council for site specific driveway access levels at the boundary alignment prior to the issue of the Construction Certificate. The application shall be accompanied by engineering plans of civil works along the frontage of the development site. The Council issued levels shall be incorporated into the design of the internal driveway, car parking areas, landscaping and stormwater drainage plans. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.
50. **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.

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51. **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 southern side of the driveway entry at the property boundary must have clear sight through a splayed region defined by Figure 3.3 of AS 2890.1 (2004) and Council's DCP.

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

52. **Engineering plans assessment and works inspection fees.** The applicant is to pay to Council for assessment of all engineering and public domain plans and works inspection fees, in accordance with Council's Schedule of Fees & Charges, prior to any approval being granted by Council.
53. **Signage and Linemarking.** A signage and linemarking plan shall be submitted to and approved by Council's Traffic Committee prior to the issue of a Construction Certificate. This will identify, but not be limited to, the provision of the 'No Parking; 5am – 11am; (Waste Collection Days); Waste Vehicles Excepted' zone on Pearson Lane.
54. **Removal of "No Stopping" Parking Restrictions.** The existing "No Stopping" parking restrictions spanning the site frontage in Pearson Street will not be required in relation to this development. Prior to the commencement of construction, the applicant must apply in writing to Council's Public Works – Traffic section for the removal of the parking restrictions for consideration. The alteration to parking restrictions will require the approval of the Local Traffic Committee which meets monthly. As such, the applicant must allow 6-8 weeks for this to be approved. Any costs associated with the alteration to parking restriction signage is to be borne by the applicant.

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55. **Construction Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to issue of any Construction Certificate. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent the site.

The CTMP must:-

- Make provision for all construction materials to be stored on site, at all times.
- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council's Public Works.
- Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street tree's.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site, west of Church Street to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and supplied to Council.

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The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’s Manual – “Traffic Control at Work Sites” and Councils DCP 2014 Part 8.1 (Construction Activities).

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and is to be paid at the time that the Traffic Management Plan is submitted.

Note: Pearson Street is comprised of 90 degree angle parking on the western side, with an additional capacity for parallel parking along the western kerbside, 6m wide road wide including the parallel parking capacity, and an indented parallel parking bay on the eastern kerbside. Adjustments may be required to accommodate construction traffic to turn into the proposed site. This will need to be identified in the Construction Traffic Management Plan.

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.

56. Site Sign

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- 57. 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.

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58. **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.
59. **Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the ultimate footpath level, as set by Council, adequate measures are to be taken (either by means of constructing approved retaining structures or batters entirely on the subject property) to support the subject land/footpath. An approved fence shall be erected along the boundary for public safety.
60. **Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.
61. **Dilapidation report.** To ensure Council's infrastructures are adequately protected a dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council prior to any works commencing. The report shall detail, but not be limited to the location, description and photographic record of any observable defects but to the following infrastructure where applicable.
- (a) Road pavement
 - (b) Kerb and gutter
 - (c) Footpath
 - (d) Drainage pits
 - (e) Traffic signs, and
 - (f) Any other relevant infrastructure

The report is to be submitted to Council's Traffic Development Engineer, prior to works commencing with another similar report submitted at completion and prior to issue of an Occupation Certificate. The reports shall be used by council to assess whether restoration works will be required prior to the issue of the Occupation Certificate.

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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. **Tree works - Arborist supervision.** An AQF Level 5 Arborist is also to be engaged to monitor the neighbouring trees throughout the development process and ensure compliance with the tree protection measures.

Hold points and certification

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

Tree Protection Schedule

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

63. **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*.

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64. **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.
65. **Impact to adjoining or nearby properties.** The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations.
66. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
67. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
 - (a) fill is allowed under this consent;
 - (b) the material is deemed suitable through validation by a geotechnical engineer.
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. **Construction materials.** All materials associated with construction must be retained within the site.
70. **Site maintenance.** The applicant must ensure that:
 - (a) approved sediment and erosion control measures are installed and maintained during the construction period;
 - (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - (c) the site is clear of waste and debris at the completion of the works.
71. **Traffic management.** Any traffic management procedures and systems must be in accordance with AS 1742.3 1996 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

Accordingly, a detailed plan of traffic management prepared by a traffic engineer including certification indicating compliance are to be submitted with the Construction Certificate application.

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72. **Truck shaker.** A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.
73. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by Lomford Consulting Engineers (Refer to Project 120VIC-H Dwg601-Iss. B dated 27 August 2014) 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.
74. **Geotechnical- Implementation of Geotechnical Monitoring Program.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.
75. **Construction Management Plan - Compliance.** All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.
76. **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 Lomford Engineers (Refer to Project 120VIC-H Dwg201-Iss. H, Dwg301-Iss. D, Dwg401-Iss. C, Dwg501-Iss. C, Dwg 601-Iss.D dated 27 August 2014) submitted in compliance to the condition labelled “Stormwater Management.” and the requirements of Council in connection to the trunk drainage system.

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77. **Imported Fill.** All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.
78. **Discovery of additional information.** Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
79. **Contaminated soil.** All potentially contaminated soil excavated during demolition work must be stockpiled in a secure area and be assessed and classified in accordance with the *Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes* (EPA, 1999) before being transported from the site.
80. **Disposal of asbestos wastes.** All asbestos wastes must be disposed of at a landfill facility licensed to receive asbestos waste.
81. **Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
82. **Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
83. **CCTV Cameras**
 - a) The applicant shall install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. The cameras should include the foyer area to the buildings including the area around the mail boxes. The cameras should also monitor the 50 metre vicinity outside the building including, but not limited to, both footpath areas in front of the premises. CCTV cameras should also cover any communal areas, lifts, public spaces, basement car park and the entry to the basement storage area as described on drawing SK1L. Recordings should be made twenty four (24) hours a day seven (7) days a week.

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- b) As a minimum, CCTV cameras at entry and exit points to the premises **MUST** record footage of a nature and quality in which it can be used to identify a person recorded by the camera. All other cameras **MUST** record footage of a nature and quality in which it can be used to recognise a person recorded by the camera.
- c) Suitable signage shall be installed in all areas where CCTV is provided to identify that it is in use.
- d) The time and date must automatically be recorded on all recordings made whilst it is recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed.
- e) If requested by police, the applicant is to archive any recording until such time as they are no longer required.
- f) Recordings are to be made in a common media format such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.
- g) The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel.
- h) If the CCTV system is not operational, immediate steps are to be taken by the applicant to ensure that it is returned to a fully operational condition as soon as possible.
- i) CCTV should be installed throughout the basement car park area and should include the entry and exit points to the car park.

84. Access control

The following measures shall be addressed in the fit out of the building:

- a) All areas should be fitted with doors that comply with Australian Design Standards.
- b) The locks fitted to the doors should be of a high quality and meet the Australian design standards.
- c) Any glass within these doors should be laminated to enhance the physical security of the doors.
- d) Access control should be set in place to exclude unauthorized access to restricted areas.
- e) Access should be restricted to residents only to the lifts and stairs leading to the apartments.
- f) Fire exit doors to the development should be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the development.

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- g) The main entry/exit doors to individual units should also be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the unit.
 - h) The balcony doors to individual units should also be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the unit.
 - i) The windows to individual units should also be fitted with key operated locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the unit
 - j) Intercom facilities should be incorporated into entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development.
 - j) Letterboxes shall have good quality locks on them.
85. **Car parking security.** Vehicular entry to parking area is to be through a secured roller shutter with an intercom system for visitor's access. The roller shutter is to be controlled by a remote or card operating electronic lock sets. The phasing of the roller door needs to minimise the opportunity for unauthorised pedestrian access after a vehicle enters/exits the car park. The roller shutter shall be closed at all times when entry/exit is not required.
86. **Lighting:** Lighting is to be provided around the site and all lighting is to comply with the following requirements:
- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
 - A Lighting Maintenance Policy is required to outline the maintenance, monitoring and operation of lighting.
 - To reduce power consumption and comply with the relevant Australian and New Zealand Standards for Lighting, car park lighting is to be interfaced with motion detectors.
 - Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
 - Lighting is to be automatically controlled by time clocks and where appropriate, sensors for energy efficiency and a controlled environment for residents.

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PRIOR TO OCCUPATION CERTIFICATE

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

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

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

87. **Compliance with acoustic report.** The Principal Certifying Authority shall be provided with certification confirming compliance with all recommendations in sections 4.8.1 and 4.8.2 of the report by Rodney Stevens Acoustics dated 27 August, 2014 (Ref: Report 13658R1)
88. **Public domain - Works as executed plan.** A works-as-executed plan for works carried out in the public domain must be provided to Council and endorsed by Council, as the Road Authority, prior to the issue of the Occupation Certificate. All public domain works are to be completed to Council's satisfaction prior to the issue of the Occupation Certificate.
89. **Landscaping.** The landscaping works approved in Condition 1 are to be completed prior to the issue of any Occupation Certificate for the apartment building.
90. **BASIX Commitments.** Prior to the issue of the Occupation Certificate, the Principle Certifying Authority is to ensure that the BASIX commitments have been implemented in accordance with the approved BASIX Certificate. Note: Certificates from suitably qualified persons are to be submitted to the Principle Certifying Authority (if Council is the PCA) verifying that all BASIX commitments listed have been fulfilled in accordance with the BASIX Certificate.

ITEM 2 (continued)

ATTACHMENT 1

91. **Design Verification.** Prior to an Occupation Certificate being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential flat development achieves the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Part 2 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154 of the *Environmental Planning and Assessment Regulations 2000*.
92. **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 Interim/Final Occupation Certificate.

93. **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.

ITEM 2 (continued)

ATTACHMENT 1

94. **Stormwater Management - Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to Section 88 E of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention and pump/ sump 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 88 E 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 prior to the release of the Occupation Certificate for that title.
95. **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 the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code) and the relevant sections of the City of Ryde DCP 2014, Part 8.2 " Stormwater Management" and associated annexure.
 - e) 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".

ITEM 2 (continued)

ATTACHMENT 1

- f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
 - g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
 - h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.
96. **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).
97. **Street/house numbering.** To assist with way finding for emergency services, numbering of street numbers, building numbers, levels of the building and unit numbers should be clearly displayed. Street numbering is to be designed to be visible from the street. Council must be contacted in relation to any specific requirements for street numbering. All letterboxes and house numbering are to be designed and constructed to be accessible from the public way.
98. **Certification of Mechanical Ventilation Work.** Where any mechanical ventilation systems have been installed or altered, a certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.
99. **Disabled Access.** Certification is to be provided from a suitably qualified access consultant to verify that the completed building complies with Development Control Plan 2010 – Access for People with Disabilities, the Building Code of Australia and Australian Standards AS1428.1, AS4299, AS1735.12 and AS2890.6.

ITEM 2 (continued)

ATTACHMENT 1

100. **Signage and line marking.** All signage and linemarking approved by Council's Traffic Committee must be completed.
101. **Access to waste storage.** A lockable roller door or similar shall be placed on the proposed hard waste storage room to prevent access by the public. The door shall have the universal Council key installed for access by the contractor to access the room during the designated clean up week or to access bins for servicing.

OPERATIONAL

102. **Waste Collection Services.** Arrangements must be made with Council for the provision of waste collection services **before occupation commences**.
103. **Maintenance of Waste Areas.** All waste storage areas must be maintained in a clean and tidy condition at all times.
104. **Offensive noise.** The use of the premises must not cause the emission of 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
105. **Operation of Plant or Equipment.** The operation of any plant or equipment installed on the premises must not cause:
 - (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at the property boundary in the vicinity. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
 - (c) The transmission of vibration to any place of different occupancy
106. **Council may require acoustical consultant's report.** Council may require the submission of a report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria.

ITEM 2 (continued)

ATTACHMENT 2

RYDE DEVELOPMENT CONTROL PLAN COMPLIANCE TABLE	
LDA No: LDA2014/0379	Date Plans Rec'd: 13 November 2014 (amended) 29 January , 2015 (amended)
Address: 120-124A Victoria Road Gladesville	
Proposal:	Construction of a residential flat building containing 46 units.
Constraints Identified: Site orientation, dual street frontage, location of adjacent buildings on northern boundary	

RYDE DCP 2010 - Part: 4.6 - Gladesville Town Centre & Victoria Road Corridor		
Section 2 - Vision Statement		
2.2.4 - South Gladesville		
Requirements	Proposal	Comply
<p>South Gladesville extends south of the town centre to Punt Road. it is the main approach to the town centre from central Sydney, and provides a visual impression of Gladesville upon arrival. The character of this precinct will be reinforced as a well landscaped entry to the town centre. The existing uses are predominantly low rise residential on the eastern side of Victoria Road, and commercial with residential flat buildings on the western side. Future development on the western side will have taller buildings set back from the street frontage with trees in the front setback providing the landscaped setting.</p>	<p>The development provides for a 6 storey building on the western side of Victoria Road consistent with the LEP height controls. The building is setback from the street, and public domain improvements include new street trees across the Victoria Road frontage of the site.</p>	<p>Yes</p>

ITEM 2 (continued)

ATTACHMENT 2

Section 3 - Objectives and controls		
Section 3.1 - Built form		
3.1.1 - Built form heights		
Requirements	Proposal	Comply
a. Buildings must comply with the maximum heights described in the Gladesville Town Centre and Victoria Corridor Environmental Plan (LEP) and the Built Form Heights Plan (Figure 4.6D) in this Part.	Compliance with the LEP height control is addressed above. The building is 6 storeys to Victoria Road, exceeding the 5 storey control in the DCP. However Ryde DCP 2014 no longer includes a provision nominating the number of storeys, instead relying only upon the LEP height control (which remains at 19m under Ryde LEP 2014).	No - but satisfactory based on merit
b. The height limits in the LEP and the DCP should be read in conjunction.	Noted	N/A
c. Floor to ceiling height must be a minimum of 2.7m for residential uses.	Achieved	Yes
d. To ensure that the ground floor levels are adaptable over time for a range of uses, the floor to floor height at ground level in all mixed use developments is to be a minimum of 3.6m, regardless of the initial proposed use.	Not applicable	N/A
3.1.2 - Active Street frontages		
Requirements	Proposal	Comply
Not applicable to this site		
3.1.3 - Buildings abutting the street alignment		
Requirements	Proposal	Comply
Not applicable to this site		

ITEM 2 (continued)

ATTACHMENT 2

3.1.4 - Setbacks		
Requirements	Proposal	Comply
a. Setbacks shall be in accordance with the following Table and Figures 4.6G and 4.6H.	The development is required to setback the upper floor level by 4m from Victoria Road. The development complies with this requirement.	Yes
b. The ground floor and lower levels of buildings on Victoria Road (except within the Gladesville Town Centre precinct) must be set back 2m from the front property boundary and built to this alignment. Paving and footpath treatments to be provided within the setback area in accordance with Section 3.3 of this DCP and Ryde Public Domain Technical Manual.	Achieved	Yes
c. All levels of buildings in side streets must be setback a minimum 2m except as shown in Key Site Diagrams (Refer chapter 4.0 this Part). Street trees and deep soil are to be provided within the setback area.	Not applicable to this site	N/A
d. Buildings on the western side of Osgathorpe Street must be set back 3m and built to this alignment, with deep soil & large canopy trees in front setback.	Not applicable to this site	N/A
e. All levels of buildings in Farm Street must be set back 6m, and built to this alignment with deep soil and large canopy trees in the front setback.	Not applicable to this site	N/A

ITEM 2 (continued)

ATTACHMENT 2

3.1.5 - Rear setbacks and residential amenity		
Requirements	Proposal	Comply
a. Provide 9m ground level setback at the rear of sites fronting Victoria Road in the North Gladesville and Monash Road Precincts except as shown in Key Sites Diagrams. Refer Figure 4.6I Setback I.	Not applicable to this site	N/A
b. Provide 12m separation minimum above the ground floor between residential buildings (including existing residential buildings on adjacent sites).	Not applicable to this site	N/A
c. Buildings fronting Victoria Road may build to the side boundary for a depth of 20m measured from the street frontage. A side setback is then required to achieve 12m separation between proposed and potential residential land uses.	Generally achieved for most of the building. Due to the awkward shape of the site a portion of the rear of the building achieves only a 9m separation from No. 2 Pearson Street. That separation is acceptable as the design affords a satisfactory level of privacy. A setback of only 2.5m is achieved from the adjacent site to the north. Currently it supports commercial building, but in the future that land may be re-developed. The design of this building includes minimal openings to that boundary such that privacy to/from any future residential building should also be satisfactory.	No - but satisfactory on merit.
d. Predominantly residential activities should be located adjoining low density residential areas including at the rear. If this is not practicable, activities that do not produce negative impacts in terms of noise, light, sound and odour are encouraged.	Achieved	Yes

ITEM 2 (continued)

ATTACHMENT 2

3.1.6 - Conservation area built form design guidelines		
Requirements	Proposal	Comply
Not applicable to this site.		
3.1.7 - Awning		
Requirements	Proposal	Comply
Not applicable to this site.		
Section 3.2 - Access		
3.2.1 - Minimum street frontage / site amalgamation		
Requirements	Proposal	Comply
a. Any development within the North and South Gladesville Precincts is to have a minimum 40m frontage to Victoria Road and one driveway crossing maximum, unless it can be demonstrated that access may be achieved from the local road network.	The site has a frontage to Victoria Road of 34.6m, a shortfall of only 5.4m. As the objective of this control is to minimise the number of driveways connections to Victoria Road, no concerns arise given this proposal relies upon vehicle access only from Pearson Street.	No - but satisfactory on merit.
3.2.2 - Vehicular access		
Requirements	Proposal	Comply
a. Provide vehicular access from the local roads network in preference to Victoria Road. This will require development of public laneways within the rear setback of most sites in the North Gladesville and Monash Road Precincts in particular.	The proposal relies only upon vehicle access from Pearson Street.	Yes
b. Where a laneway is required, the new lane must include a 2-way carriageway, 6m wide and a footpath along one side 1.5m wide, to the satisfaction of Council	Noted - not applicable to this site	N/A
c. Gerard Lane shall be extended to create a connection running from Osgathorpe St to Gerard St.	Noted - not applicable to this site	N/A
d. Where a new lane is proposed to extend an existing lane, the new lane must be designed to seamlessly connect to the existing lane.	Noted - not applicable to this site	N/A

ITEM 2 (continued)

ATTACHMENT 2

3.2.3 - Parking		
Requirements	Proposal	Comply
a. Provide publicly accessible parking to support retail, entertainment and commercial land uses, church and educational institutions as shown on the Parking Control Drawing (Figure 4.6L) below, to Council's satisfaction.	Noted - not applicable to this site	N/A
b. The quantity of publicly accessible parking within the Town Centre Precinct shall equal or exceed existing public parking.	Noted - not applicable to this site	N/A
c. Provide secure bicycle parking in every building equal in area to 1 car space for every 100 car spaces or part thereof.	Achieved	Yes
Section 3.3 - Public domain		
3.3.1 - Pedestrian connections		
Requirements	Proposal	Comply
Not directly applicable to this site. Identified upgrades to the public domain are achieved by conditions. (see conditions Nos. 44, 45 and 46)		
3.3.2 - Public domain framework		
Requirements	Proposal	Comply
Not applicable to this site		
3.3.3 - Landscape character		
Requirements	Proposal	Comply
Not directly applicable to this site. Identified upgrades to the public domain, including street trees to Victoria Road, are achieved by conditions. (see conditions Nos. 44, 45 and 46)		
3.3.4 - Urban elements		
Requirements	Proposal	Comply
Identified upgrades to the public domain, including street trees to Victoria Road, are achieved by conditions. (see conditions Nos. 44, 45 and 46)		
3.3.5 - Street sections introduction		
Requirements	Proposal	Comply
Noted.		

ITEM 2 (continued)

ATTACHMENT 2

3.3.6 - Victoria Road section - South Gladesville precinct		
Requirements	Proposal	Comply
a. Provide paving, seats, benches and bins as selected by Council in accordance with the Ryde Public Domain Technical Manual.	Compliance achieved by conditions (see condition No44 and 46)	Yes
b. Provide seating and shelter (awnings or bus shelter) at all bus stops, and provide seating at community facilities and drop off points. Seating shall be in accordance with Ryde Public Domain Technical Manual.	Compliance achieved by conditions (see condition No 44 and 46)	Yes
c. Provide new street lighting to primary and secondary streets as selected by Council and underground power cables.	Compliance achieved by conditions (see condition No 44 and 46)	Yes
d. Provide pole lighting, lighting from building awnings and structures, in new public spaces, to ensure night time pedestrian safety to Council satisfaction.	Compliance achieved by conditions (see condition No 44 and 46)	Yes
Section 4 - Key sites		
Not applicable to this site.		

Other Detailed Provisions		
The proposed development is to comply with the provisions of the following parts of the DCP:		
<ul style="list-style-type: none"> Part 7.1 – Energy Smart, Waterwise 	The proposed development is supported by a BASIX certificate which satisfies requirements for sustainability with regard to water, thermal comfort and energy	Yes
<ul style="list-style-type: none"> 7.2 Waste Minimisation and Management 	A waste management plan has been submitted with the application and is adequate.	Yes
<ul style="list-style-type: none"> 8.1 Construction Activities 	Capable of complying subject to conditions recommended by Council's Development Engineer and standard conditions of consent.	Yes

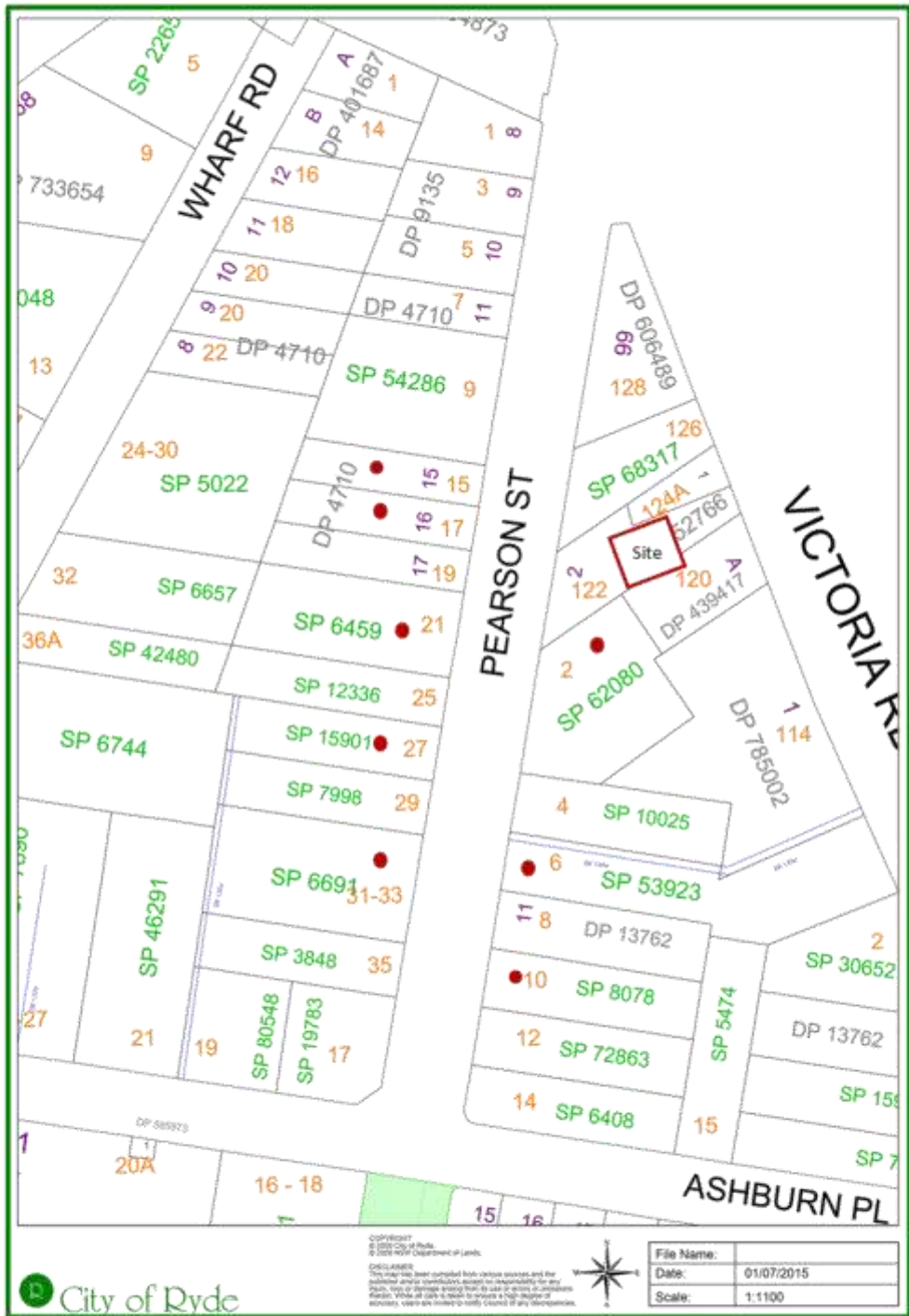
ITEM 2 (continued)

ATTACHMENT 2

<ul style="list-style-type: none"> • 8.2 Stormwater Management 	Arrangements for the collection and disposal of stormwater are satisfactory.	Yes subject to conditions
<ul style="list-style-type: none"> • 8.3 Driveways 	The location and design of the driveway has been confirmed as satisfactory by Council's Development Engineer.	Yes, subject to conditions
<ul style="list-style-type: none"> • 9.2 Access for People with Disabilities • Class 2 Requirements • An accessible path of travel from the street to and through the front door of all units on the ground floor, where the level of the land permits. If the development has three or more residential storeys, with 10 or more units, to all units on all storeys. 	An accessible path of travel from Victoria Street to the front door of all units on the ground floor is provided. Lift access is then provided to all upper levels, and which also connects to the basement parking, including the required adaptable and visitor spaces.	Yes, subject to conditions
1 wide bay space for each accessible or adaptable unit At least 1 wide bay visitors' space	Achieved	Yes
<ul style="list-style-type: none"> • 9.3 Car Parking Residential Development - High Density (Residential Flat Buildings) 	Parking supply, allocation and location is satisfactory. Refer to detailed discussion in assessment report.	Yes, subject to conditions
2.7 Bicycle Parking a. In every new building, where the floor space exceeds 600m ² GFA (except for dwelling houses and multi unit housing) provide bicycle parking equivalent to 10% of the required car spaces or part thereof.	Bicycle parking spaces provided within the basement	Yes
<ul style="list-style-type: none"> • 9.4 Fencing 	Boundary treatments are satisfactory	Yes
<ul style="list-style-type: none"> • 9.6 Tree Preservation 	Satisfactory	Yes

ITEM 2 (continued)

ATTACHMENT 3



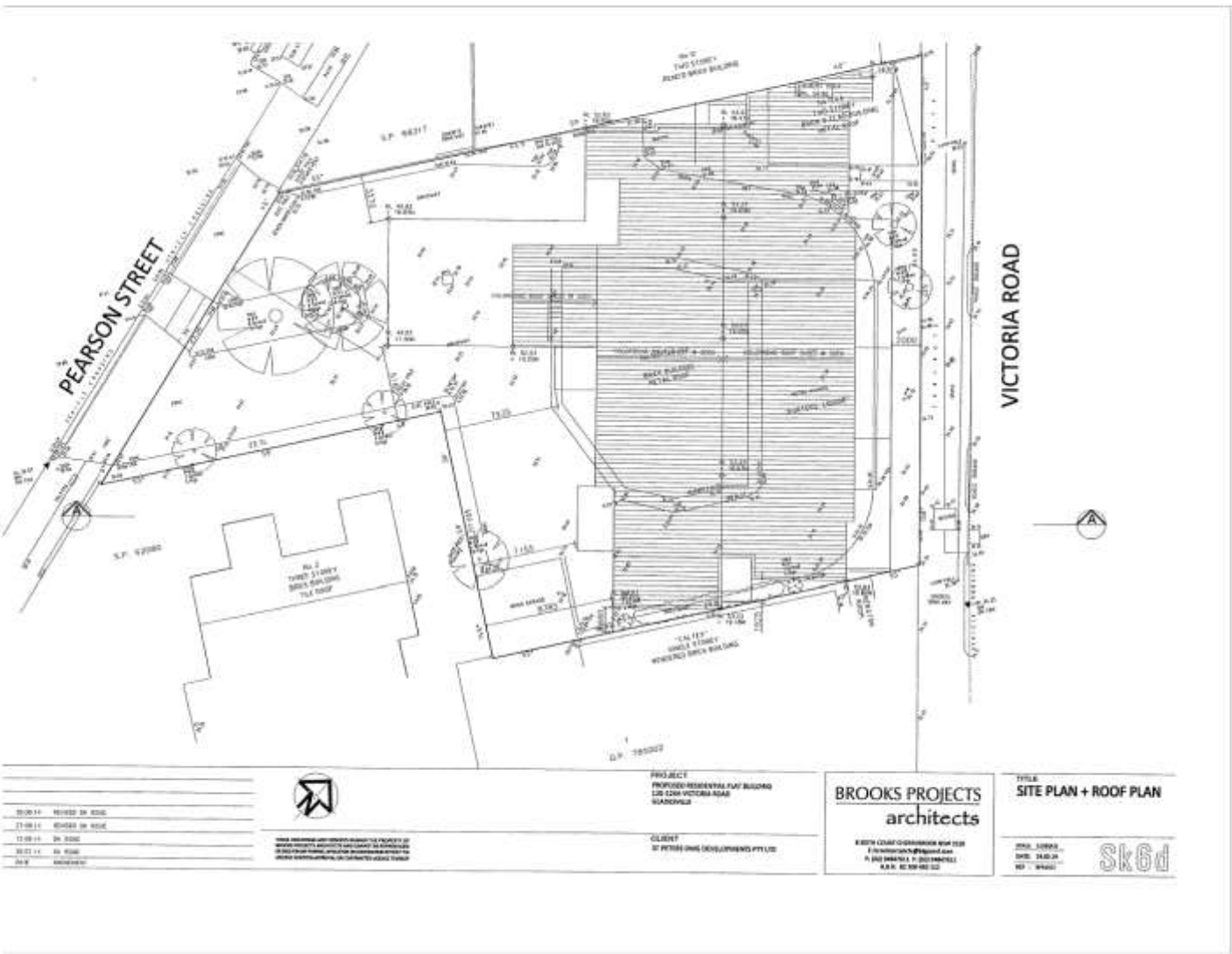
● Indicates submission received

note that several unit occupants from each strata have submitted objections

Also note: other objections were received with sender addresses not in direct vicinity

ITEM 2 (continued)

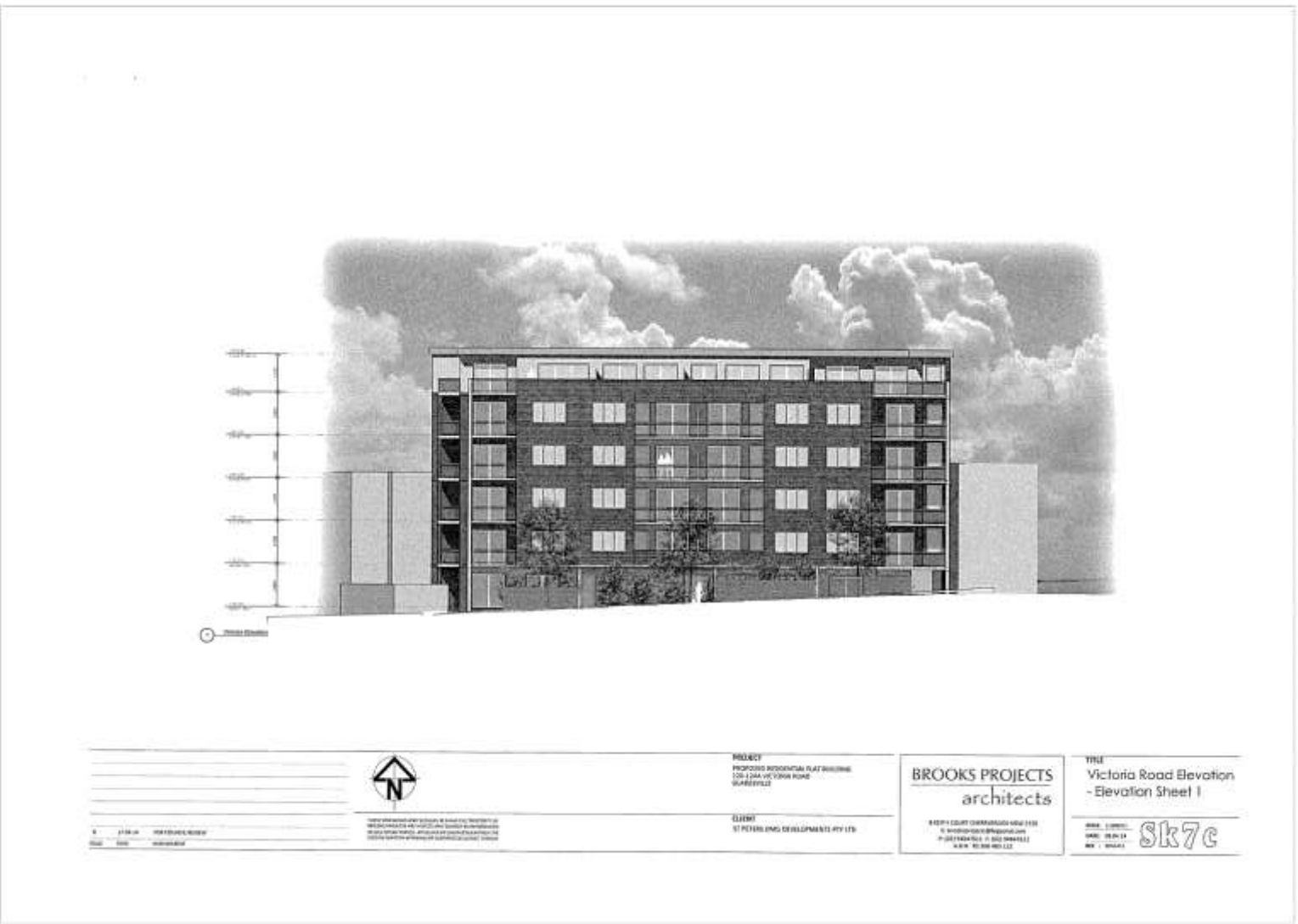
ATTACHMENT 4



General Page 1

ITEM 2 (continued)

ATTACHMENT 4



ITEM 2 (continued)

ATTACHMENT 4



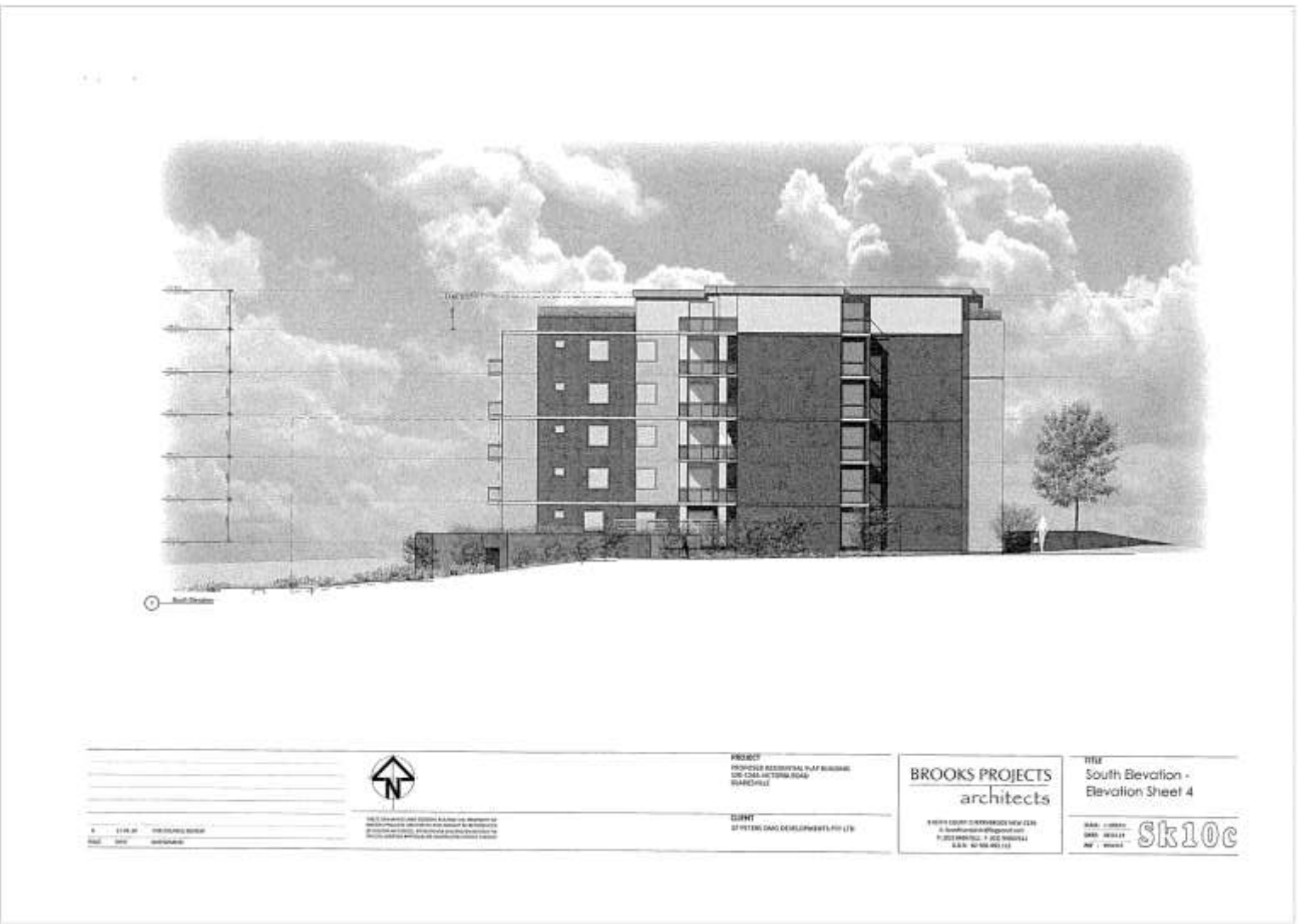
ITEM 2 (continued)

ATTACHMENT 4



ITEM 2 (continued)

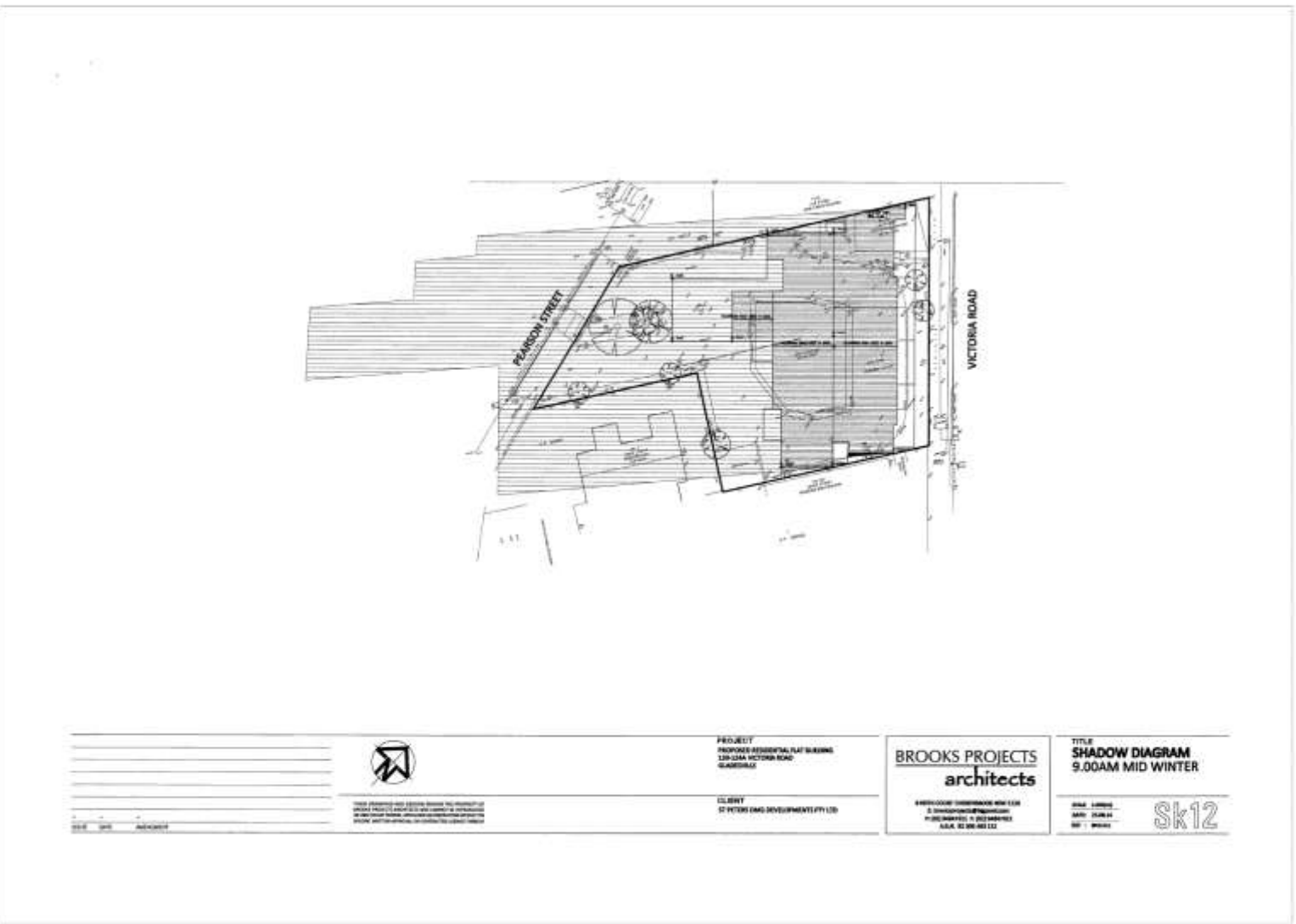
ATTACHMENT 4



<p>DATE: 11/14/15 DRAWN BY: [Name] CHECKED BY: [Name]</p>	 <p>ALL DIMENSIONS AND ELEVATIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED. DIMENSIONS ARE GIVEN IN METERS UNLESS OTHERWISE SPECIFIED. DIMENSIONS ARE GIVEN IN METERS UNLESS OTHERWISE SPECIFIED.</p>	<p>PROJECT PRINCIPLE RESIDENTIAL FLAT BUILDING 500 CHARLESTON ROAD WARDVILLE</p> <p>CLIENT ST PETERS GRASS DEVELOPMENTS PTY LTD</p>	<p>BROOKS PROJECTS architects</p> <p>1 NORTH COAST DRIVE WARDVILLE NSW 2112 A MEMBER OF THE BROADBENT GROUP P: 021 588 7222 F: 021 588 7244 E: B.P. @ BROOKS.PJ.A</p>	<p>TITLE South Elevation - Elevation Sheet 4</p> <p>SCALE: 1:100 DATE: 11/14/15 AN: [Name]</p> <p>sk10c</p>
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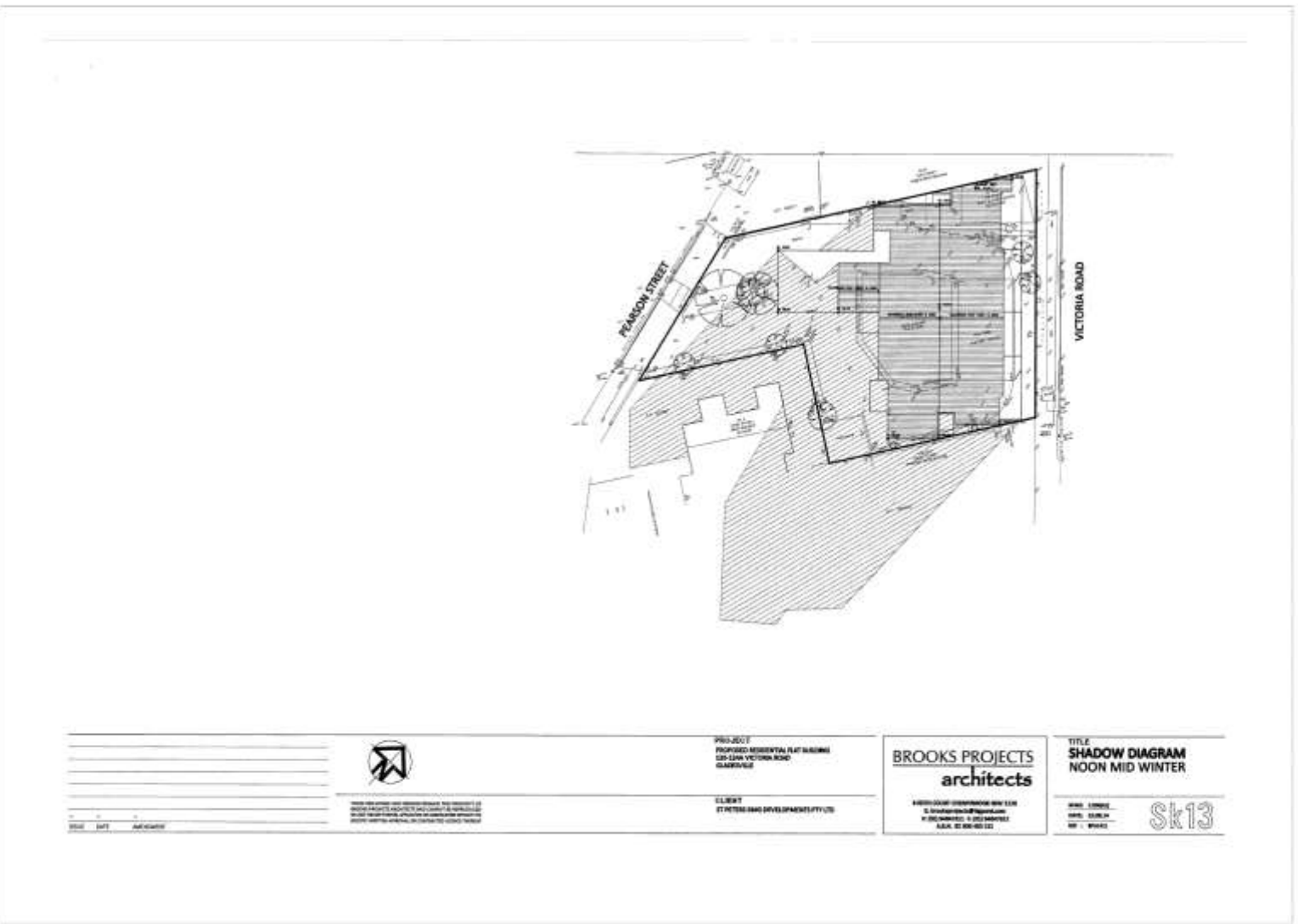
ITEM 2 (continued)

ATTACHMENT 4



ITEM 2 (continued)

ATTACHMENT 4



ITEM 2 (continued)

ATTACHMENT 4

