

**Item 1****13-15 Farm Street, Gladesville – LDA2025/0021**

**Alterations and additions to an existing residential flat building comprising alterations to Levels 3 & 4 and the addition of a fifth storey.**

---

**Report prepared by:** Senior Town Planner

**Report approved by:** Manager Development Assessment

---

**City of Ryde  
Local Planning Panel Report**

<b>DA Number</b>	LDA2025/0021 PAN-508756
<b>Site Address &amp; Ward</b>	13-15 Farm St Gladesville Lot 1 DP 1251402 East Ward
<b>Zoning</b>	MU1 – Mixed Use
<b>Proposal (as amended)</b>	Alterations and additions to an existing residential flat building comprising alterations to Levels 3 & 4 and the addition of a fifth storey.
<b>Property Owner</b>	Farm Road Developments Pty Ltd
<b>Applicant</b>	The Trustee for Farm Road Developments Unit Trust
<b>Report Author</b>	Sandra McCarry
<b>Lodgement Date</b>	19 February 2025
<b>Notification No. of Submissions</b>	Notified from 20 February to 8 March 2025. 3 submissions received: 2 objecting to the proposal and 1 asking about the proposal.
<b>Cost of Works</b>	\$495,000.00
<b>Reason for Referral to LPP</b>	Sensitive Development under Schedule 1, Part 4 of the <i>Local Planning Panels Direction</i> : Development to which <i>State Environmental Planning Policy (Housing) 2021, Chapter 4 (Design of residential apartment development)</i> applies.



Recommendation	Approval
<b>Attachments</b>	Attachment 1: Recommended Conditions of Consent Attachment 2: Apartment Design Guide (ADG) Compliance Table Attachment 3: Clause 4.6 Written Variation Request to Height of Buildings Attachment 4: Proposed Architectural Plans and Stormwater Plans

## 1. Executive Summary

This report considers a development application (DA) under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act) on land at 13-15 Farm Street, Gladesville and legally described as Lot 1 DP 1251402.

This DA (LDA2025/0021) was lodged on 19 February 2025 and seeks consent for alterations and additions to an existing residential flat building comprising alterations to Levels 3 and 4 and the addition of a storey (5<sup>th</sup>) to accommodate a new 3 bedroom apartment.

In accordance with the Act and Section 9.1 *Local Planning Panel Direction* by the Minister, this application is reported to the Ryde Local Planning Panel for determination as it constitutes sensitive development to which State Environmental Planning Policy (Housing) 2021, Chapter 4 (Design of residential apartment development) applies.

The application is accompanied by a Clause 4.6 request seeking to vary Clause 4.3(2) of the Ryde Local Environmental Plan (RLEP) 2014 as the proposal exceeds the allowable building height. Under the provisions of Clause 4.4 of the RLEP 2014, the site is mapped as having a maximum permitted building height of 12m. However, this DA is subject to a 30% floor space ratio (FSR) and height bonus under Section 16 of SEPP (Housing) 2021 as the development provides at least 15% of the FSR towards an affordable housing component of the development. This bonus increases the permissible height of buildings to 15.6m. However, the proposed addition results in a maximum height of 16.005m equating to a 0.405m or an additional 2.6% variation to the bonus height standard. The non-compliant elements of the building accommodate a section of lift overrun and section of the roof overhang.

The term “affordable housing component” is defined in s15B of SEPP (Housing) 2021 as follows:

***Affordable housing component, of development, means the percentage of the gross floor area used for affordable housing.***

The definition of affordable housing component requires:

- a) the gross floor area of the development (which in this case, including additional proposed gross floor area is 1,936m<sup>2</sup>); and



- b) the gross floor area to be used for affordable housing (which in this case is 295m<sup>2</sup>).

Accordingly, the percentage of the gross floor area used for affordable housing is calculated as 15% of 1,936m<sup>2</sup> = 290m<sup>2</sup> of new affordable housing. The applicant has provided 295m<sup>2</sup>, complying with the required affordable housing component.

The proposal generally complies with the relevant planning controls with the exception of building height and a minor 500mm shortfall of building separation. Despite these non-compliances the proposal achieves the objectives of Clause 4.3 Height of Buildings of RLEP 2014 and Section 15A of SEPP (Housing) 2021 as it is not considered to result in additional amenity impact to adjoining properties. The proposal was referred to Council's Urban Design Officer who has raised no objections to the additional height (storey). The proposed additions are considered to provide a development which is still in keeping with the character of nearby development, with minimal overshadowing and privacy impacts and is compatible with the desired future character of the area.

This DA was notified between 20 February 2025 to 8 March 2025. Three (3) submissions were received; 2 objecting to the proposal and 1 asking about the proposal. Details of the proposal were sent to the person enquiring about the development and no further submission was received from that person.

Concerns raised in the other 2 submissions related to the site already being an overdevelopment; the additional overshadowing; and insufficient parking to meet demand, especially during garbage bins collection times.

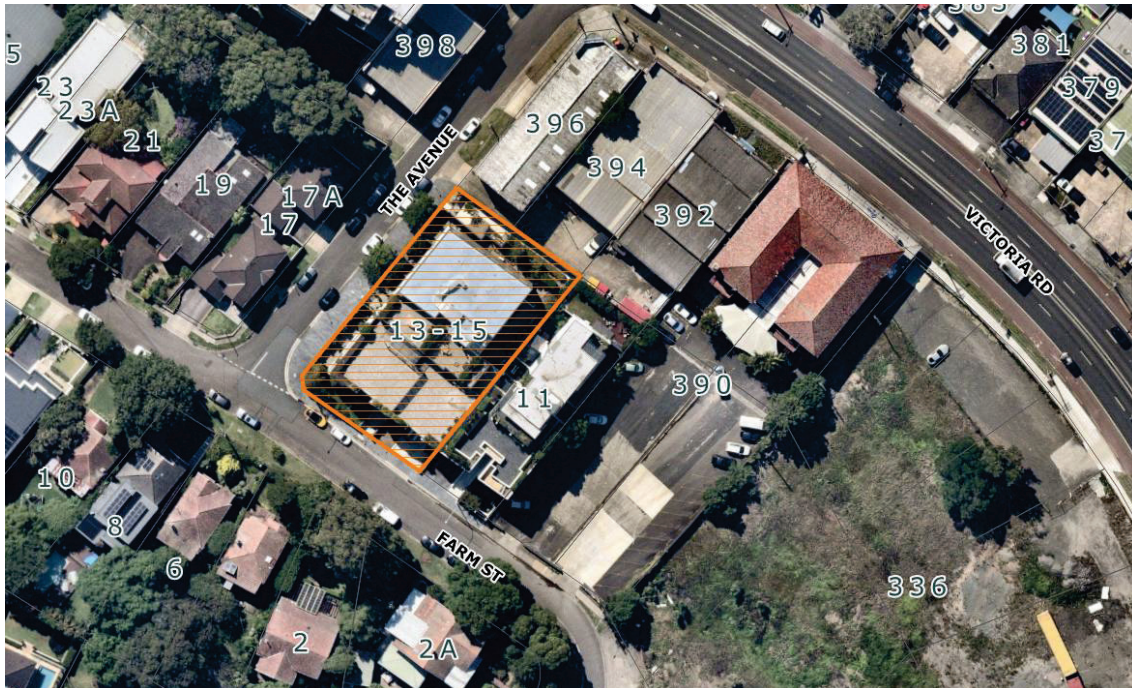
On 11 March 2025, Council wrote to the applicant advising that reducing the third floor side eastern setback from 3m (existing) to a nil setback is not supported and that the 3m setback is to be retained. Council also requested clarification of proposed bonus floor space and height; parking clarification; allocation of the affordable housing component (the affordable housing component cannot utilise the existing affordable housing); and to provide shadow diagrams showing the existing and proposed overshadowing.

Amended plans were received 1 April 2025 which removed the proposed extension to the side eastern setback for Unit 21 on the third floor, retaining the existing 3m setback. As amended, the proposal has appropriately responded to the requests for information and provides an appropriate design response to the issues raised throughout the assessment. As the amendment will result in an improved outcome, the revised plans were not required to be renotified.

The assessment of the proposal against the relevant planning framework, and consideration of various design matters by Council's Technical Departments have not identified any fundamental issues of concern. Having regard to the matters for consideration under Section 4.15 of the Act, it is recommended that Development Application No. LDA2025/0021 be granted consent, subject to the recommended conditions of consent.



## 2. The Site & Locality



**Figure 1** Aerial photograph of the site and locality. Ryde Maps April 2024.

The site is legally described as Lot 1 within DP 1251402 and is known as 13-15 Farm Street, Gladesville. The site is rectangular in shape and a corner allotment with a 26.1m frontage to Farm Street and 45m frontage to The Avenue. The site has a total site area of 1,295.8m<sup>2</sup>. The northern rear boundary has a length of 27.9m and the eastern side boundary has a length of 46.5m.

The site has a moderate slope with a fall towards Farm Street of 5.8m from front to rear.

The site currently accommodates a 4 storey residential apartment building which was approved via LDA2018/0500 for construction of a part 3/part 4 storey residential apartment building containing 21 dwellings over basement parking for 26 vehicles. This DA was approved under the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009.

### Adjoining properties

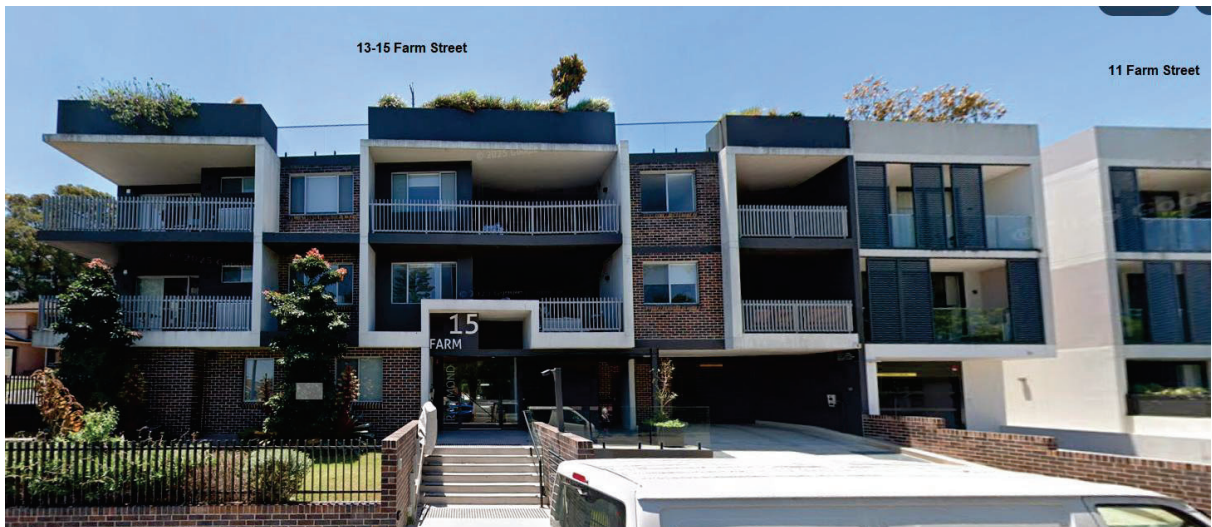
The area surrounding the site is a mix of residential and commercial uses including adjacent multi-level apartment buildings to the east and north-west (along Victoria Road). There are commercial and light industrial uses along Victoria Road and to the west, and single and two storey dwellings to the south.

The streetscape of Farm Street is chiefly populated by single and two-storey dwellings to the south of the site. The adjacent neighbouring site to the east (11 Farm Street) is 4 storey multi-residential apartments with zero to 3m boundary setback with the subject site. Further east, a carpark caters for the Sawdust Hotel located at 390 Victoria Road, Gladesville.





**Figure 2:** Residential dwellings on the opposite side (south of the site) in Farm Street. Generally single/two storey dwellings.



**Figure 3:** View of subject site from Farm Street.





Figure 4: 11 Farm Street, adjacent east of the site, a part 3/ part 4 storey RFB.

### 3. The Proposal (as amended)

This application is for the alterations and additions to the existing residential flat building, specifically to the upper two levels with the addition of a fifth storey as follows:

- Additional storey to accommodate a new 3 bedroom apartment on Level 5.
- A new covered area to part of the external courtyard of existing Unit 19 on Level 4.
- Additions and alterations to Unit 21 on Level 3 to converting it from a studio to a 2 bedroom apartment.

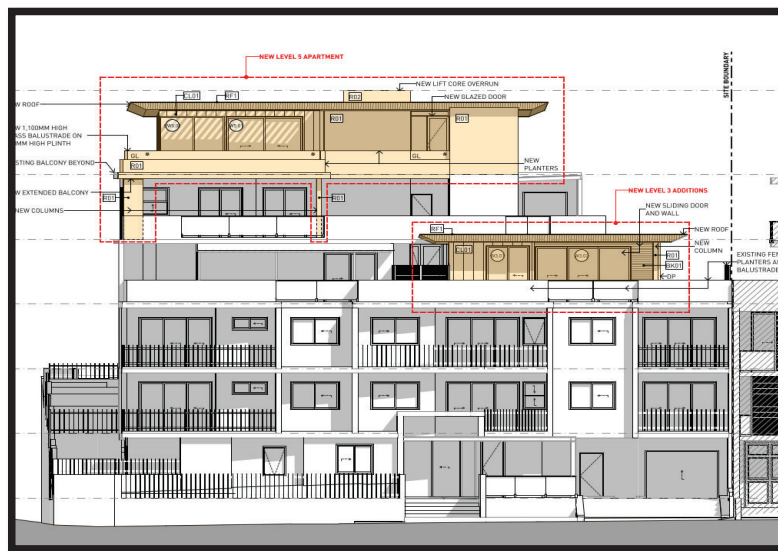


Figure 5: Elevation view from Farm Street. The proposed additions are shown coloured comprising an additional apartment (top left) to create new Level 5. This creates a covered area for part of the Unit 19 external courtyard. And extension of Unit 21 from a studio to 2 bedroom apartment (right).



## 4. History

### 4.1 Site History

Date	Comment
14 November 2019	LDA2018/0500 was approved by the Ryde Local Planning Panel as a Deferred Commencement Consent for construction of a part 3/part 4 storey residential apartment building containing 21 dwellings over basement parking for 26 vehicles. This DA was approved under the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009. The deferred commencement condition was satisfied, and the consent became operative on 11 December 2024.

### 4.2 Application History

Date	Comment
19 February 2025	The subject DA was lodged.
20 February to 8 March 2025	This DA was notified to surrounding properties. In response, 3 submissions were received.
11 March 2025	A letter was sent to the applicant requesting clarification on the bonus floor space proposed, amendment to the eastern side setback on the third floor level, allocation of the affordable housing component and amended shadow diagrams.
1 April 2025	Amended plans and information received.

## 5. PLANNING ASSESSMENT

### Environmental Planning and Assessment Act 1979 – Section 4.15 Evaluation

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development:

#### Any environmental planning instrument

#### 5.1 State Environmental Planning Instruments

##### State Environmental Planning Policy (Housing) 2021 – Chapter 2 Affordable housing.

The existing building was approved with provision for affordable housing. This approval was issued under the (now repealed) *State Environmental Planning Policy (Affordable Housing) 2009*.

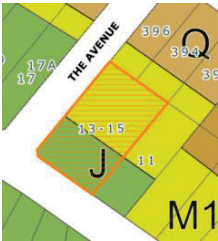
This application now seeks consent to add to the existing constructed residential apartment building under the provisions of *State Environmental Planning Policy*



(Housing) 2021, to provide an additional 1 x 3 bedroom apartment and convert a studio to a 2 bedroom apartment. The relevant clauses are considered below.

State Environmental Planning Policy (Housing) 2021 Chapter 2 Affordable housing		
Clause	Proposed	Compliance
Part 2 Development for affordable housing 15C Development to which division applies. (1) This division applies to development that includes residential development if— (a) the development is permitted with consent under Chapter 3, Part 4, Chapter 5, Chapter 6 or another environmental planning instrument, (b) the affordable housing component is at least 10%, and (c) all or part of the development is carried out— (i) for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or (ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.  (2) Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division.	Permitted under Part 4  The affordable housing component is 15%.  -  The subject site is located within a relevant land use zone – MU1.  The proposed alterations and additions seek to deliver in-fill affordable housing.  The original DA (LDA2018/500) approved 20.8% of GFA as affordable housing (Units 2, 3, 4, 5, 6 & 7 on the first floor).  This proposal has allocated <b>295m<sup>2</sup></b> of floor space that is not part of the existing affordable allocation, being Units 8, 9, 14, 15 & 17 as shown on Plan No 24_040_DD-A-800.	Yes  Yes   Yes    Yes



<p><b>Clause 16: Affordable housing requirements for additional floor space ratio</b></p> <p>(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</p> <p>(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—</p> <p><math display="block">\text{affordable housing component} = \frac{\text{additional floor space ratio (as a percentage)}}{2}</math></p> <p>(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that <u>is the same percentage as the additional floor space ratio permitted under subsection (1)</u>.</p>  <p>Key: J is 9.5m. M1 is 12m.</p> <p>(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.</p>	<p>Site area = 1,295m<sup>2</sup></p> <p>The maximum FSR allowed is 1.15:1 being 1,489.25m<sup>2</sup>. Additional bonus <u>30%</u> = 1,936m<sup>2</sup> FSR permitted: 1.49:1</p> <p>Proposed: 1.49:1</p> <p>30%/2 = 15% of the GFA of 1,936m<sup>2</sup> = 290.4m<sup>2</sup> to be provided as affordable housing.</p> <p>Height bonus = 30% (same as floor space)</p> <p>The site has 2 height zones:</p> <p>1. 9.5m (J) x 30% = 2.85 Max height = <u>12.35m</u> Proposed = 11.07m</p> <p>2. 12m (M1) x 30% = 3.6 Max height = <u>15.6m</u> Proposed = 16.005m</p> <p>Noted.</p>	<p>Yes</p> <p>Yes. Units 8, 9, 14, 15 &amp; 17 = 297m<sup>2</sup> as affordable housing, which is 15.34%.</p> <p>Yes (applying the same bonus percentage of 30%).</p> <p>No. Variation sought as discussed in the Clause 4.6 consideration below.</p>
<p><b>Clause 18 Affordable housing requirements for additional building height</b></p> <p>1) This section applies to development that includes residential development to which this division applies if the development—</p> <p>(a) includes residential flat buildings or shop top housing, and</p> <p>(b) does not use the additional floor space ratio permitted under section 16.</p> <p>(2) The maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building</p>	<p>See above in Clause 16</p> <p>Height bonus = 30% (same as floor space)</p>	



<p>height of up to 30%, based on a minimum affordable housing component calculated in accordance with subsection (3).</p> <p>(3) The minimum affordable housing component, which must be at least 10%, is calculated as follows—</p> <p><b>affordable housing component = additional building height ÷ 2 (as a percentage)</b></p>	<p>The site has 2 height zones:</p> <p>1. 9.5m (J) x 30% = 2.85 Max height = <u>12.35m</u> Proposed = 11.07m</p> <p>2. 12m (M1) x 30% = 3.6 Max height = <u>15.6m</u> Proposed = 16.005m (2.6% variation)</p>	<p>Yes</p> <p>No – Clause 4.6 variation submitted</p>
<p><b>Clause 19 non-discretionary development standards—the Act, s4.15</b></p> <p>(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—</p> <p>(a) a minimum site area of 450m<sup>2</sup>, (b) a minimum landscaped area that is the lesser of— (i) 35m<sup>2</sup> per dwelling, or (ii) 30% of the site area,</p> <p>(c) a deep soil zone on at least 15% of the site area, where— (i) each deep soil zone has minimum dimensions of 3m, and (ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,</p> <p>(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,</p> <p>(e) the following number of parking spaces for dwellings used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms—at least 1 parking space,</p> <p>(f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,</p>	<p>1,295.8m<sup>2</sup> 30% of the site area = 388.5m<sup>2</sup> Existing = 380m<sup>2</sup> + 170m<sup>2</sup> = 550m<sup>2</sup> = 40% Same as approved via LDA2018/500.</p> <p>No changes to the approved landscaping.</p> <p>Living area &amp; open space of the new additional Unit 22 will be able to receive solar access to its northern window between 11am to 2pm and solar access to the balcony area.</p> <p>4 x 1 bedroom = 4 x 0.4 = 1.6 1 x 2 bedroom = 1 x 0.5 = <u>0.5</u> = 2.1</p> <p>3 x 0.5 = 1.5 8 x 1 = 8.0 5 x 1.5 = <u>7.5</u> = 17.0</p> <p>Total = 19.1 = 20 spaces</p> <p>Total provided = 26</p> <p>New 3 bedroom = 115m<sup>2</sup></p>	<p>Yes</p> <p>Yes</p> <p>Satisfactory as no change to existing</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>



<p>(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,</p> <p><b>4D Apartment size and layout</b></p> <p>Apartments are required to have the following minimum internal areas with one bathroom:</p> <ul style="list-style-type: none"> <li>• Studio = 35m<sup>2</sup>;</li> <li>• 1 bedroom = 50m<sup>2</sup>;</li> <li>• 2 bedroom = 70m<sup>2</sup>;</li> <li>• 3 bedroom = 90m<sup>2</sup>;</li> <li>• 4 bedroom = 102m<sup>2</sup>.</li> </ul> <p><u>Note:</u></p> <p>Additional bathrooms increase the minimum internal area by 5m<sup>2</sup>.</p>	<p>Converted 2 bedroom = 75m<sup>2</sup></p>	
---	--	--

## Section 20 – Design Requirement

3) *Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with—*

- (a) the desirable elements of the character of the local area, or*
- (b) for precincts undergoing transition—the desired future character of the precinct.*

The Section 20 requirements include that the consent authority is to be satisfied that the proposed development meets the desired future character for precincts undergoing transition.

The topography of the site slopes towards Farm Street, a level difference of 5.8m from front to rear. It is noted that the surrounding area primarily consists of single dwellings along Farm Street with commercial development to the rear/north of the site. The existing commercial development to the site's rear, along Victoria Road comprise of 2 to 3 storey office/warehouse buildings that has not yet been redeveloped. There is potential for redevelopment of this area along Victoria Road for 5 to 6 storey mixed use buildings.

The proposed additional storey will be located at the top of the existing building. The proposed design is considered suitable for the site given the proposal is consistent with the desired future character of the locality by virtue of density and height provisions applicable to the site. The height and building separation non-compliances are relatively minor and is not considered to adversely impact on the existing character or the desired future character of the area.

In addition, the proposed development will support the delivery of additional in-fill affordable housing units in well-located areas as the site is serviced by existing infrastructure and services, including being within walking distance to public transport services.

Council's Urban Design Officer has reviewed the proposal against the 9 Design Principles for residential apartment development and has raised no objection. The



proposal was also assessed against the Apartment Design Guide (ADG) and considered to be suitable. See **Attachment 2** for further details.

Section 21 - Must be used for affordable housing for at least 15 years.

The affordable housing apartments are required to be managed by a registered community housing provider for a period of at least 15 years. The applicant has acknowledged this requirement, and a condition is included to ensure this requirement is satisfied.

Section 22 - Subdivision permitted with consent.

This clause states that the affordable housing apartments may be subdivided with consent from the relevant authority provided the subdivision plans are provided. However, subdivision is not proposed as part of this application.

**State Environmental Planning Policy (Housing) 2021 –Chapter 4 Design of residential apartment development.**

Section 145 requires the proposal to be reviewed by a design review panel. Given the relatively minor alterations and additions proposed, the application was referred to Council's Urban Designer. This position was adopted by Council following review of Section 144(3) that states:

- (3) This chapter applies to development only if*
  - (a) the development consists of*
    - (i) the erection of a new building, or*
    - (ii) the substantial redevelopment or substantial refurbishment of an existing building, or*
    - (iii) the conversion of an existing building, and*
  - (b) the building is at least 3 storeys, not including underground car parking storeys, and*
  - (c) the building contains at least 4 dwellings.*

The proposal seeks an additional apartment and alterations of an existing apartment. Such works are not considered substantial redevelopment.

The application was still referred to Council's Urban Designer who has provided comments in response to Schedule 1 (the 9 design quality principles) of the Apartment Design Guide and is in support of the proposal. See **Attachment 2** for further details.

Apartment Design Guide (ADG)

Detailed consideration of the proposal against the ADG is provided in **Attachment 2** as required by Clause 147(1)(b) of this SEPP.

The proposal generally complies with the controls. The non-compliances are discussed below:



## Building separation

*Minimum separation distances for buildings are:*

- Five to eight storeys (approx. 25m):*
- 18m between habitable rooms/balconies
  - 12m between habitable and non-habitable rooms
  - 9m between non-habitable rooms

## Proposed

This proposal introduces an additional floor (5<sup>th</sup> floor). On the basis of equitability, 50% of the separation distances required by the ADG are to be provided on the subject site.

## Proposed 5<sup>th</sup> Floor

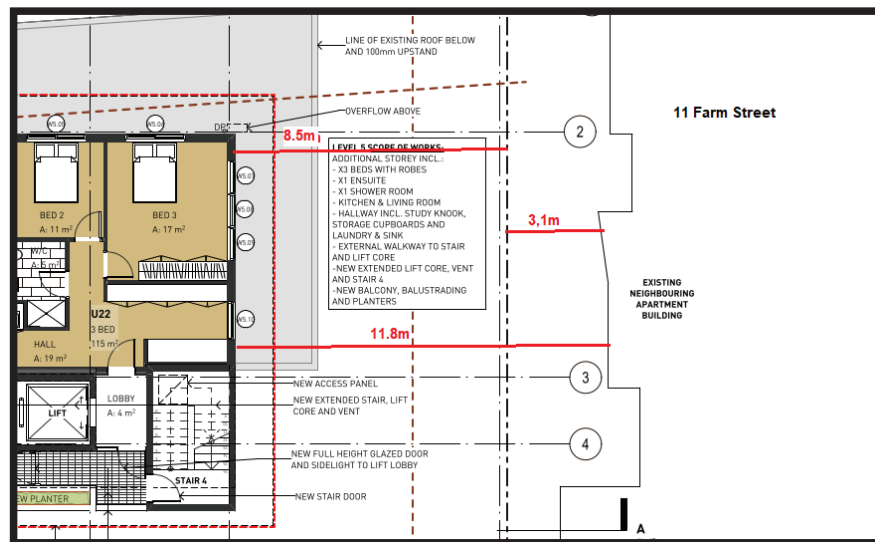
Eastern boundary (adjoining RFB at 11 Farm Street):

Required: 9.0m

Proposed: 8.5m

This site is required to provide 9m building separation to the eastern boundary (the site's share of 18m). The proposed separation is 8.5m, being a shortfall of 500mm.

The approved and existing building at 11 Farm Street is set back approximately 3.1m from the common boundary between 13 and 11 Farm Street, as shown below. The resulting separation between the buildings is 11.8m.



**Figure 6:** Floor plan illustrating the separation between the new addition and existing adjoining property along the eastern elevation.

The shortfall in the setback by the new apartment is not considered to pose adverse impacts such as overlooking, noise or overshadowing concerns from this non-compliance as:



- Only bedroom windows are proposed along the eastern elevation. A bedroom is not considered to be a high-use room;
- Along the western elevation of 11 Farm Street, there are screened bathroom windows, frosted bedroom windows and screen study windows, as shown below;
- There is only minor additional overshadowing to the western elevation of 11 Farm Street from 2pm onwards.

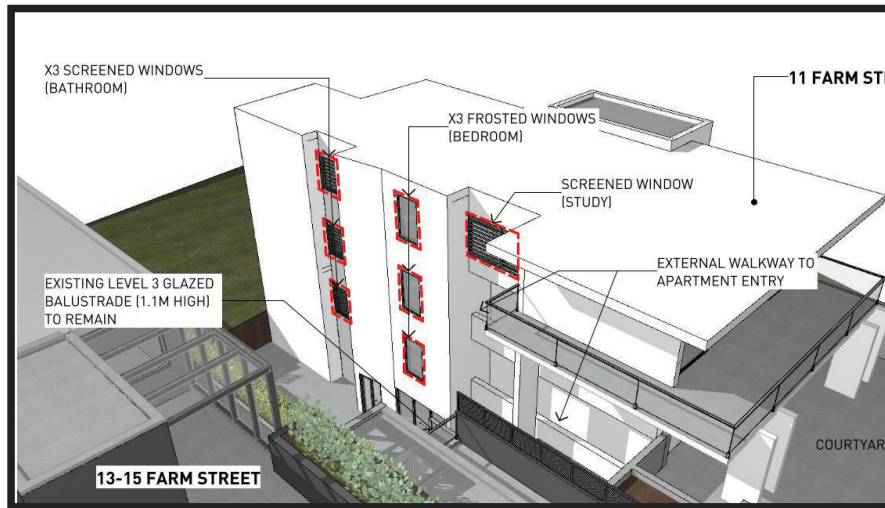


Figure 7: Western elevation of 11 Farm Street, facing the subject site.

#### Solar impact to adjoining properties.

Shadow diagrams have been submitted illustrating the existing and additional overshadowing impact from the proposed development.

The only property that will be impacted in terms of overshadowing is the adjoining property to the east (11 Farm Street). The properties on the opposite of Farm Street and The Avenue will not have any additional overshadowing as a result of this proposal.

The submitted shadow diagrams show that 11 Farm Street will have some additional overshadowing to their western elevation and courtyard area as shown below.



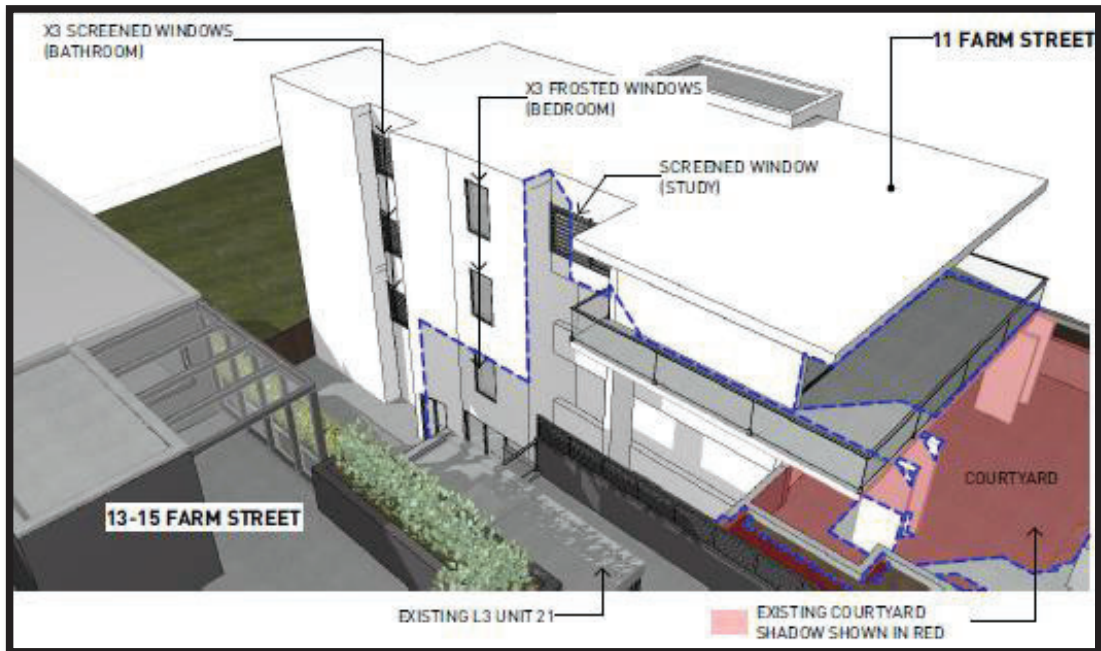


Figure 8: Existing overshadowing onto 11 Farm Street at 1pm.

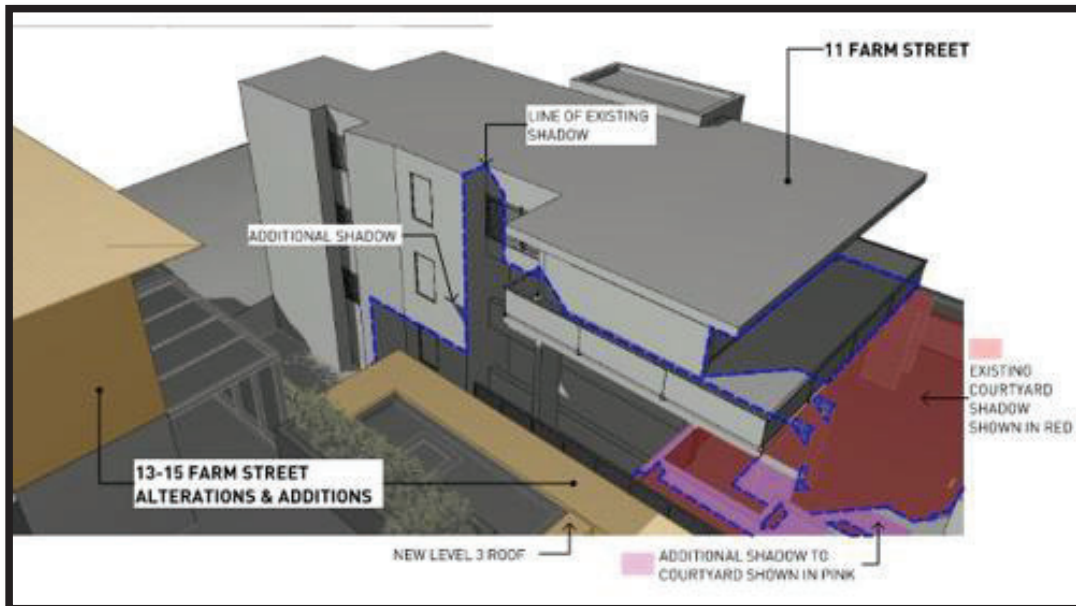


Figure 9: Additional overshadowing onto 11 Farm Street at 1pm.



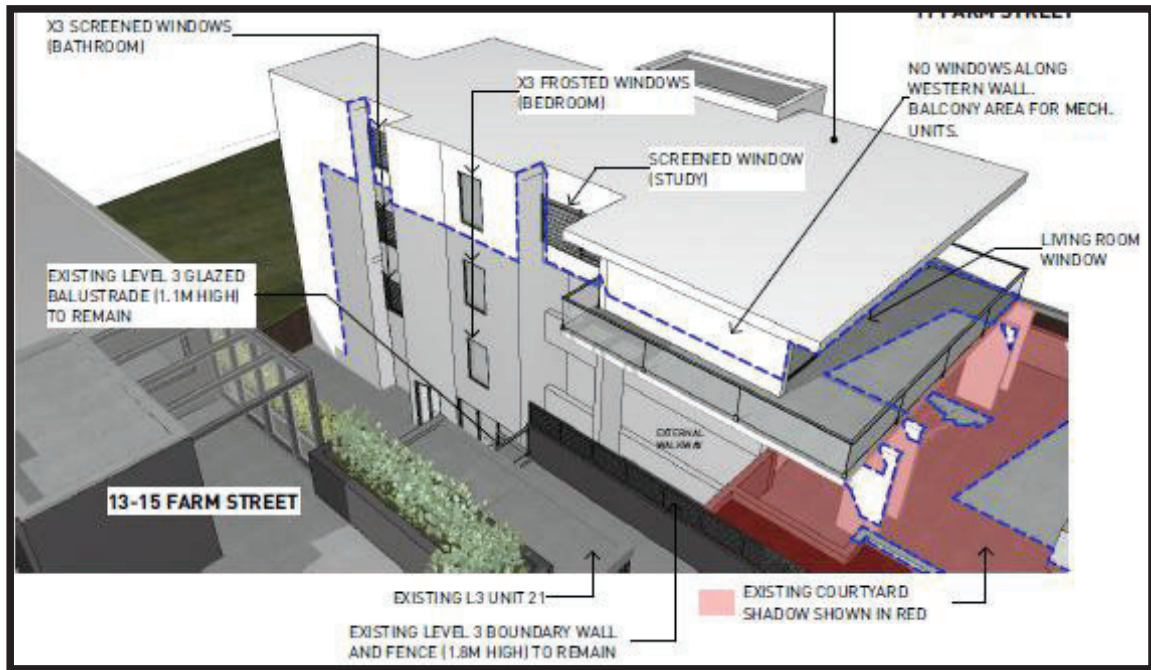


Figure 10: Existing overshadowing onto 11 Farm Street at 3pm.

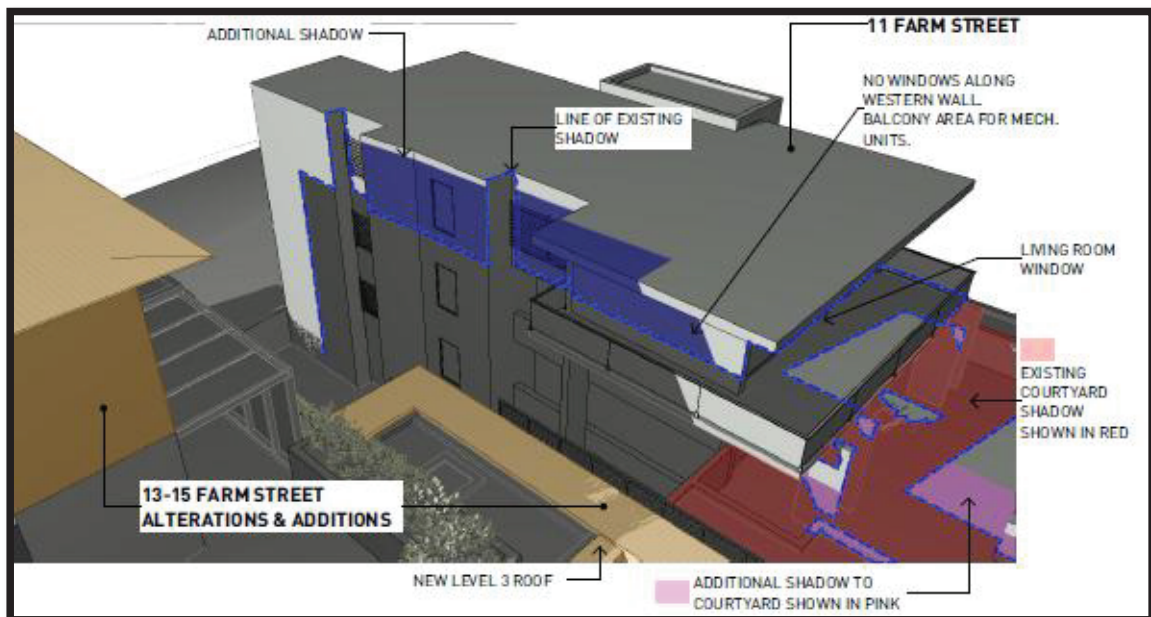


Figure 11: Additional overshadowing onto 11 Farm Street at 3pm to a bedroom and study room window and minor increase to the courtyard.

There are no living room windows located along the western elevation of 11 Farm Street, only a bathroom, bedroom and study room window.

Overshadowing to POS of the rear courtyards areas is unavoidable due to the orientation of the site. The existing situation is that the top floor rear courtyard (which is off their bedroom) will have some additional overshadowing to the western corner



of the balcony. However, this is relatively minor and given this is not their main POS, the impact is considered acceptable.

The overshadowing to the lower courtyard area (shown in pink) is to the building communal open space. The additional overshadowing is relatively minor, and the communal open space will still receive solar access to a large area of their COS (i.e. the mid and eastern sections). Figure 11 below illustrates the area of the COS of 11 Farm Street.

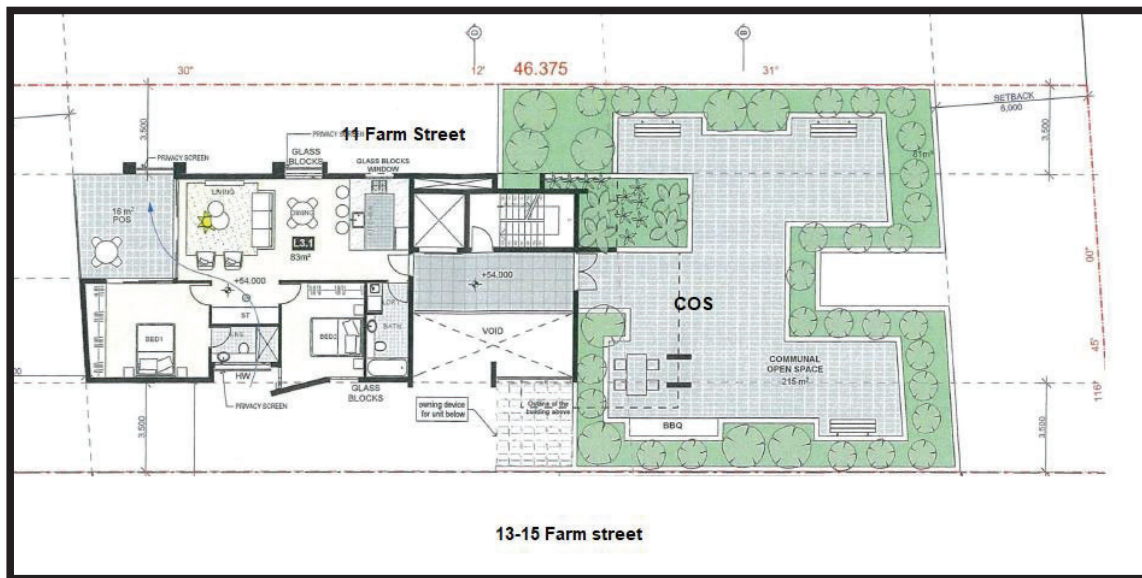


Figure 12: 11 Farm Street – location of the adjoining property's communal open space area.

## State Environmental Planning Policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 applies to the development and aims to encourage sustainable residential development.

A BASIX certificate accompanies the development application and demonstrates that the proposal achieves compliance.

## State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 Remediation of Land

This SEPP aims to 'provide a State-wide planning approach to the remediation of contamination of land.' Clause 4.6 of this SEPP requires Council to consider whether the site is contaminated, and if so whether it is suitable for the proposed development.

The former version of this SEPP (SEPP 55 Remediation of Land) was addressed in the original DA and this proposal does not alter the original assessment, which was adequately considered in the assessment of the proposal for the building.

Pursuant to Clause 4.6(1) considerations, the subject site is currently used for a residential purpose and this proposal does not affect the site at ground level. As such,



the site and existing building is unlikely to contain any contamination, and further investigation is not warranted in this case.

## 5.2 Ryde Local Environmental Plan 2014 (RLEP 2014)

### Clause 2.3 - Zone Objectives

The land is zoned MU1 Mixed Use under RLEP 2014. The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives for the MU1 Mixed Use are as follows:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To ensure employment and educational activities within the Macquarie University campus are integrated with other businesses and activities.*
- *To promote strong links between Macquarie University and research institutions and businesses in the Macquarie Park corridor.*

This DA is considered to maintain consistency with the above relevant objectives and will continue to provide additional residential accommodation, including affordable housing, within walking and cycling distance of retail and commercial development along Victoria Road and public transport bus routes to the city, Eastwood, Macquarie Park and West Ryde.

## Part 4 – Principal Development Standards

The proposal satisfies the relevant provisions of the RLEP 2014 as discussed in the following table:

Ryde LEP 2014	Proposal	Compliance
<b>Clause 4.3(2) Height</b>	<p>The site is subject to a maximum building height of 9.5m &amp; 12m under the RLEP 2014. However, incorporating the 30% height bonus permitted under SEPP (Housing) 2021, the site is subject to a maximum building height of 12.35m &amp; 15.6m, respectively.</p> <p>The proposed development includes a maximum building height of 15.6m within the section where the maximum height is 16.005m, which is a 0.405m or 2.6% height variation.</p>	No – see Clause 4.6 discussion below.



Ryde LEP 2014	Proposal	Compliance
	In this instance, a Clause 4.6 Request to vary a development standard is submitted.	
<b>Clause 4.4(2) Floor space ratio (FSR)</b>	The site is subject to a maximum FSR control of 1.15:1 under the RLEP 2014. However, incorporating the 30% FSR bonus permitted under SEPP (Housing) 2021, the site is subject to a maximum FSR of 1.495:1. The proposed FSR is 1.495:1, which complies.	Yes
<b>Clause 5.10 Heritage Conservation</b>	The site does not contain any heritage items nor is it located in a Heritage Conservation Area. The site is however in the vicinity of the 'Great North Road' (Victoria Road) which is an item of heritage significance listed on Schedule 5 of the RLEP 2014.	No impact to the heritage significant of the road. The heritage significance of the Great North Road for this section of the road, is embodied within its historical road alignment in plan form rather than the physical attributes of fabric of the roadway. Furthermore, the site is located over 50m from Victoria Road, behind 394-396 Victoria as such the site's physical separation from the item the proposal is not considered to result in any adverse heritage impacts.
<b>Clause 6.1 Acid sulfate soils</b>	The site is not impacted by acid sulfate soils.	N/A
<b>Clause 6.2 Earthworks</b>	The proposed development does not include excavation as this work involve alterations and additions to an existing building.	N/A
<b>Clause 6.4 Stormwater management</b>	The proposal incorporates suitable stormwater management measures to integrate the alterations and additions into the existing system.	Yes

#### Clause 4.6 Exceptions to Development Standards – Height of Buildings

Clause 4.3(2) relates to maximum height for buildings and prescribes a maximum height of 9.5m and 12m under the RLEP 2014. However, incorporating the 30% height bonus permitted under SEPP (Housing) 2021, the site is subject to a maximum building height of 12.35m and 15.6m, respectively.



The proposal seeks a building height of 16.005m (on the northern part of the site) that exceeds the maximum height standard by 405mm or 2.6%. Figures 9 & 10 below illustrate the extent of the variation.

Clause 4.6 of the RLEP 2014 provides flexibility in the application of planning controls by allowing Council to approve a development application that does not comply with a development standard. The proposed development contravenes Clause 4.3(2) of the RLEP 2014. Clause 4.6(3) prescribes the following prerequisite to support a variation request:

- (3) *Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that:*
- (a) *Compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
  - (b) *There are sufficient environmental planning grounds to justify the contravention of the development standard.*

The applicant submitted a Clause 4.6 variation request prepared by Smith & Tzannes which is provided at **Attachment 3**. In response to the standard being ‘unreasonable and unnecessary’ applicant’s main arguments are as under:

**(3)(a) - Unreasonable or Unnecessary**

- *The proposal achieves the objectives of the standard notwithstanding the non-compliance.*
- *The particular context and circumstances of the site and arrangement of the plan that makes it unreasonable.*
- *The non-compliance is of such a minor nature and is not discernible from the public domain.*

**Consistent with objectives of the zone**

*The site is located within Zone MU1 Mixed Use. Due to the existing and ongoing residential use on site and the extent of the proposed development (on the upper levels only), the objectives relating to ground level and employment opportunities are not relevant. The relevant objective of the zone is:*

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

*Applicant’s response: The proposed residential additions are compatible with adjoining residential uses. There is no additional height proposed on the part of the site where there is a lower height limit to assist with the transition to the lower density zone to the south.*



Consistent with objectives of Clause 4.3 Height of buildings

*Despite the non-compliance with the development standard the proposed development is consistent with the relevant objectives of clause 4.3. In particular:*

- *To ensure that street frontages of development are in proportion with and in keeping with the character of nearby development.*

*Applicant's response: The source of the height exceedance is located in the middle of the site, minimising its visual impact from the public domain and surrounding areas.*

- *To minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area.*

*Applicant's response: The overshadowing impacts of the proposed modification are minimal and the non-compliance with the height limit does not generate additional overshadowing impacts as the shadow falls on the roof of the proposed development.*

- *To minimise the impact of development on the amenity of surrounding properties.*

*Applicant's response: Acoustic and visual privacy impacts to neighbouring buildings are managed with adequate building separation and screening. Solar impacts resulting from the non-compliance do not impact surrounding properties.*

Consistency with objectives of SEPP (Housing) 2021

*Clause 15A of the SEPP (Housing) 2021 provides that the height bonuses in that division are provided to “facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.”*

Planning Comment

Agreed - the proposal achieves the objectives of Clause 4.3 of RLEP 2014 and Section 15A of SEPP (Housing) 2021 despite the height exceedance. The proposed variation results from the delivery of the lift overrun and the top of the parapet, which are relatively minor structures. Despite the variation, the proposal is able to achieve the objectives of the zone, development standard and the SEPP. The applicant has demonstrated that the compliance with the development standard would be unreasonable and unnecessary in this instance.

**(3)(b) – Sufficient Environmental Planning Grounds**

The applicant's 4.6 statement offers following environmental planning grounds in support of proposed variation:

Unique circumstances



*The proposal is unique in that the development standard is being applied to an alteration and addition of an existing building – the level of the site under the existing building has been highly modified and does not reflect the natural fall of the topography.*

*In any other ordinary application (say a development application for this site where there is no existing building) the height plane would more closely match the natural topography.*

*It is unreasonable and a poor planning outcome to require compliance with a standard that does not preserve this natural topography and result in buildings that step with the topography.*

#### Affordable Housing

*The existing building is able to accommodate both additional floor space and height and meet this social demand with minimum impact and reduced costs compared to a brand new development. It also enables extension of existing affordable housing for a longer period of time.*

#### Absurd outcome with strict compliance

*The definition of ground level (existing) when applied on a site where an existing structure has altered the site levels results in absurd planning outcomes. The intent of the height standard is that the height of new development follows the natural falls of the topography.*

*It is then useful to compare the proposed development using a height plane that follows what would otherwise be the interpolated natural levels (using the Bettar approach). This is a useful test to establish environmental planning grounds as it demonstrates that the objectives of the height have been achieved – being a building that aligns with the topography of the site as viewed from outside the site.*

#### Site and Context

*The site is located in an area that has been designed for development of this scale and form. The additional storey is located away from the lower residential zone to reduce the visual and bulk and scale impacts. The design of the building is scaled to align with the natural topography of the site and present a well resolved streetscape.*

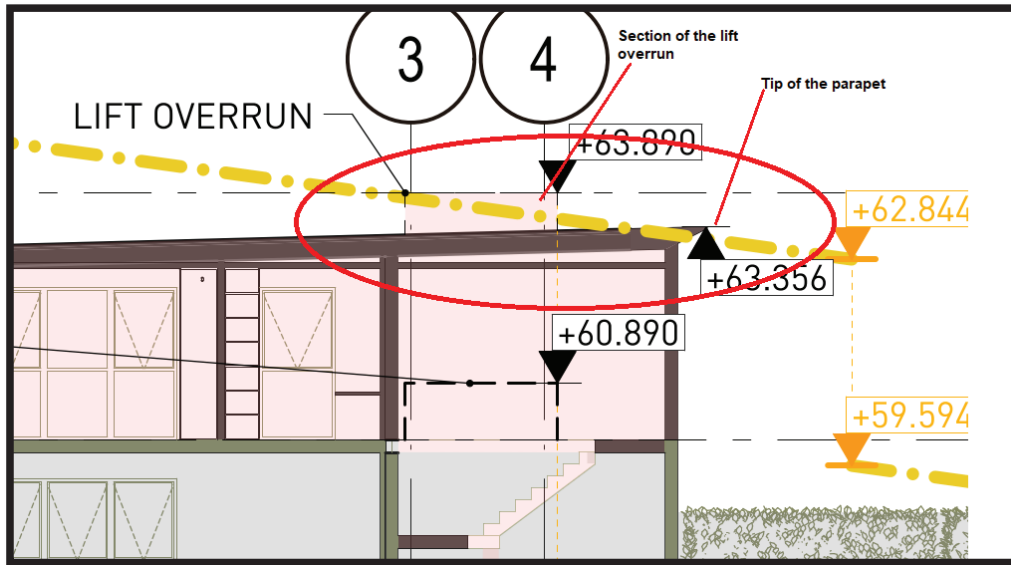
#### Planning Comment

Clause 4.6(3)(b) of the Ryde LEP 2014 requires contravention to a development standard to be justified by demonstrating that there are sufficient environmental planning grounds to justify the contravention. The focus is on that aspect of the development that contravenes the development standard, not the development as a whole. Therefore, the environmental planning grounds advanced in the written request must justify the contravention of the development standard and not simply promote the benefits of carrying out the development as a whole (Initial Action at [24]).

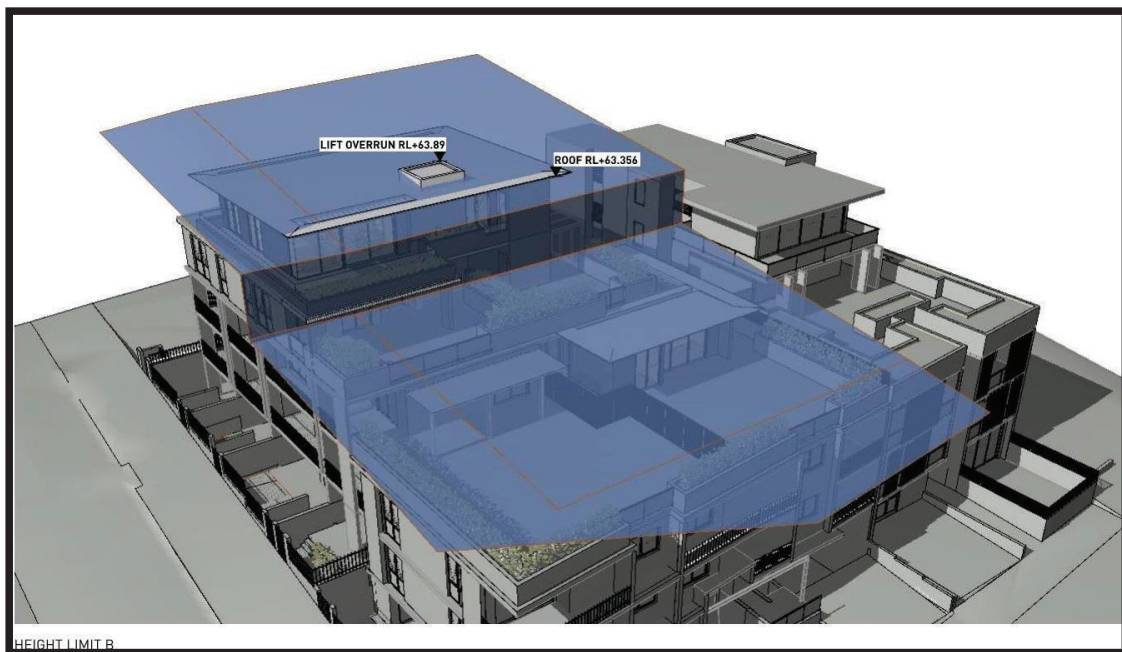


In Four2Five, the Court found that the environmental planning grounds advanced by the applicant in a Clause 4.6 variation request must be particular to the circumstances of the proposed development on that site at [60]. The applicant has demonstrated that there are sufficient environmental planning grounds to justify contravention of the height of the building development standard in this instance due to:

- the topography of the site and
- the addition being applied to an existing building (where the level of the site under the existing building has been modified and does not reflect the natural fall of the topography and cannot lower the existing building).



**Figure 13:** Cross section of the building illustrating the height limit (yellow dash line) and extent of lift overrun and parapet/eave variation.



**Figure 14:** Height plane blanket (in blue) illustrating the extent of non-compliance (in grey).



### 5.3 Any Proposed Environmental Planning Instrument

Nil.

### 5.4 Development Control Plan

#### Ryde Development Control Plan 2014 (RDCP 2014)

The proposal is subject to the provisions of the following parts of the RDCP 2014:

#### Part 9.3: Parking Controls

The parking requirements set out in SEPP (Housing) 2021 are the prevailing controls associated with this development.

In accordance with the non-discretionary development standards set out in section 19(2)(e) of SEPP (Housing) 2021, the following number of parking spaces for dwellings used for affordable housing:

- (i) for each dwelling containing 1 bedroom – at least 0.4 parking spaces, or
- (ii) for each dwelling containing 2 bedrooms – at least 0.5 parking space, or
- (iii) for each dwelling containing at least 3 bedrooms – at least 1 parking space.

The table below shows the parking demand generated for the residential parking spaces under SEPP (Housing) 2021 and for visitor parking spaces under the Ryde DCP 2014:

	Unit Type	Quantity	Parking rate	Parking demand	Parking supply
Non-affordable unit	1 bed dwelling	2	Housing SEPP: 0.5 space/1 bed	1	<b>26</b>
	2 bed dwelling	8	Housing SEPP: 1 space/2 bed	8	
	3 bed dwelling	5	Housing SEPP: 1.5 space/3 bed	7.5	
Affordable unit	1 bed dwelling	3	Housing SEPP: 0.4 space/1 bed	1.2	
	2 bed dwelling	3	Housing SEPP: 0.5 space/2 bed	1.5	
	3 bed dwelling	1	Housing SEPP: 1 space/3 bed	1	
<b>Total resident parking</b>				<b>21</b>	
	Visitor	22 units	DCP: 1 visitor/5 dwelling	5	
<b>Total parking number</b>				<b>26</b>	
Bicycle			DCP: 10% of required parking	3	

**Table 1:** Parking demand in accordance with the relevant SEPP rate for residential apartments and DCP rate for visitors.

Council's Development Engineer has provided the following comments in relation to parking:

- *The development proposes to increase unit numbers from 21 to 22. The proposal converts the existing Unit 21 studio on Level 3 into a 2-bedroom apartment and adds a new 3-bedroom apartment on Level 5.*



- *The applicant states that SEPP (Housing) 2021 has no visitor parking requirement and no visitor parking space is required for this development.*

*Clause 157(3) Affordable housing parking spaces of SEPP (Housing) 2021 states:*

*This section prevails over a provision in another chapter of this policy or another environmental planning instrument to the extent that other provision permits a lower number of parking spaces for dwellings used for affordable housing on the land.*

*Since SEPP (Housing) 2021 has not specified visitor parking rate/is silent in this aspect; the DCP parking rate for visitors will apply.*

- *Based on the DCP rate for visitors, no additional visitor parking spaces is required. The required visitor parking spaces for the development remain as the same as LDA2018/500, being 5 visitor spaces.*
- *Based on the above calculations, the development provides a total of 26 onsite parking spaces which complies with the SEPP requirement for the affordable and non-affordable housing components and DCP requirement for visitor spaces. The site currently has 26 onsite parking space and there is no additional parking space required/proposed for the proposed development.*

#### Part 4.6 Gladesville Town Centre & Victoria Road Corridor

The site is not located within the Gladesville Town Centre. Therefore, the proposed development is not subject to the controls contained in Part 4.6 (Gladesville Town Centre and Victoria Road Corridor) of RDCP 2014.

### **5.5 Any Planning Agreement**

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

### **5.6 City of Ryde Section 7.11 Development Contributions Plan 2020**

Council's current Section 7.11 Development Contributions Plan 2020 effective 1 July 2020 requires a contribution for the provision of various additional services required as a result of increased development density.

The contribution is based on the number of additional dwellings within the development proposal. In this instance, this DA will deliver 1 additional 3 bedroom unit and convert a 1 bedroom to a 2 bedroom unit.

Payment of Section 7.11 Contributions of \$25,899.55 has been included in the recommended conditions of consent.



## **5.7 Housing Productivity Contribution (HPC)**

The HPC is only applicable for the new additional market unit which will be located within the new additional floor at Level 5. The applicable HPC has been included in the recommended conditions of consent.

## **5.8 The Regulations**

### Environmental Planning and Assessment Regulation 2021

The proposal is consistent with the Regulation. Standard conditions are recommended relating to compliance with the Building Code of Australia and relevant Australian Standards.

## **6. The likely impacts of that development**

The assessment demonstrates that the proposal will not have any significant adverse impacts upon any adjoining properties or the environment in general due to the nature of the development.

The proposed addition and alterations are considered satisfactory with regards to visual/acoustic privacy and overshadowing despite the minor shortfall to the building separation along the eastern boundary, as discussed earlier in the report.

All relevant issues regarding environmental impacts of the development are discussed within this report. The development is considered satisfactory in terms of environmental impacts.

## **7. The suitability of the site for the development**

The site is zoned MU1 Mixed use, and the proposal is for alterations and additions to upper portion of the existing residential flat building. The assessment has demonstrated the proposal is generally consistent with the statutory requirements and policy controls. The proposal results in a height exceedance which is supported by a satisfactory Clause 4.6 written variation request. The assessment demonstrates the proposal will not result in any significant adverse impacts upon the remainder of the building, adjoining properties, or the streetscape.

Therefore, the proposal is an appropriate development, and this has been demonstrated in this report. The continued residential use of this site is suitable for the development.

## **8. Any submissions**

In accordance with the Ryde Community Participation Plan the proposal was notified to owners of surrounding properties between 20 February and 8 March 2025. During the notification period, 3 submissions were received objecting to the proposal.

The amended plans (received 1 April 2025) were not re-notified as the amended plans are considered to address/resolve issues raised by Council and the objectors. This was achieved by redesigning the setback between Unit 21 and the eastern side



boundary setback to be consistent with the original 3m setback as approved and constructed. This amendment is an improvement to the submitted proposal.

All concerns raised have been addressed below:

Issue Raised	Comment
Resident of the property opposite in Farm Street: Increase height in a neighbourhood of mostly single dwellings, this will decrease our privacy and overshadow the front yard.	<p>The proposed additional unit (storey) is considered to be located appropriately with regard to the 'transitional' role that the site plays between the low density residential areas to the south and the commercial development (with the higher height limit) to the north.</p> <p>The increase in height is located away from the low density areas with the new unit well set back from the boundaries (between 8m-9.8m from the northern boundary; 4.5m from the eastern boundary; over 20m from the southern boundary; and 8.5m from the western boundary).</p> <p>The siting of the proposed works is focused on the northern part of the site and over 20m from Farm Street. This avoids potential visual privacy impacts to residential properties on the opposite side of Farm Street.</p> <p>This application was accompanied by shadow diagrams (see Plan 851) which demonstrate that the properties on the opposite side of Farm Street will not be overshadowed by the proposed alterations and additions.</p>
Insufficient street parking to meet the demands of the current residents and the parking limitations that come into effect on a Monday night due to garbage collection, make this lack of street parking even worse. Often our garbage bins are not collected as the bins are moved to make way for car parking.	<p>The proposal complies with the number of carparking spaces required for the development. The original approval provided more car parking than required and this development provides a total of 26 onsite parking spaces which complies with the SEPP requirement for affordable and non-affordable housing component and DCP requirement for visitor spaces.</p> <p>The site currently has 26 onsite parking space, there is no additional parking space required / proposed for the proposed development.</p> <p>The concerns of garbage bins not being picked up should continue to be referred to Council's Waste Officers when this occurs so the appropriate assistance can be provided.</p>
Unclear as to what they are doing and what are they doing about parking.	<p>An email was sent to the submitter advising of the proposal:</p> <p>The proposal is for 1 new 3 bedroom apartment on Level 5, and alterations to Unit 21 on Level 3 to convert it from a studio to a 2 bedroom unit.</p> <p>No additional parking spaces are proposed as the existing number of car parking complies with the planning control.</p> <p>No further submission was received from this objector.</p>
Unable to access the document.	<p>The objector was provided with a direct link to the documents on Council's website on the 'DA tracker.'</p>

The issues raised in the submissions are considered in the above table and do not warrant refusal of this DA.



## 9. The Public Interest

The public interest is best served by the consistent application of the requirements of relevant Environmental Planning Instruments and by Council ensuring that any adverse effects on the surrounding area and the environment is minimised. The proposal has been assessed against the relevant environmental planning instruments and is considered to be acceptable. The proposal seeks variation to Clause 4.3 height of buildings under RLEP 2014 and has been supported by a satisfactory Clause 4.6 written request to vary a development standard. The proposal does not result in any significant adverse impacts upon adjoining properties or the streetscape. On this basis, the proposal is not considered to raise any issues that would be contrary to the public interest.

## 10. Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Development Engineer	No objection, subject to conditions.
City Infrastructure - Waste Management	No objection, subject to conditions.
City Infrastructure - Traffic Engineer	No objection, subject to conditions.
Urban Designer	No objection.

## 11. Conclusion

After consideration of the development against section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the site is suitable for the proposed development and is not contrary to the public interest. Therefore, it is recommended that the application be approved for the following reasons:

- The proposal is consistent with the relevant objectives of the MU1 Mixed Use zone.
- The proposal is supported by a satisfactory Clause 4.6 written request to vary Clause 4.3 Height of buildings under the RLEP 2014 which demonstrates compliance is both unreasonable and unnecessary; and has provided sufficient environmental planning grounds to support the variation in this instance.
- The proposal does not result in significant adverse impacts upon adjoining properties or the streetscape.
- The issues raised in submissions are sufficiently considered in this assessment report and do not warrant refusal of this application.
- The proposal is not contrary to the public interest.

## 12. Recommendation

- A. THAT the Ryde Local Planning Panel accepts that the Clause 4.6 written request to vary the Clause 4.3 Height of buildings development standard in the Ryde Local Environmental Plan 2014 (subject to the bonus permitted by State Environmental Planning Policy (Housing) 2021) has adequately



addressed the matters in Clause 4.6(3) and will not be contrary to the public interest as it is consistent with the relevant objectives of the development standard and the relevant objectives of the MU1 Mixed Use Zone of Ryde Local Environmental Plan 2014.

- B. THAT the Ryde Local Planning Panel, as the consent authority, consent to Development Application LDA2025/0021 for alterations and additions to an existing residential flat building comprising alterations to Levels 3 and 4 and the addition of a fifth storey subject to the draft conditions contained in **Attachment 1**.
- C. That those who made a submission be advised of the decision.

## **ATTACHMENTS**

Attachment 1: Recommended Conditions of Consent

Attachment 2: Apartment Design Guide (ADG) Compliance Table

Attachment 3: Clause 4.6 Written Variation Request to Height of Buildings

Attachment 4: Proposed Plans (Architectural and Stormwater)

Report prepared by:

**Sandra McCarry**  
**Senior Planner**

Report approved by:

**Holly Charalambous**  
**Senior Coordinator Development Assessment**

**Sohail Faridy**  
**Manager Development Assessment**



**Attachment 1 - General Conditions of Consent for – LDA2025/0021**

	Condition				
1	<b>Approved plans and supporting documentation</b>				
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
	Approved plans				
	Plan Number	Revision Number	Plan Title	Drawn by	Date of Plan
	DD-A-000	C	Title	Smith & Tzannes	07/05/2025
	DD-A-001	C	Notes	Smith & Tzannes	07/05/2025
	DD-A-010	B	Site Analysis	Smith & Tzannes	31/03/2025
	DD-A-011	C	Site Plan	Smith & Tzannes	07/05/2025
	DD-A-021	B	Level 3 & 5 Demolition Plan	Smith & Tzannes	31/03/2025
	DD-A-100	C	Level 3 Floor & Roof Plan	Smith & Tzannes	07/05/2025
	DD-A-101	C	Level 5 Floor & Roof Plan	Smith & Tzannes	07/05/2025
	DD-A-200	C	Elevations	Smith & Tzannes	07/05/2025
	DD-A-201	C	Elevations	Smith & Tzannes	07/05/2025
	DD-A-202	C	Sections	Smith & Tzannes	07/05/2025
	DD-A-800	C	Area Calc / Apt Schedule	Smith & Tzannes	07/05/2025
	DD-A-900	B	External Finishes	Smith & Tzannes	31/03/2025
	D1	A	Stormwater Management Plan	Quantum Engineers	05/11/2024
	D3	A	Level 3	Quantum Engineers	05/11/2024
	D4	A	Level 4	Quantum Engineers	05/11/2024
	D5	A	Level 5	Quantum Engineers	05/11/2024
	D6	A	Roof Plan	Quantum Engineers	05/11/2024
Approved documents					
Document Title		Prepared by	Date of document		



		Condition		
		BASIX Certificate No. A1778811	Smith & Tzannes	19/12/2024
		Waste management Plan	Alix Dunbar	21/01/2025
		<p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p>Note: To be read in conjunction with Condition 'Design Amendments.'</p> <p><b>Condition Reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>		
2		<p><b>In-fill affordable housing</b></p> <p>A) This section applies to development permitted under State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1, other than—</p> <ul style="list-style-type: none"> <li>(I) development on land owned by the Land and Housing Corporation, or</li> <li>(II) a development application made by, or on behalf of, a public authority.</li> </ul> <p>B) It is a condition of the development consent that <b>before the issue of an occupation certificate</b> for the development—</p> <ul style="list-style-type: none"> <li>(I) a restriction must be registered, in accordance with the Conveyancing Act 1919, section 88E, against the title of the property relating to the development (<b>a minimum of 290m<sup>2</sup> of new affordable housing, as nominated in Plan No: DD-A-800</b>), which will ensure the requirements of subsection C)(I) and (II) are met, and</li> <li>(II) evidence of an agreement with a registered community housing provider for the management of the affordable housing component must be given to the Registrar of Community Housing, including the name of the registered community housing provider, and</li> <li>(III) evidence that the requirements of paragraphs (I) and (II) have been met must be given to the consent authority.</li> </ul> <p>C) It is a condition of the development consent that during the relevant period—</p> <ul style="list-style-type: none"> <li>(I) the affordable housing component (<b>a minimum of 290m<sup>2</sup> of new affordable housing, as nominated in Plan No: DD-A-800</b>) must be used for affordable housing, and</li> <li>(II) the affordable housing component must be managed by a registered community housing provider, and</li> <li>(III) notice of a change in the registered community housing provider who manages the affordable housing component must be given to the Registrar of Community Housing and the consent authority no later than 3 months after the change, and</li> <li>(IV) the registered community housing provider who manages the affordable housing component must apply the Affordable Housing Guidelines.</li> </ul> <p>D) In this section—</p> <ul style="list-style-type: none"> <li>(I) affordable housing component has the same meaning as in State Environmental Planning Policy (Housing) 2021, section 21.</li> </ul> <p>relevant period means a period of 15 years commencing on the day on which an occupation certificate is issued for all parts of the building or buildings to which the development consent relates.</p>		



	<b>Condition</b>
	<b>Condition Reason:</b> Prescribed condition under section 82 of the Environmental Planning and Assessment Regulation 2021.
3	<p><b>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</b></p> <p>A) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.</p> <p>B) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.</p> <p>C) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.</p> <p>D) In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.</p> <p>E) In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.</p> <p>F) This section does not apply—</p> <p>(I) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or</p> <p>(II) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.</p> <p><b>Condition Reason:</b> Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
4	<p><b>Erection of signs</b></p> <p>A) This section applies to a development consent for development involving building work, subdivision work or demolition work.</p> <p>B) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—</p> <p>(I) showing the name, address and telephone number of the principal certifier for the work, and</p> <p>(II) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and</p> <p>(III) stating that unauthorised entry to the work site is prohibited.</p> <p>C) The sign must be—</p> <p>(I) maintained while the building work, subdivision work or demolition work is being carried out, and</p> <p>(II) removed when the work has been completed.</p> <p>D) This section does not apply in relation to—</p> <p>(I) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or</p> <p>(II) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</p>



	<b>Condition</b>
	<b>Condition Reason:</b> Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.
5	<p><b>Notification of Home Building Act 1989 requirements</b></p> <p>A) This section applies to a development consent for development involving residential building work if the principal certifier is not the council.</p> <p>B) It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—</p> <p>(I) for work that requires a principal contractor to be appointed—</p> <p>(1) the name and licence number of the principal contractor, and</p> <p>(2) the name of the insurer of the work under the Home Building Act 1989, Part 6,</p> <p>(II) for work to be carried out by an owner-builder—</p> <p>(1) the name of the owner-builder, and</p> <p>(2) if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.</p> <p>C) If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.</p> <p>D) This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</p> <p><b>Condition Reason:</b> Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.</p>
6	<p><b>Fulfilment of BASIX commitments</b></p> <p>It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—</p> <p>A) BASIX development,</p> <p>B) BASIX optional development, if the development application was accompanied by a BASIX certificate.</p> <p><b>Condition reason:</b> Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.</p>
7	<p><b>Site maintenance</b></p> <p>The site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or subject to the leaving or dumping of waste.</p> <p><b>Condition reason:</b> To protect the amenity of the locality.</p>
8	<p><b>Noise mitigation</b></p> <p>To minimise noise emitted from ancillary elements, such as air-conditioning units, the equipment must be installed in accordance with the manufacturer's specification and noise attenuation measures implemented so that noise emitted does not exceed 5dB(A) above the background noise level when measured on or within any other residential property boundary.</p> <p><b>Condition reason:</b> To protect the amenity of the locality.</p>
9	<p><b>Protection of public domain</b></p> <p>The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.</p>



	<b>Condition</b>
	<b>Condition reason:</b> To ensure public safety.
10	<p><b>Design and Construction Standards</b></p> <p>All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's DCP Part 8.5 (Public Civil Works) and Part 8.2 (Stormwater and Floodplain Management), except otherwise as amended by conditions of this consent.</p> <p><b>Condition Reason:</b> To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements.</p>
11	<p><b>Public Utilities and Service Alterations</b></p> <p>All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. AusGrid, Sydney Water, Telstra, TfNSW, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.</p> <p><b>Condition Reason:</b> Protection of infrastructure and compliance with relevant Authorities requirements.</p>
12	<p><b>Restoration</b></p> <p>Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP Part 8.5 (Public Civil Works), to the satisfaction of Council.</p> <p><b>Condition Reason:</b> To ensure the amenity and state of the public domain is maintained.</p>
13	<p><b>Traffic management</b></p> <p>Traffic management procedures and systems must be in place and practised during the works period to ensure safety and minimise the impact on adjoining pedestrian and vehicular traffic systems in accordance with AS 1742.3 - 2019 and Council's DCP Part 8.1 (Construction Activities).</p> <p><b>Condition reason:</b> To ensure that appropriate procedures are in place to assist with the safety of all affected road users within the public domain when works are being undertaken.</p>
14	<p><b>Road activity permits</b></p> <p>Prior to carrying out any work in, on or over a road reserve, consent from Council is required as per the Roads Act 1993. The person acting on the consent is required to review the "Road Activity Permits Checklist" (available from Council's website: <a href="https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2023-07-road-activity-permits-checklist.pdf">https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2023-07-road-activity-permits-checklist.pdf</a>) and apply for the relevant permits for approval by Council. Types of road activity permits potentially required including Road Use Permit, Work Zone Permit, Road / Footpath / Driveway / Nature Strip / Kerb and Gutter Opening Permit, Temporary Placement of Elevated Tower, Crane or Concrete Pump, Operation of a Crane Over Air Space Permit, Construction Hoarding Permit and Skip Bin on Nature Strip Permit. Penalties apply for failure to comply.</p>



	<b>Condition reason:</b> To ensure the amenity and state of the public domain is maintained.
--	--

## DEMOLITION WORK

15	<b>Asbestos removal signage</b> Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos. <b>Condition Reason:</b> To alert the public to any danger arising from the removal of asbestos.
16	<b>Notice of commencement for demolition</b> At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include: A) name B) address, C) contact telephone number, D) licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and E) the contact telephone number of council and F) the contact telephone number of SafeWork NSW (4921 2900). <b>Condition Reason:</b> To advise neighbours about the commencement of demolition work and provide contact details for enquiries.
17	<b>Disposal of site materials</b> Any materials requiring off-site disposal must be classified, managed and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the NSW Environment Protection Authority's Waste Classification Guidelines. <b>Condition reason:</b> To protect the environment.
18	<b>Noise control for work sites</b> Any noise generated during demolition must not exceed the limits specified in the Protection of the Environment Operations Act 1997 and in accordance with the NSW EPA Draft Construction Noise Guidelines. Works are to follow the below hours: A) 7 am to 6 pm, Monday to Friday B) 8 am to 1 pm, Saturday C) No works are to be undertaken on Sundays or Public Holidays. <b>Condition reason:</b> To protect the amenity of surrounding properties and the general public.

## BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

19	<b>Housing and productivity contribution</b> Before the issue of a construction certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made:		
	<table> <tr> <th>Housing and productivity contribution</th><th>Amount</th></tr> </table>	Housing and productivity contribution	Amount
Housing and productivity contribution	Amount		



	<table><tr><td>Housing and productivity contribution (base component)</td><td>\$ 10,710.65</td></tr><tr><td><b>Total housing and productivity contribution</b></td><td><b>\$ 10,710.65</b></td></tr></table>	Housing and productivity contribution (base component)	\$ 10,710.65	<b>Total housing and productivity contribution</b>	<b>\$ 10,710.65</b>								
Housing and productivity contribution (base component)	\$ 10,710.65												
<b>Total housing and productivity contribution</b>	<b>\$ 10,710.65</b>												
	<p>The HPC must be paid using the NSW planning portal.</p> <p>At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).</p> <p>The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.</p> <p>The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.</p> <p>The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.</p> <p><b>Condition Reason:</b> To require contributions towards the provision of regional infrastructure.</p>												
20	<p><b>Section 7.11</b></p> <p>Before the issue of a construction certificate, a monetary contribution for the services as detailed in the table below must be paid to Council in Column A and for the amount in Column B must be made to Council as follows:</p> <table><tr><td><b>Column A – Contribution Type</b></td><td><b>Column B – Contribution Amount</b></td></tr><tr><td>Community &amp; Cultural Facilities</td><td>\$7,849.89</td></tr><tr><td>Open Space &amp; Recreation Facilities</td><td>\$13,517.18</td></tr><tr><td>Roads &amp; Traffic Management Facilities</td><td>\$4,149.73</td></tr><tr><td>Plan Administration</td><td>\$382.75</td></tr><tr><td><b>The total contribution is</b></td><td><b>\$25,899.55</b></td></tr></table> <p>These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.</p> <p>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.</p> <p>Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Ryde. Personal or company cheques will not be accepted.</p> <p>A copy of the Section 7.11 Development Contributions Plan may be</p>	<b>Column A – Contribution Type</b>	<b>Column B – Contribution Amount</b>	Community & Cultural Facilities	\$7,849.89	Open Space & Recreation Facilities	\$13,517.18	Roads & Traffic Management Facilities	\$4,149.73	Plan Administration	\$382.75	<b>The total contribution is</b>	<b>\$25,899.55</b>
<b>Column A – Contribution Type</b>	<b>Column B – Contribution Amount</b>												
Community & Cultural Facilities	\$7,849.89												
Open Space & Recreation Facilities	\$13,517.18												
Roads & Traffic Management Facilities	\$4,149.73												
Plan Administration	\$382.75												
<b>The total contribution is</b>	<b>\$25,899.55</b>												



	<p>inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <a href="http://www.ryde.nsw.gov.au">http://www.ryde.nsw.gov.au</a>.</p> <p>Details are to be provided to the principal certifier.</p> <p><b>Condition reason:</b> Statutory requirement.</p>
21	<p><b>Design amendments</b></p> <p>Before the issue of a construction certificate, the principal certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:</p> <p>A) Landscape Plan shall be provided for the rooftop planters to include the following:</p> <p>(I) A planting schedule and plan of management for the planters.</p> <p><b>Condition Reason:</b> To require minor amendments to the plans endorsed by the consent authority following assessment of the development.</p>
22	<p><b>Construction Site Management Plan</b></p> <p>Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to principal certifier. The plan must include the following matters:</p> <p>A) Provisions for public safety;</p> <p>B) Pedestrian and vehicular site access points and construction activity zones;</p> <p>C) Details of construction traffic management including:</p> <p>D) Measures to ensure pedestrian safety near the site;</p> <p>E) The location of site storage areas and sheds;</p> <p>F) The equipment used to carry out works;</p> <p>G) The location of a garbage container with a tight-fitting lid;</p> <p>H) Dust, noise and vibration control measures;</p> <p>I) The location of temporary toilets;</p> <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p><b>Condition Reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction.</p>
23	<p><b>Long Service Levy</b></p> <p>Before the issue of the relevant construction certificate, the long service levy of 0.25% of the cost of works must be paid to the Long Service Corporation of Council under the <i>Building and Construction industry Long Service Payments Act 1986</i>, section 34, and evidence of the payment is to be provided to principal certifier.</p> <p><b>Condition Reason:</b> To ensure the long service levy is paid.</p>
24	<p><b>Payment of security deposits</b></p> <p>Before the issue of the relevant construction certificate, the applicant must:</p> <p>A) make payment for a security deposit to the consent authority under the category of: other buildings with delivery of bricks or concrete or machine excavation; and</p> <p>B) if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid.</p> <p><b>Condition Reason:</b> To ensure any damage to public infrastructure is rectified and public works can be completed.</p>
25	<p><b>Structural certification</b></p>



	Before to the issue of a construction certificate, structural certification prepared from a qualified practising structural engineer must be provided to the principal certifier. <b>Condition reason:</b> To ensure the structural adequacy of the development.
26	<b>Reflectivity of materials</b> Before the issue of a construction certificate, the principal certifier must ensure that the construction certificate plans demonstrate the roofing and other external materials and finishes are of low glare and reflectivity. <b>Condition reason:</b> To ensure the use of appropriate material.
27	<b>Vehicle Access &amp; Parking</b> All internal driveways, vehicle access ramp, 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 (Off-street Parking standards) for all types of vehicles accessing the parking area. <b>Condition Reason:</b> To ensure the vehicle access and parking area is in accordance with the require standards and safe for all users.
28	<b>Stormwater Management</b> To ensure the management of stormwater runoff from the development is undertaken without impact to the subject site, neighbouring properties or receiving drainage system, stormwater runoff from the development shall be collected and discharged to the approved point of discharge in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management), associated annexures, and generally in accordance with the approved Stormwater Management, as noted in the marked up stormwater plan D3. Accordingly, detailed engineering plans and certification demonstrating compliance with this condition are to be submitted with the application for a Construction Certificate. <b>Condition Reason:</b> To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2.
29	<b>Apartment Noise Attenuation Design</b> Before the issue of a construction certificate, A qualified acoustical engineer with membership of the Association of Australasian Acoustical Consultants (AAAC) must certify that the new additional unit has been designed to minimise the noise intrusion from any internal or external noise source and when constructed achieve a 5 star rating under the AAAC Guideline for Apartment and Townhouse Acoustic rating Version 1.0. Details of compliance are to be submitted with the relevant plans for a Construction Certificate to the satisfaction of the principal certifier. <b>Condition reason:</b> To comply with best practice standards for residential acoustic amenity.

### BEFORE BUILDING WORK COMMENCES

30	<b>Payment of fees</b> Before any site work commences, the following must be paid to council and written evidence of these payments provided to the principal certifier: A) Infrastructure Restoration Inspection and Administration Fee. <b>Condition Reason:</b> To ensure fees are paid for inspections carried out by council in connection with the completion of public work such as footway construction or stormwater drainage required in connection with the consent or the making good of any damage to council property.
31	<b>Provision of contact details and neighbour notification</b>



	<p>Before any site work commences, (at least 7 days) City of Ryde must be notified of the following particulars:</p> <p>A) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and</p> <p>B) The date the work is due to commence and the expected completion date.</p> <p>C) A written notice must be placed in the letter box of each adjoining property advising of the date the work is due to commence.</p>
	<p><b>Condition reason:</b> To ensure Council and adjoining properties are notified of demolition works.</p>

## DURING CONSTRUCTION

32	<p><b>Hours of work</b></p> <p>Site work must only be carried out between the following times:</p> <ul style="list-style-type: none"> <li>Monday to Friday - 7.00am and 7.00pm (other than public holidays)</li> <li>Saturday - 8.00am and 4.00pm</li> </ul> <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p><b>Condition Reason:</b> To protect the amenity of the surrounding area.</p>
33	<p><b>Implementation of the site management plans</b></p> <p>While site work is being carried out the measures required by the construction site management plan must be implemented at all times, and a copy of these plans must be kept on site at all times and made available to council officers upon request.</p> <p><b>Condition Reason:</b> To ensure site management measures are implemented during the carrying out of site work.</p>
34	<p><b>Noise and Vibration requirements</b></p> <p>While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of 5db(A) above background noise, when measured at a lot boundary of the site.</p> <p><b>Condition Reason:</b> To protect the amenity of the neighbourhood during construction.</p>
35	<p><b>Procedure for critical stage inspections</b></p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p><b>Condition Reason:</b> To require approval to proceed with building work following each critical stage inspection.</p>
36	<p><b>Waste vehicle access to neighbouring properties</b></p> <p>While site work is being carried out, the roadway must not be obstructed by any materials, vehicles, refuse, skips, or the like, under any circumstances. Unobstructed access to neighbouring properties must be maintained to ensure waste collection can be provided during 5AM to 11 AM on waste collection days.</p> <p><b>Condition reason:</b> To ensure waste collection services can be provided to neighbouring properties to construction sites.</p>
37	<p><b>Traffic Management</b></p> <p>Traffic management procedures and systems must be implemented during the construction period to ensure a safe environment and minimise impacts</p>



	to pedestrian and other vehicle traffic. Any traffic management procedures and systems must be in accordance with AS 1742.3 2019 and the DCP 2014 Part 8.1 (Construction Activities).
	<b>Condition Reason:</b> To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.
38	<b>Stormwater Management (Construction)</b>
	The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan and any requirements of Council in relation to the connection to the public drainage system.
	<b>Condition Reason:</b> To ensure the stormwater system is constructed as approved.
39	<b>Construction materials</b>
	While site work is being carried out, all materials associated with construction must be retained within the site.
	<b>Condition reason:</b> To ensure the public domain is not affected during construction.
40	<b>Consent documents available on site</b>
	At all times during the construction, a copy of the development consent and approved stamped plans are to be kept on site. These documents are to be made available to any Council Officer as requested.
	<b>Condition reason:</b> To ensure Council Officers are able to access the consent during any site inspection.

#### BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

41	<b>Stormwater Management (Work-as-Executed Plan)</b>
	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.
	<b>Condition Reason:</b> To clarify the configuration of the completed stormwater management system.
42	<b>Drainage System Maintenance Plan</b>
	A drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development. The DSMP must contain the following:
	<ul style="list-style-type: none"> <li>A) All matters listed in Section 1.4.9 of Council's DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).</li> <li>B) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.</li> <li>C) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.</li> </ul>



	<p>D) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (e.g. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.</p> <p>E) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.</p> <p>F) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.</p> <p>The DSMP is to be prepared by a suitably qualified and practising drainage engineer in co-operation with a workplace safety officer (or similar qualified personal) and all signage / linemarkings are to be implemented prior to the issue of any Occupation Certificate.</p> <p><b>Condition Reason:</b> To ensure the approved stormwater components such as onsite detention system, pumps and WSUD measures, function as designed for the ongoing life of the development.</p>
43	<p><b>Engineering Compliance Certificates</b></p> <p>Before the issue of any Occupation Certificate, a compliance certificate prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing:</p> <p>A) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.</p> <p>B) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).</p> <p>C) Compliance certificate from Council's City Infrastructure section confirming that all external works in the public road reserve and any alteration to Council assets located in the property (if applicable) have been completed to Council's satisfaction.</p> <p><b>Condition Reason:</b> To ensure that all engineering components are completed to the satisfaction of an appropriately qualified person, prior to occupation or use of the development.</p>
44	<p><b>BASIX</b></p> <p>Before the issue of any occupation certificate, documentary evidence of compliance with all commitments listed in the approved BASIX Certificate(s) is to be provided to the principal certifier.</p> <p><b>Condition reason:</b> Statutory requirement.</p>

#### OCCUPATION AND ONGOING USE

45	<p><b>Stormwater Management (Implementation of maintenance program)</b></p> <p>The stormwater management system components are to be maintained for the ongoing life of the development by the owner / strata management /</p>
----	--



	owners corporation, as per the details in the approved drainage system maintenance plan (DSMP).
	<b>Condition Reason:</b> To ensure the stormwater management system is appropriately maintained for the life of the development.
46	<b>Parking Allocation</b>
	Both the owner and occupier of the development must provide and maintain the minimum parking allocation of 26 onsite residential spaces (including 5 visitor parking spaces).
	<b>Condition Reason:</b> To ensure the development maintains the capacity and allocation of parking spaces on the site.
47	<b>Air conditioning equipment on residential premises</b>
	During ongoing use of the site, the air conditioning equipment must not:
	A) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open);
	B) before 8am and after 10pm on any Saturday, Sunday or public holiday; or
	C) before 7am and after 10pm on any other day.
	D) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).
	The source noise level must be measured as a LAeq 15 minute.
	<b>Condition Reason:</b> To ensure the use of air conditioning equipment on residential premises does not give noise to offensive noise.

### General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the *Conditions of development consent: advisory notes*. The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

### Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):



**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Building work** means any physical activity involved in the erection of a building.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means the City of Ryde.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Local planning panel** means Ryde Local Planning Panel.

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:  
the collection of stormwater,  
the reuse of stormwater,  
the detention of stormwater,  
the controlled release of stormwater, and  
connections to easements and public stormwater systems.



**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision works certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

**Sydney district or regional planning panel** means Sydney North Planning Panel (SNPP).



## Attachment 2 - Apartment Design Guide Compliance Table

- 9 Design Principles (Urban Design Comments)
- Apartment Design Guide – Table of Compliance

SEPP HOUSING 2021	
Design Quality of Residential Flat Buildings	Comments
Context and Neighbourhood Character	<p>Works are minor in nature and are unlikely to negatively impact neighbourhood character.</p> <p><b>Assessment officer's comments</b> Noted</p>
Built Form and Scale	<p>Height appears to comply with provisions.</p> <p>Setback dimensions are required to assess alignment with ADG Design Criteria.</p> <p>Proposed roof form looks to resolve the current poor parapet design – improving the visual outcome.</p> <p><b>Assessment officer's comments</b> Setbacks suitable. Further assessment of side setback provided below.</p>
Density	Intensification is minor in nature. No comments.
Sustainability	<p>The applicant is encouraged to develop the design to achieve a NatHERs rating &gt; 7.5 for new apartments.</p> <p>The applicant is encouraged to prepare thermal and glare modelling for new apartments.</p> <p><b>Assessment officer's comments</b> BASIX submitted – complies.</p>
Landscape	<p>The applicant is encouraged to provide planting schedule and plan of management for proposed rooftop planters.</p> <p><b>Assessment officer's comments</b> A condition has been imposed requiring a landscaping plan to be provided for the rooftop planters.</p>
Amenity	<p>The applicant should indicate any privacy screening required to achieve alignment with ADG design objectives.</p> <p>Living rooms should be designed for flexibility of furnishing and have sufficient space for circulation.</p> <p><b>Assessment officer's comments</b> ADG requirement satisfied and there are no overlooking impacts.</p>



<b>Safety</b>	<p>No comments</p> <p><b>Assessment officer's comments</b> Suitable in terms of safety.</p>
<b>Housing Diversity and Social Interaction</b>	<p>No comments</p> <p><b>Assessment officer's comments</b> Additional apartment and mix support diversity of dwellings.</p>
<b>Aesthetics</b>	<p>The addition of level 5 improves the appearance of the development to The Avenue.</p> <p>The lightweight material selection complements the heavier expression of the existing structure.</p> <p><b>Assessment officer's comments</b> Noted.</p>

### Apartment Design Guide – Table of Compliance

In accordance with the Chapter 4 (Design of Residential Apartment Development) of SEPP (Housing) 2021 requires consideration of the "Apartment Design Guide" (ADG) which supports the nine design quality principles by giving greater detail as to how those principles might be achieved. The table below addresses the relevant matters:

<b>Part 2 - Developing the controls</b>		
	<b>Proposal</b>	<b>Compliance</b>
<p><b>Building Depth</b></p> <p>Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line.</p>	<p>The constructed building was approved with apartment depths of 8m to 16m measured glass line to glass line with the building complying with the ADG requirements.</p> <p>This proposal adds an additional unit on the roof top and do not introduce any new non-compliances. The proposed apartment layout meets the adequate natural ventilation and sunlight requirements. In this regard, the proposed building depth is considered satisfactory.</p>	Yes
<p><b>Building Separation</b></p> <p>Minimum separation distances for buildings are:</p> <p><i>Up to four storeys (approx 12m):</i></p> <ul style="list-style-type: none"> <li>- 12m between habitable rooms/balconies</li> <li>- 9m between habitable and non-habitable rooms</li> <li>- 6m between non-habitable rooms.</li> </ul> <p><i>Five to eight storeys (approx 25m):</i></p> <ul style="list-style-type: none"> <li>- 18m between habitable rooms/balconies</li> <li>- 12m between habitable and non-habitable rooms</li> </ul>	<p>The original development was for a maximum of 4 storeys and complied with the setback requirement.</p> <p>This proposal introduces an additional floor, (5<sup>th</sup> floor). On the basis of equitability, 50% of the separation distances required by the ADG are to be provided on the subject site:</p> <ul style="list-style-type: none"> <li>• 4.5m to the boundary between non-habitable rooms;</li> <li>• 6m between habitable and non-habitable rooms; and</li> <li>• 9m between habitable rooms.</li> </ul> <p><u>Proposed 5<sup>th</sup> Floor</u></p>	



<p>- 9m between non-habitable rooms</p> <p><u>Note:</u></p> <ul style="list-style-type: none"> <li>At the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3m</li> <li>No building separation is necessary where building types incorporate blank party walls. Typically this occurs along a main street or at podium levels within centres.</li> </ul>	<p>- Eastern boundary (adjoining RFB at 11 Farm Street). Required: 9m. Proposed: 8.5m</p> <p>- Southern boundary (Change in zone to lower density across the road in Farm Street) Require: 12m Proposed: 24m</p> <p>- Northern boundary (The site adjoins the rear of commercial developments at 394 &amp; 396 Victoria Road.) Require: 6m. Proposed: 9.4m</p>	<p>No*1 – variation of 500mm. See note below. Variation acceptable.</p> <p>Yes</p> <p>Yes</p>
<b>Front, Rear &amp; Side Setbacks</b>	<p>This DA does not change the approved setback area and it complies with requirements.</p> <p>The side setback of Unit 21 on Level 3 was amended to be in keeping with the approved setbacks for the building.</p>	Complies
<b>Part 3 Siting the development design criteria/guidance</b>		
<p><b>3D Communal &amp; public open space</b></p> <p>Provide communal open space to enhance amenity and opportunities for landscaping &amp; communal activities.</p> <p><u>Design guidance</u></p> <p>Provide communal open space (COS) with an area equal to 25% of site;</p> <p>Minimum 50% of usable area of communal open space to receive direct sunlight for a minimum of 2 hours between 9 am and 3 pm on 21 June.</p>	<p>The LDA for the building (LDA2018/500) provided adequate communal open space comprising 37% of the site area. (approved development) and received the required solar access.</p>	N/A – no changes
<p><b>3E Deep Soil Zone</b></p> <p>Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.</p> <p><u>Design criteria</u></p> <p>1. Deep soil zones are to be provided equal to 7% of the site</p>	<p>The LDA for the building (LDA2018/500) approved 237.6m<sup>2</sup> of deep soil area is proposed which equates to 18.3% of the site area.</p>	N/A – no changes



area and with min dimension of 3m – 6m.		
<b>3F Visual Privacy</b>  Building separation distances to be shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.  <b>Design Criteria</b>  Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:	The proposed addition and alterations are considered satisfactory with regard to visual privacy, despite the variation to the building separation along the eastern boundary. (Refer building separation and setback assessment outlined earlier in this table). Apartments will receive reasonable levels of external and internal visual privacy with regard to neighbouring sites. See Note 1 below.	Satisfactory  See Note 1 below.
<b>3G Pedestrian Access &amp; Entries</b>  Pedestrian Access, entries and pathways are accessible and easy to identify.	The single pedestrian entrance off the Talavera Road is accessible and easy to identify.	Complies
<b>3H Vehicle Access</b>  Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.	No change to vehicular access.	N/A – no changes
<b>3J Parking Provisions</b>  <b>Car parking:</b>  For development in the following locations: <ul style="list-style-type: none"> <li>• on sites that are within 800 metres of a railway station; or</li> <li>• within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre,</li> </ul> the minimum parking for residents and visitors to be as per TfNSW Guide to Traffic Generating Developments, or Council's car parking requirement, whichever is less.	Not applicable. The application is to be assessed under the SEPP (Housing) 2021 which provides separate parking requirements under which Council cannot refuse the application. The proposal complies with SEPP (Housing) 2021.	N/A
<b>Bicycle Parking:</b>	Based on the 26 car parking spaces, a total of 3 bicycle spaces would be required.	Yes



Provide adequate motorbike, scooter and bicycle parking space (undercover).  10% of car spaces	3 bicycle spaces are provided within the ground level car park as per the original approval.													
Part 4 Designing the building														
4A Solar & daylight access  1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter.	The new apartment will receive the required solar access.	Yes												
Design should incorporate shading and glare control, particularly for warmer months.	The proposed design incorporated adequate shading and glare control.	Yes												
4B Natural Ventilation  All habitable rooms are naturally ventilated.	All habitable rooms in the new apartment are naturally ventilated (have access to a window).	Yes												
Design layout of single aspect apartments to maximises natural ventilation and airflow (See Figure 4D.3)	The new apartment has multiple aspects.	N/A												
4C Ceiling Heights  Ceiling height achieves sufficient natural ventilation and daylight access. The following is required as a minimum:  <table><tr><td colspan="2">Min ceiling height for apartment &amp; mixed use buildings</td></tr><tr><td>Habitable rooms</td><td>2.7m (3.1m floor to floor)</td></tr><tr><td>Non Habitable</td><td>2.4m</td></tr><tr><td>2 storey apts</td><td>2.7m for main living area , 2.4m for 2<sup>nd</sup> floor</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room</td></tr><tr><td>Mixed used zone</td><td>3.3m for ground &amp; 1<sup>st</sup> floor to promote future flexibility of use.</td></tr></table>	Min ceiling height for apartment & mixed use buildings		Habitable rooms	2.7m (3.1m floor to floor)	Non Habitable	2.4m	2 storey apts	2.7m for main living area , 2.4m for 2 <sup>nd</sup> floor	Attic spaces	1.8m at edge of room	Mixed used zone	3.3m for ground & 1 <sup>st</sup> floor to promote future flexibility of use.	The submitted plans nominate a habitable room height of 2.7m.	Yes
Min ceiling height for apartment & mixed use buildings														
Habitable rooms	2.7m (3.1m floor to floor)													
Non Habitable	2.4m													
2 storey apts	2.7m for main living area , 2.4m for 2 <sup>nd</sup> floor													
Attic spaces	1.8m at edge of room													
Mixed used zone	3.3m for ground & 1 <sup>st</sup> floor to promote future flexibility of use.													
4D Apartment size and layout  Apartments are required to have the following minimum internal areas with one bathroom:  • Studio = 35m2														



<ul style="list-style-type: none"> <li>• 1 bedroom = 50m<sup>2</sup></li> <li>• 2 bedroom = 70m<sup>2</sup></li> <li>• 3 bedroom = 90m<sup>2</sup></li> <li>• 4 bedroom = 102m<sup>2</sup></li> </ul> <p><u>Note:</u> Additional bathrooms increase the minimum internal area by 5m<sup>2</sup>.</p>	<p>New 3 bedroom – 115m<sup>2</sup></p> <p>Converted 2 bedroom – 75m<sup>2</sup></p>	Yes															
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	The habitable rooms have direct access to a window opening that achieves light and ventilation. No borrowed daylight or air is proposed.	Yes															
<p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height.</p> <p>In open plan layouts – habitable room (where the living, dining and kitchen are combined) be maximum depth of 8m from a window.</p>	Complies.	Yes															
Bedroom - minimum dimension of 3m (excluding wardrobe space)	All bedrooms have a minimum dimension of 3m.	Yes															
<p>Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none"> <li>• 3.6m for studio and 1 bedroom apartments;</li> <li>• 4m for 2 &amp; 3 bedroom apt</li> </ul>	Complies with the minimum living room widths.	Yes															
<p><b>4E Private Open Space and balconies</b></p> <p>Apartments must provide appropriately sized private open space and balconies to enhance residential amenity.</p> <p><u><b>Design criteria</b></u></p> <p>1.All apartments are required to have primary balconies as follows:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum area</th><th>Min.depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4m<sup>2</sup></td><td>N/A</td></tr> <tr> <td>1 bedroom</td><td>8m<sup>2</sup></td><td>2m</td></tr> <tr> <td>2 bedroom</td><td>10m<sup>2</sup></td><td>2m</td></tr> <tr> <td>3+ bedroom</td><td>12m<sup>2</sup></td><td>2.4m</td></tr> </tbody> </table>	Dwelling type	Minimum area	Min.depth	Studio apartments	4m <sup>2</sup>	N/A	1 bedroom	8m <sup>2</sup>	2m	2 bedroom	10m <sup>2</sup>	2m	3+ bedroom	12m <sup>2</sup>	2.4m	Complies with the required POS size and depth based on the unit type.	Yes
Dwelling type	Minimum area	Min.depth															
Studio apartments	4m <sup>2</sup>	N/A															
1 bedroom	8m <sup>2</sup>	2m															
2 bedroom	10m <sup>2</sup>	2m															
3+ bedroom	12m <sup>2</sup>	2.4m															



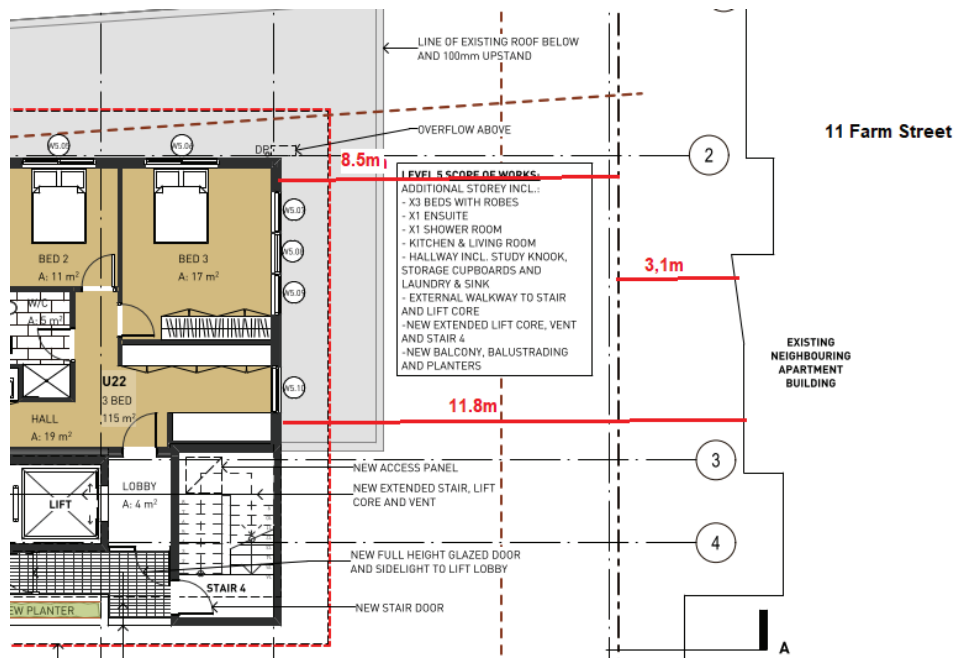
<p><b>4G Storage</b></p> <p>Adequate, well designed storage is to be provided for each apartment.</p> <p><b><u>Design criteria</u></b></p> <p>1.In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided:</p> <table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio</td><td>4m<sup>3</sup></td></tr><tr><td>1 bedroom apt</td><td>6m<sup>3</sup></td></tr><tr><td>2 bedroom apt</td><td>8m<sup>3</sup></td></tr><tr><td>3 + bedroom apt</td><td>10m<sup>3</sup></td></tr></table>	Dwelling type	Storage size volume	Studio	4m <sup>3</sup>	1 bedroom apt	6m <sup>3</sup>	2 bedroom apt	8m <sup>3</sup>	3 + bedroom apt	10m <sup>3</sup>	<p>Sufficient storage provided in the apartment</p>	<p>Yes</p>
Dwelling type	Storage size volume											
Studio	4m <sup>3</sup>											
1 bedroom apt	6m <sup>3</sup>											
2 bedroom apt	8m <sup>3</sup>											
3 + bedroom apt	10m <sup>3</sup>											
<p><b>4H Acoustic privacy</b></p> <p>Noise transfer is minimised through the siting of buildings, building layout, and acoustic treatments.</p> <p>Plant rooms, services and communal open space and the like to be located at least 3m away from the bedrooms.</p> <p>Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.</p>	<p>Council’s standard acoustic condition be imposed to ensure the new apartment complies with all relevant acoustic criteria through means of standard acoustic treatment and management. This will also relate to minimising internal noise transfer.</p>	<p>Addressed by a condition of consent.</p>										
<p><b>4K Apartment mix</b></p> <p>A range of apartment types with different number of bedrooms (1bed, 2 bed, 3 bed etc) should be provided.</p>	<p>This proposal will add an additional 3 bedroom apartment and convert an existing 1 bedroom to 2 bedroom resulting in:</p> <ul style="list-style-type: none"><li>• 1 bedroom x 4</li><li>• 2 bedroom x 11</li><li>• 3 bedroom x 7</li></ul>	<p>Yes</p>										
<p><b>4N Roof design</b></p> <p>Roof treatments are integrated into the building design and positively respond to the street.</p>	<p>The new roof form is supported by Council’s Urban Design Officer.</p> <p>Treatments are integrated well into the building design and respond to the street.</p>	<p>Yes</p>										

Note\*1: As discussed in the Assessment report:

This site is required to provide 9m building separation to the eastern boundary (the site's share of 18m). The proposed separation is 8.5m, being a shortfall of 500mm.



The approved and existing building at 11 Farm Street is set back approximately 3.1m from the common boundary between 13 & 11 Farm Street, as shown below. The resulting separation between the buildings is 11.8m.

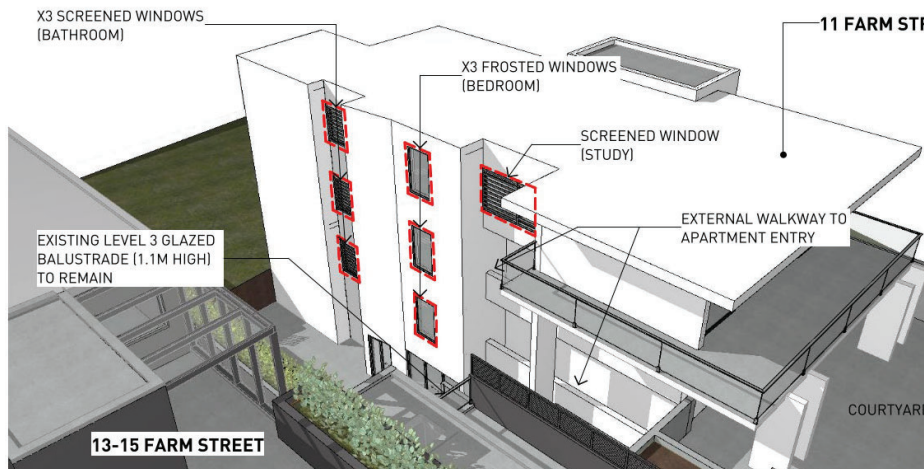


**Figure 1:** Floor plan illustrating the separation between the new addition and existing adjoining property along the eastern elevation.

The shortfall in the setback by the new apartment is not considered to pose adverse impacts such as overlooking, noise or overshadowing concerns from this non-compliance as:

- Only bedroom windows are proposed along the eastern elevation. A bedroom is not considered to be a high-use room;
- Along the western elevation of 11 Farm Street, there are screened bathroom windows, frosted bedroom windows and screen study windows, as shown below;
- There is only minor additional overshadowing to the western elevation of 11 Farm Street from 2pm onwards.





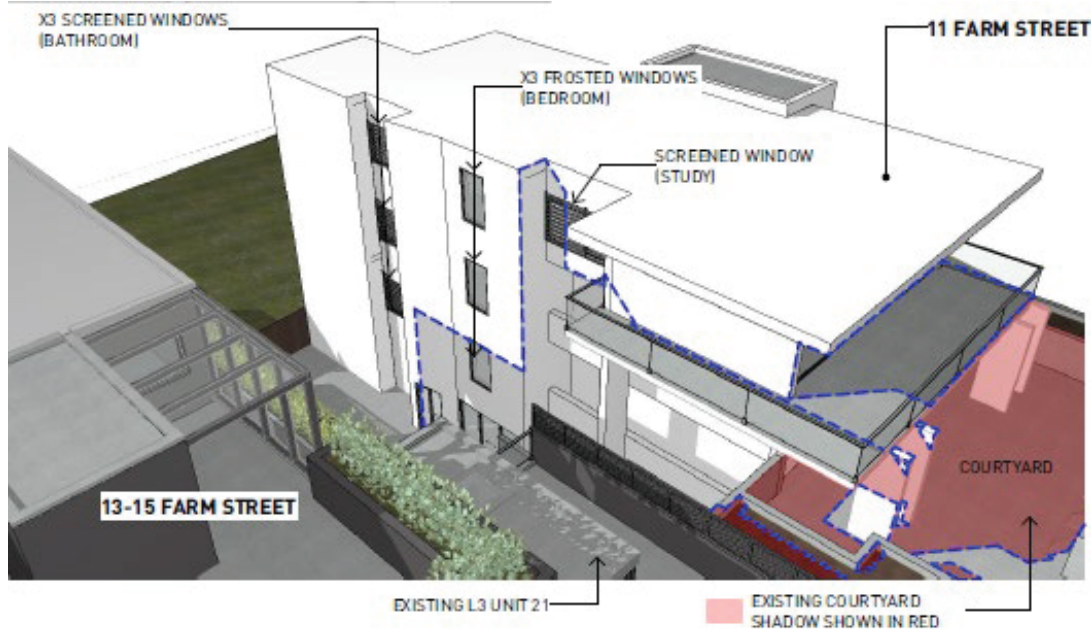
**Figure 2:** Western elevation of 11 Farm Street, facing the subject site.

### Solar Impact to adjoining properties

Shadow diagrams have been submitted illustrating the existing and additional overshadowing impact from the proposed development.

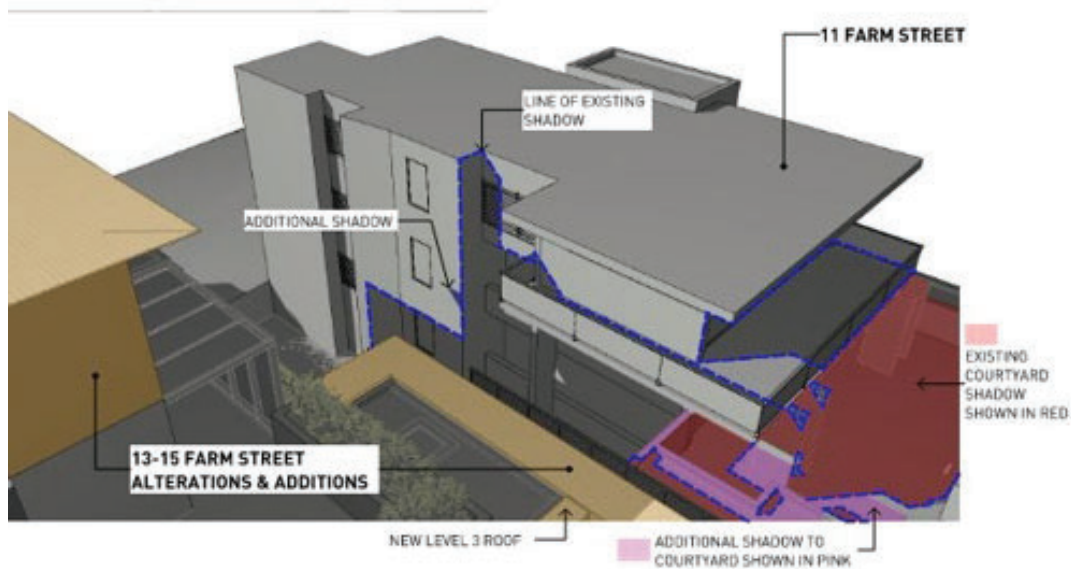
The only property that will be impact on in terms of overshadowing is the adjoining property to the west – 11 Farm Street. Properties opposite in Farm Street and The Avenue will not have any additional overshadowing as a result of this proposal.

The submitted shadow diagrams show that 11 Farm Street will have some additional overshadowing to their western elevation and courtyard area as shown below.

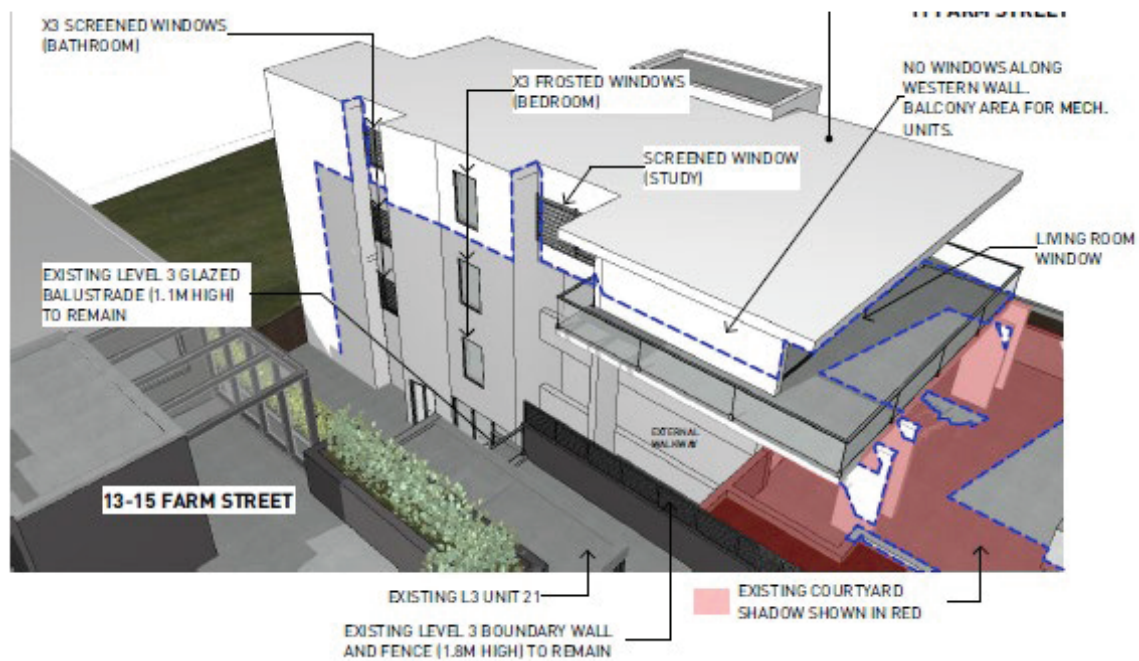


**Figure 3:** Existing overshadowing onto 11 Farm Street at 1pm.



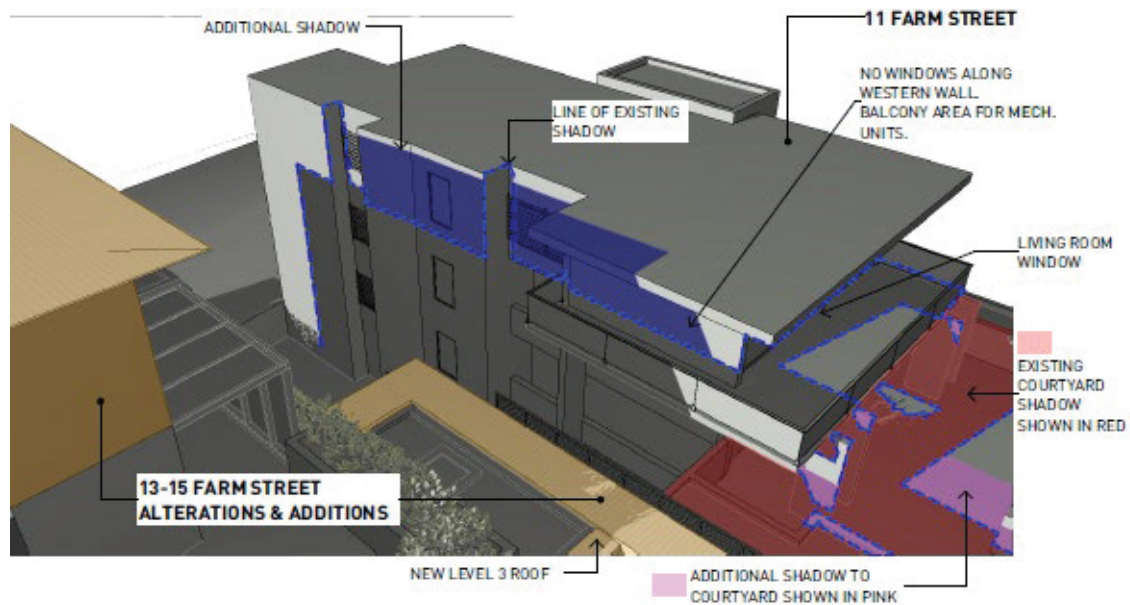


**Figure 4:** Additional overshadowing onto 11 Farm Street at 1pm.



**Figure 5:** Existing overshadowing onto 11 Farm Street at 3pm.





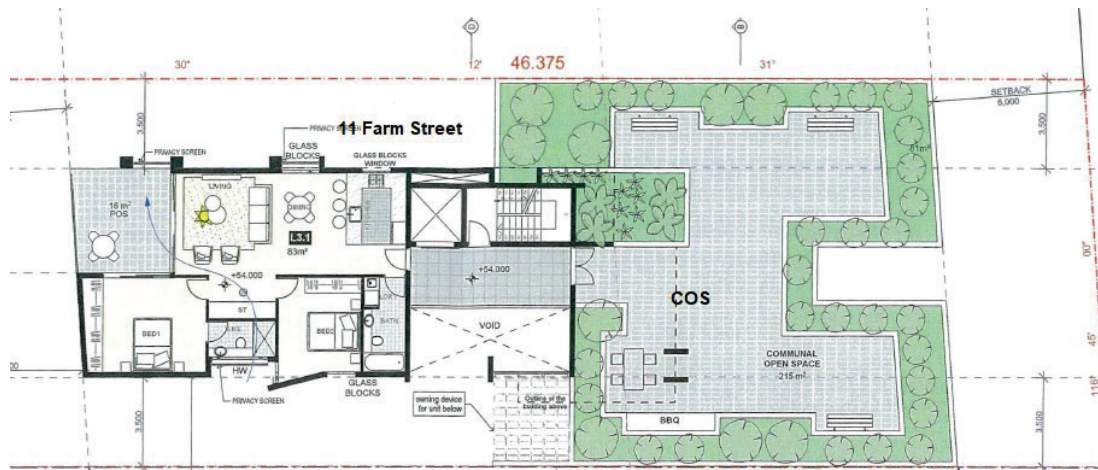
**Figure 6:** Additional overshadowing onto 11 Farm Street at 3pm to a bedroom and study room window and minor increase to the courtyard.

There are no living room windows located along the western elevation of 11 Farm Street, only a bathroom, bedroom and study room window.

Overshadowing to POS of the rear courtyards areas is unavoidable due to the orientation of the site. The existing situation is that the top floor rear courtyard (which is off their bedroom) will have some additional overshadowing to the western corner of the balcony. However, this is relatively minor and given this is not their main POS, the impact is considered acceptable.

The overshadowing to the lower courtyard area (shown in pink) is to the building communal open space. The additional overshadowing is relatively minor, and the communal open space will still receive solar access to a large area of their COS (i.e. the mid and eastern sections). Figure 11 below illustrates the area of the COS of 11 Farm Street.





13-15 Farm street

**Figure 7:** 11 Farm Street – location of the adjoining property's communal open space area.



# VARIATION TO DEVELOPMENT STANDARDS

13-15 FARM STREET GLADESVILLE

24\_040

REV C 07-05-2025



## 1 VARIATION TO DEVELOPMENT STANDARD (CLAUSE 4.6)

Clause 4.6 of Ryde LEP 2014 allows Council to grant consent for development even though the development contravenes a development standard contained in the LEP. The clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better development outcomes.

## 2 STANDARD TO BE VARIED

Clause 16(1) *State Environmental Planning Policy (Housing) 2021* - Housing SEPP

There are two mapped heights on site, 9m (11.7m with 30% affordable housing bonus) and 12m (15.6m with 30% affordable housing bonus).

A variation is sought to the 15.6m height of building standard.





## 2.1 THE VARIATION

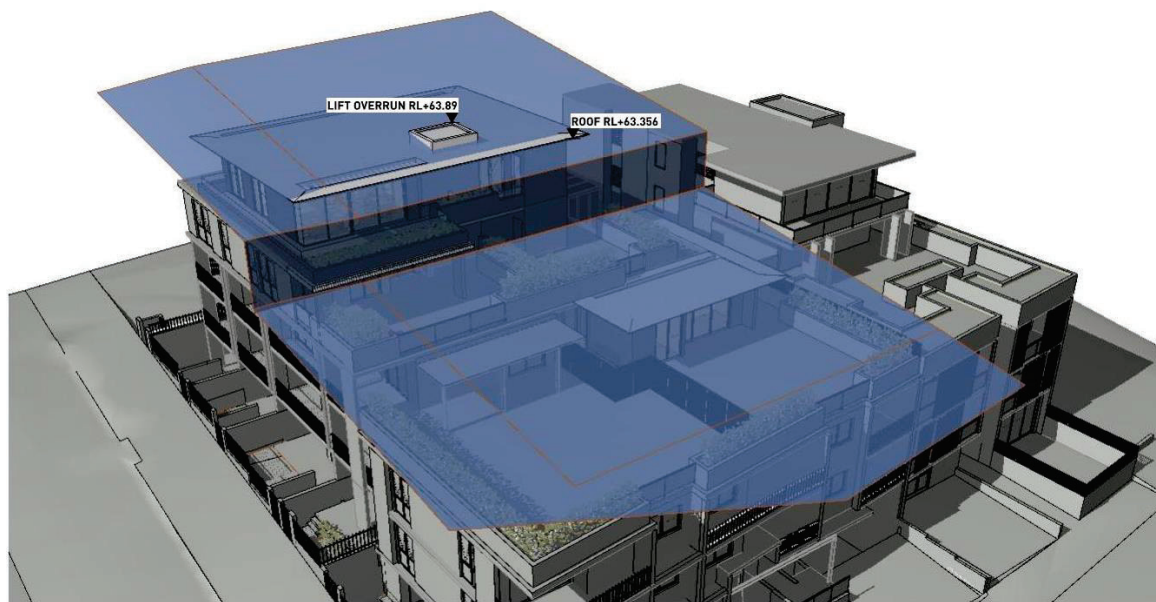
The proposed maximum height of the building is 16.005m. This is an exceedance of 0.405m, or 1.025% of the 15.6m that applies to this portion of the site.

The source of the height exceedance is the lift overrun. This extension of the lift core enables access to the new level five apartment, and is shown below;



SECTION HEIGHT LIMIT B

FIGURE 1: SECTION SHOWING LIFT OVERRUN AND EAVE EXCEEDING HEIGHT STANDARD



HEIGHT LIMIT B

FIGURE 2: HEIGHT BLANKET SHOWING EAVE AND LIFT OVER RUN EXCEEDING HEIGHT STANDARD



## 2.2 METHOD OF CALCULATION

The height of building is defined in Ryde Local Environmental Plan as:

*the vertical distance from ground level (existing) to the highest point of the building.*

Ground level (existing) is defined in the LEP as:

*the existing level of a site at any point.*

To determine the height of a building you must first determine the ground level reference point. Decisions of the Land and Environment Court has provided two methods to determine the height of a building where the site has been altered as a result of previous development:

- Where the level under an existing structure is not known the decision of Bettar<sup>1</sup> provides that you can extrapolate the height across an existing building footprint using 'known' levels of the site at the perimeter of the structure.
- Where the existing level of a site is known the decision of Merman provides that you must use this as the reference point under which to measure height<sup>2</sup> – even where the level may result in an absurd or outrageous result – resolving that conflict is where clause 4.6 as work to do. You can't ignore the definition of ground level (existing) even when it does not make sense in a particular circumstance.

We have provided height calculations for each circumstance in the following variation so that a proper understanding of height can be varied.

In any event – the justification relies on a building form which when viewed from the public domain is consistent with the objectives of the clause in that the built form steps with the fall of the land and retains the transition in height to the south – and enables the additional affordable housing as provided for under the SEPP.

## 2.3 WHAT IS THE LEVEL OF THE SITE

Our opinion is that in this circumstance of this application the best method is Bettar – using the levels at the perimeter of the building and extrapolating the levels between. This is because these are the only known ground levels of 'the site'.

Although 'site' is not defined in the Act, Regulations or LEP, it generally refers to land on which development is being carried out. (eg site area, site coverage), this is consistent with the dictionary meaning of the term.

*Ground level is not the basement car park slab level.*

Where a building covers the site – the *ground level* cannot be the level of the basement slab – as a basement is defined as “a space within a building where the floor level of that space is predominantly below ground level (existing). As the basement is *below* the ground levels the slab of the carpark cannot be 'ground level (existing).

*Ground level as ground level slab*

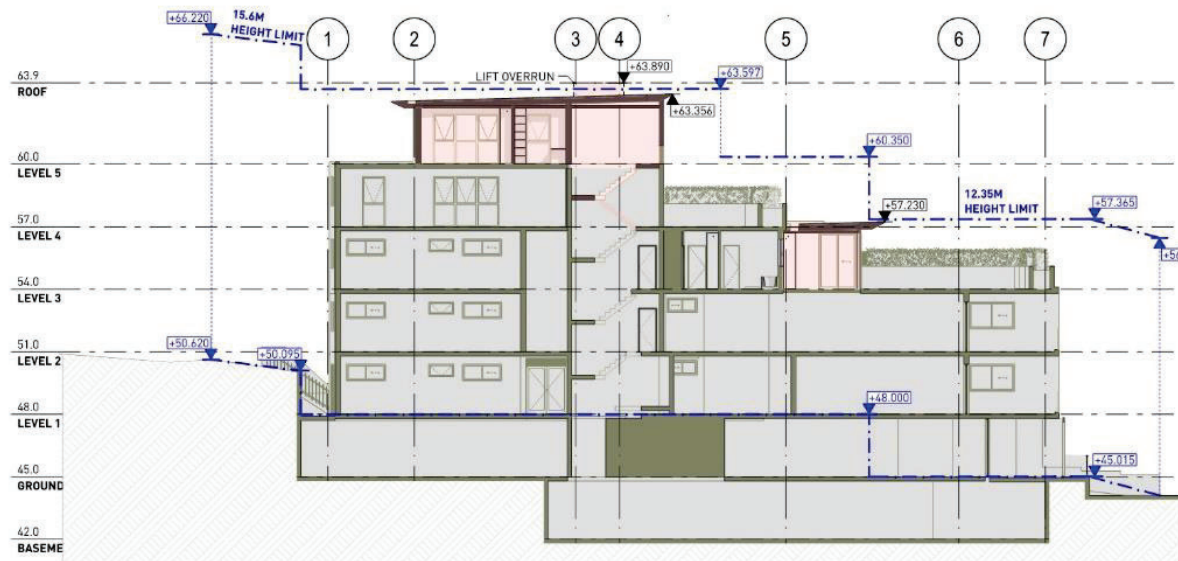
The level of the slab above the basement could be (ie the ground floor slab) could be considered the *ground level*

<sup>1</sup> Bettar v Council of the City of Sydney [2014] NSWLEC 1070

<sup>2</sup> Merman Investments Pty Ltd v Woollahra Municipal Council [2021] NSWLEC 1582 also supported by Cadele Investments Pty Ltd v Randwick City Council [2021] NSWLEC 1484

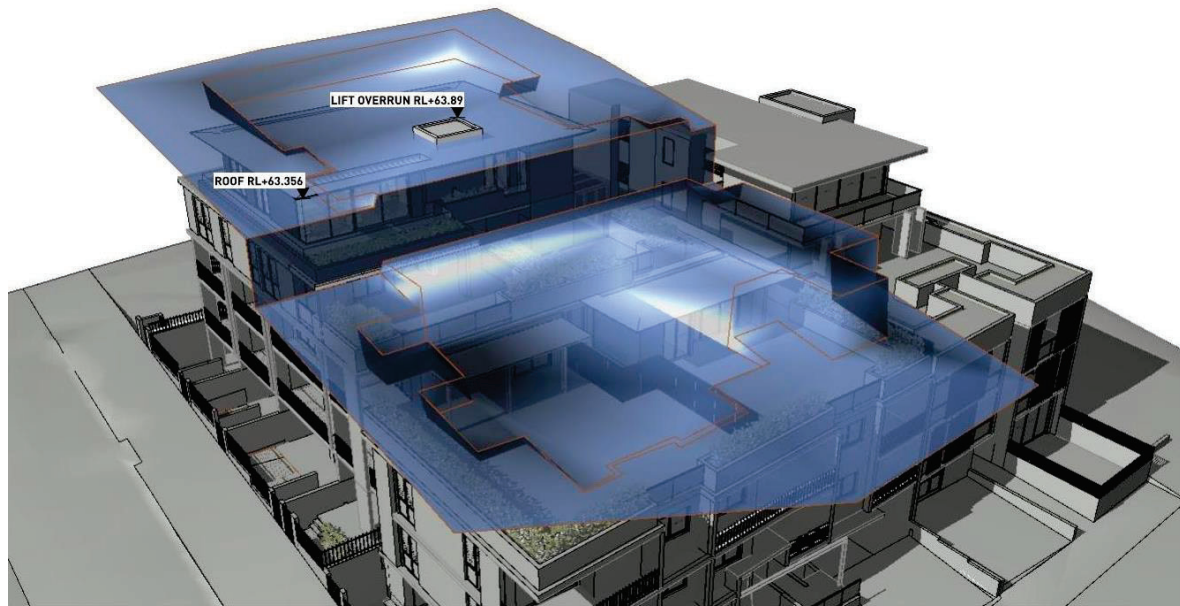


If this method of calculation is adopted, then the lift overrun exceeds the height standard by 293mm. This is illustrated in the figures below.



SECTION HEIGHT LIMIT C

FIGURE 3: HEIGHT STANDARD USING GROUND LEVEL SLAB AS THE 'GROUND LEVEL'



HEIGHT LIMIT C

FIGURE 4: HEIGHT PLANE USING GROUND LEVEL OF EXISTING SLAB AS THE GROUND LEVEL ONLY LIFT OVERRUN EXCEEDS



### 3 JUSTIFICATION – COMPLIANCE IS UNNECESSARY OR UNREASONABLE

Justification - Compliance is unnecessary or unreasonable. When considering whether a development standard is appropriate and or necessary, the consent authority must take into account the nature of the proposed variation, the site specific context and the design of the proposed development. In this instance it is considered unnecessary to require strict compliance with the standard as:

- the proposal achieves the objectives of the standard notwithstanding the non-compliance
- the particular context and circumstances of the site and arrangement of the plan that makes it unreasonable
- the non-compliance is of such a minor nature and is not discernible from the public domain.

#### 3.1 CONSISTENT WITH OBJECTIVES OF THE ZONE

The site is located within Zone MU1 - Mixed Use (mapped as B4 – Mixed Use). Due to the existing and ongoing residential use on site and the extent of the proposed development (on the upper levels only), the objectives relating to ground level and employment opportunities are not relevant. The relevant objectives of the zone are:

- To minimise conflict between land uses within this zone and land uses within adjoining zones.

Response: The proposed residential additions are compatible with adjoining residential uses. There is no additional height proposed on the part of the site where there is a lower height limit to assist with the transition to the lower density zone to the south.

#### 3.2 CONSISTENT WITH OBJECTIVES OF CLAUSE 4.3 (RYDE LEP)

Despite the non-compliance with the development standard the proposed development is consistent with the relevant objectives of cl. 4.3. In particular:

- *To ensure that street frontages of development are in proportion with and in keeping with the character of nearby development.*

Response: The source of the height exceedance is located in the middle of the site, minimising its visual impact from the public domain and surrounding areas.

- *To minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area.*

Response: The overshadowing impacts of the proposed modification are minimal the non-compliance with the height limit does not generate additional overshadowing impacts as the shadow falls on the roof of the proposed development.

- *To minimise the impact of development on the amenity of surrounding properties.*

Response: Acoustic and visual privacy impacts to neighbouring buildings are managed with adequate building separation and screening. Solar impacts to resulting from the non-compliance do not impact surrounding properties.



### 3.3 CONSISTENCY WITH OBJECTIVES OF HOUSING SEPP

Clause 15A of the Housing SEPP provides that the height bonuses in that division are provided to “*facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.*” Without variation of the height standard the additional floor space could not be accommodated as anticipated by this clause.

## 4 ENVIRONMENTAL PLANNING GROUNDS

### 4.1 UNIQUE CIRCUMSTANCES

The proposal is unique due to the topography of the site. The level of the site under the existing building has been highly modified and does not reflect the natural fall of the topography. The ground plane can therefore be measured using alternate methods (as demonstrated in Figures 1 & 3 above).

In any other ordinary application (say a development application for this site where there is no existing building) the height plane would more closely match the natural topography.

It is unreasonable and a poor planning outcome to require compliance with a standard that does not preserve this natural topography and result in buildings that step with the topography.

### 4.2 AFFORDABLE HOUSING

The Housing SEPP was modified to provide additional floor space bonus and height bonus to encourage the provision of affordable housing. The existing building is able to accommodate both additional floor space and height and meet this social demand with minimum impact and reduced costs compared to a brand new development. It also enables extension of existing affordable housing for a longer period of time.

### 4.3 ABSURD OUTCOME WITH STRICT COMPLIANCE

The definition of ground level (existing) when applied on a site where an existing structure has altered the site levels results in absurd planning outcomes. The intent of the height standard is that the height of new development follows the natural falls of the topography.

It is then useful to compare the proposed development using a height plane that follows what would otherwise be the interpolated natural levels (using the Bettar approach). This is a useful test to establish environmental planning grounds as it demonstrates that the objectives of the height have been achieved – being a building that aligns with the topography of the site as viewed from outside the site.

An even more absurd outcome would be achieved if the ground level (existing) was considered to be the underside of the basement slab – this would result in the height to building being less than what it was when the building was approved – and a building at the time of approval being compliant – but after completion being non-compliant.

### 4.4 SITE AND CONTEXT

The site is located in an area that has been designed for development of this scale and form. The additional storey is located away from the lower residential zone to reduce the visual and bulk and scale impacts. The design of the building is scaled to align with the natural topography of the site and present a well resolved streetscape.



## 5 SUMMARY

It is considered that compliance with the standard is unnecessary in these circumstances and there are sufficient environmental planning grounds to justify the departure of from the development standard

- the proposed development is consistent with the relevant objectives of the standard LEP height standard
- the proposed development is consistent with the relevant objectives of the Housing SEPP in that it allows for additional height and floor space for affordable housing
- the non- compliance results from the definition of ground level (existing) and how it is applied to a land that has been substantially altered.
- The application of the height standard using the basement level or ground floor level as “*level of the site*” results in a height of building where the existing building exceeds that height.
- A better planning outcome achieved by permitting the variation of the standard in that the additional height allows for access to a new apartment with good amenity and provides for affordable housing as anticipated by the planning controls that provide additional height above the height standard for the site
- The extent of height non-compliance is very minor (when measured from both the existing ground floor slab and also the ‘Bettar’ approach and would largely not be perceptible from the public domain.
- The area of height non-compliance is centrally located on the site and is largely not perceptible from the public domain.
- When the height is measured using the *Bettar* approach as a reference point a height plane matches the natural fall of the land and the proposed development is below the height plane.
- Approval for the departure from the development standard will not be detrimental to the surrounding area and results in a high amenity outcome for the site through a functional and considered floorplan.



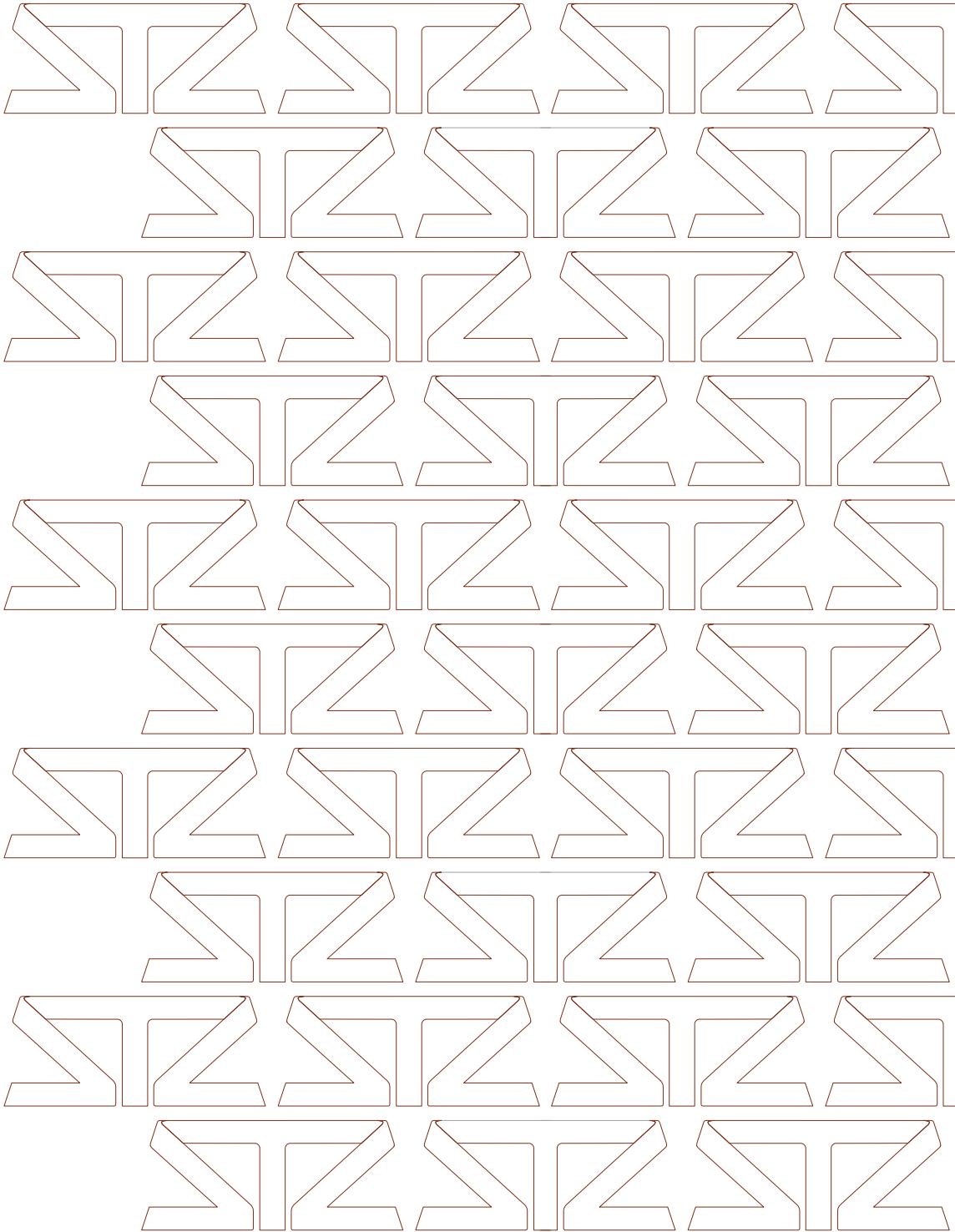
# DEVELOPMENT APPLICATION

## FARM STREET

13-15 FARM STREET GLADESVILLE NSW 2111 AUSTRALIA  
Paul Burns; Farm Road Development

REV C 07/05/25

SMITH & TZANNES





DRAWING SCHEDULE

DRAWING No.	DESCRIPTION
DD-A-000	TITLE
DD-A-001	NOTES
DD-A-010	SITE ANALYSIS PLAN
DD-A-011	SITE PLAN
DD-A-021	LEVEL 3 & 5 DEMOLITION PLANS
DD-A-100	LEVEL 5 FLOOR & ROOF PLAN
DD-A-101	LEVEL 5 FLOOR & ROOF PLAN
DD-A-200	ELEVATIONS
DD-A-201	ELEVATIONS
DD-A-202	SECTIONS
DD-A-800	AREA CALC / APT. SCHED.
DD-A-802	SHOWS - WINTER SOLSTICE EXISTING
DD-A-803	SHOWS - WINTER SOLSTICE PROPOSED
DD-A-802	VIEW FROM THE SUN EXISTING
DD-A-803	VIEW FROM THE SUN PROPOSED
DD-A-804	SHADOW ANALYSIS
DD-A-805	HEIGHT RESTRICTION COMPARISON
DD-A-806	11 FARM STREET SHADOW ANALYSIS
DD-A-900	EXTERNAL FINISHES

BASIX COMMITMENTS

LEGEND

AC	AIR CONDITIONING
AL	ALUMINIUM
AD	ALUMINIUM FRAMED DOOR
ADJ	ADJUSTABLE
ASC	ANTI GRAFFITI COATING
EJ	EXPANSION JOINT
EM	ENTRY MAT
EQ	EQUAL
EX	EXISTING
EJA	EXHAUST AIR
AW	ALUMINIUM FRAMED WINDOW
BA	BATHPOUT
BAL-B	BALUSTRADE TYPE #
BAL-G	GLASS BALUSTRADE
BAR	BARRIER
BB	BOND BREAKER
BCT	BABY CHANGE TABLE
BEN	BENCH
BG	BOX GUTTER
BH	BULLHEAD
BKE	BIKE RAIL
BL	BLIND
BCK	BLOCKWORK
BK	BRICKWORK (COMMON)
BWB	BRICKWORK (BAGGED)
BO	BALCONY OUTLET
BOL	BOLLARDS
BP	BLOCKPLAN
BR	BUMP RAIL
BRN	HARDWOOD TIMBER BENCH SEATING
BSH	BATHROBE HOOK
BDM	BASIN
BT#	BATH TUB
BT	BOTTLE TRAP
CB	CONCRETE BLOCK
CBG	COLORBLACK GLASS
CJ	CONSTRUCTION JOINT
CHD	COAT HOOK
CG	CLAR GLASS
CFC	COMPRESSED FIBRE CEMENT
CFTF	CERAMIC FLOOR TILE TYPE
CK	COUNTOP
CL	CENTRE LINE
CLL	CLOTHES LINE
CLD	CLADDING
CLB	CEILING
COB	COUNTOP
CONC	GENERAL CONCRETE MACHINE FLOAT FINISH
CONF	CONCRETE FOOTPATH FINISH - by BROOM FINISH
CONB	PROJECT SPECIFIC CONCRETE FINISH TYPE #
COS	CHECK ON SITE
CPD	CUPBOARD
CPT	CAPET
COWB	CERAMIC WALL TILE TYPE #
D	DOOR
DD	DRAIN GROOVE
DL-E	DOWNLIGHT EXTERIOR
DL-I	DOWNLIGHT INTERIOR
DL-F	DOWNLIGHT FLOOD LIGHT
DRW	DRAWING
DW	DISHWASHER
DP	DOWNPIPE
DRY	DRIER
DST	DOORSTOP
DT	DRESSED TIMBER

EA	EQUAL ANGLE
EED	ELECTRICAL DISTRIBUTION BOARD
ELECT	ELECTRICAL
ESR	ELECTRICAL SERVICES RISER
EJ	EXPANSION JOINT
EM	ENTRY MAT
EQ	EQUAL
EX	EXISTING
EJA	EXHAUST AIR
EXH	EXHAUST DRILL
F	FRIDGE
FBR#	FACE BRICK TYPE
FCB	FIBRE CEMENT
FCL	FINISHED CEILING LEVEL
FCE	FIRE EXTINGUISHER
FENC#	FENCE TYPE
FFL	FINISHED FLOOR LEVEL
FGB	FRAMELESS GLASS BALUSTRADE
FG	FIXED GLASS
FH	FIRE HYDRANT
FHR	FIRE HOSE REEL
FIR	FIRE INDICATOR PANEL
FL	FLASHING
FLD	FLOOR BUTTON
FP	FIRE PLACE
FPB	FALL PREVENTION BARRIER
FRE	PORTABLE FIRE EXTINGUISHER
FRL	FIRE RATED LEVEL
FSL	FINISHED SLAB LEVEL (FIRE STAIR LANDINGS)
FTR	FLOOR TILE
FWM	FLOOR WASTE
GAS	GAS POINT
GAS	GAS FLUE
GDR	GRATED FLOOR DRAIN
GL	GLAZING
GU	GUTTER
GR	GRAVEL
GRB#	GRAB RAIL
GPO	GENERAL POWER OUTLET
HD	HANDDRYER
HBR	HANDRAIL TYPE #
HMR	HIGH MOISTURE RESISTANCE
HOB	CONCRETE HOB
HT	HOSE TAP
HWD#	HOT WATER UNIT
HYD	HYDRAULIC SERVICES RISER
IGHW	INSTANTANEOUS GAS HOT WATER UNIT
INS#	INSULATION TYPE #
INT	AUDIO VISUAL INTERCOM DOOR STATION
JOINY	JOINERY
KB	KICKBOARD
KP	KICKPLATE
LAM#	LAMINATE TYPE #
LB	LETTERBOX
LOT	LAUNDRY
LUT#	LAUNDRY TUB TYPE
LVR#	LOUVER

MB	METER BOX
MCLD	METAL CLADDING
MDC#	MEDICINE CABINET TYPE
MDCR	MEDIUM DENSITY FIBRE BOARD (LOW VOC)
MDSH	METAL DECK ROOF SHEET TYPE #
MDSH	MECHANICAL RISER
MICR	MICROWAVE
MIR	MIRROR
MJ	MOVEMENT JOINT
MLVR	METAL LOUVER TYPE #
MLD	METAL LOUVERED DOOR
MPLY	MARINE GRADE PLYWOOD
MR	MOISTURE RESISTANT
MSC	MESH CAGE
NBN	NATIONAL BROADBAND NETWORK
NCOM	NON COMBUSTIBLE AS DEFINED BY NCC
OF	OVERFLOW
OFF	OFF FORM CONCRETE
OVR	OVEN
PSD	P90D PSD SHADOWLINE CORNICE
PAVR	PAVING TYPE
PBR	PLASTERBOARD
PC	POLISHED CHROME
PCONC	POLISHED CONCRETE
POC#	POWERSCAT TYPE
PDO	PLANTER DRAIN OUTLET
PF	POOL FENCE
PIT	STORMWATER PIT
PL	PLANTER
PLY	PANEL LIFT DOOR
PLD	PLYWOOD
PM	PERFORATED METAL
PP	PUSHPLATE
POLY	POLYURETHANE
R	ROBE
REN#	RENDERED FINISH TYPE
RB	RETURN AIR
RB	ROLLER BLIND
RC	REINFORCED CONCRETE
RFD	RADIO FREQUENCY IDENTIFICATION SYSTEM
RH	RANGEHOOD
RL	RELATIVE LEVEL (TO AUSTRALIAN HEIGHT DATUM)
RL	ROLLER SHUTTER TYPE
RWD	RAINWATER OUTLET
RWT	RAINWATER TANK
S	STORAGE
SA	SUPPLY AIR
SAC	SERVICES ACCESS SYSTEM
SAP	SECURE ACCESS POINT (RFID)
SCR	SCREEN
SOS	SOAP DISPENSER
SF#	STEEL FENCING TYPE #
SG	STEEL GATE
SHCSA	SHOWER SCREEN
SHS	SHOWER SHELF
SHMR	SHOWER MIXER
SHMR	SHOWER ROSE
SINK#	SINK

SK #	SKIRTING
SL	SKYLIGHT
SO	SURFACE OUTLET
SP	STONE PAVING
SPB	SPLASHBACK
SPO	SOAP DISPENSER
SS	STAINLESS STEEL
SSL	STRUCTURAL SLAB LEVEL
STL	STEEL
ST	STORAGE
STD	SLIDING TIMBER DOOR
STA	STEEL ANGLE
STR	STEEL BEAM
STC	STEEL COLUMN
STN	STONE
SW	STORMWATER
TAP #	TAPWARE
TBC	TO BE CONFIRMED
TOC	TOILET CISTERN TYPE
TD	TIMBER DECKING
TF#	TIMBER FLOOR TYPE
TFW	TIMBER FRAMED WINDOW
TG	TIMBER GATE
TGSI	TACTILE INDICATORS
TIM	TIMBER
TMV	TIMBER VENEER
TOF	TOP OF FENCE
TOH	TOP OF JOB
TOW	TOP OF WALL
TPH#	TOILET PAPER ROLL HOLDER
TR	TOWEL RAIL
TRG	TRANSLUCENT GLAZING (DISCURE)
TV	TELEVISION
UNO	UNLESS NOTED OTHERWISE
UIS	UNDERGIRD
UR#	URINAL
VAP	VAPOUR BARRIER (NCOM)
VOP	VEHICLE / DATA POINT
VJ	VERTICAL JOINT
VINYL	VINYL FLOOR FINISH/SYSTEM
VP	VENT PIPE
WC#	TOILET TYPE
WH	WEEP-HOLE
WL#	WALL LIGHT
WM	WASHING MACHINE
WP	WEATHERPROOF
WRD	WASTE PAPER DISPENSER
WPM	WATERPROOF MEMBRANE
WS	WHEEL STOP
WT	WALL TYPE
WW	WALL WRAP (NCOM)

SYMBOL LEGEND

+	RL-00.000	EXISTING SPOT LEVEL
+	RL-00.000	PROPOSED SPOT LEVEL
+	RL-00.000	EXISTING AREA LEVEL
+	RL-00.000	PROPOSED AREA LEVEL
DOOR		DOOR TAG. REFER TO DOOR SCHEDULE FOR TYPE
WINDOW		WINDOW TAG. REFER TO WINDOW SCHEDULE FOR TYPE
		AREA NOT INCLUDED IN SCOPE OF WORKS

GENERAL NOTES

TO BE READ IN CONJUNCTION WITH SURVEY DRAWINGS

REFER TO STRUCTURAL ENGINEERS DRAWINGS FOR ALL STRUCTURAL DETAILS

REFER TO CONSULTANT DRAWINGS AND SPECIFICATIONS FOR ALL SERVICES REQUIREMENTS AND DETAILS

FINAL LOCATION OF SERVICES PENETRATIONS TO BE COORDINATED WITH SERVICES CONSULTANTS & SETOUT BY SURVEYOR

REFER TO VERTICAL TRANSPORTATION CONTRACT SPECIFICATION FOR LIFTS & STRUCTURAL OPENING REQUIREMENTS

REFER TO ELECTRICAL ENGINEERS SCHEDULE FOR LIGHTING SPECIFICATION

REFER TO LANDSCAPE ARCHITECTS DRAWINGS FOR PLANTING LOCATIONS, SCHEDULE AND SPECIFICATION

SETOUT DIMENSIONS ON GRID SETOUT PLAN. DIMENSIONS TO BE VERIFIED WITH THE SURVEYOR & ARCHITECT PRIOR TO COMMENCEMENT OF WORK

ALL WALLS TO BE UNDERGIRD OF STRUCTURE UNLESS NOTED OTHERWISE.

ALL OPERABLE WINDOWS WITHIN 1000mm AFFL TO BE FITTED WITH RESTRICTED OPENING FITTING IN ACCORDANCE WITH RELEVANT STANDARDS.

ALL FLOOR FINISHES AND ASSOCIATED SLIP-RATING TO COMPLY WITH AS4686-2016, BCA HANDBOOK, SA HB 116-2014 AND RELEVANT STATUTORY REQUIREMENTS

ALL CLADDING, APPLIED COATINGS SYSTEMS, INCLUDING WATERPROOF SYSTEMS AND DECORATIVE FINISH SYSTEMS, SUBSTRATES, INSULATION, SARKING, WALL WRAPS, VAPOUR BARRIERS, AND THE LIKE TO BE TESTED AS NON COMBUSTIBLE UNDER AS 1530.3 AND ACHIEVE COMPLIANCE WITH TESTS 1530.3 AND 1530.4 IN ACCORD WITH BCA A2.3 AND A2.4

ALL LOAD BEARING ELEMENTS (INCLUDING WALL SYSTEMS) ARE TO BE ACCOMPANIED BY STRUCTURAL CERTIFICATION SPECIFIC TO THE PROJECT AND REFER TO SITE SPECIFIC CONDITIONS.

NOTES

- NEVER scale off drawings, use figured dimensions only
- Verify all dimensions on site prior to commencement & report discrepancies to the architect
- Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary
- The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.
- This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for reconstruction unless designated.

LEGEND

Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.

NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS

Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

The design is not in a form suitable for use in connection with building work.





- SITE ANALYSIS LEGEND**
- EXISTING BUILDINGS
  - CONTOURS
  - SITE BOUNDARY
  - SITE ENTRY
  - PRIVACY CONCERNS
  - PREVAILING WINDS
  - EXISTING TREES

**NOTES**

- NEVER scale off drawings, use figured dimensions only.
- Verify all dimensions on site prior to commencement and report discrepancies to the architect.
- Drawings describe scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.
- The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.
- This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction unless designated.

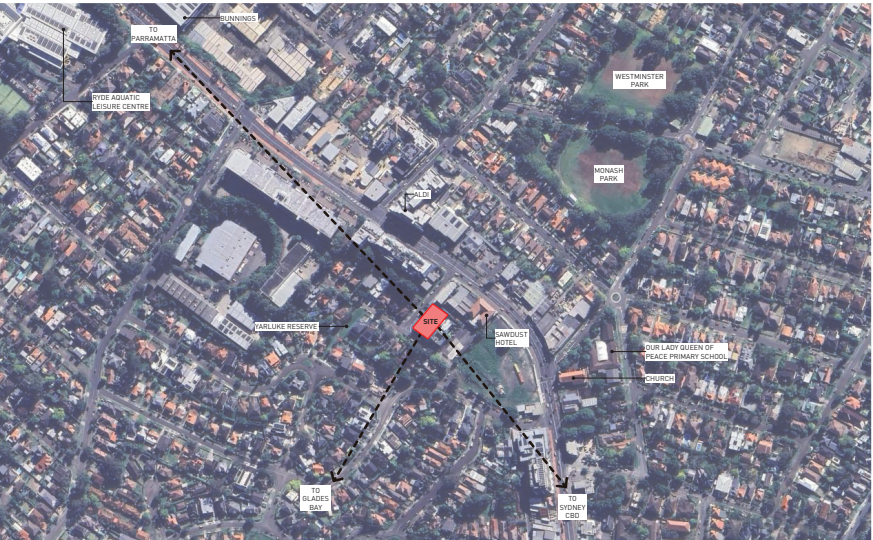
**LEGEND**

Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.

**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**

Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

The design is not in a form suitable for use in connection with building work.



VERSION  
FOR DA

REV B 31/03/25

MODEL 24\_040 Farm St - SD

DOCUMENT

**SITE ANALYSIS PLAN**

STAGE

**DEVELOPMENT APPLICATION**

PROJECT

**FARM STREET**

13-15 FARM STREET

GLADESVILLE

Paul Burns, Farm Road Development

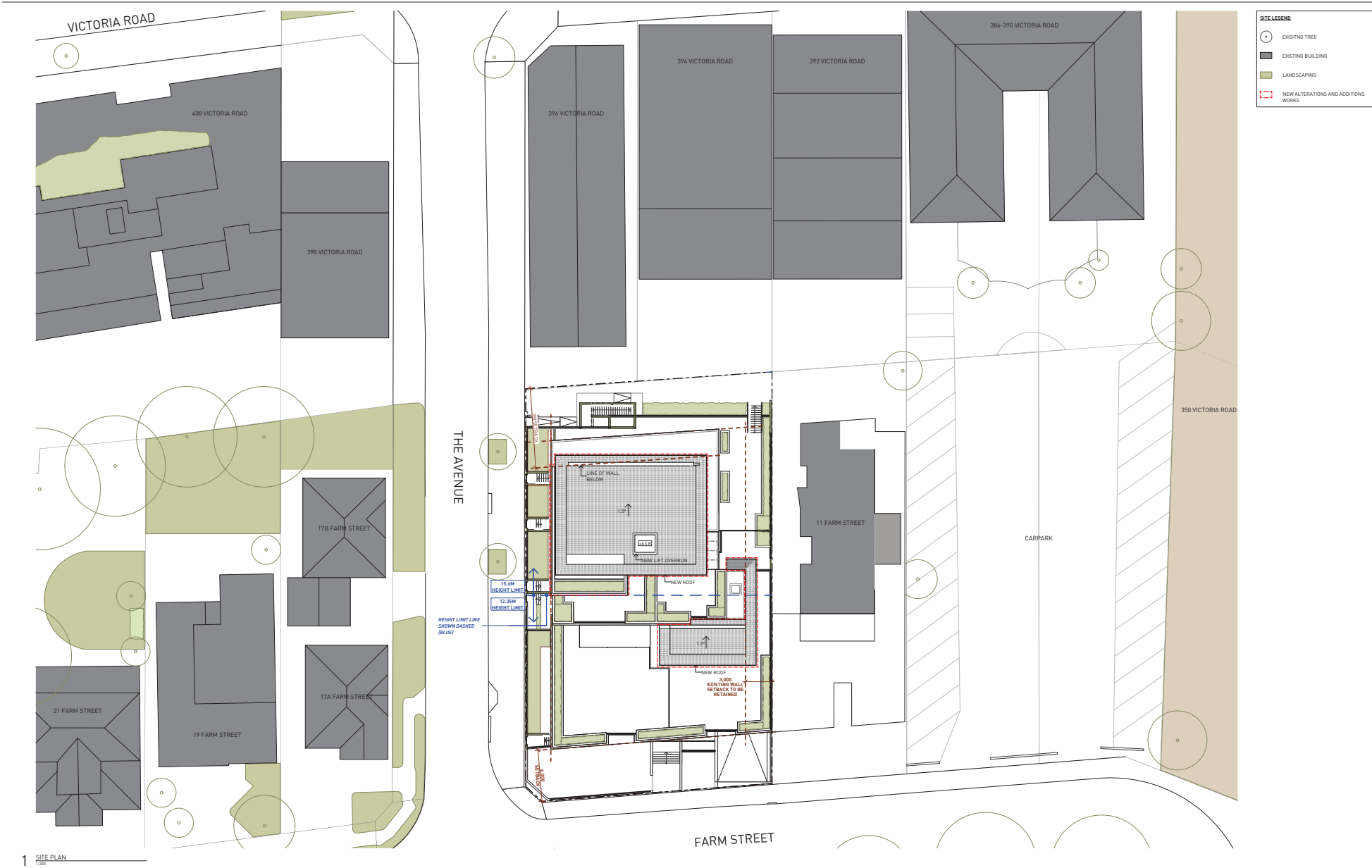
ARCHITECTURE URBAN PLANNING  
M/1707 McEwen St Alexandria NSW 2015  
P 02 9516 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith ARN 7026

**STZ**  
SMITH & TZANNES



24\_040 DD-A-010





**NOTES**

- NEVER scale off drawings, use figured dimensions only.
- Verify all dimensions on site prior to commencement & report discrepancies to the architect.
- Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.
- The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.
- This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

**LEGEND**

Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.

**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**

Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

The design is not in a form suitable for use in connection with building work.

© SMITH & TZANNES PTY LTD

**DOCUMENT**  
**SITE PLAN**

**DOCUMENT**  
**FOR DA**

REV C 07/05/25

MODEL 24\_040 Farm St - SD

**STAGE**

**DEVELOPMENT APPLICATION**

**PROJECT**  
**FARM STREET**

**13-15 FARM STREET GLADESVILLE**

**CLIENT** Paul Burns, Farm Road Development

**ARCHITECTURE URBAN PLANNING**  
MAY 16 17 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)

**STZ**  
**SMITH & TZANNES**

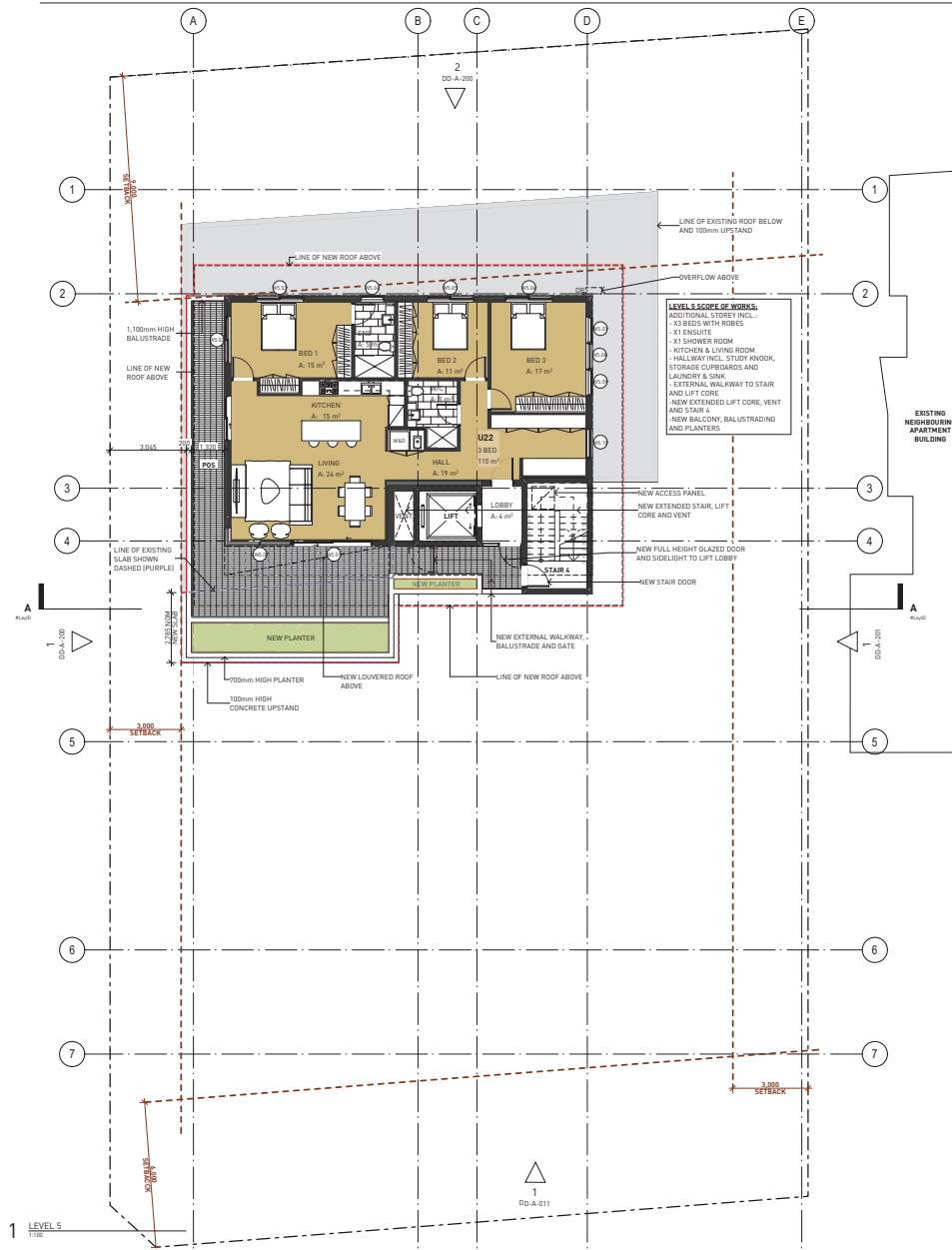












**NOTES**

- NEVER scale off drawings, use figured dimensions only.
- Verify all dimensions on site prior to commencement & report discrepancies to the architect.
- Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.
- The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.
- This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

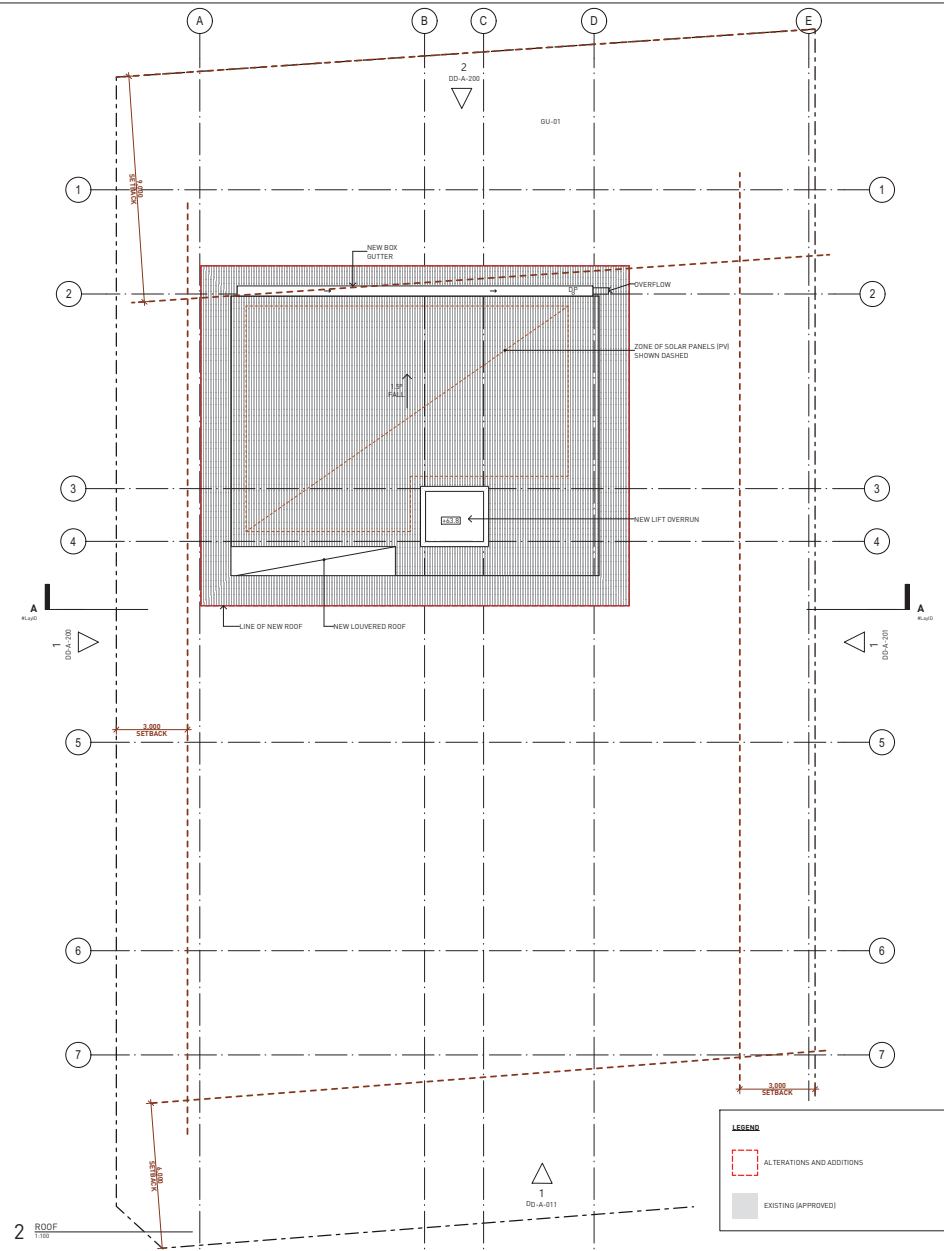
**LEGEND**

Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.

**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**

Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

The design is not in a form suitable for use in connection with building work.



**DOCUMENT**  
**LEVEL 5 FLOOR & ROOF PLAN**

**DOCUMENT**  
**FOR DA**

REV C 07/05/25 MODEL 24\_040 Farm St - SD

**STAGE**  
**DEVELOPMENT APPLICATION**

LEGEND
ALTERATIONS AND ADDITIONS
EXISTING (APPROVED)

**PROJECT**  
**FARM STREET**

13-15 FARM STREET GLADESVILLE

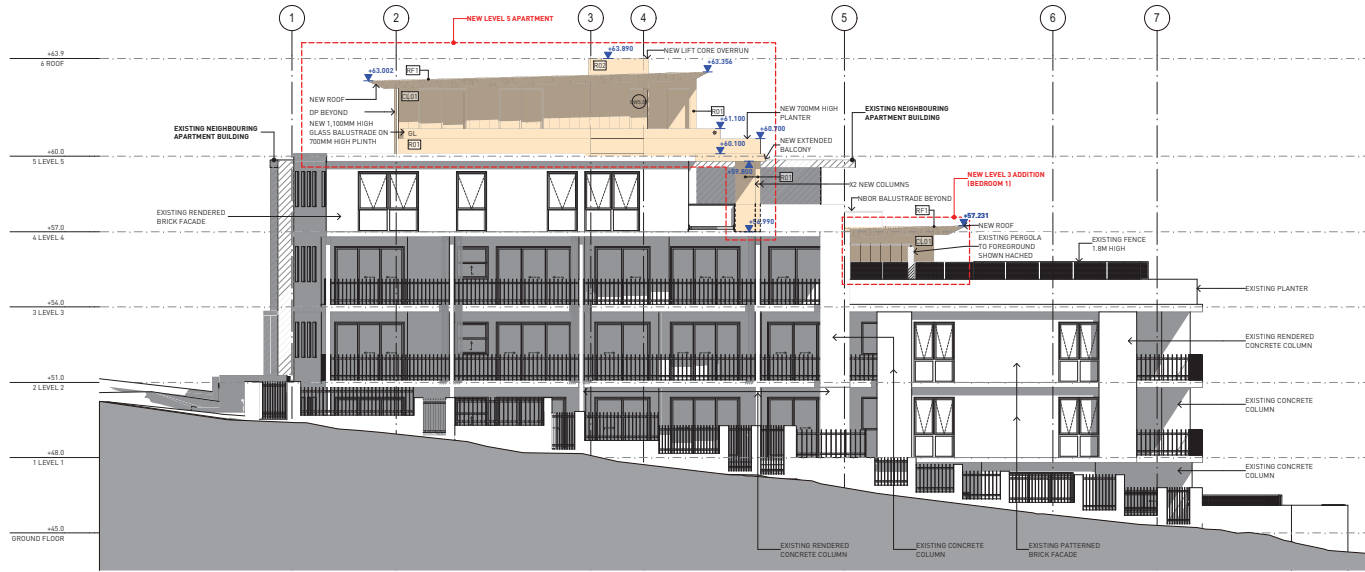
**CLIENT** Paul Burns, Farm Road Development

**ARCHITECTURE URBAN PLANNING**  
 M15147 McEvoy St Alexandria NSW 2015  
 P 02 9514 2022 E email@smithtzannes.com.au  
 smithtzannes.com.au  
 Nominated Architect: Peter Smith (Reg 7024)

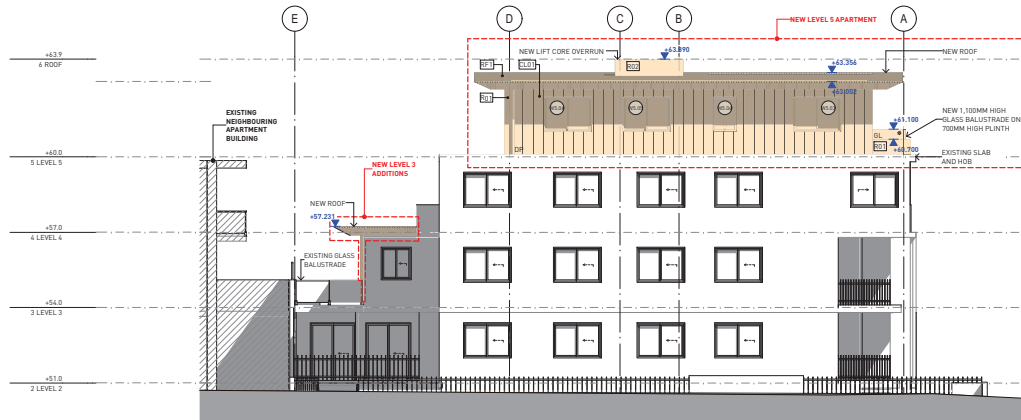
**STZ**  
**SMITH & TZANNES**

24\_040 DD-A-101





1 WEST ELEVATION  
1:100



2 NORTH ELEVATION  
1:100

LEGEND	
	METAL CLADDING COLOUR: COLORBOND 'MONUMENT'
	METAL CLADDING COLOUR: COLORBOND 'MONUMENT'
	GLASS
	RENDER COLOUR: COLORBOND 'MONUMENT'
	RENDER COLOUR: COLORBOND 'SUTHERLY'
	METAL ROOF COLOUR: COLORBOND 'SUTHERLY'

**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction.

© SMITH & TZANNES PTY LTD

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
The design is not in a form suitable for use in connection with building work.

DOCUMENT  
**ELEVATIONS**

DOCUMENT  
**FOR DA**

REV C 07/05/25

STAGE

**DEVELOPMENT APPLICATION**

PROJECT  
**FARM STREET**

13-15 FARM STREET GLADESVILLE

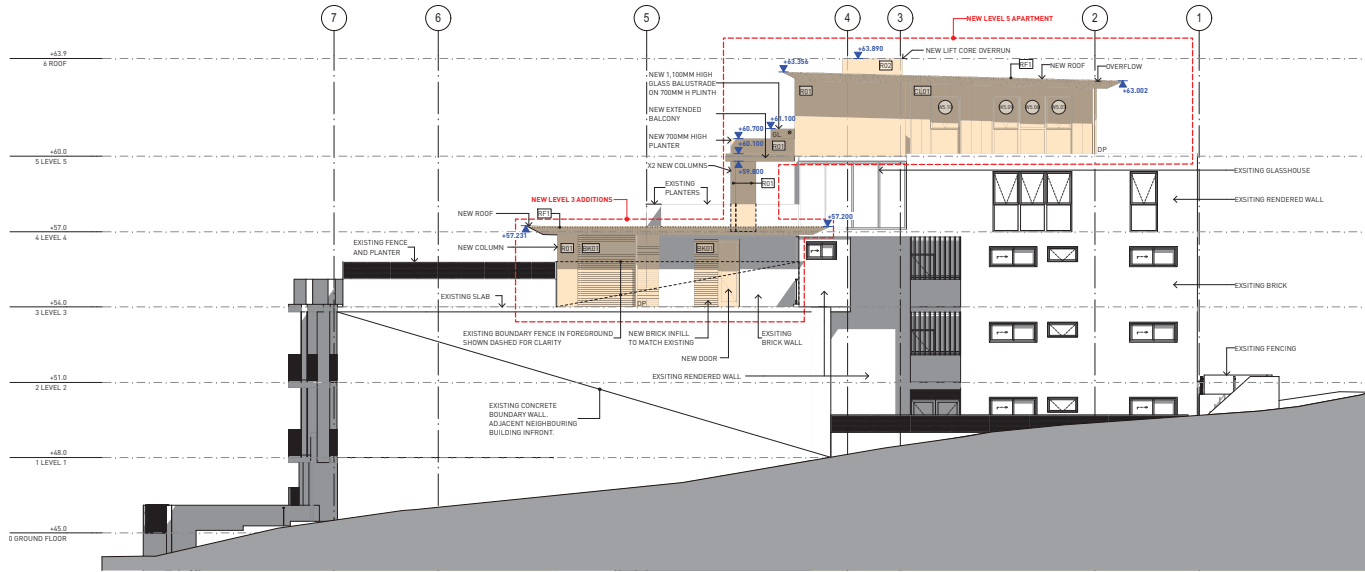
CLIENT Paul Burns, Farm Road Development

ARCHITECTURE URBAN PLANNING  
MAY 2017, 2020, 2021, 2022, 2023, 2024, 2025  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)

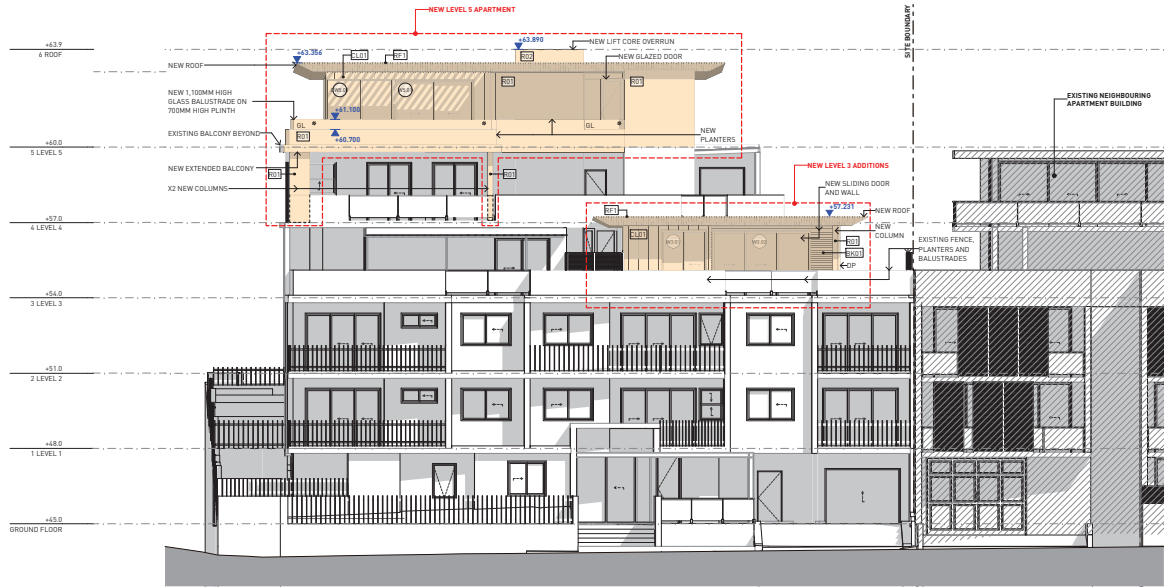
**STZ**  
SMITH & TZANNES

24\_040 DD-A-200





1 EAST ELEVATION  
1:100



2 SOUTH ELEVATION  
1:100

**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
The design is not in a form suitable for use in connection with building work.

DOCUMENT  
**ELEVATIONS**

DOCUMENT  
**FOR DA**

REV C 01/05/25

STAGE

**DEVELOPMENT APPLICATION**

PROJECT  
**FARM STREET**

13-15 FARM STREET GLADESVILLE

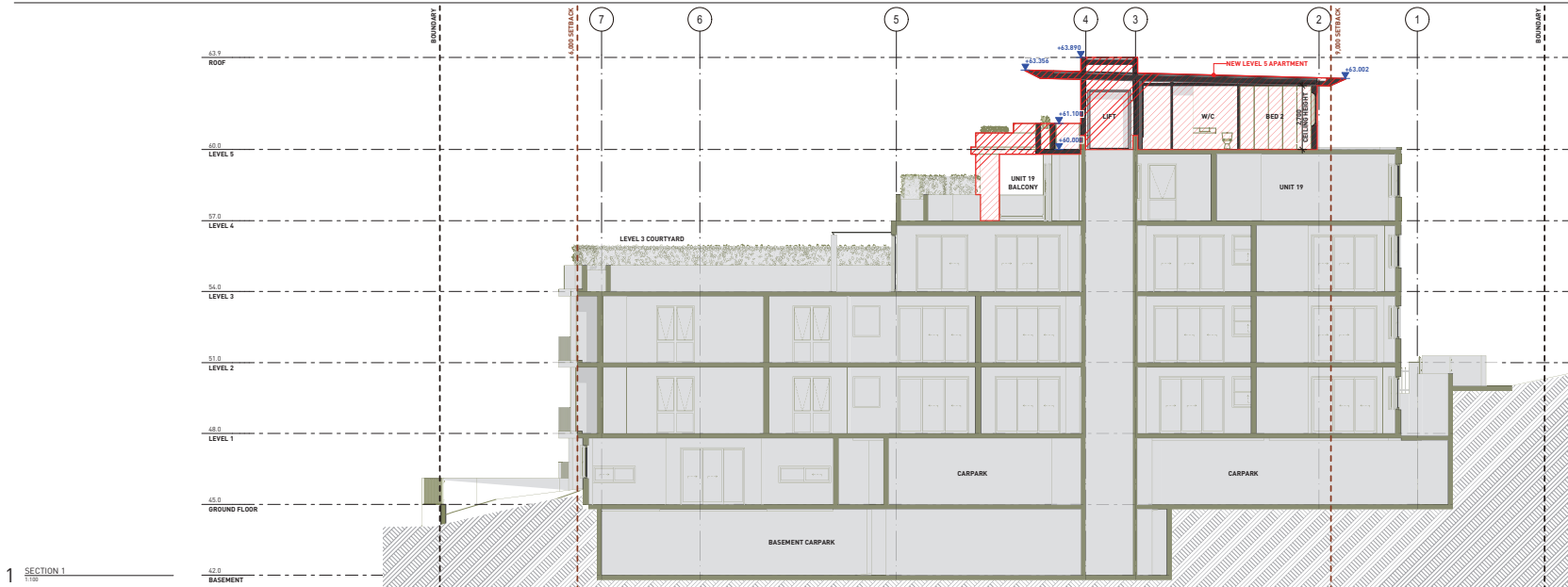
CLIENT **Paul Burns, Farm Road Development**

ARCHITECTURE URBAN PLANNING  
M15147 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)

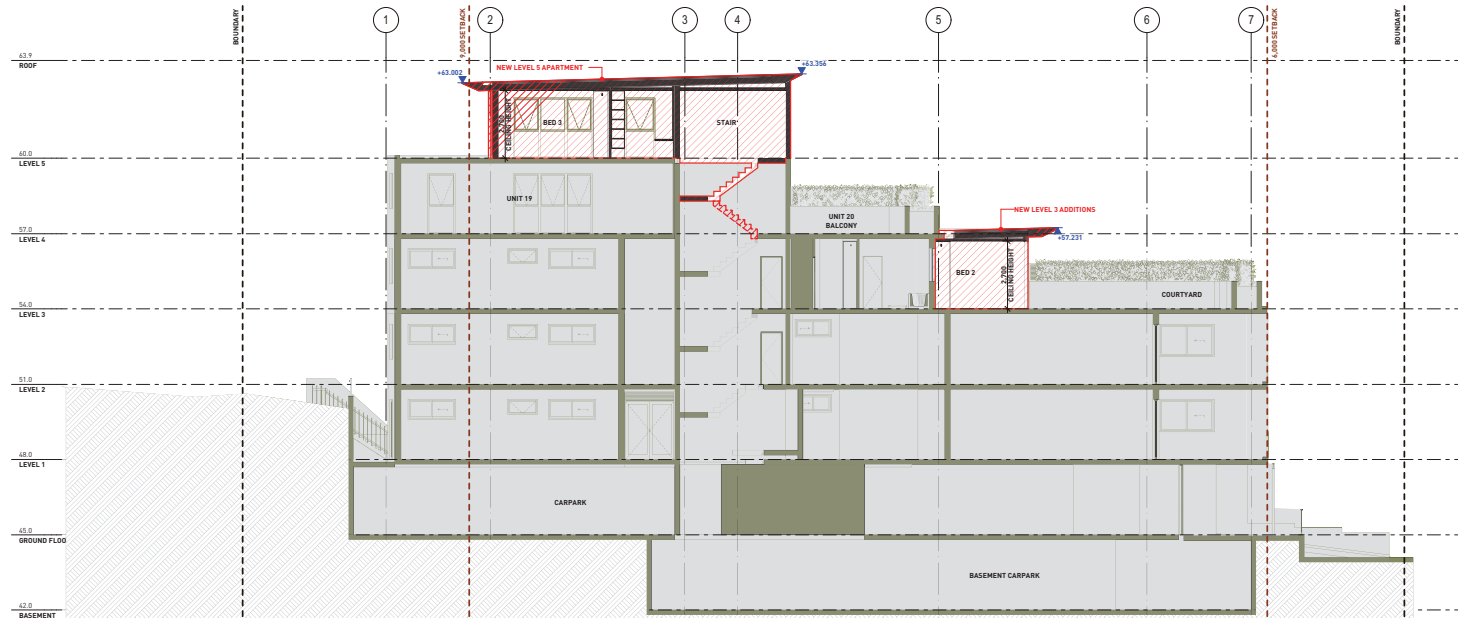
**STZ**  
SMITH & TZANNES

24\_040 DD-A-201





1 SECTION 1  
1:100



2 SECTION 2  
1:100

**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
The design is not in a form suitable for use in connection with building work.

© SMITH & TZANNES PTY LTD



**LEGEND**  
NEW ALTERATIONS & ADDITIONS  
EXISTING (APPROVED)

**DOCUMENT SECTIONS**  
DOCUMENT  
FOR DA  
REV C 07/05/25  
STAGE  
**DEVELOPMENT APPLICATION**  
MODEL 24\_040 Farm St - SD

**PROJECT**  
**FARM STREET**  
13-15 FARM STREET GLADESVILLE

**CLIENT** Paul Burns, Farm Road Development  
**ARCHITECTURE URBAN PLANNING**  
M15147 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)





DEVELOPMENT STATISTICS	
SITE AREA	1,295m <sup>2</sup>
DEEP SOIL	170m <sup>2</sup> ~ 13.1%
LANDSCAPE	380m <sup>2</sup> ~ 29.3%
CONSTRUCTED GFA	
GFA	1,792m <sup>2</sup> (A)
FSR	1.27:1
AFFORDABLE GFA	467m <sup>2</sup>
	26%
RYDE LEP 2014	
FSR	1.15:1
HEIGHT	12m
	9.5m
HOUSING SEPP 2021 - INFILL AFFORDABLE HOUSING	
MAX BONUS FSR	30%
MAX FSR	1.475:1
MAX GFA	1934m <sup>2</sup> (B)
GIFT GFA (B) (A)	144m <sup>2</sup>
MAX BONUS HEIGHT	30%
MAX HEIGHT	15.6m
	12.35m
AFFORDABLE GFA	15%
	290m <sup>2</sup>

AREA SCHEDULES			
	TYPE	LEVEL	AREA
Existing	GROSS FLOOR AREA	GROUND FLOOR	144
	GROSS FLOOR AREA	LEVEL 1	572
	GROSS FLOOR AREA	LEVEL 2	558
	GROSS FLOOR AREA	LEVEL 3	303
	GROSS FLOOR AREA	LEVEL 4	211
New	GROSS FLOOR AREA	LEVEL 3	28
	GROSS FLOOR AREA	LEVEL 5	118
TOTAL GFA (APPROVED+ PROPOSED)			1,936 m²

Apartment Area Schedule			
Storey	UNIT	BEDS	INTERNAL AREA
LEVEL 3	U21	2 BED	75
			<b>75 m<sup>2</sup> (APPROVED+ PROPOSED)</b>
LEVEL 5	U22	3 BED	115
			<b>115 m<sup>2</sup> (PROPOSED)</b>

EXISTING AFFORDABLE HOUSING APARTMENT SCHEDULE			
Storey	UNIT	BEDS	INTERNAL AREA
LEVEL 1	02	Affordable	76
	03	Affordable	86
	04	Affordable	75
	05	Affordable	77
	06	Affordable	102
	07	Affordable	53
			<b>467 m<sup>2</sup></b>

THIS AFFORDABLE HOUSING IS RETAINED UNTIL 15 OCTOBER 2030

Proposed Affordable Apartment Schedule			
Storey	UNIT	BEDS	INTERNAL AREA
LEVEL 1	08	Prop. Affordable	53
			<b>53 m<sup>2</sup></b>
LEVEL 2	09	Prop. Affordable	83
	14	Prop. Affordable	53
	15	Prop. Affordable	53
LEVEL 3			<b>189 m<sup>2</sup></b>
	17	Prop. Affordable	53
			<b>53 m<sup>2</sup></b>
			<b>293 m<sup>2</sup></b>

ACTUAL APARTMENTS DEVELOPED MAY VARY. A MINIMUM OF 270m<sup>2</sup> AFFORDABLE HOUSING WILL BE PROVIDED 5 YEARS FROM DATE OF OCCUPATION. THEY SHALL NOT BE NOMINATED AS EXISTING AFFORDABLE UNITS 02, 03, 04, 05, 06, 07.

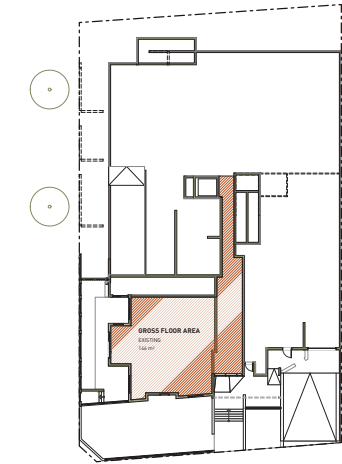
**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

© SMITH & TZANNES PTY LTD

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.

**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

The design is not in a form suitable for use in connection with building work.



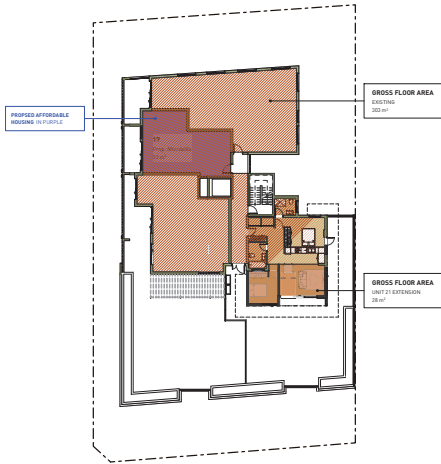
1 GFA - GROUND FLOOR



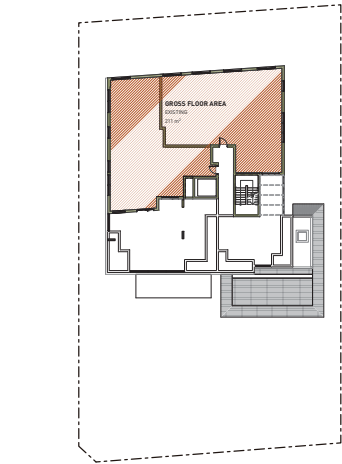
2 GFA - LEVEL 1



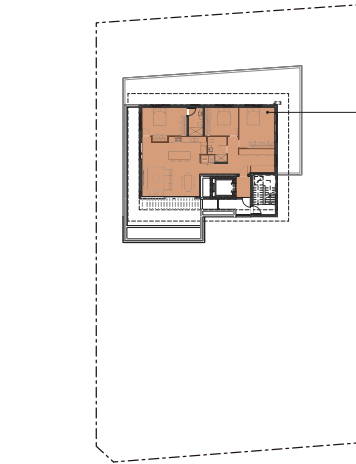
3 GFA - LEVEL 2



4 GFA - LEVEL 3



5 GFA - LEVEL 4



6 GFA - LEVEL 5

LEGEND	
	PROPOSED AREA (ALTERATIONS AND ADDITIONS)
	EXISTING AREA (APPROVED)
	EXISTING AFFORDABLE HOUSING
	PROPOSED AFFORDABLE HOUSING

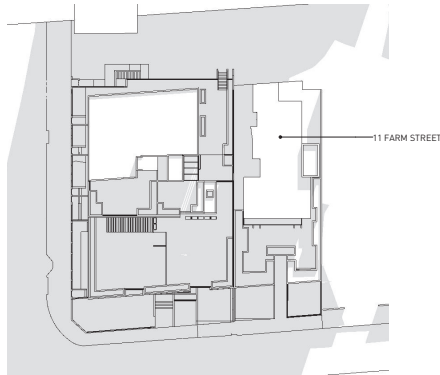
DOCUMENT  
**AREA CALC / APT. SCHED.**  
DOCUMENT  
**FOR DA**  
REV C 07/05/25  
STAGE  
**DEVELOPMENT APPLICATION**

PROJECT  
**FARM STREET**  
13-15 FARM STREET GLADESVILLE  
CLIENT  
**Paul Burns, Farm Road Development**

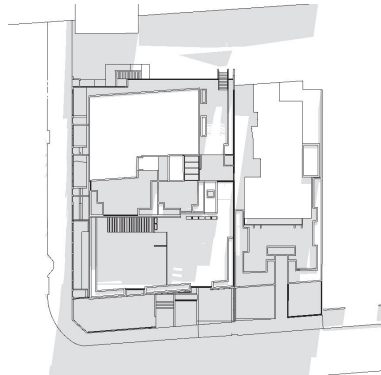
ARCHITECTURE URBAN PLANNING  
MAY 14 2022  
P 02 1914 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)

**STZ**  
SMITH & TZANNES

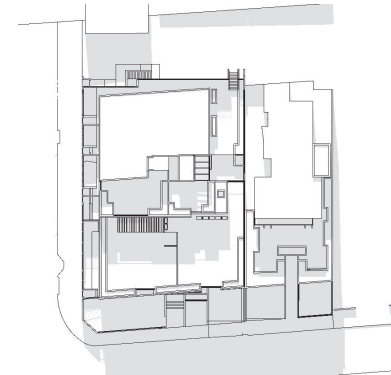




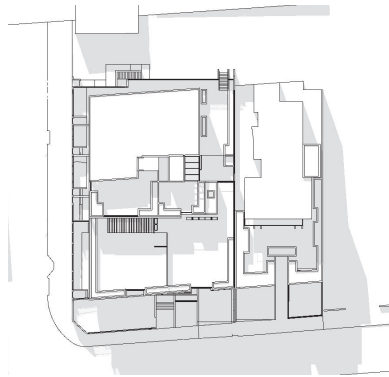
1 21 JUN 9AM - EXISTING



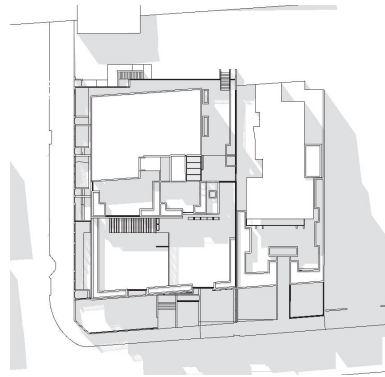
2 21 JUN 10AM - EXISTING



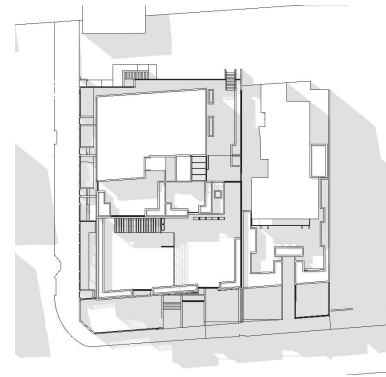
3 21 JUN 11AM - EXISTING



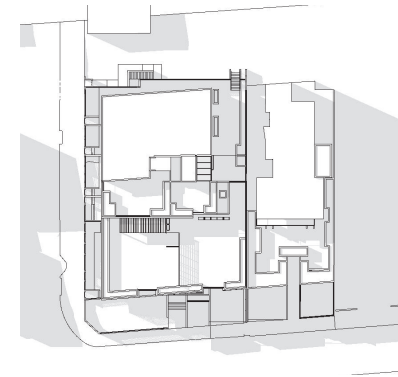
4 21 JUN 12PM - EXISTING



5 21 JUN 1PM - EXISTING



6 21 JUN 2PM - EXISTING



7 21 JUN 3PM - EXISTING

**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
The design is not in a form suitable for use in connection with building work.

0 5 10  
METRES  
0 5 10  
FEET

**DOCUMENT**  
**SHDWS - WINTER SOLSTICE EXISTING**  
**DOCUMENT**  
**FOR DA**  
REV B 31/03/25  
MODEL 24\_040 Farm St - SD  
**STAGE**  
**DEVELOPMENT APPLICATION**

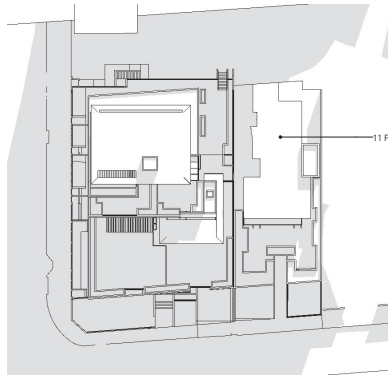
**PROJECT**  
**FARM STREET**  
13-15 FARM STREET GLADESVILLE

**CLIENT** Paul Burns, Farm Road Development

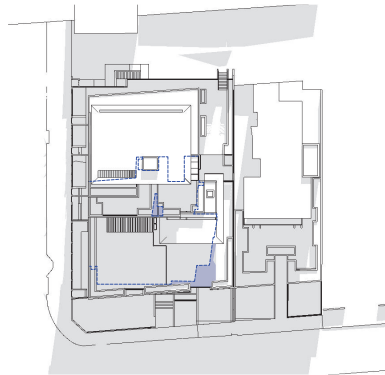
**ARCHITECTURE URBAN PLANNING**  
M015167 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)

**STZ**  
SMITH & TZANNES

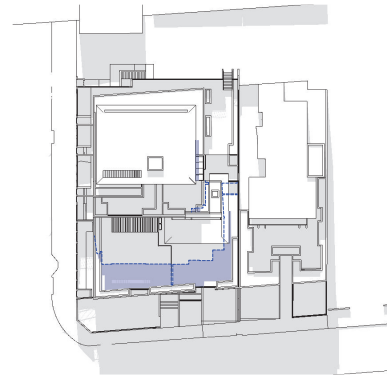




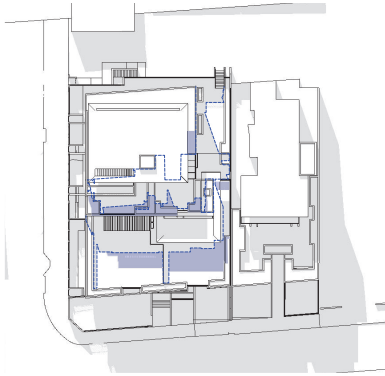
1 21 JUN 9AM - PROPOSED  
NOTE: NO ADDITIONAL SHADOW FROM NEW DEVELOPMENT AT THIS TIME.



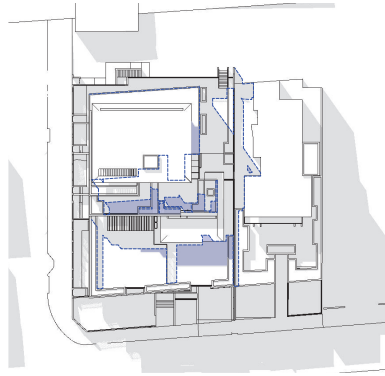
2 21 JUN 10AM - PROPOSED



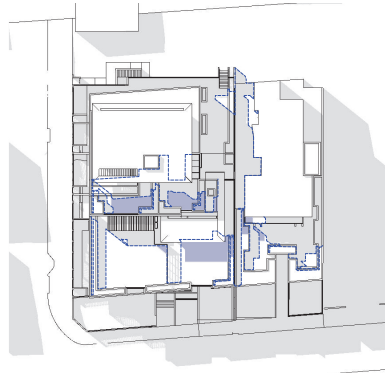
3 21 JUN 11AM - PROPOSED



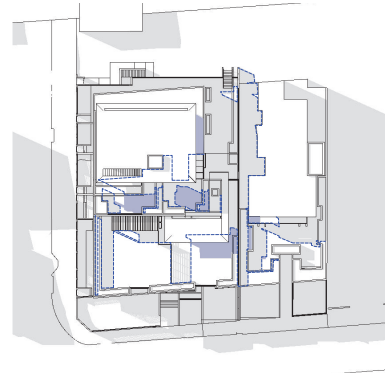
4 21 JUN 12PM - PROPOSED



5 21 JUN 1PM - PROPOSED



6 21 JUN 2PM - PROPOSED



7 21 JUN 3PM - PROPOSED

**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
The design is not in a form suitable for use in connection with building work.

**LEGEND**  
--- EXISTING SHADOW LINE  
--- ADDITIONAL SHADOW CREATED FROM NEW DEVELOPMENT

**DOCUMENT**  
**SHDWS - WINTER SOLTICE PROPOSED**  
**FOR DA**  
REV B 31/03/25  
MODEL 24\_040 Farm St - SD  
**STAGE**  
**DEVELOPMENT APPLICATION**

**PROJECT**  
**FARM STREET**  
**13-15 FARM STREET GLADESVILLE**  
**CLIENT**  
Paul Burns, Farm Road Development

**ARCHITECTURE URBAN PLANNING**  
M15147 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)  
**STZ**  
**SMITH & TZANNES**

0 5 10  
METRES

24\_040 DD-A-851





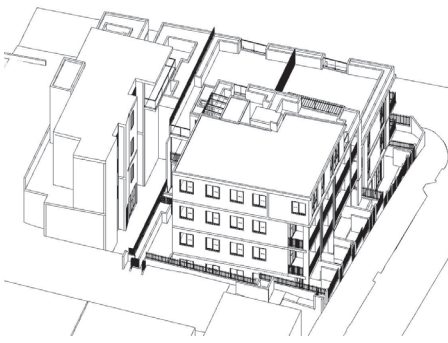
1 VFS - 21 JUN 9AM - EXISTING



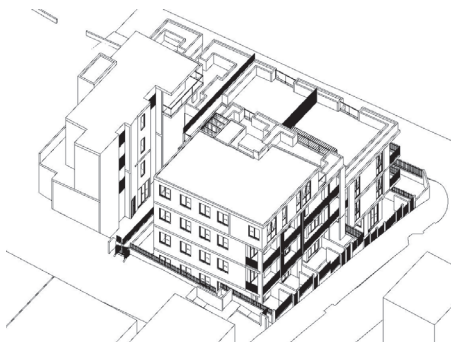
2 VFS - 21 JUN 10AM - EXISTING



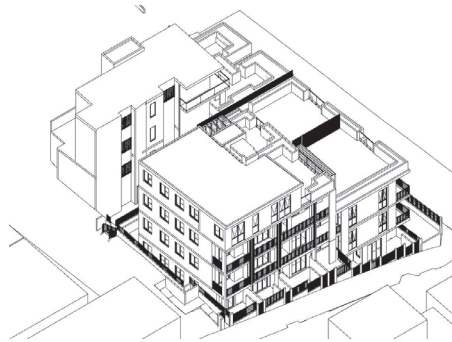
3 VFS - 21 JUN 11AM - EXISTING



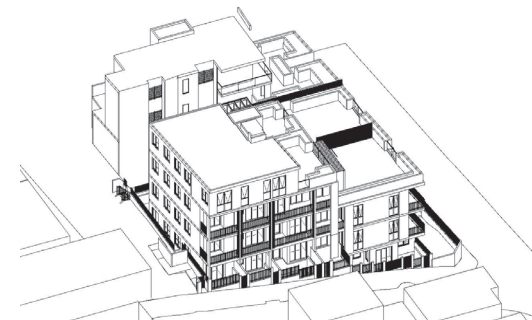
4 VFS - 21 JUN 12PM - EXISTING



5 VFS - 21 JUN 1PM - EXISTING



6 VFS - 21 JUN 2PM - EXISTING



7 VFS - 21 JUN 3PM - EXISTING

#### NOTES

1. NEVER scale off drawings, use figured dimensions only.
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

© SMITH & TZANNES PTY LTD

#### LEGEND

Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.

#### NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS

Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

This design is not in a form suitable for use in connection with building work.



#### DOCUMENT

**VIEW FROM THE SUN EXISTING**

#### DOCUMENT

**FOR DA**

REV B 31/03/25

MODEL 24\_040 Farm St - SD

#### STAGE

**DEVELOPMENT APPLICATION**

#### PROJECT

**FARM STREET**

13-15 FARM STREET GLADESVILLE

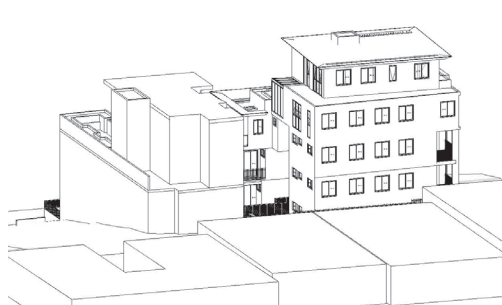
#### CLIENT

Paul Burns, Farm Road Development

ARCHITECTURE URBAN PLANNING  
M01517 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect, Peter Smith (Reg 7024)







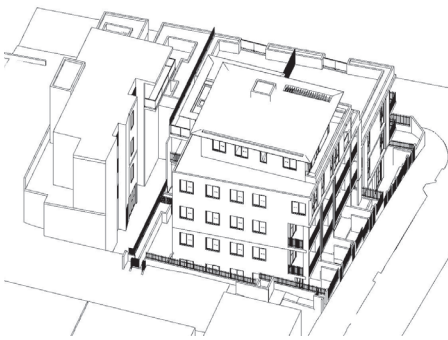
1 VFS - 21 JUN 1PM - PROPOSED



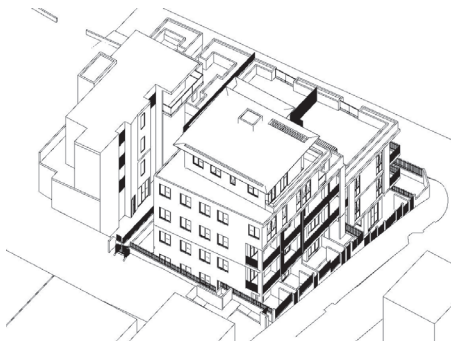
2 VFS - 21 JUN 10AM - PROPOSED



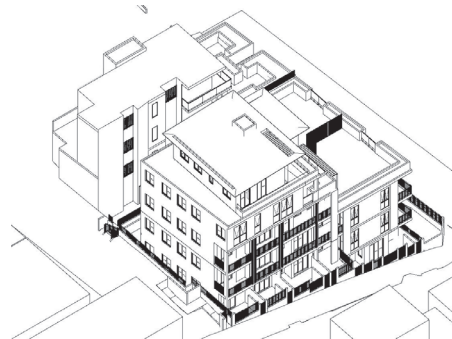
3 VFS - 21 JUN 11AM - PROPOSED



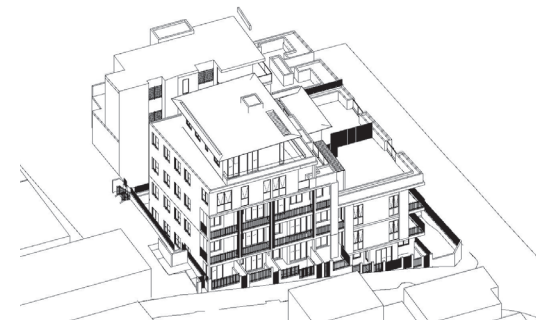
4 VFS - 21 JUN 12PM - PROPOSED



5 VFS - 21 JUN 1PM - PROPOSED



6 VFS - 21 JUN 2PM - PROPOSED



7 VFS - 21 JUN 3PM - PROPOSED

#### NOTES

1. NEVER scale off drawings, use figured dimensions only.
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

© SMITH & TZANNES PTY LTD

#### LEGEND

Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.

#### NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS

Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.

This design is not in a form suitable for use in connection with building work.



#### DOCUMENT

VIEW FROM THE SUN PROPOSED

#### DOCUMENT

FOR DA

REV B 31/03/25

MODEL 24\_040 Farm St - SD

#### STAGE

DEVELOPMENT APPLICATION

#### PROJECT

FARM STREET

13-15 FARM STREET GLADESVILLE

#### CLIENT

Paul Burns, Farm Road Development

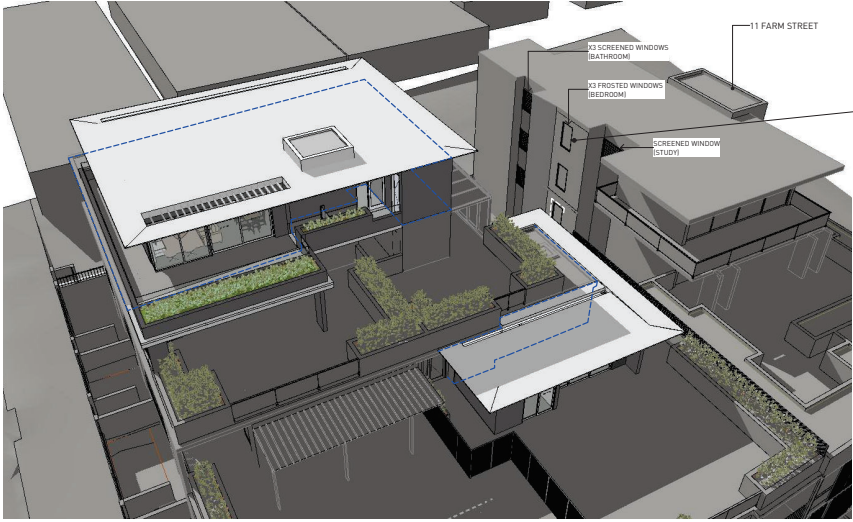
ARCHITECTURE URBAN PLANNING  
MAY 2017 - MAY 2018 (2018-2019)  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)

**STZ**  
SMITH & TZANNES

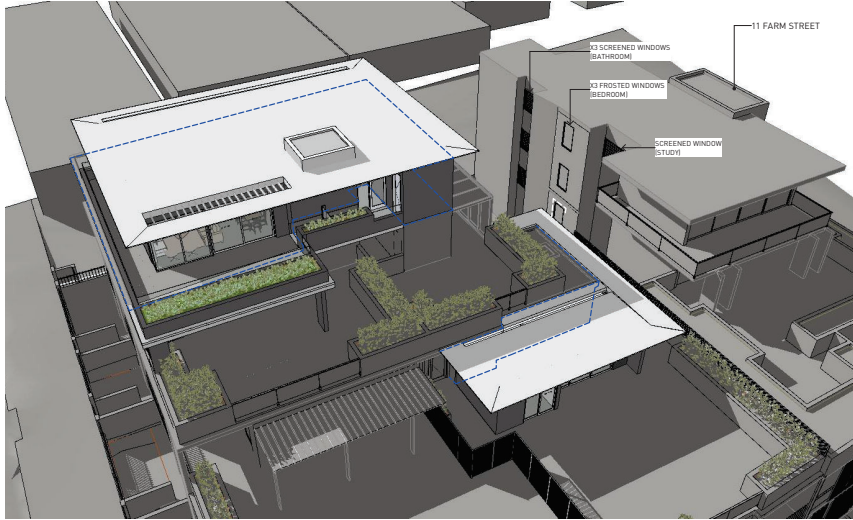
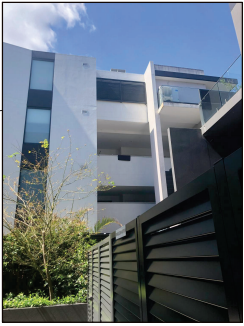




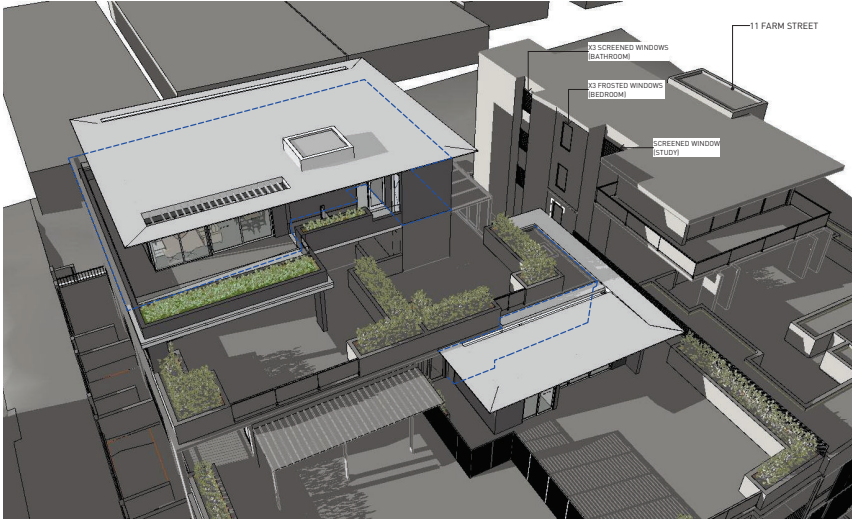
1 9AM



2 11AM



3 12PM



3 3PM

**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

© SMITH & TZANNES PTY LTD

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
The design is not in a form suitable for use in connection with building work.

**LEGEND**  
--- OUTLINE OF EXISTING BUILDING

DOCUMENT  
**SHADOW ANALYSIS**

DOCUMENT  
**FOR DA**

REV B 31/03/25

MODEL 24\_040 Farm St - SD

STAGE  
**DEVELOPMENT APPLICATION**

PROJECT  
**FARM STREET**

13-15 FARM STREET GLADESVILLE

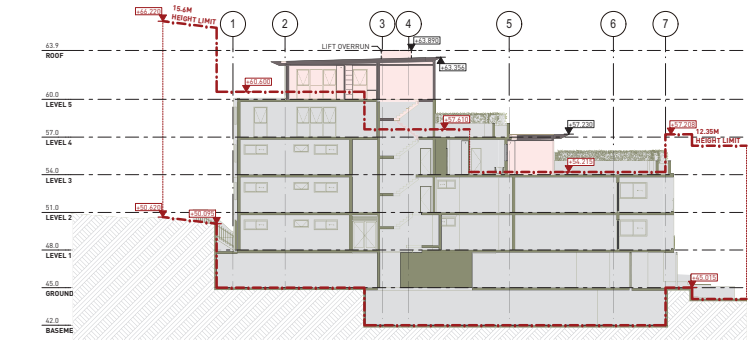
CLIENT Paul Burns, Farm Road Development

ARCHITECTURE URBAN PLANNING  
M15167 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)

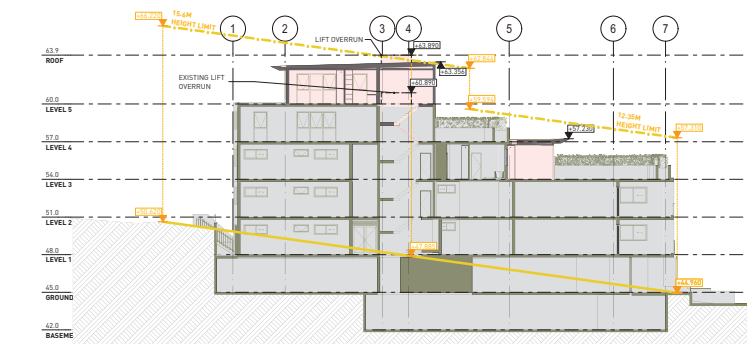
**STZ**  
SMITH & TZANNES

24\_040 DD-A-854

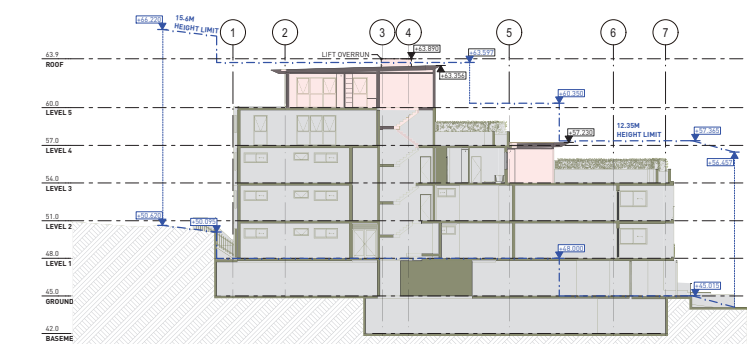




1 SECTION HEIGHT LIMIT A



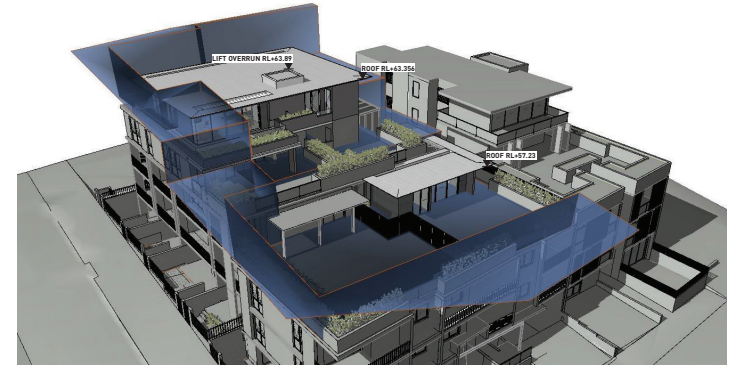
2 SECTION HEIGHT LIMIT B



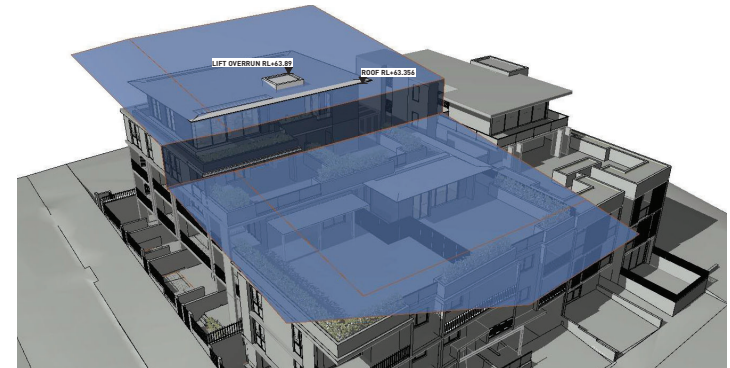
3 SECTION HEIGHT LIMIT C

**NOTES**  
 1. NEVER scale off drawings, use figured dimensions only.  
 2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
 3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
 4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
 5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

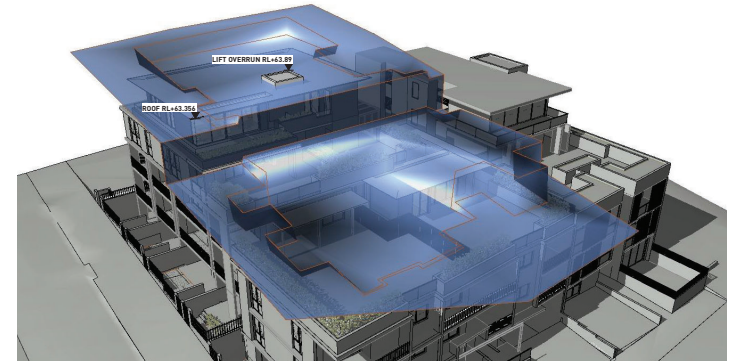
**LEGEND**  
 Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
 Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
 The design is not in a form suitable for use in connection with building work.



HEIGHT LIMIT A



HEIGHT LIMIT B



HEIGHT LIMIT C

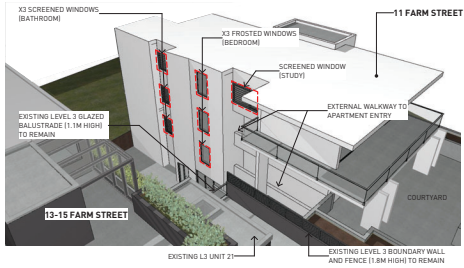
**DOCUMENT**  
**HEIGHT RESTRICTION COMPARISON**  
**FOR DA**  
 REV B 31/03/25  
**STAGE**  
**DEVELOPMENT APPLICATION**

**PROJECT**  
**FARM STREET**  
 13-15 FARM STREET GLADESVILLE  
**CLIENT**  
 Paul Burns, Farm Road Development

**ARCHITECTURE URBAN PLANNING**  
 M1/167 McEvoy St Alexandria NSW 2015  
 P 02 9514 2022 E email@smithtzannes.com.au  
 smithtzannes.com.au  
 Nominated Architect: Peter Smith (Reg 7024)



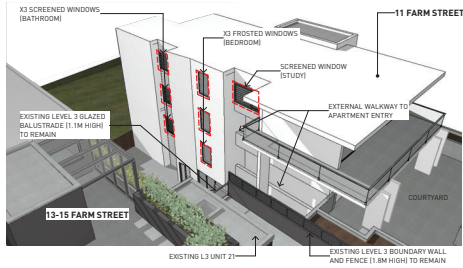




1 21 JUN 10AM - EXISTING



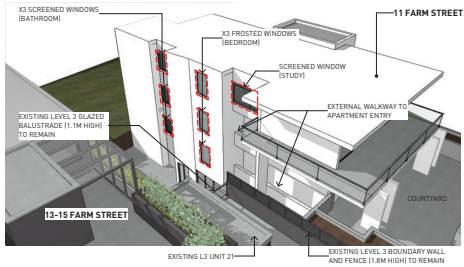
2 21 JUN 10AM - PROPOSED  
NO OVERSHADOWING



3 21 JUN 11AM - EXISTING



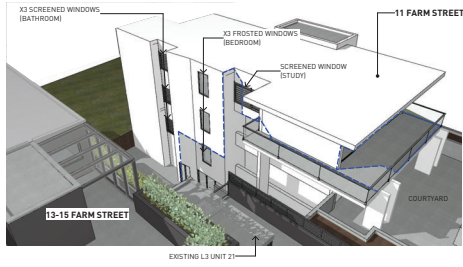
4 21 JUN 11AM - PROPOSED  
NO OVERSHADOWING



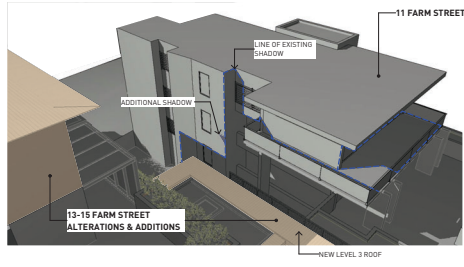
5 21 JUN 12PM - EXISTING



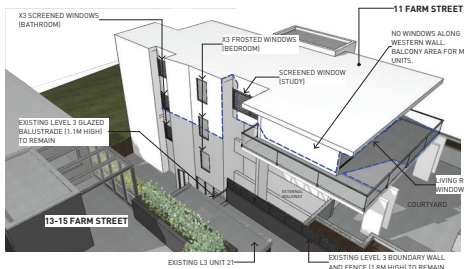
6 21 JUN 12PM - PROPOSED



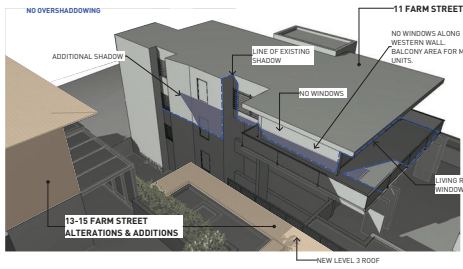
7 21 JUN 1PM - EXISTING



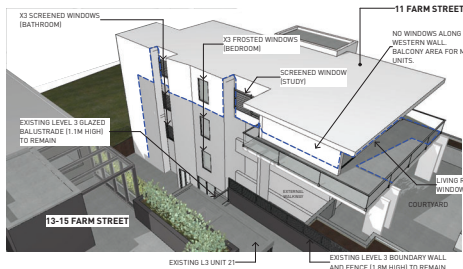
8 21 JUN 1PM - PROPOSED  
NO OVERSHADOWING



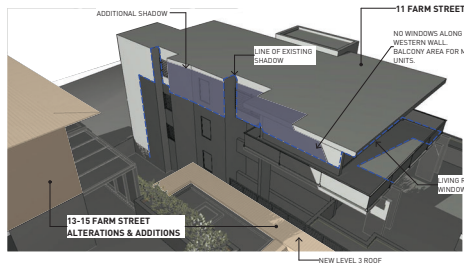
9 21 JUN 2PM - EXISTING



10 21 JUN 2PM - PROPOSED  
ADDITIONAL SHADOW CREATED FROM 2PM TO 3PM



11 21 JUN 3PM - EXISTING



12 21 JUN 3PM - PROPOSED  
ADDITIONAL SHADOW CREATED FROM 2PM TO 3PM



**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction purposes.

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
The design is not in a form suitable for use in connection with building work.

© SMITH & TZANNES PTY LTD

**DOCUMENT**  
**11 FARM STREET SHADOW ANALYSIS**  
**FOR DA**  
REV - 07/05/25  
**STAGE**  
**DEVELOPMENT APPLICATION**

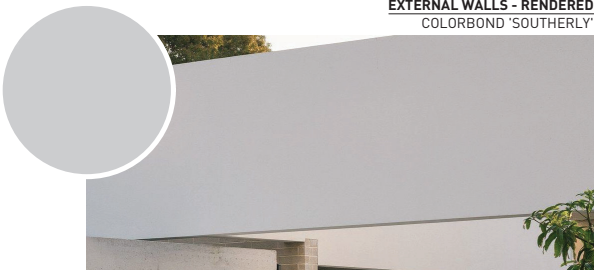
**PROJECT**  
**FARM STREET**  
**13-15 FARM STREET GLADESVILLE**

**CLIENT** Paul Burns, Farm Road Development

**ARCHITECTURE URBAN PLANNING**  
M15147 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect, Peter Smith (Reg 7024)



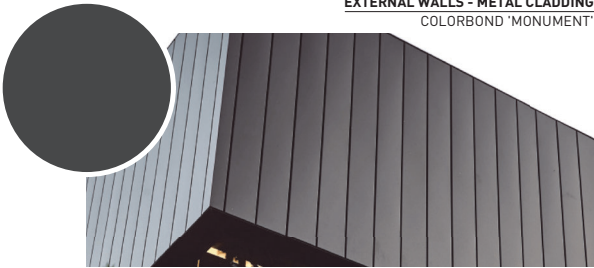




EXTERNAL WALLS - RENDERED  
COLORBOND 'SOUTHERLY'



ROOF - METAL CLADDING  
COLORBOND 'SOUTHERLY'



EXTERNAL WALLS - METAL CLADDING  
COLORBOND 'MONUMENT'



EXTERNAL WALLS - RENDERED  
COLORBOND 'MONUMENT'



EXTERNAL & INFILL WALLS - STRETCHER BRICK  
TO MATCH EXISTING



1 3D View - Materials

**NOTES**  
1. NEVER scale off drawings, use figured dimensions only.  
2. Verify all dimensions on site prior to commencement & report discrepancies to the architect.  
3. Drawings describe the scope of works and general set out. These drawings are not shop drawings. Set out to be undertaken by surveyor on site. Shop drawings should be prepared where required or necessary.  
4. The copyright of this design remains the property of SMITH & TZANNES. This design is not to be used, copied or reproduced without the authority of SMITH & TZANNES.  
5. This drawing is only to be used by the stated Client in the stated location for the purpose it was created. Do not use this drawing for construction.

© SMITH & TZANNES PTY LTD

**LEGEND**  
Refer to the notes page for a legend that includes further notes and an explanation of abbreviations.  
**NOTES REGARDING DEVELOPMENT APPLICATION DRAWINGS**  
Minor changes to form and configuration may be required when drawings are subsequently prepared for construction purposes after the grant of development consent.  
The design is not in a form suitable for use in connection with building work.

DOCUMENT  
**EXTERNAL FINISHES**

DOCUMENT  
**FOR DA**

REV B 31/03/25

STAGE

**DEVELOPMENT APPLICATION**

MODEL 24\_040 Farm St - SD

PROJECT  
**FARM STREET**

13-15 FARM STREET GLADESVILLE

CLIENT Paul Burns, Farm Road Development

ARCHITECTURE URBAN PLANNING  
M17167 McEvoy St Alexandria NSW 2015  
P 02 9514 2022 E email@smithtzannes.com.au  
smithtzannes.com.au  
Nominated Architect: Peter Smith (Reg 7024)



24\_040 DD-A-900



DA	SCALE - SIZE	REVISION	DRAWING No.



















