

**Item 2**
**6 Nerang Street Ryde - LDA2021/0379**
**New dual occupancy (attached) and Torrens Title subdivision**
**Report prepared by:** Senior Coordinator - Development Assessment

**Report approved by:** Manager - Development Assessment

Director - City Planning and Environment

**City of Ryde  
Local Planning Panel Report**

<b>DA Number</b>	LDA2021/379
<b>Site Address &amp; Ward</b>	6 Nerang Street, Ryde Lot 25 DP 29461 East Ward
<b>Zoning</b>	R2 Low Density Residential
<b>Proposal (as amended)</b>	Dual occupancy (attached) & Torrens title subdivision
<b>Property Owner</b>	Xi Yan & Yuezhu Xue
<b>Applicant</b>	Jaci Chen
<b>Report Author</b>	Shannon Butler, Senior Planner
<b>Lodgement Date</b>	1 November 2021
<b>Notification - No. of Submissions</b>	Ten (10) submissions received objecting to the proposed development during first notification.  Second notification: three (3) submissions received.
<b>Cost of Works</b>	\$1,134,100.00
<b>Reason for Referral to LPP</b>	<b>Contentious development</b> – (b) in any other case – is the subject of 10 or more unique submissions by way of objection. <i>Schedule 1, Part 2 of Local Planning Panels Direction</i>
<b>Recommendation</b>	Approval
<b>Attachments</b>	Attachment 1: Conditions of Consent Attachment 2: DCP Compliance Table Attachment 3 Architectural plans

## 1. Executive Summary

This report considers a development application under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on land at 6 Nerang Street, Ryde, which is legally described as Lot 25 DP 29461.

The subject development application (LDA2021/379) was lodged on 1 November 2021 and seeks consent for the construction of an attached dual occupancy and Torrens title subdivision.

In accordance with the *Environmental Planning and Assessment Act 1979*, Section 9.1 – Directions by the Minister, this application is reported to the Ryde Local Planning Panel for determination as it constitutes a contentious development. The DA has received ten (10) submissions objecting to the development.

The Development Application was notified between 3 November and 24 November 2021. Ten (10) submissions were received objecting to the proposal. Concerns raised in the submissions related to over development, height, front setback, amenity impacts including privacy and overshadowing and traffic impacts. The application was re-notified between 8 March 2022 and 29 March 2022. In response, three submissions were received.

The applicant submitted amended plans and documentation on 17 December 2021 in response to Council's request for information. The amended proposal increased the front setback, reduced the overall scale and height of the development and addressed the privacy concerns raised. The applicant submitted an amended arborist report on 20 January 2022 which satisfactorily addresses tree impacts.

The proposal is non-compliant with provisions of Ryde Development Control Plan 2014 (DCP) relating to the number of storeys as the development is technically three storeys in a small section of the building, building wall plate height and the extent of fill. The non-compliances do not result in any adverse impacts and are considered acceptable on merit. The proposal demonstrates it does not result in any significant adverse impacts upon adjoining properties or the streetscape and achieves reasonable amenity for the development and neighbouring properties.

Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act*, it is recommended Development Application No. LDA2021/0379 be granted consent.

## 2. The Site and Locality

The subject site is legally described as Lot 25 DP29461 and is commonly known as 6 Nerang Street, Ryde. The site is a rectangular allotment with an area of 711.5m<sup>2</sup>, a width of 15.24m and a length of 46.68m. The site is located on the south-western side of Nerang Street. The site has a fall of approximately 4.6 metres from the eastern corner to the western corner.

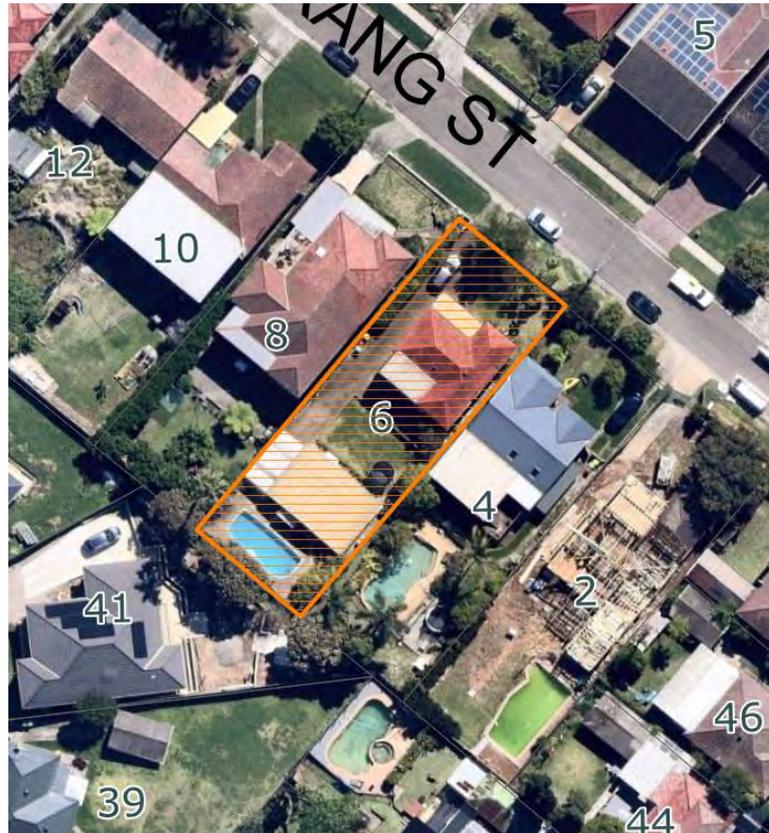


Figure 1 Aerial photograph of site and locality

The site currently contains a single storey dwelling (**Figure 2**). A large outbuilding with an attached carport is located to the rear of the dwelling. An in-ground swimming pool is located to the rear of the outbuilding. The site contains a large Norfolk Island Pine, Powder-Puff, Red Maple and Umbrella tree along the front boundary.



Figure 2 Existing dwelling on subject site

The locality is characterised by detached dwelling houses of varying architectural styles and ages. The adjoining sites to the south-east and north-west contain part single/part two storey dwellings with heights increasing to the rear given the fall of the land from front to rear. The adjoining site to the rear (south-west) contains a recently constructed single storey dwelling.

The site is adjoined to the north-west by No. 8 Nerang Street which contains a single dwelling (**Figure 3**). The driveway access is adjacent to the north-western side boundary. The site contains a large Palm tree (Tree 10) at the rear of the site adjacent to the shared boundary.



**Figure 3** Neighbouring dwelling at No. 8 Nerang Street

The site is adjoined to the south-east by No. 4 Nerang Street which contains a single dwelling (**Figure 4**). The site also contains an inground swimming pool at the rear of the property adjacent to the shared boundary. The site contains a large tree in the middle of the site adjacent to the shared boundary which is an Evergreen Ash (Tree 11).

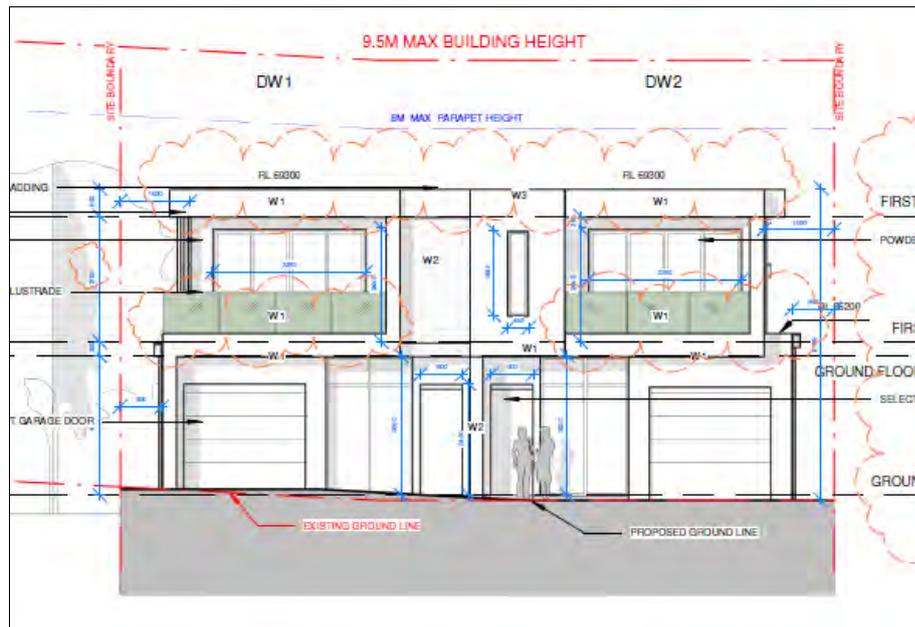


**Figure 4** Adjoining property to south-east No. 4 Nerang Street

The rear boundary is shared with No. 41 Pooley Street which contains a two-storey dwelling. This property contains three (3) trees, identified as Trees 7, 8 and 9, all being Red Photinias.

### 3. The Proposal (as amended)

The proposal seeks consent for the construction of an attached dual occupancy and Torrens title subdivision. The proposal as it presents to Nerang Street is shown in **Figure 5**.



**Figure 5** North eastern elevation presenting to Nerang Street

The proposal comprises the following works:

- Construction of an attached two storey dual occupancy comprising:
  - Dwelling 1 adjacent to the north-eastern side boundary:
    - Single garage RL62.255 and associated driveway
    - Upper ground floor RL62.700 containing lounge and laundry
    - Lower ground floor RL60.900 comprising open plan dining, kitchen and family room. Internal stair access.
    - First floor containing split level RL66.000 containing Bedroom 1, ensuite and WIR, RL64.500 containing bathroom and 3 bedrooms.
    - External works including ground floor alfresco RL60.750. First floor balcony 1300mm in width adjacent to bedroom 4 and the party wall.
  - Dwelling 2 adjacent to the south-western side boundary:
    - Single garage RL62.620 and associated driveway access
    - Upper ground floor RL62.700 containing lounge and laundry
    - Lower ground floor RL60.900 comprising open plan dining, kitchen and family room. Internal stair access.
    - First floor containing split level RL66.000 containing Bedroom 1, ensuite and WIR, RL64.500 containing bathroom and 3 bedrooms.
    - External works including ground floor alfresco RL60.750. First floor balcony 1300mm in width adjacent to bedroom 4 and the party wall.

- Landscaping works including the removal of five (5) trees from the site, including a Norfolk Island Pine, Powder-Puff, Red Maple, Umbrella tree and Fragipani. The landscaping works also include provision of front and side pedestrian paths, landscaping along the side and rear boundaries to the rear including provision of canopy trees. Landscaping within the front of the site including provision of a canopy tree.
- Erection of a 900mm high front fence comprising masonry pillars and metal slats.
- Torrens title subdivision resulting in lot sizes 355.74m<sup>2</sup> for both lots.

The proposal does not include the demolition of the existing structures and the filling of the existing swimming pool and the applicant has indicated that consent will be sought for those works under a separate application.

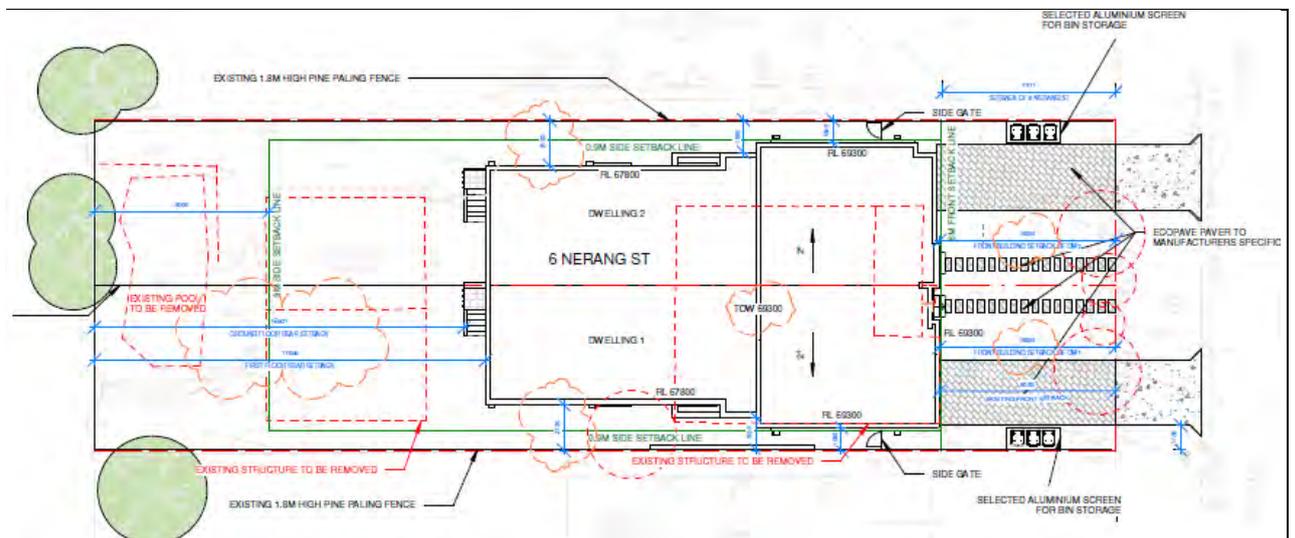


Figure 6 Site plan (as amended)

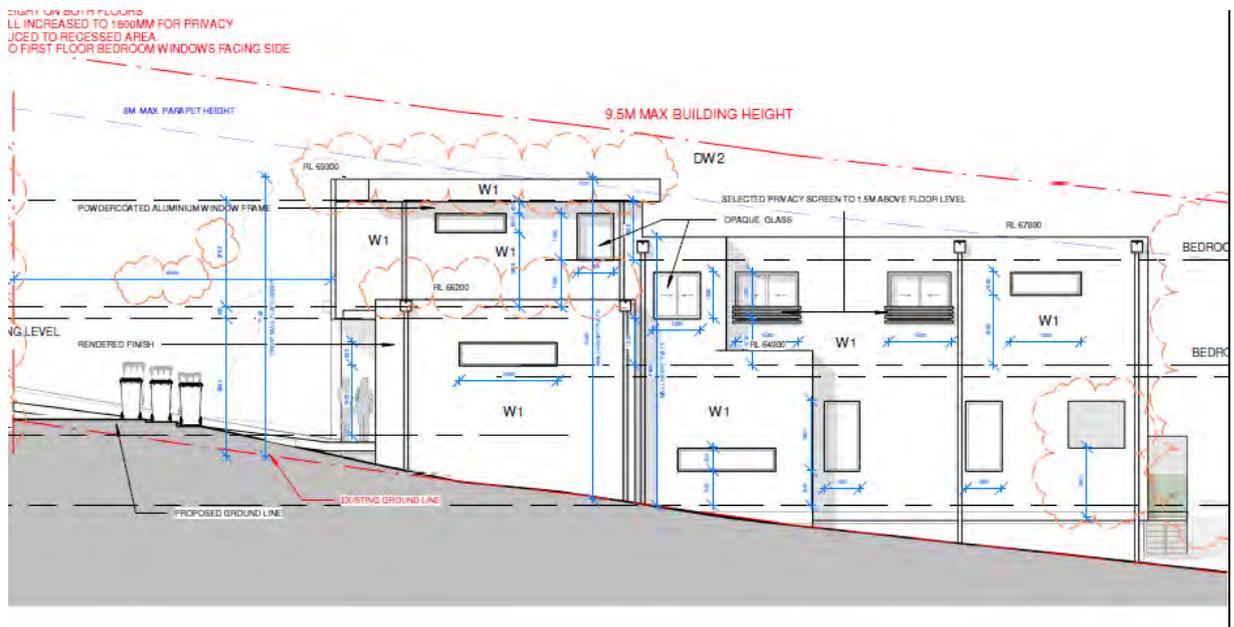
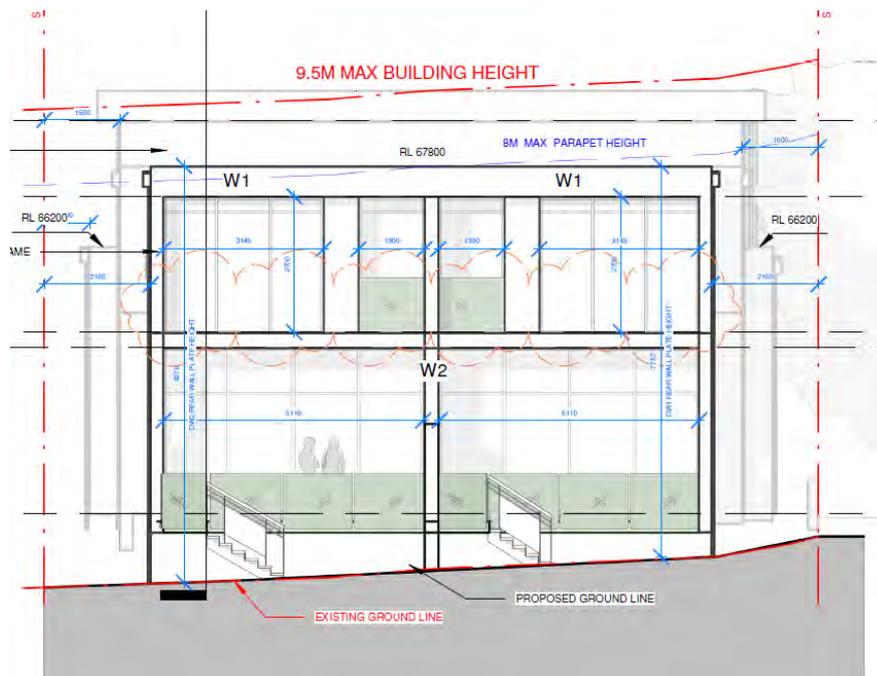
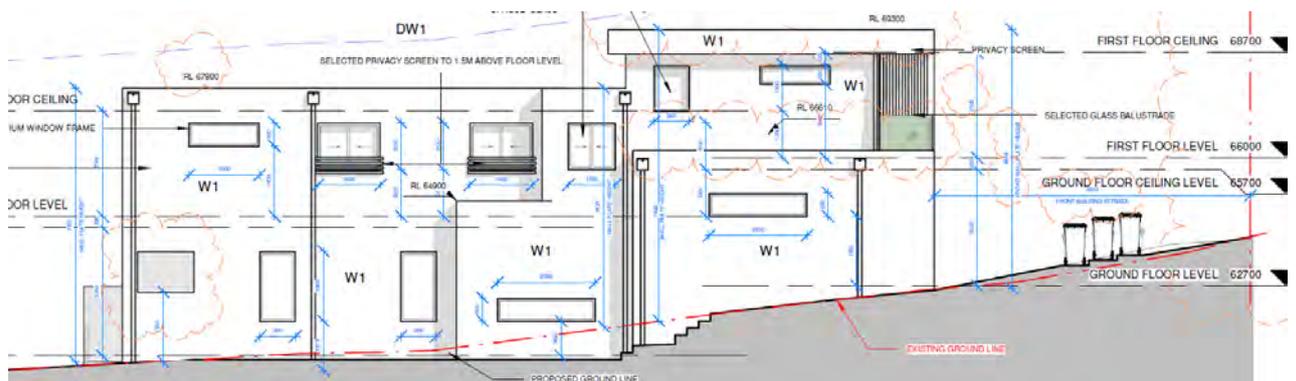


Figure 7 North-western elevation (as amended)



**Figure 8** Rear elevation



**Figure 9** Southeast elevation

#### 4. Background

1 November 2021	Subject application lodged with Council.
3 November 2021 to 24 November 2021	Application notified in accordance with Ryde Community Participation Plan. As a result, ten (10) submissions were received.
3 December 2021	<p>Letter sent to the applicant requesting additional information and amended plans to address the following issues:</p> <ul style="list-style-type: none"> <li>• Compliance with Ryde DCP 2014 – Part 3.3 – Dwelling Houses and Dual Occupancy: <ul style="list-style-type: none"> <li>- Excessive wall plate height and excessive floor to ceiling height.</li> <li>- Front setback being consistent with other dwellings in the street.</li> <li>- Garage side setbacks being less than 1.5m.</li> <li>- Privacy impact from rear balconies.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- Lack of compatibility of roof form with other roofs in the locality.</li> <li>- Request for details of existing and proposed boundary and courtyard fencing.</li> </ul> <ul style="list-style-type: none"> <li>• Requesting responses to issues raised in submissions.</li> </ul>
17 December 2021	<p>Amended plans and additional information submitted in response to Council's RFI letter. The amended plans proposed the following changes:</p> <ul style="list-style-type: none"> <li>- Reduced the overall height of the development by 1.1m.</li> <li>- Increased the front setback from 6m to 8.059m.</li> <li>- The side openings of the alfresco areas increased to a sill height of 1.8m.</li> <li>- Reduction in the size of the first floor rear balcony areas.</li> <li>- External privacy screens have been added to the first floor bedrooms.</li> </ul>
18 January 2022	Email sent to the applicant requesting that an existing tree within No. 4 Nerang St be addressed in the arborist report.
20 January 2022	An amended arborist report submitted by the applicant.
24 January 2022 to 15 February 2022	Following the receipt of amended plans and amended arborist report, the application was re-notified in accordance with Ryde Community Participation Plan. No further submissions were received.
4 March 2022	A resident drew Council staff's attention to the fact that none of the surrounding residents received letters for the re-notification of the application. The development application was re-notified to provide residents an opportunity to comment on the amended plans.
8 March 2022 to 29 March 2022	The application was re-notified to surrounding residents. As a result, a total of three submissions were received.

## 5. Planning Assessment

### 5.1 Environmental Planning and Assessment Act

#### Objects of EP&A Act

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

#### **1.3 Objects of Act (cf previous s 5)**

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

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

- (c) to promote the orderly and economic use and development of land,
- (g) to promote good design and amenity of the built environment,
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- (j) to provide increased opportunity for community participation in environmental planning and assessment.

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

## 5.2 State Environmental Planning Instruments

Instrument	Proposal	Compliance
<b>State Environmental Planning Policy (Resilience and Hazards) 2021</b>		
<b>Chapter 4 Remediation of Land</b>		
The provisions of this SEPP requires Council to consider the potential for a site to be contaminated.	<p>Pursuant to Clause 4.6(1) consideration has to be given as to whether the land is contaminated.</p> <p>The subject site has been historically used for residential purposes. As such, it is unlikely to contain any contamination and further investigation is not warranted in this case.</p>	Yes
<b>State Environmental Planning Policy BASIX</b>		
The certificate demonstrates compliance with the provisions of the SEPP and is consistent with commitments identified in the application documentation.	A BASIX Certificate (Certificate No. 1239617M dated 15/09/2021) has been submitted with the application. A standard condition has been included in the Draft Consent requiring compliance with this BASIX certificate.	Yes
<b>State Environmental Planning Policy (Biodiversity and Conservation) 2021</b>		
<b>Chapter 2 Vegetation in Non-Rural Areas</b>		
The objective of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of trees and other vegetation.	The development involves the removal of 5 trees from the site. 4 of these trees are located in the front setback and 1 in the middle of the site. The trees to be removed are a Norfolk Island Pine, Powder Puff, Red Maple, Umbrella tree and Frangipani. The Umbrella tree and Powder Puff are exempt trees under Council's DCP and can be removed without consent. The Frangipani is within 4m of the	Yes

	existing house and is also not protected.. The Norfolk Island Pine is considered an unsuitable species for the site given its future size. The Red Maple is considered worthy of retention. The tree is approximately 6m in size and is in good health. A condition of consent has been imposed requiring the retention of this tree and the relocation of the footpath from the street to the front door to minimise the impact to the structural root zone. The removal of the above trees will not unduly impact upon any existing biodiversity value of trees while assisting in maintaining the amenity of the area.	
<b>Chapter 10 Sydney Harbour Catchment</b>		
This Plan applies to the whole of the Ryde Local Government Area. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.	Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal.	Yes

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

The subject site is zoned R2 Low Density Residential under the provisions of Ryde Local Environmental Plan 2014. The proposal is defined as follows:

***Dual occupancy (attached)*** means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Development for the purpose of a dual occupancy (attached) is permissible with consent within the R2 Low Density Residential zone.

The R2 Low Density Residential zone is based on the following objectives:

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

The proposal assists in providing for the housing needs of the community within a low density residential environment. The proposal also assists in providing for diversity in housing types

The clauses applicable to the proposed development are identified and discussed in the following table.

<b>Ryde LEP 2014</b>	<b>Proposal</b>	<b>Compliance</b>
<b>4.1A(b) Dual Occupancy (attached) subdivisions</b>		
Consent may be granted for the Torrens Title subdivision of a lot if a development application made for a dual occupancy (attached) has been approved for the lot, and		
(i) The lot is to have an area of at least 580m <sup>2</sup> .	The parent lot is 711.5m <sup>2</sup> in area.	Yes
(ii) 1 dwelling will be situated on each lot resulting from the subdivision.	One dwelling will be situated on each lot resulting from the subdivision.	Yes
(iii) Each resulting lot will have an area of 290m <sup>2</sup> .	Both proposed lots are 355.74m <sup>2</sup> in area.	Yes
(iv) The primary road frontage of each resulting lot will be equal to or greater than 7.5 metres.	Both lots will have a primary road frontage of 7.62 metres.	Yes
<b>4.1B(2) Minimum lot sizes for dual occupancies</b>		
(a) Minimum 580 m <sup>2</sup>	711.5m <sup>2</sup>	Yes
(b) the road frontage of the lot is equal to or greater than 15 metres.	15.24m	Yes
<b>4.3(2) Height</b>		
9.5m	8.2m	Yes
<b>4.4(2) Floor Space Ratio</b>		
0.5:1 (355.75m <sup>2</sup> )	Ground Floor: 154.4m <sup>2</sup> First Floor: 190.6m <sup>2</sup> Total GFA: 345m <sup>2</sup> FSR = 0.485:1	Yes
<b>6.2 Earthworks</b>		
(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	The redevelopment of the site, given its sloping nature involves appropriate levels of cut and fill which does not adversely impact the amenity of adjoining properties and is considered to be consistent with the provisions of Clause 6.2(3).	Yes

Ryde LEP 2014	Proposal	Compliance
<b>Clause 6.4 Stormwater management</b>		
(1) The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.	<p>The proposal is consistent with the provisions of Clause 6.4(3) in that the proposal has been designed to maximise the use of permeable surfaces allowing for water filtration and avoids adverse impacts of stormwater runoff on adjoining properties and receiving waters.</p> <p>The proposal has been considered acceptable by Council's Senior Development Engineer.</p>	Yes

#### 5.4 Draft Environmental Planning Instruments

Nil

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

The development is subject to the provisions of Part 3.3 – Dwelling Houses and Dual Occupancy under the RDCP 2014. A full assessment of the proposal under DCP 2014 is illustrated in the compliance table at **Attachment 2**.

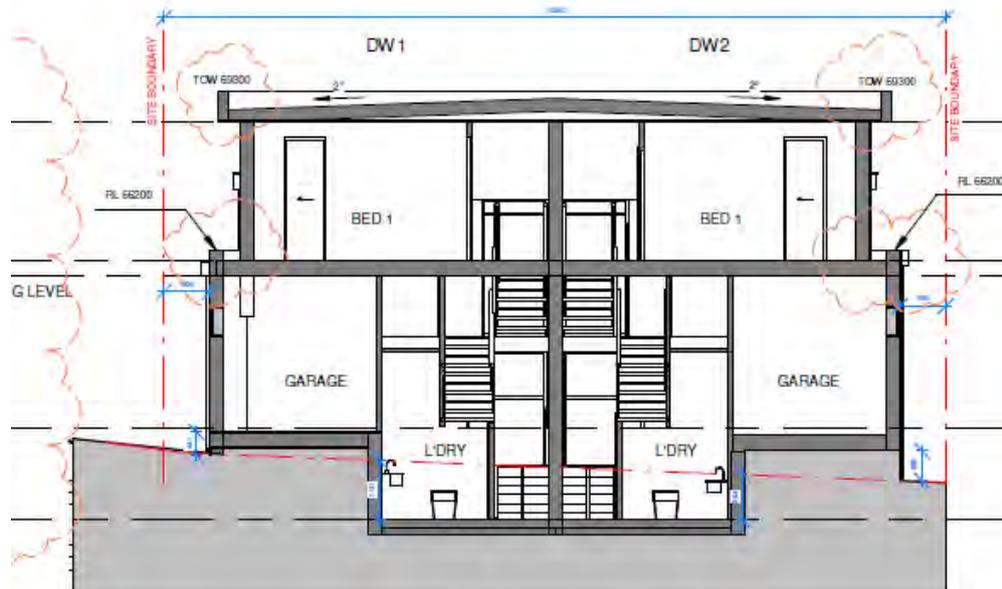
The provisions of DCP 2014 have been considered in this assessment and it is concluded that the proposal is consistent with the aims and objectives of RDCP 2014. Where strict compliance has not been achieved, in accordance with Section 4.15 (3A)(b) flexibility has been sought to allow a reasonable alternative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

##### *Section 2.1 – Desired Future Character and Section 2.2.1 – New Dwelling Houses (maximum height of two storeys)*

Part 2.1 of Ryde DCP – Part 3.3 outlines a number of points contributing to the desired future character of the low density residential areas of the City of Ryde. One of the points is “has a low scale determined by a maximum two storey height limit”. Part 2.2.1 of the DCP replicates this and outlines that “residential dwellings are to be a maximum of two storeys high”.

Whilst the majority of the proposed building is two storeys in height and achieves compliance, there is a portion of the building located at the transition of the split levels

where the height is regarded as being three storeys (at the location of the laundries), which is depicted at **Figure 10** below:



**Figure 10** Section 1 showing three storey elements

The proposed three storey height component of the building is considered satisfactory for the following reasons:

- As depicted in Figure 10, the laundries are significantly excavated into the site (up to 1.161 metres), towards the centre of the building footprint and the three storey height will not be read at the exterior of the building.
- The three storey height only occurs at the transition of the split levels and the building maintains a two storey height for the remainder of its form.
- The laundries can be considered as a half storey as their finished floor levels are situated only 1.7 metres below the finished floor levels of the garages.
- The built form appears as two storeys as viewed from adjoining properties and from the public domain.

Therefore, the proposed variation is considered satisfactory on merit.

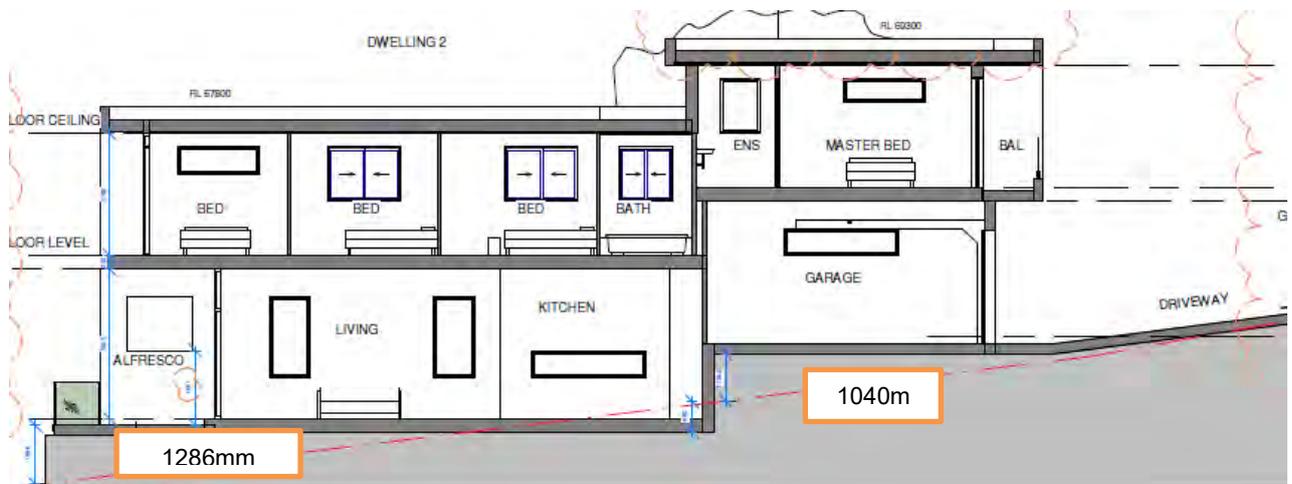
#### *Section 2.6.2 – Topography and Excavation (fill within building footprint)*

Control 2.6.2 (a)(iii) limits the maximum height of fill beneath a building footprint to 900mm. The proposal includes fill to a height of 1045mm beneath the building footprint and is non complaint. The proposal can be considered satisfactory for the following reasons:

- The fill is located beneath the garages and a small portion of the rear alfresco areas as demonstrated in Figure 9. The site has a diagonal cross fall and the proposal has responded to the topography including a split-level design to minimise cut and fill across the site.

- The proposal utilises a split-level design which is considered to strike a balance between responding to the fall of the site and providing for the user friendliness of the proposed dwellings.
- The extent of variation to the control is minor, being only a 16% departure from the 900mm control.
- The proposal does not result in any adverse impacts to adjoining properties or the streetscape. The extent of cut and fill within the building footprint will not be visible from the public domain.

Therefore, the proposal is considered satisfactory on merit.

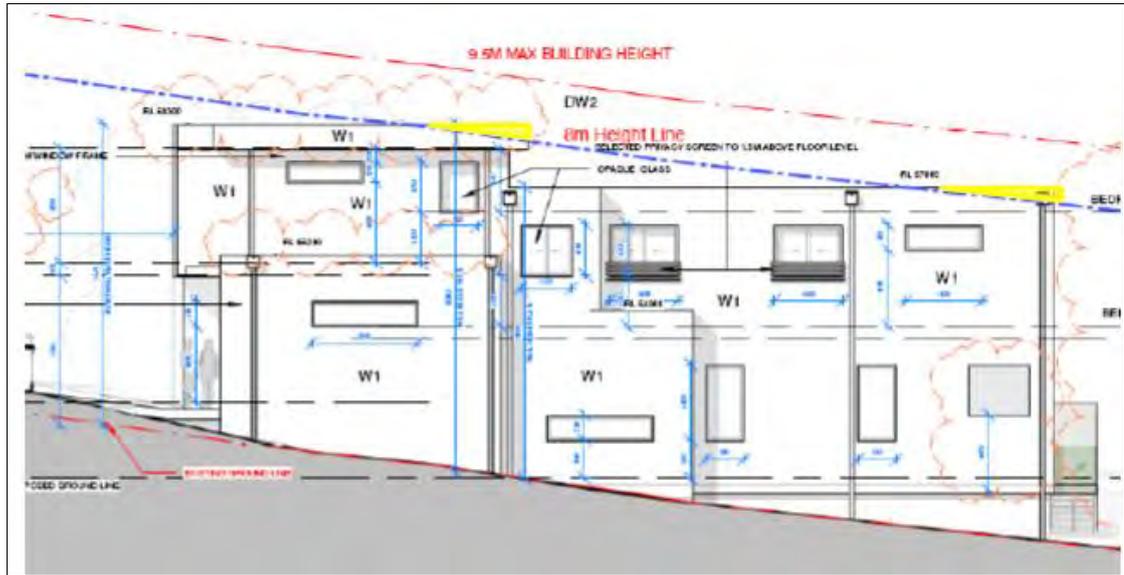


**Figure 11** Section demonstrating fill beneath the garage and alfresco.

### Section 2.8.1 – Building Height (maximum wall plate height)

Control 2.8.1(a) outlines that the maximum permitted wall plate height is 8m to the top of the parapet. The maximum proposed wall plate height is 8.24 metres along the north-western elevation (**Figure 12**). The proposal is considered acceptable for the following reasons:

- The non-compliance is limited to two points of the roof parapet on the north-west elevation (the south-eastern elevation is fully compliant). These are considered to be point encroachments and are minor in nature.
- The proposal complies with the height development standard.
- The building is considered to be suitably articulated to reduce the appearance of bulk and scale. It is noted that the wall of the front portion of the area of non-compliance contains the garage element which is ‘stepped out’ from the bulk of the façade which provides visual interest and modulation to the wall length.
- The rear area of non-compliance has a side setback of 2.1 metres which exceeds the minimum required 1.5 metres.
- The areas of non-compliance given the increased front setback will not be perceived from the streetscape.
- The proposal does not result in any adverse impacts upon adjoining properties or the streetscape.



**Figure 12** North-western elevation showing the portions of the building exceeding the 8m wall plate height in yellow.

**Section 2.9.2 – Side Setback (side setback of garage elements)**

Control 2.9.2 (b) requires a minimum side setback of 1.5 metres for two storey dwellings. The proposed garages have a setback of 900mm from the side boundaries and do not comply. The proposal is considered to be acceptable as the remainder of the dwellings provide a varied side setback between 1.5m – 2.1m. The elevations are well modulated as shown in **Figure 12** above. The non-compliance is for a length of 6.6 metres only. The windows provided within the garage are highlight windows and do not result in any adverse amenity impacts. The varied setbacks provide for modulation of the wall length as is considered to be reasonable. Figure 13 demonstrates the non-compliant setback.



**Figure 13** The garages do not comply with the 1.5m setback control for 2 storey dwellings.

## 5.6 Planning Agreements OR Draft Planning Agreements

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

## 5.7 City of Ryde Section 7.11 - 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 there are in the development proposal. The contribution that are payable with respect to the increase housing density on the subject site (being for residential development outside the Macquarie Park Area) are as follows:

<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
Community & Cultural Facilities	\$6,061.80
Open Space & Recreation Facilities	\$10,438.15
Roads & Traffic Management Facilities	\$3,204.48
Plan Administration	\$295.57
<b>The total contribution is</b>	<b>\$20,000</b>

Condition on the payment of Section 7.11 Contribution of \$20,000 has been included in the draft notice of determination attached to this report. **Condition 16.**

## 5.8 Any matters prescribed by the regulation

### Environmental Planning and Assessment Regulation 2000

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

## 6. The likely impacts of the development

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

## 7. Suitability of the site for the development

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

## 8. The Public Interest

The public interest is best served by the consistent application of the requirements of relevant Environmental Planning Instruments and by Council ensuring that any adverse effects on the surrounding area and the environment is minimised. The proposal has been assessed against the relevant planning instruments and is considered to be acceptable. The proposal is compliant with the principal development standards. 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.

## 9. Public Notification and Submissions

In accordance with the Ryde Community Participation Plan, owners of surrounding properties were given notice of the application. In response, ten (10) submissions were received. Following the lodgement of amended plans, the application was re-notified to those originally notified and three submissions were received. The following issues were raised.

### First notification period

- *The proposed 6 metre front setback is inconsistent with the established setback within the street.*

Comment: The proposal was amended during the assessment phase to provide an increased front setback of 8.05 metres in response to this concern. This setback is consistent with the adjoining properties. The proposed front setback is considered to be acceptable.

- *The height of the building is excessive at 9.5m which will appear overbearing and bulky and will detract from the streetscape.*

Comment: The proposal was amended during the assessment phase to reduce the maximum height of the building to 8.2 metres. The proposal complies with the development standard for height. The building provides a step-down in response to the fall of the site from front to rear.

- *Two dwellings on the site will increase the car traffic and reduce available street parking in an already busy street given the nearby East Ryde Public School.*

Comment: The development for the purpose of a dual occupancy (attached) is permissible within the R2 Low Density Residential zone pursuant to Ryde Local Environmental Plan 2014. The proposal will not result in any significant impacts on traffic or on-street parking opportunity.

- *There is an energy utility power pole situated immediately adjacent to the proposed driveway of Dwelling 1 which will adversely affect sight lines.*

Comment: The driveway for Dwelling 1 is proposed to have a 1135mm setback to the existing power pole. Council's Senior Development Engineer has advised that a

footpath crossing may be located a minimum of one metre from a power pole and this power pole will not impact on sight lines. Therefore, no objection is raised to the location of the driveway in proximity to the power pole.

- *The proposed garage elements are non-compliant, being set back only 900mm which is considered inappropriate given the bulk and scale and orientation of the site.*

Comment: A variation is proposed to the DCP side setback control for the garage elements. The garages are proposed to be setback 900mm and the floor above will be set back 1.5m. The non-compliance will occur for a length of 6.6m and the rest of the elevation is set back between 1.5m and 2.1m. The variation is considered satisfactory as the garage elements do not result in any additional privacy impact and their reduced setback adds to the articulation of the building and is a single storey element.

- *The stormwater plans are not sufficient.*

Comment: Council's Senior Development Engineer has advised that a gravity drainage system would be a preferred solution however this would require the registration of a drainage easement over neighbouring property. Council's DCP acknowledges that the cost and timeframe to register an easement would be an onerous exercise for development of this scale and therefore allows the consideration of an alternative system provided some attempt is made to acquire the easement. The applicant has provided evidence of this in writing indicating the easement was rejected, thereby allowing the consideration of an alternative system.

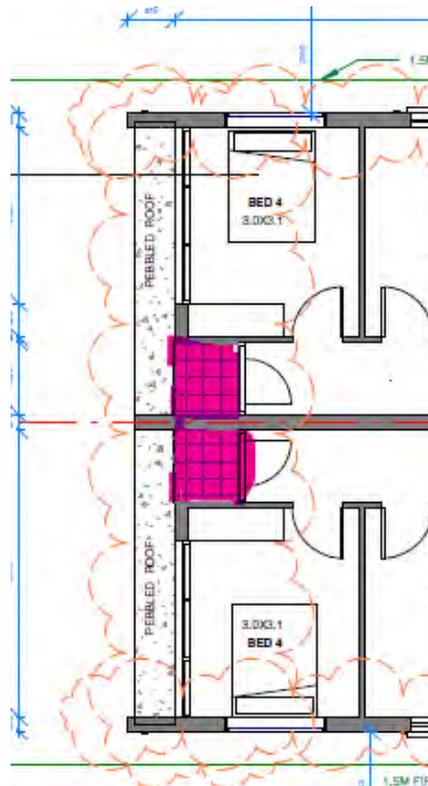
The resulting proposed stormwater management system accommodates a series of stormwater detention/rainwater tanks with a volume of 6800 Litres (located under the rear alfresco areas) which discharge to absorption trenches located in the rear yard of the subject property. Council's Senior Development Engineer has reviewed the proposed system and considered it acceptable and is compliant with the DCP requirements for such systems. The design accommodates on-site detention which will attenuate stormwater runoff and mimic "state of nature" conditions, the provided rainwater storage will reduce the volume of runoff being discharged and the absorption trench system is of a volume capable of accommodating frequent storm events and with sufficient setback from the downstream boundaries to allow for the dispersal of water inside the confines of the site.

- *The area of the houses is too large for the block and will look ugly from the street and my backyard. The balconies and house windows will look directly into my backyard and into my lounge room, bedroom and kitchen. This is a privacy issue. The roof height exceeds the limit of 8m and the floor to ceiling height on the first floor is excessive at 3.3m.*

Comment: The proposal has been amended to significantly reduce the scale of the first floor rear balconies. The first floor balconies originally had a depth of 1016mm with a return between the proposed dwellings. The amended plans have deleted the first floor balcony now proposing a 816mm deep pebbled roof with the balcony return between the dwellings maintained. The return has a width of 1300mm and is offset from the side

boundaries (**Figure 14**). The proposed first floor balconies do not result in any adverse privacy impacts.

The variation to the wall plate height has been addressed earlier in this report and is considered to be minor given the topography of the site. The floor to ceiling height of the first floor has been reduced from 3.3 metres to 2.7 metres and is now considered satisfactory. Further, it is noted that the proposed rear setback is 16.9 metres which is considered to be an ample setback that provides for suitable distance attenuation in the context of the locality.



**Figure 14** Amended first floor balconies

- *The proposal reduces privacy from No.4 Nerang Street with one window in the development looking directly into the bedroom window of my 14 year old granddaughter.*

Comment: The first floor windows located on the southeast elevation are either bathroom or bedroom windows. The proposed bathroom windows will be fitted with obscure glass and the bedroom windows either have a sill height of 1.8 metres or will be fitted with privacy screens to a height of 1.5 metres from the FFL. Bedrooms are considered to be low traffic rooms that are not typically used during daylight hours. In addition, the provision of a high sill or the privacy screen will ensure that there is minimal overlooking.

- *The forward component of the proposed built form exceeds the 8m height control and is not considered justified given site context, resultant overshadowing and detail such as elevated floor levels which exceed 1m and 3.3m floor to ceiling height provided to the first floor which is considered excessive.*

Comment: Amended plans were submitted during the assessment phase which resulted in a decreased maximum height of the building to 8.2 metres and reduced the floor to ceiling heights of the first floor from 3.3m to 2.7m. The minor breach to the 8m control is considered acceptable.

- *Noting site orientation and submitted shadow diagrams, shadows cast during mid-winter will largely be directed at 4 Nerang Street. Whilst primary living areas are located away from the northern elevation skylights have been provided to manage solar access. Noting non-compliant height and setback of the proposed built form, it is not considered to effectively respond to the constraints of the site and manage amenity impacts.*

Comment: The Ryde DCP – Part 3.3 provides the following controls in relation to solar access for adjoining properties:

- Sunlight to at least 50% of the principal area of ground level private open space of adjacent properties is not reduced to less than two hours between 9 am and 3 pm on June 21; and*
- Windows to north-facing living areas of neighbouring dwellings receive at least 3 hours of sunlight between 9am and 3pm on 21 June over a portion of their surface, where this can be reasonably maintained given the orientation topography of the subject and neighbouring sites.*

On June 21, the proposal does result in some impact on the solar access to the principal ground level POS between 11am and 3pm, however, significantly more than 50% of the area will continue to receive solar access between these hours. Therefore, the proposal complies with point (i).

The primary living areas of the dwelling at 4 Nerang Street are located at the front of the dwelling (facing north) and on the eastern side of the dwelling. The proposal will not impact upon the windows of these components of the dwelling on June 21.

- *Section 2.14.2 of the Ryde DCP 2014 relates to visual privacy. Control (c) provides that ...'Terraces and balconies are not to overlook neighbour's living areas and private open space'*

Comment: The proposal has been amended to significantly reduce the scale of the first floor rear balconies (**Figure 14**). They are now of a scale that would prevent congregating or sitting for long periods. With regard to the elevated ground floor alfresco areas, the plans have been amended to increase the sill height of the alfresco windows on the side elevations to 1.8 metres. Given the nature of the use of alfresco areas, it is considered that further privacy screening of these window openings is warranted. **Condition No. 1(a)** requires amended plans prior to the issue of a Construction Certificate depicting privacy screens being fitted to these window openings.

- *The rear ground floor alfresco area is elevated and in this regard it is unclear (a) if a screen is provided to its south east side elevation and (b) if such screen is obscure. The extent of elevation and minimal setback from side boundaries will also permit overlooking of the private open spaces of adjoining sites.*

Comment: The plans have been amended to increase the sill height of the alfresco windows on the side elevations to 1.8 metres. Given the nature of the use of alfresco areas, it is considered that further privacy screening of these window openings is warranted. **Condition No. 1(a)** requires amended plans prior to the issue of a Construction Certificate depicting privacy screens being fitted to these window openings.

- *Concern is raised that a tree within No. 4 Nerang Street (being an Evergreen Ash) was not addressed in the submitted arborist report.*

Comment: The applicant submitted an amended arborist report to address this tree. The report outlined that this tree can be protected during construction works and this conclusion was supported by Council's Landscape Architect/Arborist. **Conditions 37-40** are recommended outlining the retention and protection of the tree.

#### Second Notification Period

- *The height of the forward component of the building is still excessive for a flat roofed development.*

Comment: The Ryde DCP 2014 – Part 3.3 – Dwelling Houses and Dual Occupancy outlines a maximum wall plate height of 8m to the top of the parapet. The proposal results in a minor non-compliance with this control, resulting in a maximum wall plate height of 8.24m on the north-western elevation. This non-compliance has been addressed earlier in this report and is considered satisfactory on merit.

- *The building is three storeys in height above the laundry at the front which is inconsistent with the DCP controls.*

Comment: It is acknowledged that the building has a three storey height for a small portion of the footprint in the vicinity of the laundries. This non-compliance has been addressed earlier in this report and is considered satisfactory on merit.

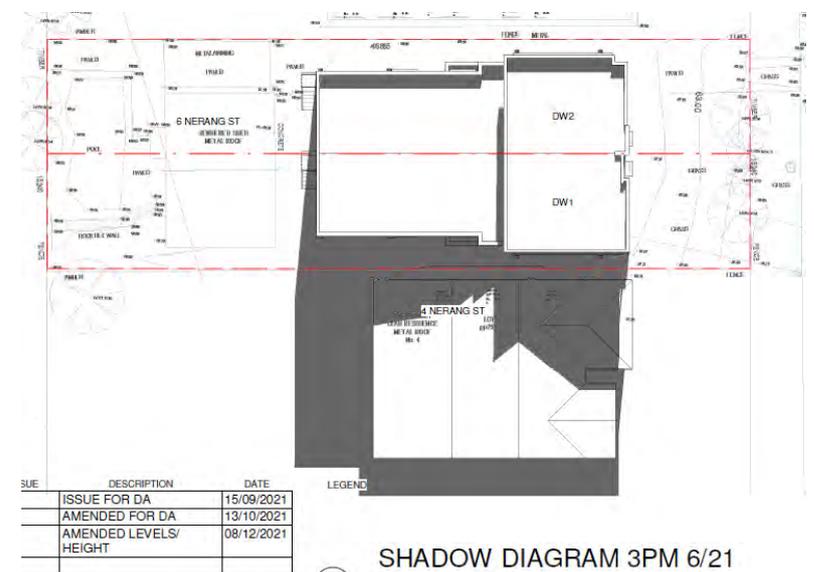
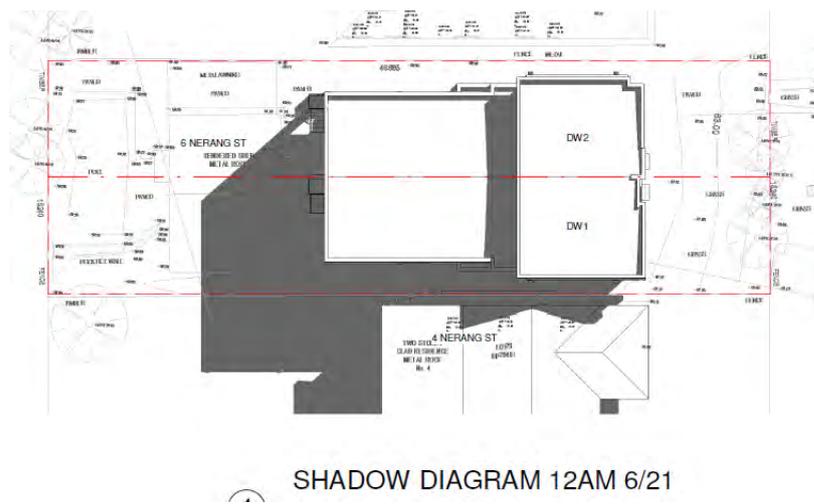
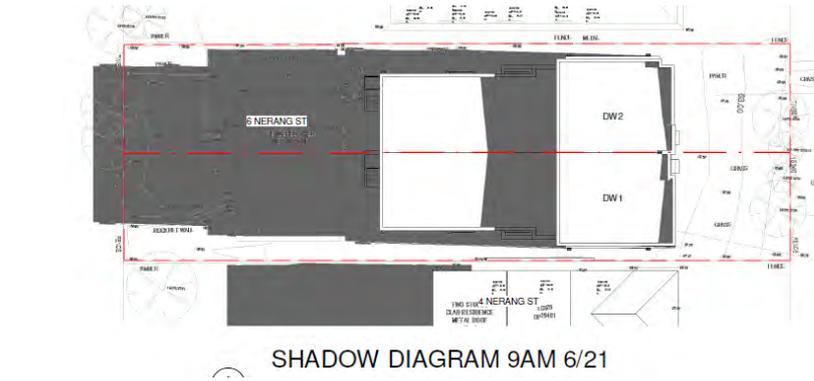
- *The shadow diagrams provided indicate non-compliance and it is noted that the application is not supported by elevational shadow diagrams addressing No. 4 Nerang Street.*

Comment: The Ryde DCP 2014 – Part 3.3 – Dwelling Houses and Dual Occupancy contains the following control relating to solar access for neighbouring development:

*For neighbouring properties ensure:*

- sunlight to at least 50% of the principal area of ground level private open space of adjacent properties is not reduced to less than two hours between 9 am and 3 pm on June 21; and*
- windows to north-facing living areas of neighbouring dwellings receive at least 3 hours of sunlight between 9 am and 3 pm on 21 June over a portion of their surface, where this can be reasonably maintained given the orientation topography of the subject and neighbouring site*

The proposal still allows for solar access to over 50% of the ground level private open space of No. 4 Nerang Street (to the rear of the dwelling) for more than 2 hours between 9am and 3pm on June 21. The dwelling at No. 4 Nerang Street does not contain any north-facing living areas, rather, the north-facing rooms comprise bedrooms, as a result, the submission of elevational shadow diagrams addressing this dwelling was not considered to be warranted. The proposal achieves compliance with the DCP with regard to solar access for the neighbouring dwelling.



**Figure 15** Shadow diagrams for 9am, 12 noon and 3pm mid-winter

- *The proposed design is not compatible with existing buildings in the street in relation to design nor bulk and scale. There are no flat roofed, parapet design buildings in the street, rather they all have pitched roofs.*

Comment: Although flat roof buildings are not prevalent within an immediate visual catchment of the site, flat roof buildings are common within the suburb and represent a more contemporary design trend. It is noted that the site is not located near a heritage conservation area or a heritage item. Hence, the flat roof form is not considered to be out of character or does it detract from the existing streetscape.

- *It is noted that the garage for dwelling at proposed 6A is not set back by 1m as required by the DCP and is flush with the front wall.*

Comment: The front façade of the garage element of this dwelling is set back one metre from the front façade of the first floor which achieves compliance with the DCP control. The balcony will project forward of the garages. As a result of this, the garages are considered to be a recessive element on the front elevation.

- *No provision has been made to replace mature trees with like sized trees.*

Comment: The landscaping plan depicts the planting of three Sydney Peppermint trees with a mature height of 15 to 25 metres and 45 Litre pot sizes on the site (comprising two to the rear and one to the front). This achieves compliance with the DCP controls which require the planting of a minimum of one canopy tree to the rear and one canopy tree to the front of the building.

- *The objector has a tall, *Fraxinus Griffithii*, which is located near the boundary with 6 Nerang St. Whilst it had been "overlooked" in the original arborist's report, it has now been noted in the updated arborist's report. If this tree is damaged from the excavations or build, the objector would like it replaced by the developer/owner with a full sized mature tree as it provides shade and cooling to their house and provides privacy.*

Comment: This tree is addressed in the arborist report and will be retained and protected during works. Suitable conditions of consent (**Conditions 37, 38, 39, 40, 41, 42, 55 and 56**) are recommended in relation to the protection of the trees to be retained and protected and a project arborist is required to be engaged to ensure adequate tree protection measures and to carry out activities at regular intervals during the construction phase.

- *The survey shows that the boundary fences are encroaching on both number 4 and number 8 (the fence between number 4 encroaches by approximately 19cm for most of the length of the boundary). It is requested that it is a condition of consent that the fences are replaced along the appropriate, surveyed boundary lines, so that there is no risk of the developer/builder using the existing fences to guide them as to setbacks etc, and that the developer must use a certified surveyor to peg out the boundary.*

Comment: This concern is acknowledged. Conditions of consent are recommended requiring the plotting and pegging out of side boundaries by a registered surveyor

and the replacement of the existing side boundary fencing by the applicant prior to the issue of any Occupation Certificate (**Conditions 24 and 58**).

- *It is noted that the shadow diagrams show that No. 4 Nerang Street is in full shadow all day on 21 June. This dwelling has skylights into the rear living areas and this means that there will be zero natural sunlight all day during the middle of winter. Whilst some of the backyard will have sunlight, it is the pool area only and it would not be used in the middle of winter anyway.*

Comment: The shadow diagrams indicate that the roof area of the dwelling at No. 4 Nerang Street which contains the skylights will not be overshadowed at any time by the proposed building on 21 June. It is noted that the skylights on the dwelling at No. 4 Nerang Street are located towards the southern side of the dwelling.

- *The detention tanks must be placed under the driveways to collect the rainwater from the increased roof space and pumped out to Nerang Street. Detention pits in the backyard will just run into the objector's property.*

Comment: This suggestion from the objector was reviewed by Council's Senior Development Engineer who advised as follows:

*This would not be supported as placing it upstream of the proposed dwelling would adversely affect the development's footing system. It is required by the DCP that the trenches have sufficient area downstream so as to increase the degree of dispersal area, which is why the DCP controls necessitate they be no less than 5m from the downstream boundary (the proposed design nominates 10.5m) and requires the site coverage to be no greater than 40% (39.3% proposed) so as to ensure there is sufficient landscaped area downstream of the site to increase dissipation. The preferred engineering solution would be to convey all stormwater runoff by piped system to the public drainage easement in either 8 Nerang Street or 41 Pooley Street however both owners have objected to this request.*

*In consideration of alternative forms of drainage, a charged (siphonic) system would not be accepted as diverting runoff to Nerang Street would exacerbate flood affectation of 8 Nerang Street (which then flows on to 41 Pooley Street). The DCP does not permit the use of a pump system given these systems require ongoing maintenance to be effective, have a finite pumping capacity which can be exceeded and reduces with the age of the system, are useless in the event of a power failure (which is likely during extreme storm events), are an unsustainable form of development given they require a power source to function and present a greater risk to downstream property in the event of failure as they are located at the lowest point of the site with all runoff from the land be directed to that point. Both of these options present fundamental issues in the principal of diverting water uphill in order to drain land. Approval of either would only set an adverse precedent for other neighbouring properties to do so, thereby compounding these issues.*

- *The revised plans allow for excavation to minimise the roof height. This, along with two driveways, one on each side of the dwelling, will adversely affect the overland flow of water into the objector's property. The subject dwelling is already*

*in an overland stormwater flood zone and any excavation and fill will only amplify the risks of flooding downhill.*

Comment: The subject lot is clear of a flood effected region which traverses the adjoining No. 8 Nerang Street and thereon to No. 41 Pooley Street as demonstrated in Figure 16. The site, however it is located in the upstream catchment in which some 15 other properties which front Nerang Street and Badajoz Road discharge to. The proposed works and ensuing alterations to the landform do not alter this.



**Figure 16** Sites affected by overland flow are shown in blue.

Council's Senior Development Engineer advises that the proposal and its drainage system presents an improved outcome for stormwater management in comparison to the current state of the site. Particularly there is a distinct reduction in the level of hardstand area from the current 75% of site coverage to a proposed 39%. The proposed stormwater system also provides rainwater tanks which will reduce the volume of runoff being discharged and an on-site detention system which will attenuate the rate of stormwater runoff so as to present "state of nature" conditions (i.e. as if the site were undeveloped). The design is in accordance with the DCP for such systems.

- *The plans appear to show excavation deeper than 1.2m, especially for the laundry, which does not comply with the DCP.*

Comment: The largest extent of excavation proposed is 1.161m in the area of the laundry. It is noted that there is a non-compliance with regard to the extent of fill proposed within the building footprint and this has been addressed earlier in this report.

- *The plans show a lot of glass in the rear bedrooms that will directly look into the objector's backyard and living area. This is a privacy issue.*

Comment: It is noted that the first floor rear windows are associated with bedroom 4 for each unit. Bedrooms are considered to be low-traffic rooms that are not regularly used during daylight hours. Further, it is noted that the first floor has a proposed rear setback of 17.89 metres which is considered to be an ample setback to provide for privacy protection. In addition, the landscaping plan depicts the planting of two Sydney Peppermint trees to the rear of the building with a mature height of 15 to 25 metres which will greatly assist with screening.

## 10. Referrals

Senior Development Engineer: The application was referred to Council's Senior Development Engineer and no objection was raised subject to recommended conditions of consent. (**Conditions 12 – 15, 25 – 29, 51, 52, and 61 – 65**). The following comments were provided in relation to stormwater drainage:

*A gravity drainage system would be a preferred solution for this site, however this would require the registration of a drainage easement over neighbouring property. Council's DCP acknowledges that the cost and timeframe to register an easement would be an onerous exercise for development of this scale and therefore allows the consideration of an alternative system provided some attempt is made to acquire the easement. The applicant has provided evidence of this in writing indicating the easement was rejected, thereby allowing the consideration of an alternative system.*

*The resulting proposed stormwater management system accommodates a series of stormwater detention/rainwater tanks with a volume of 6800 Litres (located under the rear alfresco areas) which discharge to absorption trenches located in the rear yard of the subject property. The proposed system has been reviewed and is considered acceptable and is compliant with the DCP requirements for such systems. The design accommodates on-site detention which will attenuate stormwater runoff and mimic "state of nature" conditions, the provided rainwater storage will reduce the volume of runoff being discharged and the absorption trench system is of a volume capable of accommodating frequent storm events and with sufficient setback from the downstream boundaries to allow for the dispersal of water inside the confines of the site.*

*The subject lot is clear of a flood effected region which traverses the adjoining No. 8 Nerang Street and thereon to No. 41 Pooley Street however it is located in the upstream catchment in which some 15 other properties which front Nerang Street and Badajoz Road discharge to. The proposed works and ensuing alterations to the landform do not alter this.*

*The proposal and its drainage system present an improved outcome for stormwater management in comparison to the current state of the site. Particularly there is a distinct reduction in the level of hardstand area from the current 75% of site coverage to a proposed 39%. The proposed stormwater system also provides rainwater tanks which will reduce the volume of runoff being discharged and an on-site detention system which will attenuate the rate of stormwater runoff so as to present "state of nature" conditions (ie as if the site were undeveloped). The design is in accordance with the DCP for such systems.*

Landscape Architect: The application was referred to Council's Landscape Architect and no objection was raised subject to conditions. (**Conditions 30, 37 – 42, 53 – 56 and 58**).

## 11. Conclusion

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

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

## 12. Recommendation

- A. That the Ryde Local Planning Panel as the consent authority grant development consent to Local Development Application LDA No. LDA2021/0379 for a dual occupancy (attached) and Torrens title subdivision on land at 6 Nerang Street, Ryde subject to the draft conditions in the attached draft consent.
- B. That the objectors be advised of the decision.

## ATTACHMENTS

- 1 Draft Conditions of Consent
- 2 Ryde Development Control Plan 2014 – Table of Compliance
- 3 Amended Architectural Plans

### Report Prepared By:

**Shannon Butler**  
**Senior Town Planner**

### Report Approved By:

**Kimberley Kavwenje**  
**Senior Coordinator Development Assessment**

**Sandra Bailey**  
**Manager - Development Assessment**

**Liz Coad**  
**Director - City Planning and Environment**

## GENERAL

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

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

Document Description	Date	Plan No/Reference
BASIX Commitment 1	15/09/2021	1006
BASIX Commitment 2	15/09/2021	1007
Site Plan	08/12/2021	2000
Ground Floor Level	08/12/2021	2001
First Floor Level	08/12/2021	2002
Driveway Plan	08/12/2021	2005
Northeast Elevation	08/12/2021	3001
Northwest Elevation	08/12/2021	3002
Southeast Elevation	08/12/2021	3003
Southwest Elevation	08/12/2021	3004
Section 1	08/12/2021	4001
Section 2	08/12/2021	4002
Subdivision Plan	01/10/2021	7001
Landscape Concept Plan	19/10/2021	LC 01
Landscape Planting Plan	19/10/2021	LC 02
Planting Plan	19/10/2021	LC 03

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

- (a) The plans are to be amended to depict privacy screens on the alfresco windows located on the side elevations.

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

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

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.

(Reason: Statutory requirement).

3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 1239617M, dated 15 September 2021.

(Reason: Statutory requirement).

## **Conditions of Consent for LDA2021/0379 :-**

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

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

(Reason: Statutory requirement).

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

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

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

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

7. **Hoardings.**

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

(Reason: To ensure public safety).

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

(Reason: To ensure public safety).

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

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

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

(Reason: to ensure public safety).

## **Conditions of Consent for LDA2021/0379 :-**

11. **Consent for Demolition.** This consent does not permit the demolition of existing structures or removal of the existing swimming pool. Separate approval is required for demolition.

(Reason: to ensure that works are undertaken lawfully).

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

(Reason: To ensure works are undertaken in accordance with design and construction standards).

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

(Reason: To ensure works are undertaken in accordance with requirements of service providers).

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

(Reason: To ensure that public areas are maintained).

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

(Reason: Statutory requirement).

### **PRIOR TO CONSTRUCTION CERTIFICATE**

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

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

## **Conditions of Consent for LDA2021/0379 :-**

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

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

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

<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
Community & Cultural Facilities	\$6,061.80
Open Space & Recreation Facilities	\$10,438.15
Roads & Traffic	\$3,204.48
Plan Administration	\$295.57
<b>The total contribution is</b>	<b>\$20,000.00</b>

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

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

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

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

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

18. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Certifying Authority prior to the issuing of the **Construction Certificate**.

(Reason: Statutory requirement).

## **Conditions of Consent for LDA2021/0379 :-**

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

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

And

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

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

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

21. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**.

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

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

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

24. **Fencing.** Fencing is to be in accordance with Council's DCP 2014: Part 3.3 – Dwelling Houses and Dual Occupancy (attached) – Section 2.16 - Fences. In this regard, the side boundary fencing is to be replaced by the applicant given that the submitted

## **Conditions of Consent for LDA2021/0379 :-**

survey plan depicts encroachment of the existing fencing over the side boundaries. The side boundaries are to be accurately plotted and pegged out on the site. Details of compliance are to be provided in the plans for the **Construction Certificate**.

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

26. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the internal absorption system, generally in accordance with the plans by Storm Civil Consulting Engineers (Refer to Job No. 306030 Dwgs D1 - D3 Rev B dated 18 August 2021).

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

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

(Reason: To ensure suitable design of stormwater management system).

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

As a minimum, the OSD system must;

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

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

(Reason: To ensure suitable design of stormwater management system).

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

Prior to the issue of the Construction Certificate, an application shall be made to Council for approval under Section 138 of the Roads Act, 1993, for the construction of the vehicle footpath and gutter crossover. The application shall include engineering design drawings of the proposed vehicle footpath crossing and gutter crossover. The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B85 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included. All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Offstreet Parking* and Council's specifications. The new crossing shall be 3.0 m. wide, without the splays, and shall be constructed at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

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

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

(Reason: Statutory requirement).

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

- Existing and final contours
- The location of all earthworks, including roads, areas of cut and fill
- Location of all impervious areas
- Location and design criteria of erosion and sediment control structures,
- Location and description of existing vegetation
- Site access point/s and means of limiting material leaving the site
- Location of proposed vegetated buffer strips

## **Conditions of Consent for LDA2021/0379 :-**

- Location of critical areas (drainage lines, water bodies and unstable slopes)
- Location of stockpiles
- Means of diversion of uncontaminated upper catchment around disturbed areas
- Procedures for maintenance of erosion and sediment controls
- Details for any staging of works
- Details and procedures for dust control.

The ESCP must be submitted with the application for a Construction Certificate. This condition is imposed to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

(Reason: To ensure suitable management of erosion and sediment).

30. **Amended Landscape Plan.** The following need to be shown on an amended Landscape plan:

- The footpaths from the front door to the front boundary are to be diverted to the driveway to reduce the amount of hard paving and to retain Tree 3.
- The Landscape Plans are to be updated to match the latest amended Architectural Plans.

Amended Landscape Plans are to be submitted to and approved by the Principal Certifier prior to the issue of a **Construction Certificate**.

(Reason: To outline required amendments to landscaping plan).

## **PRIOR TO COMMENCEMENT OF CONSTRUCTION**

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

### **31. Site Sign**

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

(Reason: Statutory requirement).

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

## **Conditions of Consent for LDA2021/0379 :-**

- (a) in the case of work for which a principal contractor is required to be appointed:
  - (i) the name and licence number of the principal contractor; and
  - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
  
- (b) in the case of work to be done by an owner-builder:
  - (i) the name of the owner-builder; and
  - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

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

(Reason: Statutory requirement).

### **33. Excavation adjacent to adjoining land**

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

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

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

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

(Reason: To ensure that works are carried out within site boundaries).

## **Conditions of Consent for LDA2021/0379 :-**

37. **Tree Retention.** As identified in the Arboricultural Impact Assessment (AIA) prepared by Seasoned Tree Consulting dated 19/01/2022. The following trees on site or adjoining the site are to be retained and protected

Tree No.	Species "Common name"	Notes
3	<i>Acer rubrum</i> (Red Maple)	On site, front boundary. Install protective fence.
6	<i>Syagrus romanzoffiana</i> (Cocos Palm)	In adjoining property.
7, 8 & 9	<i>Photinia sp.</i> (Red Photinia)	In adjoining property. Major encroachment from removal of swimming pool. Keep retaining wall in place. Install protective fence.
10	<i>Livistona sp.</i> (Palm),	In adjoining property. Minor encroachment. Demolition in TPZ to be supervised by Project Arborist.
11	<i>Fraxinus griffithii</i> (Evergreen Ash)	In adjoining property.

(Reason: To outline the retention and protection of trees).

38. **Tree Protection** is to be installed before demolition and construction commences as indicated in the Arboricultural Impact Assessment (AIA) "Appendix 1A Proposed Site Plan and Tree Protection Plan" prepared by Seasoned Tree Consulting dated 19/01/2022. An additional protective fence is to be installed around the Tree Protection Zone of Tree 3.

(Reason: To outline tree protection measures).

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

(Reason: To outline required tree protection fencing).

40. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.

(Reason: To protect existing trees not identified for removal).

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

(Reason: To ensure oversight of works by qualified arborist).

## **Conditions of Consent for LDA2021/0379 :-**

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

(Reason: To ensure oversight of works by qualified arborist).

### **DURING CONSTRUCTION**

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

43. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.

(Reason: Statutory requirement).

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

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

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

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

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

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

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

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

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

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

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

## **Conditions of Consent for LDA2021/0379 :-**

### **49. Site Facilities**

The following facilities must be provided on the site:

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

(Reason: Statutory requirement).

### **50. Site maintenance**

The applicant must ensure that:

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

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

51. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Storm Civil Consulting Engineers (Refer to Job No. 306030 Dwgs D1 - D3 Rev B dated 18 August 2021) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.

(Reason: To require construction of stormwater management system in accordance with plans).

52. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.

(Reason: To ensure the management of sediment and erosion during construction).

53. **Excavation for services within Tree Protection Zone (TPZ).** Any excavation for services or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.

(Reason: To ensure the protection of trees to be retained).

54. **Tree Removal.** As identified in the Arboricultural Impact Assessment (AIA) prepared by Seasoned Tree Consulting dated 19/01/2022. The following trees on site are to be removed:

Tree No.	Species "Common name"
1	<i>Araucaria heterophylla</i>

**Conditions of Consent for LDA2021/0379 :-**

	(Norfolk Island Pine)
2	<i>Calliandra sp.</i> (Power-Puff)
4	<i>Schefflera actinophylla</i> (Umbrella Tree)
5	<i>Plumeria acutifolia</i> (Frangipani)

(Reason: To outline the trees approved to be removed).

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

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

(Reason: To set out the required inspections by project arborist).

## **Conditions of Consent for LDA2021/0379 :-**

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

(Reason: To set out requirements for arborist).

### **PRIOR TO OCCUPATION CERTIFICATE**

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

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

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

57. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 1239617M, dated 15 September 2021.

(Reason: Statutory requirement).

58. **Landscaping and Fencing.** All landscaping works approved by condition 1 are to be completed prior to the issue of the any **Occupation Certificate**. Side boundary fencing is to be replaced by the applicant prior to the issue of any **Occupation Certificate** based on side boundaries being accurately plotted by a registered surveyor.

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

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

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

(Reason: Statutory requirement).

## **Conditions of Consent for LDA2021/0379 :-**

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

(Reason: To assist in way finding).

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

(Reason: To outline the requirement for submission of WAE plan for stormwater).

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

(Reason: To require removal of redundant gutter crossings).

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

(Reason: To require suitable positive covenant for maintenance of stormwater management system).

64. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate.

## **Conditions of Consent for LDA2021/0379 :-**

All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- c) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- d) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

(Reason: To outline applicable engineering compliance certificates).

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

(Reason: To require installation of marker plate for on-site detention).

### **PRIOR TO SUBDIVISION CERTIFICATE**

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

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

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

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

68. **Occupation Certificate.** A final occupation certificate in relation to Development Consent No. LDA2021/0379 must be in force.

## **Conditions of Consent for LDA2021/0379 :-**

(Reason: Statutory requirement).

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

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

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

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

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

And

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

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

(Reason: Statutory requirement).

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

- a) Separating Wall (Part 3.7.3.2). The wall separating the two dwellings has an FRL (Fire Resistance Level) of not less than 60/60/60 extending from the ground to the underside of the roof cladding.

## **Conditions of Consent for LDA2021/0379 :-**

- b) **Smoke Alarms** (Part 3.7.5.2). The smoke alarms in each dwelling are connected to the consumer mains power and are interconnected as there are alarms on both floor levels.

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

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

(Reason: To assist in way finding).

74. **Removal of encroachments.** All structures, services etc. are to be wholly contained within the legal property boundaries of each lot. All existing structures and services etc are either to be demolished, relocated and/or have appropriate easement/s registered over the encroachment to ensure their legal operation.

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

76. **Subdivision Compliance Certificates.** To ensure the new lots created by the subdivision have access to services to function as a wholly separate lot and with appropriate legal instruments relating to the maintenance of services (where required), the following compliance certificates must be provided to Council prior to the release of the Subdivision Certificate;

- a) Surveyor Certification – A registered surveyor must certify that all necessary easements have been created for all services /structures which encroach into adjacent lots or alternatively that all services for each existing dwelling and structures are contained wholly within their respective allotments.
- b) Sydney Water (Section 73 Compliance Certificate) - A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains.
- c) Other Utility Providers – Written confirmation confirming compliance with the requirements (including financial costs) of electrical and telecommunication providers (e.g. AusGrid, Telstra).

77. **88B Instrument.** If required, the submission of an instrument under Section 88B of the Conveyancing Act 1919 with 2 copies, creating any Easements, Positive Covenants and Restrictions on use, the City of Ryde being the authority empowered to release vary or modify the same.

**Conditions of Consent for LDA2021/0379 :-**

**End of consent**

## Attachment 2 – Ryde Development Control Plan 2014

Ryde LEP 2014	Proposal	Compliance
<b>4.1B(2)(a) &amp; (b) Minimum lot sizes for dual occupancies and multi dwelling housing</b>		
580m <sup>2</sup>	711.5m <sup>2</sup>	Yes
15m frontage	15.24m	Yes
<b>4.3(2) Height</b>		
9.5m	Roof RL (highest): RL69.30 EGL (lowest) under: RL61.12 Height of Building = 8.18m	Yes
<b>4.4(2) &amp; 4.4A(1) FSR</b>		
0.5:1 (355.75m <sup>2</sup> )	Ground Floor: 154.4m <sup>2</sup> First Floor: 190.6m <sup>2</sup> Total GFA: 347.31m <sup>2</sup> <b>FSR = 0.485:1</b>  (it is noted that both garages are 18m <sup>2</sup> in size and may be excluded from the GFA as per Part 2.7 of RDCP – Part 3.3)	Yes

DCP 2014	Proposed	Compliance
<b>Part 3.3 - Dwelling Houses and Dual Occupancy (attached)</b>		
<b>Section 1.0 Introduction</b>		
<b>Part 1.6 Site Analysis</b>		
Site analysis to be submitted.	Drawing prepared by ARC homes and dated 08/12/2021.	Yes
<b>Section 2.0 General Controls</b>		
<b>2.1 Desired Future Character</b>		
Development is to be consistent with the desired future character of the low density residential areas.	The development is considered to be consistent with the desired future character of the locality. The building is regarded as being three storeys at the location of the laundries at the transition of split levels.	Yes – except minor portion of building being three storeys.
<b>2.2 Dwelling Houses</b>		
(a) Landscape setting which includes significant deep soil areas at the front and rear	Suitable deep soil area is provided in the front and rear setback.	Yes
(b) Maximum two storeys high	The building is regarded as being three storeys at the location of the laundries at the transition of split levels.	No – 3 storeys for minor portion.
(c) Dwellings address the street	The dwellings address the street.	Yes
(d) Boundary between public and private space is clearly articulated	The boundary between public and private is clearly defined.	Yes

<b>DCP 2014</b>	<b>Proposed</b>	<b>Compliance</b>
(e) Garages and carports are not to be visually prominent features	The garages are set into the front façade.	Yes
(f) Dwellings are to respond appropriately to the site analysis	The design responds to the site analysis.	Yes
<b>2.3 Dual Occupancy (attached)</b>		
(a) New dual occupancy buildings are to meet the controls for new dwelling houses set out in 2.2.1..	The proposal meets the controls set out in 2.2.1.	Yes
(b) Alterations and additions to dual occupancy buildings are to meet the requirements of 2.2.2	N/A	N/A
<b>2.4 Subdivision</b>		
Minimum lot sizes apply under RLEP Clause 4.1A  <ul style="list-style-type: none"> <li>- 580m<sup>2</sup></li> <li>- Each resulting lot to have an area of not less than 290m<sup>2</sup>.</li> <li>- Primary frontage of each resulting lot to be equal to or greater than 7.5m.</li> </ul>	711.5m <sup>2</sup> Both proposed lots are 355.74m <sup>2</sup>  Both primary frontages are 7.62m	Yes
<b>2.5 Public Domain Amenity</b>		
<b>2.5.1 Streetscape</b>		
(a) Site design, building setbacks and level changes respect the existing topography	The design, setbacks and level changes respect the existing topography.	Yes
(b) Front gardens to complement and enhance streetscape character	The front gardens will complement the streetscape character.	Yes
(c) Dwelling design is to enhance the safety and amenity of the streetscape	The design enhances the safety and amenity of the streetscape.	Yes
(d) Carports and garages visible from the public street are to: <ul style="list-style-type: none"> <li>(i) Be compatible with the building design</li> <li>(ii) Be setback behind the dwelling's front elevation</li> </ul>	The garages are compatible with the building design. The garages are set back from the face of the façade.	Yes
(e) Driveways and hard stand areas are to be minimised	The proposal minimises hard stand.	Yes
(f) Dwellings, garages and carports are to be orientated to match the prevailing	The garages match the orientation of surrounding buildings in the streetscape.	Yes

DCP 2014	Proposed	Compliance
<p>orientation of such buildings in the streetscape</p> <p>(g) Facades from the public domain are to be well designed.</p>	<p>Façade is well designed and compliments the streetscape.</p>	<p>Yes</p>
<b>2.5.2 Public Views and Vistas</b>		
<p>(a) A view corridor is to be provided along at least one side allotment boundary where there is an existing or potential view to the water from the street. Landscaping is not to restrict views. Fence 70% open where height is &gt;900mm.</p>	<p>There are no water views obtained from the site.</p>	<p>Yes</p>
<p>(b) Garages/carports and outbuildings are not to be located within view corridor if they obstruct view.</p>	<p>There is no view corridor relevant to the subject site.</p>	<p>Yes</p>
<b>2.5.2 Pedestrian &amp; Vehicle Safety</b>		
<p>(a) Car parking located to accommodate sightlines to footpath &amp; road in accordance with relevant Australian Standard.</p>	<p>The car parking accommodates sightlines to the footpath and road.</p>	<p>Yes</p>
<p>(b) Fencing that blocks sight lines is to be splayed.</p>	<p>There is no front fencing proposed.</p>	<p>Yes</p>
<p>(c) Refer to relevant AS when designed driveways</p>	<p>Driveways comply with AS</p>	<p>Yes</p>
<b>2.6 Site Configuration</b>		
<b>2.6.1 Deep Soil Areas</b>		
<p>(a) 35% of site area min.</p>	<p>56% of the site is deep soil.</p>	<p>Yes</p>
<p>(b) Deep soil area must include: (i) Min 8x8m deep soil area in backyard. (ii) Front garden area to be completely permeable (exception driveway, pedestrian path and garden walls).</p>	<p>8m x 8m is exceeded in rear yard. Front area is permeable except driveways and footpath.</p>	<p>Yes Yes</p>
<p>(c) Dual occupancies need only one 8m x 8m in back yard</p>	<p>Over 8m x 8m provided in rear yard.</p>	<p>Yes</p>
<p>(d) Deep soil areas to have soft landscaping</p>	<p>Deep soil areas have soft landscaping.</p>	<p>Yes</p>
<p>(e) Deep soil areas to be 100% permeable. Not</p>	<p>Deep soil areas are proposed to be permeable.</p>	<p>Yes</p>

DCP 2014	Proposed	Compliance
covered by structures, paving or the like, or have below surface structures such as stormwater detention elements.		
<b>2.6.2 Topography &amp; Excavation</b>		
<p>(a) Building form and siting relates to the original topography of the land and of the streetscape.</p> <p>(b) The area under the building footprint may be excavated or filled so long as:</p> <p>(i) the topography of the site requires cut and/or fill in order to reasonably accommodate a dwelling</p> <p>(ii) the depth of excavation is limited to 1.2m maximum</p> <p>(iii) the maximum height of fill is 900mm</p> <p>(c) Areas outside the dwelling footprint may be excavation and/or filled so long as:</p> <p>(i) the maximum height of retaining walls is not &gt;900mm</p> <p>(ii) the depth of excavation is not &gt;900mm</p> <p>(iii) the height of fill is not &gt;500mm</p> <p>(iv) the excavation and filled areas do not have an adverse impact on the privacy of neighbours</p> <p>(v) the filled areas do not have an adverse</p>	<p>Within BF Max cut: 1180mm Max fill: 1045mm</p> <p>Outside BF Max cut: 650mm Max fill: 430mm</p> <p>Retaining wall height = 600m</p> <p>1045mm</p>	<p>No – variation proposed in relation to fill within building footprint.</p> <p>Yes</p> <p>Yes</p> <p>No – variation proposed. See report for discussion</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

DCP 2014	Proposed	Compliance
<p>impact on the privacy of neighbours</p> <p>(vi) the area between the adjacent side wall of the house and the side boundary is not filled</p> <p>(vii) the filled areas are not adjacent to side or rear boundaries</p> <p>(d) Fill is not allowed in areas of overland flow. Refer to Part 8.2 stormwater management</p> <p>(e) Generally the existing topography is to be retained.</p>		<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>2.7 Floor Space Ratio (FSR)</b>		
<p>(a) FSR is 0.5:1 in accordance Clause 4.4</p> <p>(b) A floor area of 36m<sup>2</sup> maybe excluded when this area accommodates 2 car space. An area of 18m<sup>2</sup> may be excluded when the area accommodates 1 parking space.</p>	<p>Ground Floor: 154.4m<sup>2</sup>            First Floor: 190.6m<sup>2</sup>            Total GFA: 347.31m<sup>2</sup>  <b>FSR = 0.485:1</b></p> <p>(it is noted that both garages are 18m<sup>2</sup> in size and may be excluded from the GFA as per point (b)).</p>	<p>Yes</p>
<b>2.8 Height</b>		
<b>2.8.1 Building height</b>		
<p>(a) Building heights are to be as follows:</p> <ul style="list-style-type: none"> <li>- Maximum height of 9.5 metres for dwellings and dual occupancy.</li> <li>- Outbuildings including garages and carports maximum height 4.5 metres.</li> </ul>	<p>Roof RL (highest): RL69.30            EGL (lowest) under: RL61.12            Height of Building = 8.18m</p>	<p>Yes</p>
<p><u>Maximum wall plate</u></p> <ul style="list-style-type: none"> <li>- 7.5m max above FGL or</li> <li>- 8m max to top of parapet</li> </ul> <p>NB:            TOW = Top of Wall            EGL = Existing Ground Level            - FGL = Finished Ground Level</p>	<p>Maximum wall plate height proposed is 8.24m to the top of the parapet (northwest elevation)</p>	<p>No – variation proposed. See report for discussion</p>
<p><u>Maximum number of storeys:</u></p> <ul style="list-style-type: none"> <li>- 2 storeys maximum (storey incl basement)</li> </ul>	<p>The building does not exceed two storeys at any point.</p>	<p>Yes</p>

DCP 2014	Proposed	Compliance
elevated greater than 1.2m above EGL).		
- 1 storey maximum above attached garage incl semi-basement or at-grade garages	One storey is proposed above the garages.	Yes
<b>2.8.2 Ceiling Height</b>		
(a) Habitable rooms to have 2.4m floor to ceiling height (min).	The minimum habitable room height proposed is 2.7m.	Yes
<b>2.9 Setbacks</b>		
<b>2.9.1 Front setbacks</b>		
<p>(a) Dwellings are generally to be set back 6m from street front boundary</p> <p>(b) On corner sites, the setback secondary frontage minimum 2m</p> <p>(c) Garages and carports, including semi-basement garages and attached garages, set back min 1m from façade</p> <p>(d) The front setback free of structures. The exception is car parking structures which comply with 2.11.</p> <p>(e) Attached garages, including semi-basement garages on secondary frontages not to protrude forward of the façade. The exception is garages located on battle axe allotments. These garages do not need to be setback.</p> <p>(f) The outside face of wall built above a garage aligns with the outside face of the garage wall below.</p>	<p>8.05m front setback is proposed.</p> <p>N/A</p> <p>Garages are set back a min of 1.1m from the front façade.</p> <p>The front setback does not contain any structures.</p> <p>The garages are set behind the line of the front façade.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>2.9.2 Side Setbacks</b>		
(a) One storey dwellings setback 900mm	N/A	N/A
(b) Two storey dwellings setback 1.5m	Side setbacks comply with the exception of the garage elements which are 900mm from side boundaries.	Variation proposed. See report for discussion.

DCP 2014	Proposed	Compliance
<b>2.9.3 Rear Setbacks</b>		
(a) The rear setback min 25% of the site length or 8m, whichever is greater.	A rear setback of 11.67m is 25% of site length.  Proposed rear setback is 16.9m for the ground floor element.	Yes
<b>2.11 Car Parking and Access</b>		
<b>2.11.1 Car Parking</b>		
(a) Dwellings 2 spaces. Dual occ 1 space/dwg	Each dwelling contains a single garage.	Yes
(b) Spaces can be enclosed or roofed.	Both garages are enclosed.	Yes
(c) Garages setback 1m behind front elevation.	Min garage setback is 1.1m behind front elevation.	Yes
(d) Located forward of existing dwelling if:	N/A	N/A
(e) Garages doors solid. No expanded mesh doors.	Solid garage doors are proposed.	Yes
(f) Preference located off laneways, secondary street frontages.	Not located off laneway or secondary street frontage.	Yes
(g) Driveway widths minimised. Driveways single car width except where needed to be widen to double garage access.	Widths are suitably minimised.	Yes
(h) Driveways not roofed.	Not roofed	Yes
(i) Max width 6m or 50% of the frontage whichever is less	Both driveways are 3m.	Yes
(j) Total width garage doors not be >5.7m	Garage doors are 2.7m.	Yes
(k) Driveways for battle axe enable vehicles to enter and leave in forward direction	N/A	N/A
(l) Garage doors not be recessed more than 300mm	Not recessed	Yes
(m) Garage windows =or>900mm from boundaries	The garage windows are 900mm off boundaries	Yes

DCP 2014	Proposed	Compliance
(n) Free standing garages max GFA 36m <sup>2</sup>	Garages are not freestanding	Yes
(o) Design and materials to complement dwelling	The design and materials complement dwelling	Yes
(p) Setback at least 1m from façade	Setback a min 1.1m from front façade.	Yes
(q) Carports not enclosed.	N/A	N/A
2.13 Landscaping		
(a) Major trees to be retained where practical	Proposal includes the removal of 5 trees. None are considered major.	Yes
(b) Lots adjoining bushland, protect and retain indigenous native vegetation and use native indigenous plant spaces for a distance of 10m	N/A	N/A
(c) Provide useful outdoor spaces	The outdoor spaces are considered to be useful	Yes
(d) Physical connection between dwelling and external ground level	There is a physical connection between the dwelling and external ground level.	Yes
(e) Provide landscape front garden. Hard paved areas no more than 40%.	Hard paving equates to 40% of front setback area.	Yes
(f) Pathway along one side boundary connecting front to rear. Not to be blocked by ancillary structures. Not required where there is rear lane access or corner allotment.	There is a pathway proposed on both sides which is considered to be suitable.	Yes
(g) Landscape elements in front garden to be compatible with scale of dwelling.	Landscape elements are compatible with the scale of the dwelling.	Yes
(h) Front garden at least 1 canopy tree at least 10m in height	One canopy tree is proposed.	Yes
(i) Mature tree at least 15m in rear garden with the DSA	There are two mature trees in rear garden.	Yes
(j) Locate and design landscaping top increase privacy between dwellings	The landscaping aids privacy between dwellings.	Yes

DCP 2014	Proposed	Compliance
(k) Hedge planting on boundary no greater than 2.7m	Hedge planting is suitable	Yes
(l) Retaining walls and other landscape elements not to obstruct stormwater overland flow.	No obstruction of stormwater flow	Yes
(m) OSD not to be located within front setback unless it is underneath driveway	No OSD within front setback	Yes
(n) Landscaping to include POS	Included	Yes
<b>2.14 Dwelling Amenity</b>		
<b>2.14.1 Daylight and Sunlight Access</b>		
<p>(a) Living areas are to be predominantly located to the north where possible</p> <p>(b) Sites with northern side boundary to have increased setback of 4 metres is preferred.</p> <p><u>Subject Dwelling</u></p> <p>(c) Windows to north facing living areas of subject dwellings are to receive at least 3 hours of sunlight between 9am to 3pm on June 21.</p> <p>(d) Private open space is to receive at least 2 hours sunlight between 9am to 3pm on June 21.</p> <p><u>Neighbouring properties:</u></p> <p>(e) For neighbouring properties:</p> <p>(i) sunlight to 50% of principal areas of ground level POS is not reduced to less than 2 hours between 9am to 3pm on 21 June</p> <p>(ii) windows to north facing living areas to receive at least 3 hours of sunlight between 9am and 3pm on</p>	<p>Both dwellings contain lounges to the front.</p> <p>The site does not have a northern side boundary.</p> <p>Achieved for the lounges to the front of the development.</p> <p>The POS receives over 2 hours between 9am and 3pm on June 21.</p> <p>The adjoining PPOS at 4 Nerang will receive over 2 hours of sunlight between 9am and 3pm on 21 June as a result of the proposal.</p> <p>The north facing living room of the affected property (4 Nerang) is located on the eastern side of</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

DCP 2014	Proposed	Compliance
21 June over a portion of surface, where can be reasonably maintained given orientation and topography.	the dwelling and is not affected by the shadowing posed by the proposal.	
<b>2.14.2 Visual Privacy</b>		
<p>(a) Orientate the windows of main living spaces (living room, dining, kitchen, family etc) to the front and rear</p> <p>(b) Orientate terraces, balconies and outdoor living areas to front or rear and not side boundary</p> <p>(c) Terraces and balconies are not to overlook neighbour's living areas and POS</p> <p>(d) Living and kitchen windows, terraces and balconies are not to allow direct view into neighbouring dwelling or POS</p> <p>(e) Side windows are to be offset by sufficient distance to avoid visual connection between dwellings.</p>	<p>The windows of the key living spaces are orientated to the front and rear.</p> <p>The outdoor living area is proposed to be orientated to the rear.</p> <p>Overlooking from rear terrace/balconies has been addressed adequately.</p> <p>Living and kitchen windows are considered satisfactory and do not allow a direct view into adjoining dwelling or POS.</p> <p>Side windows are proposed to be suitably offset.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>(f) Splayed walls with windows are not to be located above ground level where the windows provide views into adjoining property.</p>	<p>There are no splayed walls proposed on the building.</p>	<p>N/A</p>
<b>2.14.3 Acoustic Privacy</b>		
<p>(a) Noise of mechanical equipment not exceed 5dB(A) above background noise measured in or on any premises in vicinity of the item.</p> <p>(b) Dwellings on arterial roads double glazed windows fronting road.</p> <p>(c) Dwellings on arterial roads acoustic seal on the front door.</p> <p>(d) Dual occupancies are to be designed to reduce noise</p>	<p>There are no AC units or other mechanical equipment proposed.</p> <p>Proposal is not on an arterial road.</p> <p>N/A</p> <p>Suitable noise insulation between dwellings.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>Yes</p>

DCP 2014	Proposed	Compliance
transmission between dwellings.		
<b>2.14.4 View Sharing</b>		
(a) The siting of development is to provide for view sharing.	There are no significant views from the subject site.	N/A
<b>2.14.5 Cross Ventilation</b>		
(a) Designed to optimise access to prevailing breezes and provide for cross ventilation.	Both units allow for suitable cross ventilation.	Yes
<b>2.15 External Building Elements</b>		
<b>2.15.1 Roofs</b>		
(a) Relate roof design to the desired built form by:		
(i) articulating the roof	The roof is proposed to be articulated.	Yes
(ii) roof is consistent with the architectural character of dwelling	Roof is consistent with character of building.	Yes
(iii) eaves minimum 450mm overhang on pitched roofs	N/A – not pitched.	N/A
(iv) compatible roof form, slope, material and colour to adjacent buildings	The proposed roof form is considered to be satisfactory.	Yes
(v) roof height is in proportion to the wall height of the building	The roof height is in proportion to the wall height.	Yes
(b) The main roof not trafficable terrace.	The roof is not trafficable.	Yes
(c) Proposed attic contained within the volume of the roof space.	No attic proposed.	N/A
(d) Skylights to be minimised on roof planes visible from the public domain. Skylights are to be symmetrical.	There are no skylights proposed.	N/A
(e) The front roof plane is not to contain both dormer and skylight. Dormers are preferred.	N/A – flat roof	N/A
(f) Balconies and terraces are not to be set into roofs.	Not set into roofs	N/A
(g) Scale of the roof is to be in proportion with the scale of the wall below.	Scale of roof is in proportion to scale of wall below.	Yes

<b>DCP 2014</b>	<b>Proposed</b>	<b>Compliance</b>
(h) Attics may be located in the garage roofs if the garage is located next to the dwelling. Garages located within front or rear setbacks are not to have attics.	No attic proposed	N/A
<b>2.16 Fences</b>		
<b>2.16.1 Front and return Fences and Walls</b>		
(a) Reflect the design of the dwelling	Satisfactory	Yes
(b) Materials compatible with the house and other fences in streetscape	Satisfactory	Yes
(c) Solid fence or wall max 900mm. Open light weight fence (timber picket) 1m.	Fence is 900mm high	Yes
(d) Return fence is to be no higher than front fence	No return fence proposed	Yes
(e) Fences max 1.8m if 50% open with solid base max 900mm	900mm high proposed	Yes
(f) Fences arterial road solid and 1.8m max	N/A	
(g) No Colorbond or timber paling.	Comprises masonry pillars and metal slats	Yes
(h) Retaining walls max 900mm	N/A	
(i) Fence Overland flow - fencing open not impede flow of water	Does not impede	Yes
(j) piers max 350mm.	Piers are 350mm	Yes
<b>2.16.2 Side and Rear Fences and Walls</b>		
(a) 1.8m Max side and rear fence	Side and rear fencing comprises 1.8m lapped and capped timber.	Yes
(b) Overland flow - fencing to be open not impede flow of water		Yes
(c) No Barbed wire, broken glass or other dangerous elements.		Yes
<b>Part 7: Environment</b>		
<b>7.1: Energy Smart, Water Wise</b>		
<b>3.0 The information Guide</b>		
<b>3.2 Required information</b>		

DCP 2014	Proposed	Compliance
(a) Energy efficiency performance report (b) Site analysis	BASIX Certificate: 1239617M and dated 15/09/2021  Energy: 53 Water: 41  Plans consistent with Certificate	Yes
<b>Part 7.2 Waste Minimisation and Management</b>		
<b>2.3 All developments</b>		
(a) Developments must provide space for onsite waste containers  (b) Compliant size of storage areas and number of storage containers.  (c) Space to be provided for bulk waste where appropriate.  (d) Storage of green waste provided  (e) Stored within the boundaries of the site.  (f) Site Waste Minimisation and Management Plan (SWMMP) to be submitted (g) Located to provide easy, direct and convenient access.  (h) No incineration devices.  (i) Collection point identified on plan.  (j) Path for wheeling bin collection not less than 14	The plans depict the storage of MGB's behind screening devices within the front setback which is considered satisfactory.	Yes  Yes  Yes  Yes  Yes  Yes  Yes  Yes  Yes
<b>2.4 Demolition and Construction</b>		
(a) Demolition must comply with AS and WorkCover  (b) Demolition work plan submitted  (c) Dedicated area on site for stockpile of materials taking into account environmental factors and amenity impacts.	Consent to be sought separately for demolition of existing structures.	N/A

<b>DCP 2014</b>	<b>Proposed</b>	<b>Compliance</b>
(d) Construction materials to be stored away from the waste materials on site.		
<b>2.5 Residential Developments comprising 1 or 2 Dwellings</b>		
(a) Space inside each dwelling for receptacles for garbage, recycling.  (b) Space provided outside the dwellings to store the required garbage, recycling and green waste bins. Screened from street. Easy access to wheel the bins to the kerbside.	The plans depict the storage of MGB's behind screening devices within the front setback which is considered satisfactory.	Yes
<b>Part 8: Engineering</b>		
<b>8.1 Construction Activities</b>		
<b>2.1.2 Erosion and Sediment Control Plan</b>		
Erosion and sediment control plan to be submitted.	Erosion and sediment control plan Ref: 306030 prepared by Storm Civil and dated 08/09/21	Yes
<b>Part 8.2 Stormwater and Floodplain Management</b>		
<b>2.0 Stormwater Drainage</b>		
(a) Drainage is to be piped in accordance with Section 2.0 Stormwater Drainage Application has been consideration satisfactory by Development Engineering and City Works.	Stormwater Plan prepared by Storm Civil ref 306030 and dated 18/08/21.  Proposal has been considered satisfactory by Council's Development Engineer and City Works.	Yes
<b>4.0 Flooding and Overland Flow</b>		
4.4.1(a) development that is flood affected has been provided with a Flood Impact Statement. Report prepared in accordance with Section 2.2 of the Stormwater and Flood Plan Management Technical Manual 4.4.5(b) Floor levels of habitable and non habitable areas must comply with the freeboard requirements as stated in Table 2.1 of the Stormwater Technical Manual. 4.4.5(d) development must not divert major overland flows or reduce flood storage such to adversely impact the neighbouring property or surrounding area.	The subject site is not flood affected.	N/A
<b>Part 8.3 Driveways</b>		
<b>3.0 Existing footway crossings</b>		

DCP 2014	Proposed	Compliance
<p>3.1(a) Existing footway crossings may only be used when they provide access of max of 2 dwgs, correct location and level and adequate width. In good condition and is not a bridge or piped crossing.</p> <p>3.2(a) disused footway crossing slabs that become redundant are to be removed and footway restored.</p>	<p>Suitable conditions of consent are recommended in relation to footpath crossings.</p>	<p>Yes</p>
<b>4.0 Designing internal access roads and parking spaces</b>		
<p>4.1 (a) the design of all parking spaces, circulation roads and manoeuvring areas on the property must confirm to the minimum requirements of AS2890.1-2004.</p>	<p>Parking spaces and driveways comply with AS2890.1</p>	<p>Yes</p>
<b>4.2 Design of Parking Spaces</b>		
<p>(b) Vehicles (85<sup>th</sup> percentile) to enter and leave designated parking space in a single 3 point turn manoeuvre. A 99<sup>th</sup> percentile vehicle for disabled vehicles.</p> <p>(c) Enter and leave in a forward direction. Waived where the garage is located at the front of a dwelling and insufficient space within front setback to provide a turning area.</p>	<p>Council's Development Engineer has advised that a turning bay is not required as there is insufficient space within the front setback.</p>	<p>Yes</p> <p>Yes</p>
<b>S2.0 Design Standards</b>		
<b>S2.2 Vehicular crossing widths</b>		
<p>(a) Min 3.0m and max of 5.0m.</p> <p>(b) Max width of 6m to facilitate accessing two adjacent garages if the distance between the space and the street frontage is less than 5.0m</p>	<p>Both driveways are 3m.</p> <p>N/A</p>	<p>Yes</p> <p>N/A</p>
<b>Part 9.2 Access for People with Disabilities</b>		
<b>4.1.2 Class 1 Buildings</b>		
<p>Accessible path required from the street to the front door, where the level of land permits.</p>	<p>Accessible path is provided for both units</p>	<p>Yes</p>
<b>Part 9.3 Parking Controls</b>		
<b>2.2 Residential Lane Uses</b>		
<ul style="list-style-type: none"> <li>- Dwelling houses up to 2 spaces/dwelling</li> <li>- Dual occupancy 1 space/dwelling</li> </ul>	<p>One space per dwelling is proposed (single garages)</p>	<p>Yes</p>



# BASIX Certificate

Building Sustainability Index www.basix.nsw.gov.au

## Multi Dwelling

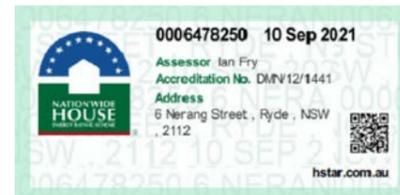
Certificate number: 1239617M

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 10/09/2020 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary  
Date of issue: Wednesday, 15 September 2021  
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary	
Project name	Lot 25, 6 Nerang St Ryde
Street address	6 Nerang Street Ryde 2112
Local Government Area	Ryde City Council
Plan type and plan number	deposited 29461
Lot no.	25
Section no.	-
No. of residential flat buildings	0
No. of units in residential flat buildings	0
No. of multi-dwelling houses	2
No. of single dwelling houses	0
Project score	
Water	✔ 41 Target 40
Thermal Comfort	✔ Pass Target Pass
Energy	✔ 53 Target 50



## BASIX & THERMAL COMMITMENTS



Date 10 September 2021

Lot Number	House Number	Street	Suburb	Post Code	State
25	6	Nerang street	Ryde	2112	NSW

### FLOORS

Ground	1st Floor
Slab on ground	Timber

### WALLS

Ground	1st Floor	Internal Walls to be Insulated	Insulation Internal Walls
Brick Veneer	Brick Veneer	Garage internal walls, Bathroom	R2.0
Insulation External Walls		Common Walls	Common Wall Insulation
R2.0		Shaft Liner System	R2.0
External Colours			
Not yet selected			

### CEILINGS

Ceilings with cavity to roof  
R3.5

Areas requiring insulation between levels  
Above garage, Cantilevered floors to outside (Unit A only)

### ROOF AREA

Colours	Material	Insulation
Not yet selected	Metal (Colourbond)	Anticon 50mm (R1.3)

### WINDOWS (Refer to NatHERS Certificate for more detail)

Upgraded windows, refer to NatHERS Certificate

### WATER

Landscape Area	Rainwater Tank	Rainwater Tank Size	Roof Area to Tank	Showerheads	Toilets	Basin Taps	Kitchen Taps
404.86m <sup>2</sup>	Garden, WC, Laundry	3,000 L	80% of Roof	3 Star > 7.5 but less < or = 9.0 litres per minute	4 Star	4 Star	4 Star
Swimming Pool				No			

### ENERGY

Hot Water	Air Conditioning	Air Conditioner EER
Gas Instantaneous 6 Star	3 Phase	Heating & Cooling 3.0 - 3.5

### VENTILATION

Laundry	Bathroom	Kitchen
Ducted	Not Ducted	Ducted

### OTHER

Solar Photovoltaic System	Cooking	Bedroom Ceiling Fans	Other
No	Gas Cooktop/Electric Oven	No	Outdoor Clothes Line, Air Conditioning Zoned
Living Room Ceiling Fans			
No			

### ADDITIONAL NOTES

The project has been assessed under the simulation method of the BASIX Protocol. Downlights fitted after the assessment must be IC Rated and non-ventilated. All new residential buildings must be constructed in accordance with Building BCA Part 3. 12. 1, Build Sealing BCA Part 3. 12. 3. Insulation must be installed in accordance with AS3995.

Frys Building Consultancy Pty Ltd Trading as Frys Energywise are Accredited Thermal Energy Assessors ABSA 20856, BDAV 12/1441, COLA 2011291

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021

LEGEND



ARC RENOVATION & CONSTRUCTION PTY LTD  
Suite 2.21, 32 Delhi Rd, North Ryde  
02 8188 1915  
info@archomes.com.au  
www.archomes.com.au

6 NERANG ST, RYDE

BASIX COMMITMENT 1

JOB NO. 1610  
DRAWN: Author

A3

1006

REVISION A

CLIENT: LEGEND  
CHECKED: Checker

# Nationwide House Energy Rating Scheme NatHERS Certificate No. 0006478051

Generated on 10 Sep 2021 using BERS Pro v4.4.0.6 (3.21)

## Property

**Address** Unit A, 6 Nerang Street, Ryde, NSW, 2112  
**Lot/DP** 29461  
**NCC Class\*** 1A  
**Type** New Dwelling

## Plans

**Main Plan** 1610  
**Prepared by** ARC Homes

## Construction and environment

Assessed floor area (m <sup>2</sup> )*	Exposure Type
Conditioned* 162.0	Suburban
Unconditioned* 25.0	<b>NatHERS climate zone</b>
Total 187.0	56
Garage 18.0	

## Accredited assessor

**Name** Ian Fry  
**Business name** Frys Energywise  
**Email** comply@frysenerywise.com.au  
**Phone** 02 9899 2825  
**Accreditation No.** DMN/12/1441  
**Assessor Accrediting Organisation**  
 Design Matters National  
**Declaration of interest** Declaration completed: no conflicts

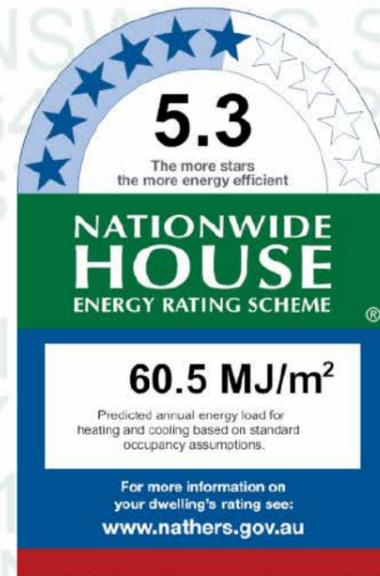
## National Construction Code (NCC) requirements

The NCC's requirements for NatHERS-rated houses are detailed in 3.12.0(a)(i) and 3.12.5 of the NCC Volume Two. For apartments the requirements are detailed in J0.2 and J5 to J8 of the NCC Volume One.

In NCC 2019, these requirements include minimum star ratings and separate heating and cooling load limits that need to be met by buildings and apartments through the NatHERS assessment. Requirements additional to the NatHERS assessment that must also be satisfied include, but are not limited to: insulation installation methods, thermal breaks, building sealing, water heating and pumping, and artificial lighting requirements. The NCC and NatHERS Heating and Cooling Load Limits (Australian Building Codes Board Standard) are available at [www.abcb.gov.au](http://www.abcb.gov.au).

State and territory variations and additions to the NCC may also apply.

ISSUE	DESCRIPTION	DATE	LEGEND
A	ISSUE FOR DA	15/09/2021	



## Thermal performance

Heating	Cooling
<b>35.2</b> MJ/m <sup>2</sup>	<b>25.3</b> MJ/m <sup>2</sup>

## About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

## Verification

To verify this certificate, scan the QR code or visit [hstar.com.au/QR/Generate?p=oylRqslad](http://hstar.com.au/QR/Generate?p=oylRqslad). When using either link, ensure you are visiting [hstar.com.au](http://hstar.com.au)



# Nationwide House Energy Rating Scheme NatHERS Certificate No. 0006478069

Generated on 10 Sep 2021 using BERS Pro v4.4.0.6 (3.21)

## Property

**Address** Unit B, 6 Nerang Street, Ryde, NSW, 2112  
**Lot/DP** 29461  
**NCC Class\*** 1A  
**Type** New Dwelling

## Plans

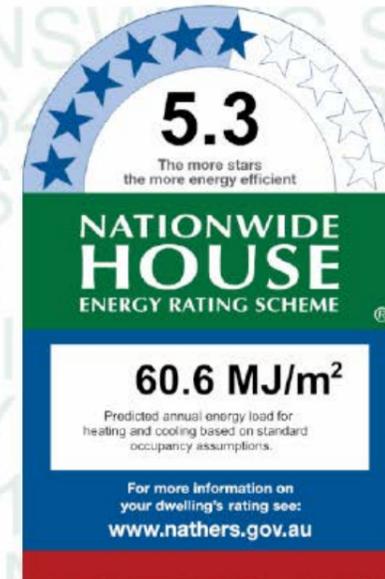
**Main Plan** 1610  
**Prepared by** ARC Homes

## Construction and environment

Assessed floor area (m <sup>2</sup> )*	Exposure Type
Conditioned* 163.0	Suburban
Unconditioned* 25.0	<b>NatHERS climate zone</b>
Total 188.0	56
Garage 18.0	

## Accredited assessor

**Name** Ian Fry  
**Business name** Frys Energywise  
**Email** comply@frysenerywise.com.au  
**Phone** 02 9899 2825  
**Accreditation No.** DMN/12/1441  
**Assessor Accrediting Organisation**  
 Design Matters National  
**Declaration of interest** Declaration completed: no conflicts



## Thermal performance

Heating	Cooling
<b>34.8</b> MJ/m <sup>2</sup>	<b>25.8</b> MJ/m <sup>2</sup>

## About the rating

NatHERS software models the expected thermal energy loads using information about the design and construction, climate and common patterns of household use. The software does not take into account appliances, apart from the airflow impacts from ceiling fans.

## Verification

To verify this certificate, scan the QR code or visit [hstar.com.au/QR/Generate?p=vrOGFuWTM](http://hstar.com.au/QR/Generate?p=vrOGFuWTM). When using either link, ensure you are visiting [hstar.com.au](http://hstar.com.au)

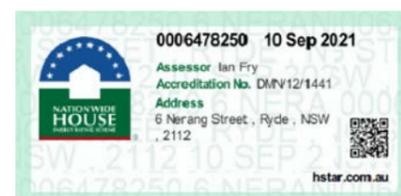


## National Construction Code (NCC) requirements

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6 NERANG ST, RYDE

BASIX COMMITMENT 2

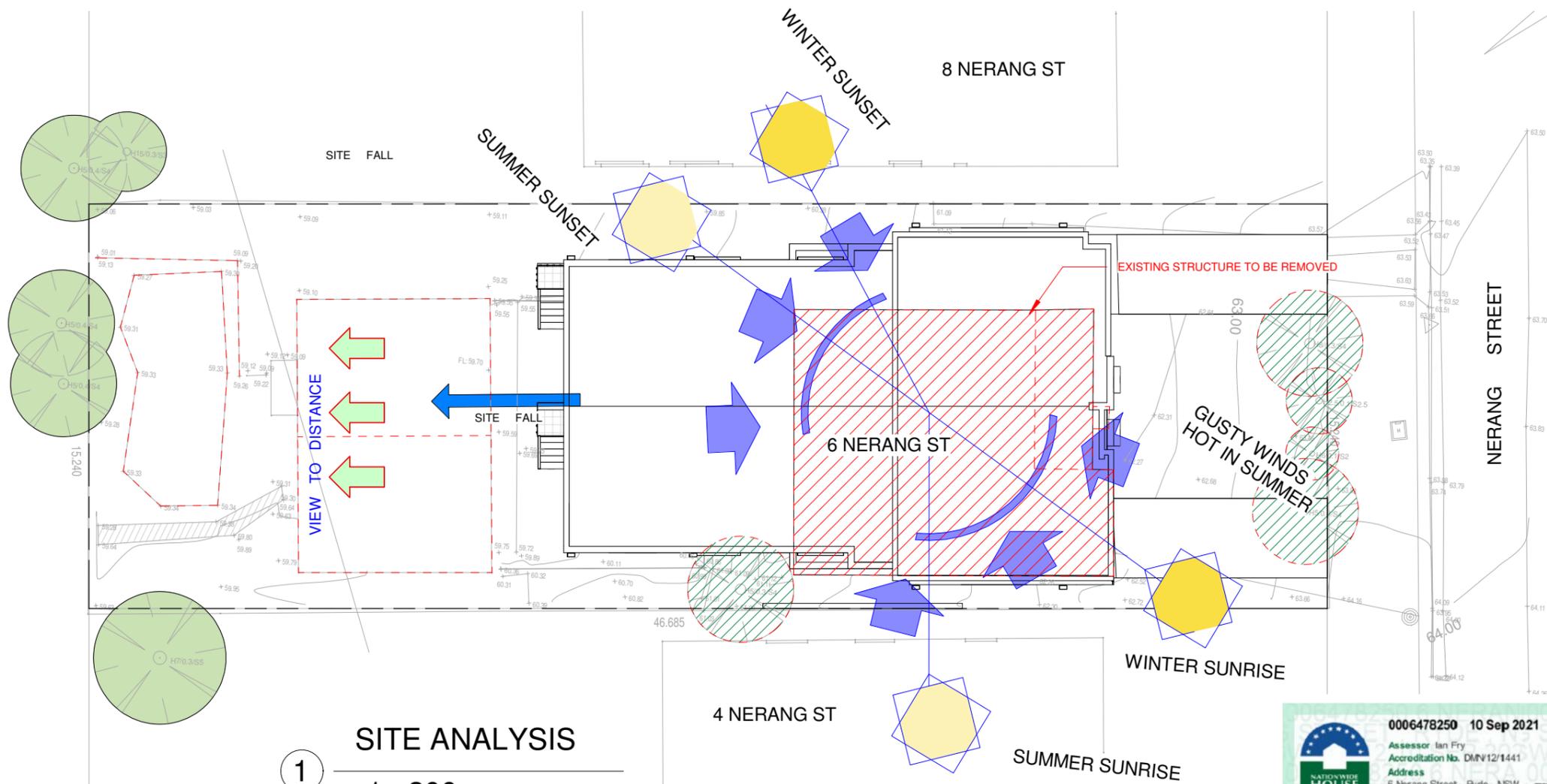
JOB NO. 1610  
 DRAWN: Author

A3

1007

REVISION A

CLIENT: LEGEND  
 CHECKED: Checker



1 SITE ANALYSIS  
1 : 200

0006478250 10 Sep 2021  
 Assessor Ian Fry  
 Accreditation No. DMV12/1441  
 Address  
 6 Nerang Street, Ryde, NSW  
 .2112  
 hstar.com.au



4 NERANG ST



8 NERANG ST



9 NERANG ST



16 NERANG ST



11 NERANG ST



54 BADAJOZ RD

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
B	AMENDED FOR DA	13/10/2021
C	AMENDED LEVELS/ HEIGHT	08/12/2021

LEGEND

- EXISTING BUILDING OUTLINE + DEMOLISHED
- TREES TO BE RETAINED
- POTENTIAL NOISE SOURCE FROM BOBBIN HEAD ROAD
- TREES TO BE REMOVED

NORTH

**ARChomes**  
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 info@archomes.com.au  
 www.archomes.com.au

6 NERANG ST, RYDE

SITE ANALYSIS

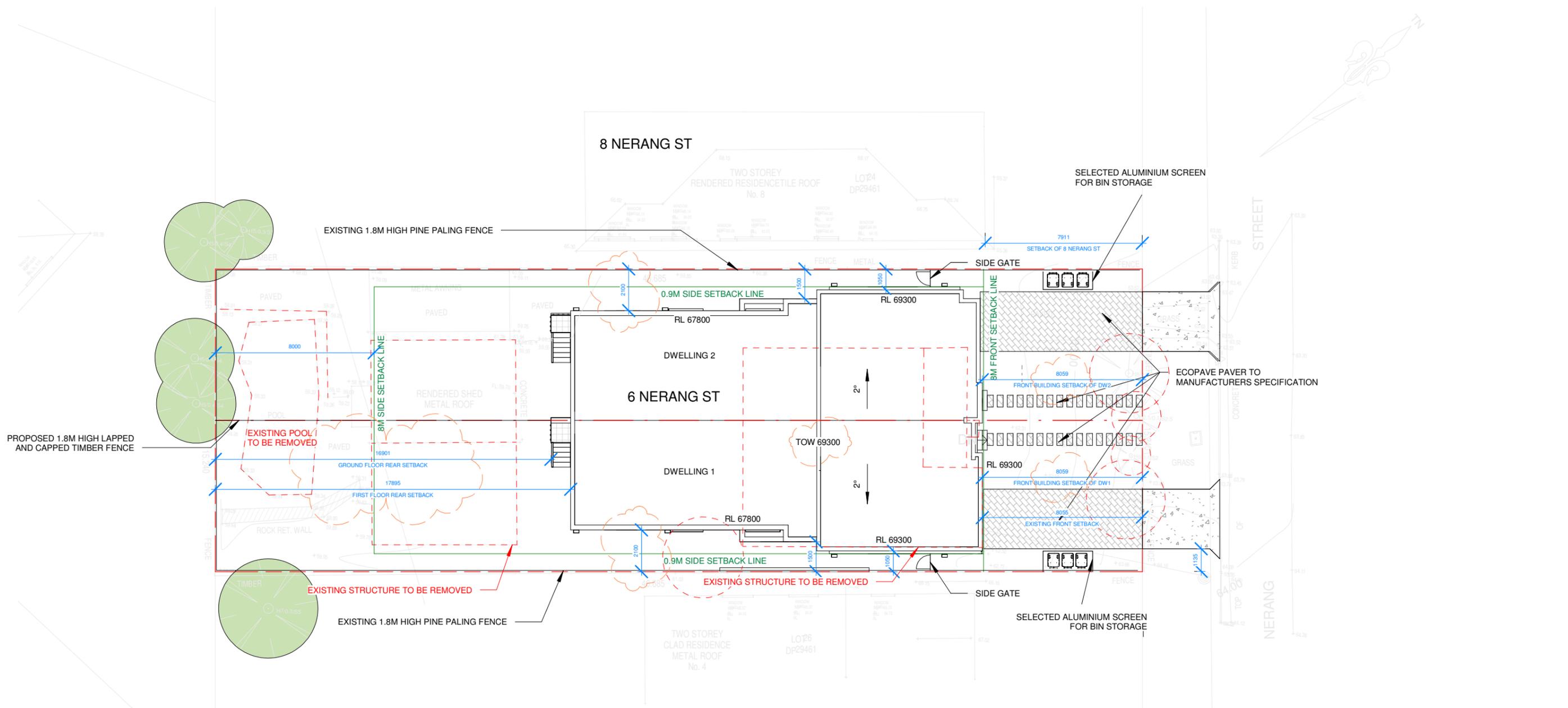
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 DRAWN: Author

A3

1010

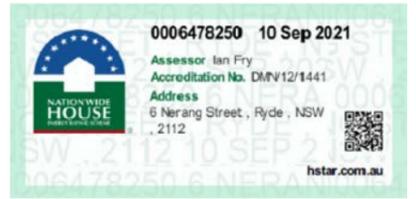
REVISION C

CLIENT: LEGEND  
 CHECKED: Checker



4 NERANG ST

**1** SITE PLAN  
1 : 200



**BASIX COMMITMENTS**  
REFER TO BASIX CERTIFICATE 1239617M

THE DWELLING PROVIDE 3 STAR SHOWER HEADS, 4 STAR TOILET FLUSHING SYSTEM / KITCHEN TAPS / BATHROOM TAPS  
PROVIDE MINIMUM 3000 LITRES RAIN WATER TANK  
PROVIDE GAS INSTANTANEOUS HOT WATER SYSTEM  
PROVIDE GAS COOKTOP & ELECTRIC OVEN  
EXHAUST FAN TO EVERY BATHROOM AND KITCHEN  
INSULATION TO CANTILVERED FLOOR R2.0 (UNIT A ONLY)  
INSULATION TO BETWEEN LEVELS R2.0 ABOVE GARAGE TO ROOMS ABOVE

REFER TO NatHERS CERTIFICATE 0006478051 & 0006478069 FOR DETAILS OF WALL INSULATION  
CEILING INSULATION  
GLAZING DETAILS

LANDSCAPING - REFER TO LANDSCAPE PLAN

- AMENDMENTS:**
1. INCREASED FRONT SETBACK FROM 6000MM TO 8059MM
  2. UPPER FLOOR ALONG NERANG ST REDUCED TO 2700MM FROM 3300MM
  3. ALL BUILDING LEVELS ARE LOWERED 300MM
  4. LOWER LEVEL LIVING AREA SETBACKS INCREASED FROM 1985MM TO 2100MM
  5. REDUCED PARAPET WALL HEIGHT ON BOTH FLOORS
  6. ALFRESCO SIDE OPENING SILL INCREASED TO 1800MM FOR PRIVACY
  7. FIRST FLOOR BALCONY REDUCED TO RECESSED AREA
  8. PRIVACY SCREENS ADDED TO FIRST FLOOR BEDROOM WINDOWS FACING SIDE

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
B	AMENDED FOR DA	13/10/2021
C	AMENDED LEVELS/ HEIGHT	08/12/2021

LEGEND



**6 NERANG ST, RYDE**

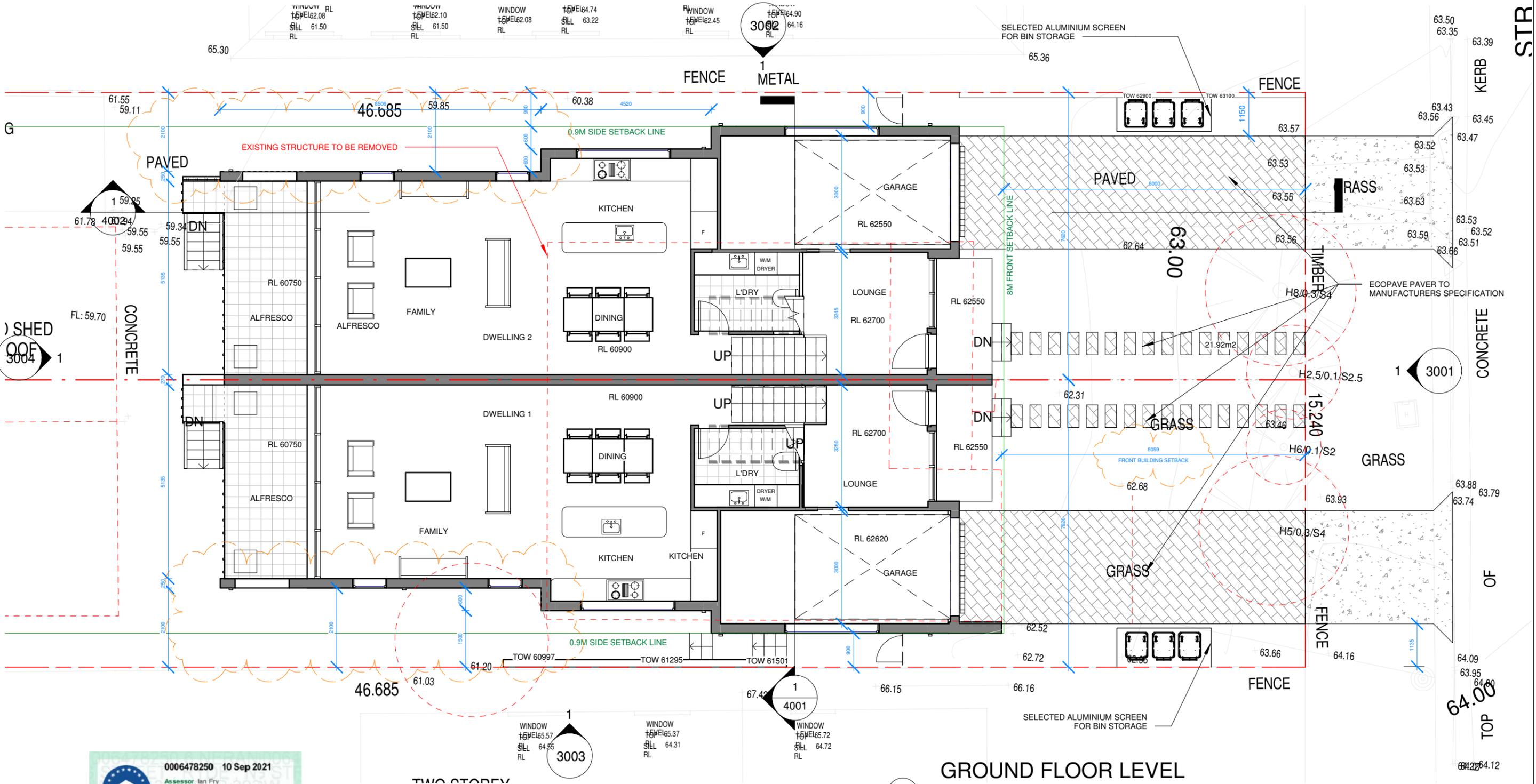
**SITE PLAN**

JOB NO. 1610  
DRAWN: Author

**REVISION C**

CLIENT: LEGEND  
CHECKED: Checker

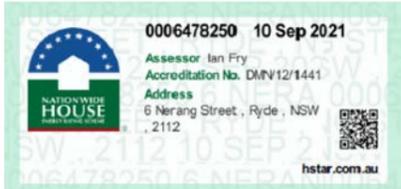
**A3**  
**2000**



**GROUND FLOOR LEVEL**

1 : 100

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REFER TO BASIX CERTIFICATE 1239617M

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 PROVIDE GAS INSTANTANEOUS HOT WATER SYSTEM  
 PROVIDE GAS COOKTOP & ELECTRIC OVEN  
 EXHAUST FAN TO EVERY BATHROOM AND KITCHEN  
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REFER TO NatHERS CERTIFICATE 0006478051 & 0006478069 FOR DETAILS OF  
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 GLAZING DETAILS

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**LEGEND**

- BOUNDARY
- BED = BEDROOM
- DN = DOWN
- DP = DOWNPIPE
- ENS = EN-SUITE
- HW = HOT WATER UNIT
- L-LINEN
- PTY = PANTRY
- LDY = LAUNDRY
- GT = GARDEN TAP
- S/D = SMOKE DETECTOR
- EF = EXHAUST FAN
- BAL = BALCONY
- MASTER = MASTER BEDROOM
- ST = STORAGE
- T.O.W = TOP OF WALL
- WIR = WALK IN ROBE
- WT = WATER TANK



**6 NERANG ST, RYDE**

**2001**

**GROUND FLOOR PLAN**

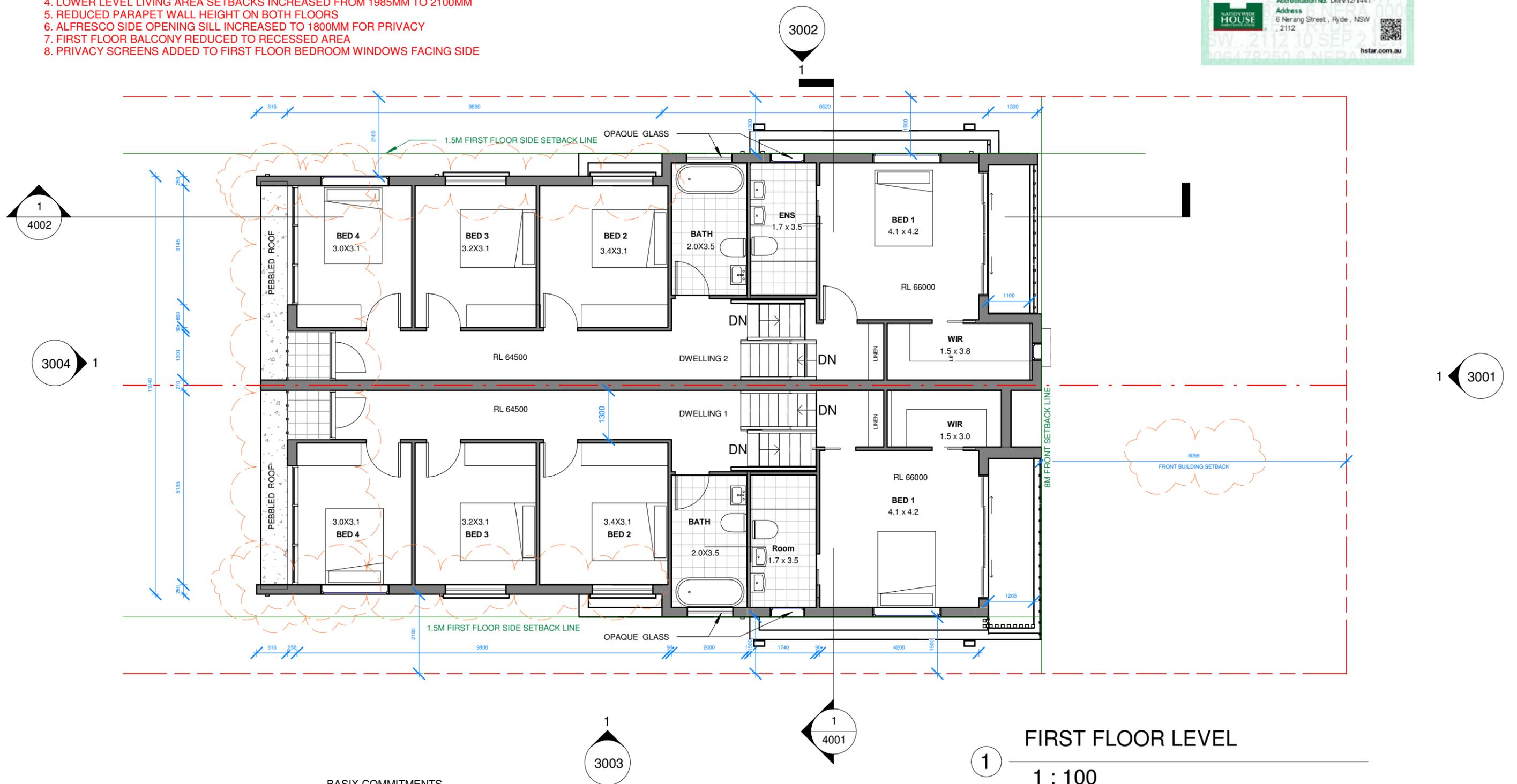
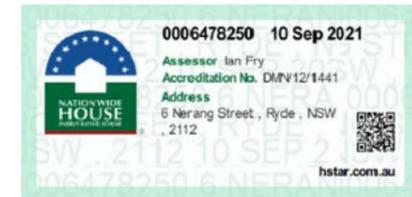
**REVISION C**

JOB NO. 1610  
DRAWN: Author

CLIENT: LEGEND  
CHECKED: Checker

**AMENDMENTS:**

1. INCREASED FRONT SETBACK FROM 6000MM TO 8059MM
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**FIRST FLOOR LEVEL**

1 : 100

**BASIX COMMITMENTS**  
REFER TO BASIX CERTIFICATE 1239617M

**LEGEND**

THE DWELLING PROVIDE 3 STAR SHOWER HEADS, 4 STAR TOILET FLUSHING SYSTEM / KITCHEN TAPS / BATHROOM TAPS  
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REFER TO NatHERS CERTIFICATE 0006478051 & 0006478069 FOR DETAILS OF WALL INSULATION  
 CEILING INSULATION  
 GLAZING DETAILS

LANDSCAPING - REFER TO LANDSCAPE PLAN

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
B	AMENDED FOR DA	13/10/2021
C	AMENDED LEVELS/ HEIGHT	08/12/2021

**6 NERANG ST, RYDE**

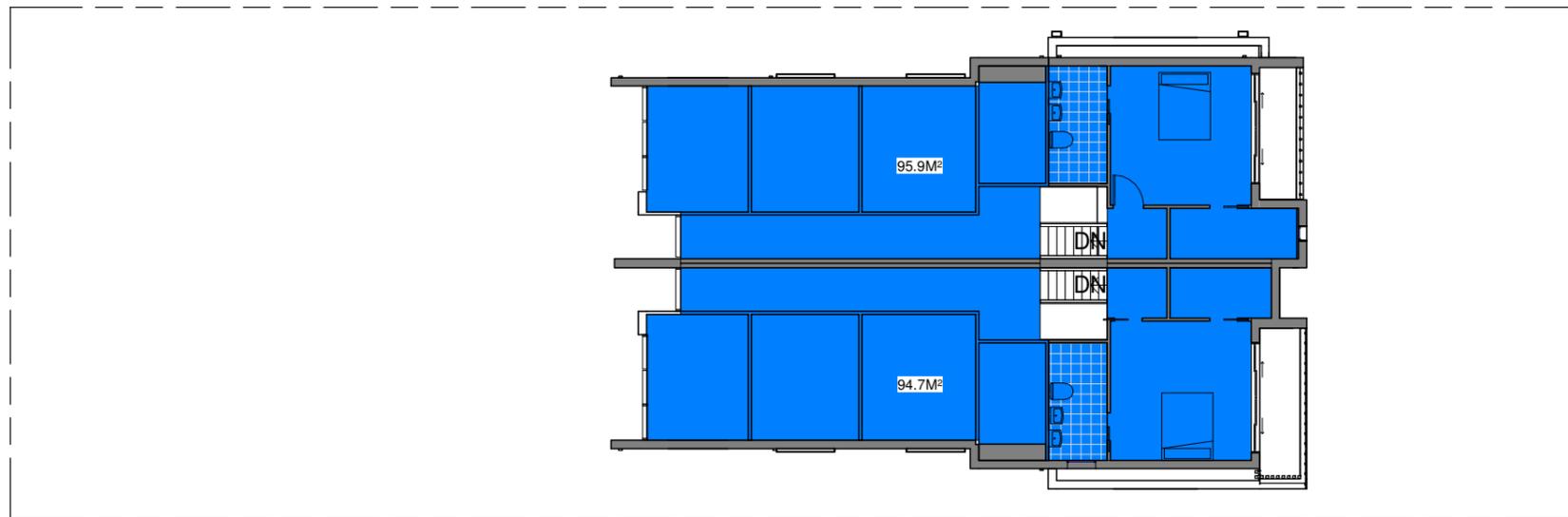
**FIRST FLOOR PLAN**

JOB NO. 1610  
DRAWN: EL

**A3**  
**2002**

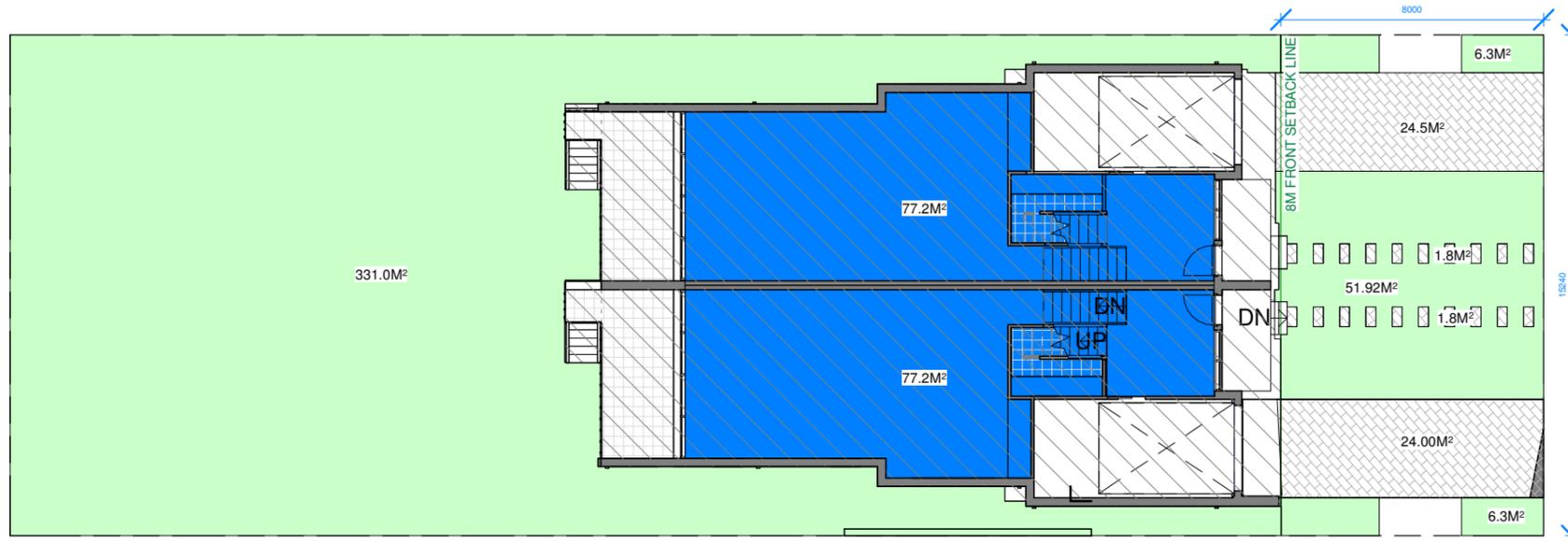
**REVISION C**

CLIENT: LEGEND  
CHECKED: RZ



**FIRST FLOOR LEVEL - AREA**

① 1 : 200



**GROUND FLOOR LEVEL -AREA**

② 1 : 200

- GFA
- IMPERMEABLE 257.4M<sup>2</sup>
- SEMI-PERMEABLE 54.3M<sup>2</sup>
- LANDSCAPED AREA (404.86M<sup>2</sup>)

**DEVELOPMENT CALCULATION**

**SITE AREA:** 711.5M<sup>2</sup>

**GFA CALCULATION:**

**MAX:** 711.5M<sup>2</sup>X0.5=355.75M<sup>2</sup>

**PROPOSED GFA:**

**GF:** 77.2 + 77.2 =154.4M<sup>2</sup>

**FF:** 94.7 + 95.9=190.6M<sup>2</sup>

**TOTAL:** 347.31M<sup>2</sup> (48.5%)

**SITE COVERAGE:** 257.4+52.1/2=283.45M<sup>2</sup> (39.8%)

**LANDSCAPED AREA:**

**SITE AREA WITHIN FRONT SETBACK:**  
15.24M X 8M = 121.92M<sup>2</sup>

**LANDSCAPED AREA WITHIN FRONT SETBACK:**  
6.3 + 51.92 + 6.3 = 64.82M<sup>2</sup>

**FRONT YARD LANDSCAPED AREA RATIO:**  
64.82/121.92=53.2%

**LANDSCAPED AREA BEHIND FRONT SETBACK:**  
331.0M<sup>2</sup>

**TOTAL LANDSCAPE:** 395.82M<sup>2</sup>



ISSUE	DESCRIPTION	DATE
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LEGEND

- AMENDMENTS:**
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6 NERANG ST, RYDE

A3

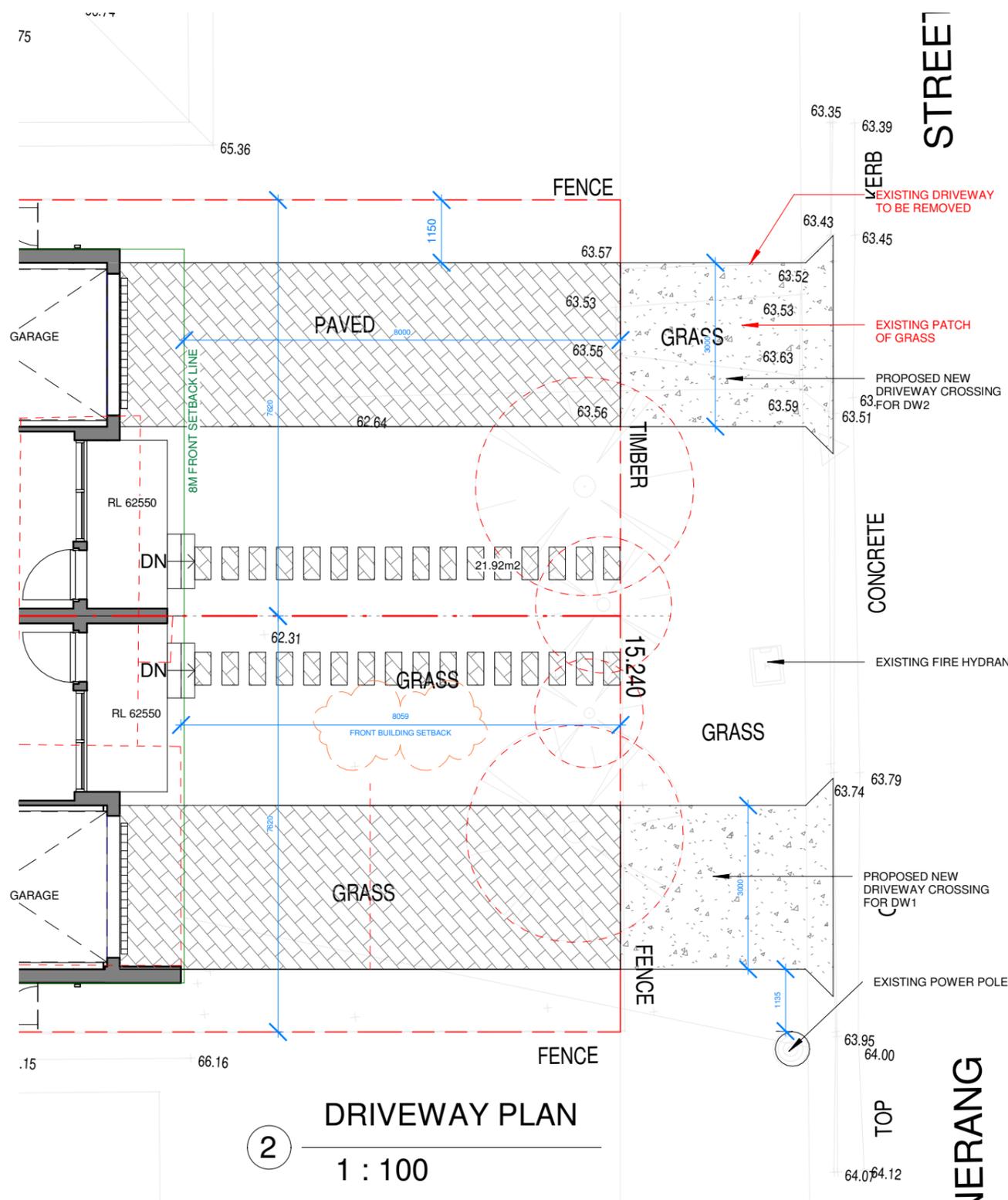
2004

AREA CALCULATION PLAN

REVISION C

JOB NO. 1610  
DRAWN: Author

CLIENT: LEGEND  
CHECKED: Checker



2  
**DRIVEWAY PLAN**  
 1 : 100



EXISTING COUNCIL'S ROAD RESERVE



EXISTING COUNCIL'S ROAD RESERVE

- AMENDMENTS:**
1. INCREASED FRONT SETBACK FROM 6000MM TO 8059MM
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ISSUE	DESCRIPTION	DATE
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C	AMENDED LEVELS/ HEIGHT	08/12/2021

LEGEND

**ARChomes**  
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 info@archomes.com.au  
 www.archomes.com.au

**6 NERANG ST, RYDE**

**DRIVEWAY PLAN**

JOB NO. 1610  
 DRAWN: Author

**A3**

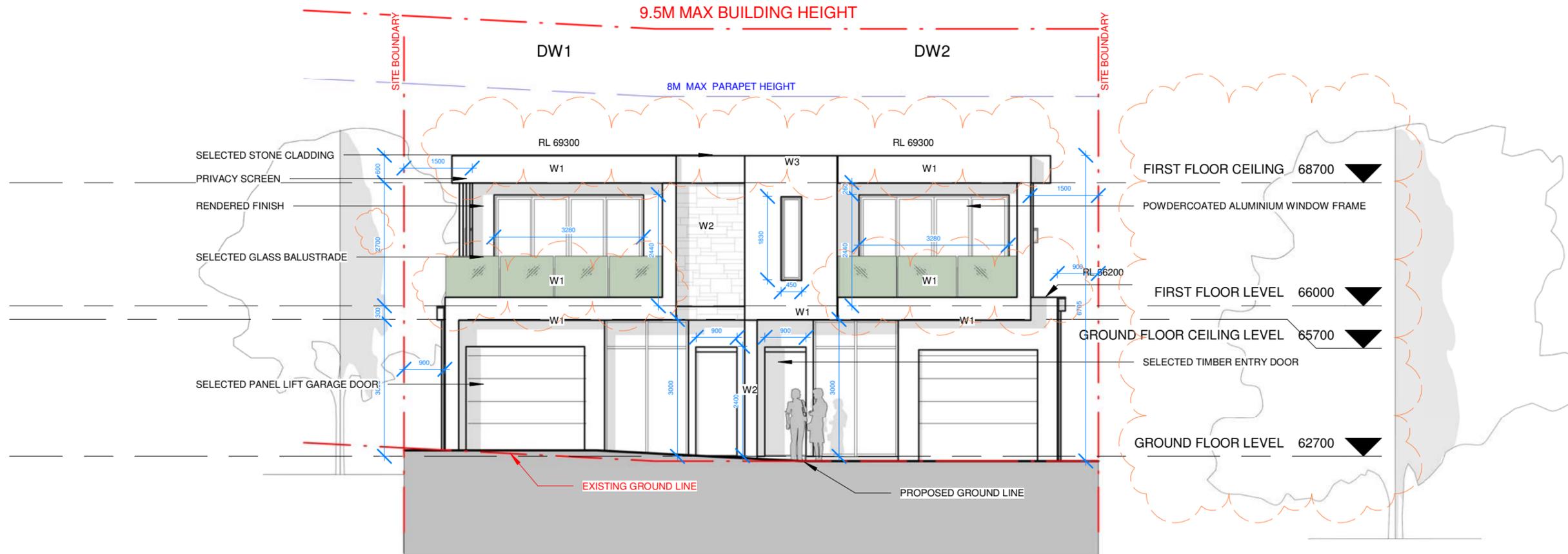
**2005**

**REVISION C**

CLIENT: LEGEND  
 CHECKED: Checker

**AMENDMENTS:**

1. INCREASED FRONT SETBACK FROM 6000MM TO 8059MM
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**NORTHEAST ELEVATION**

1

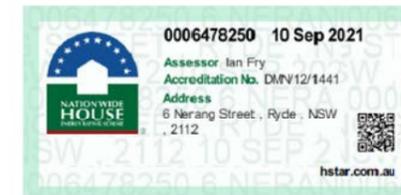
1 : 100

**BASIX COMMITMENTS**  
REFER TO BASIX CERTIFICATE 1239617M

THE DWELLING PROVIDE 3 STAR SHOWER HEADS, 4 STAR TOILET FLUSHING SYSTEM / KITCHEN TAPS / BATHROOM TAPS  
PROVIDE MINIMUM 3000 LITRES RAIN WATER TANK  
PROVIDE GAS INSTANTANEOUS HOT WATER SYSTEM  
PROVIDE GAS COOKTOP & ELECTRIC OVEN  
EXHAUST FAN TO EVERY BATHROOM AND KITCHEN  
INSULATION TO CANTILVERED FLOOR R2.0 (UNIT A ONLY)  
INSULATION TO BETWEEN LEVELS R2.0 ABOVE GARAGE TO ROOMS ABOVE

REFER TO NatHERS CERTIFICATE 0006478051 & 0006478069 FOR DETAILS OF WALL INSULATION  
CEILING INSULATION  
GLAZING DETAILS

LANDSCAPING - REFER TO LANDSCAPE PLAN



ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
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LEGEND

A3

**6 NERANG ST, RYDE**

3001



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info@archomes.com.au  
www.archomes.com.au

**NORTHEAST ELEVATION**

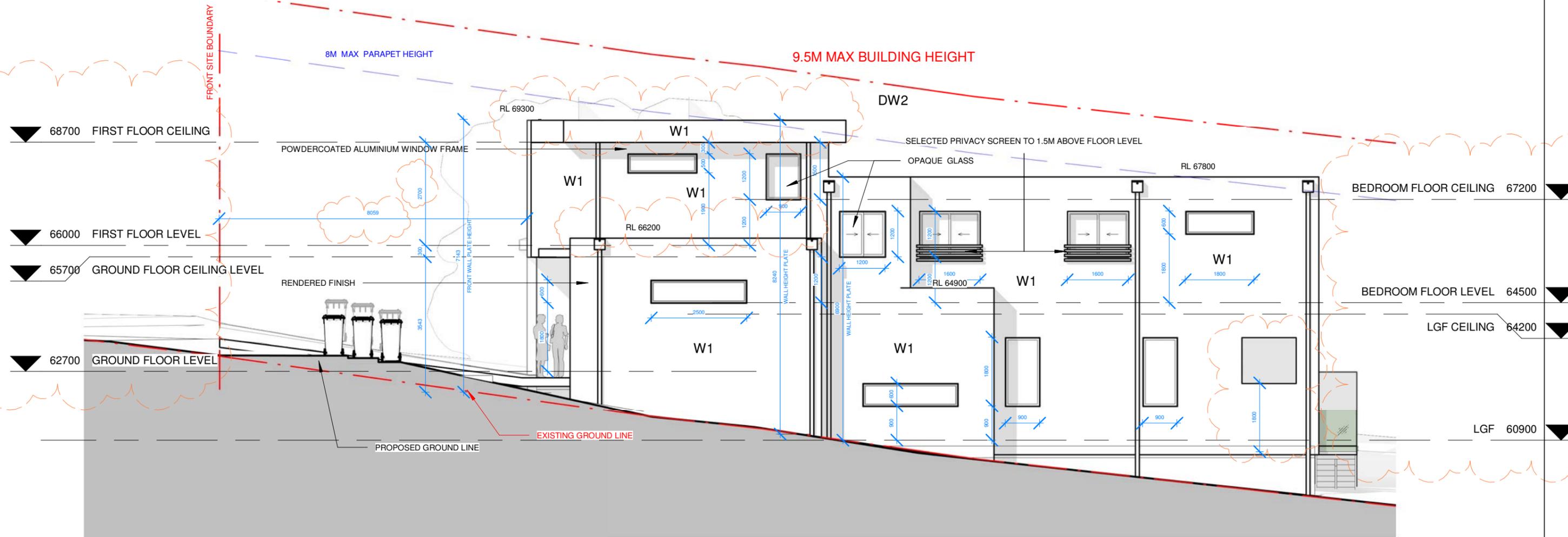
**REVISION C**

JOB NO. 1610  
DRAWN: Author

CLIENT: LEGEND  
CHECKED: Checker

**AMENDMENTS:**

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4. LOWER LEVEL LIVING AREA SETBACKS INCREASED FROM 1985MM TO 2100MM
5. REDUCED PARAPET WALL HEIGHT ON BOTH FLOORS
6. ALFRESCO SIDE OPENING SILL INCREASED TO 1800MM FOR PRIVACY
7. FIRST FLOOR BALCONY REDUCED TO RECESSED AREA
8. PRIVACY SCREENS ADDED TO FIRST FLOOR BEDROOM WINDOWS FACING SIDE



**NORTHWEST ELEVATION**

1  
1 : 100

**BASIX COMMITMENTS**  
REFER TO BASIX CERTIFICATE 1239617M

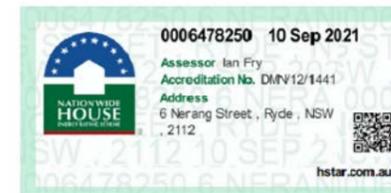
THE DWELLING PROVIDE 3 STAR SHOWER HEADS, 4 STAR TOILET FLUSHING SYSTEM / KITCHEN TAPS / BATHROOM TAPS  
PROVIDE MINIMUM 3000 LITRES RAIN WATER TANK  
PROVIDE GAS INSTANTANEOUS HOT WATER SYSTEM  
PROVIDE GAS COOKTOP & ELECTRIC OVEN  
EXHAUST FAN TO EVERY BATHROOM AND KITCHEN  
INSULATION TO CANTILVERED FLOOR R2.0 (UNIT A ONLY)  
INSULATION TO BETWEEN LEVELS R2.0 ABOVE GARAGE TO ROOMS ABOVE

REFER TO NatHERS CERTIFICATE 0006478051 & 0006478069 FOR DETAILS OF  
WALL INSULATION  
CEILING INSULATION  
GLAZING DETAILS

LANDSCAPING - REFER TO LANDSCAPE PLAN

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
B	AMENDED FOR DA	13/10/2021
C	AMENDED LEVELS/ HEIGHT	08/12/2021

LEGEND



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**6 NERANG ST, RYDE**

**NORTHWEST ELEVATION**

JOB NO. 1610  
DRAWN: Author

**A3**

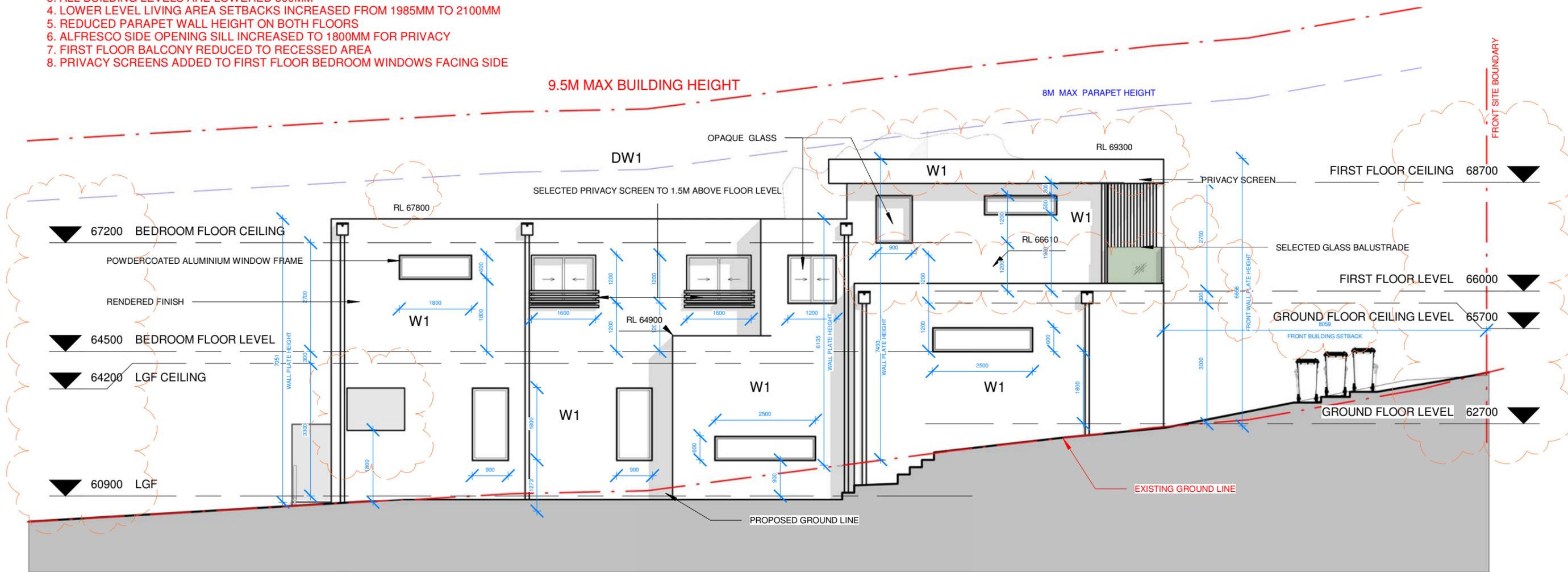
**3002**

**REVISION C**

CLIENT: LEGEND  
CHECKED: Checker

**AMENDMENTS:**

1. INCREASED FRONT SETBACK FROM 6000MM TO 8059MM
2. UPPER FLOOR ALONG NERANG ST REDUCED TO 2700MM FROM 3300MM
3. ALL BUILDING LEVELS ARE LOWERED 300MM
4. LOWER LEVEL LIVING AREA SETBACKS INCREASED FROM 1985MM TO 2100MM
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8. PRIVACY SCREENS ADDED TO FIRST FLOOR BEDROOM WINDOWS FACING SIDE



**SOUTHEAST ELEVATION**

1

1 : 100

**BASIX COMMITMENTS**  
REFER TO BASIX CERTIFICATE 1239617M

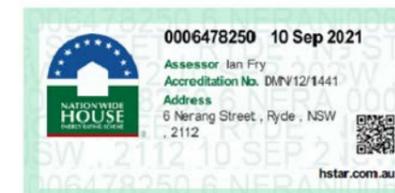
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INSULATION TO BETWEEN LEVELS R2.0 ABOVE GARAGE TO ROOMS ABOVE

REFER TO NatHERS CERTIFICATE 0006478051 & 0006478069 FOR DETAILS OF  
WALL INSULATION  
CEILING INSULATION  
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LANDSCAPING - REFER TO LANDSCAPE PLAN

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
B	AMENDED FOR DA	13/10/2021
C	AMENDED LEVELS/ HEIGHT	08/12/2021

LEGEND



**6 NERANG ST, RYDE**

**SOUTHEAST ELEVATION**

JOB NO. 1610  
DRAWN: Author

**A3**

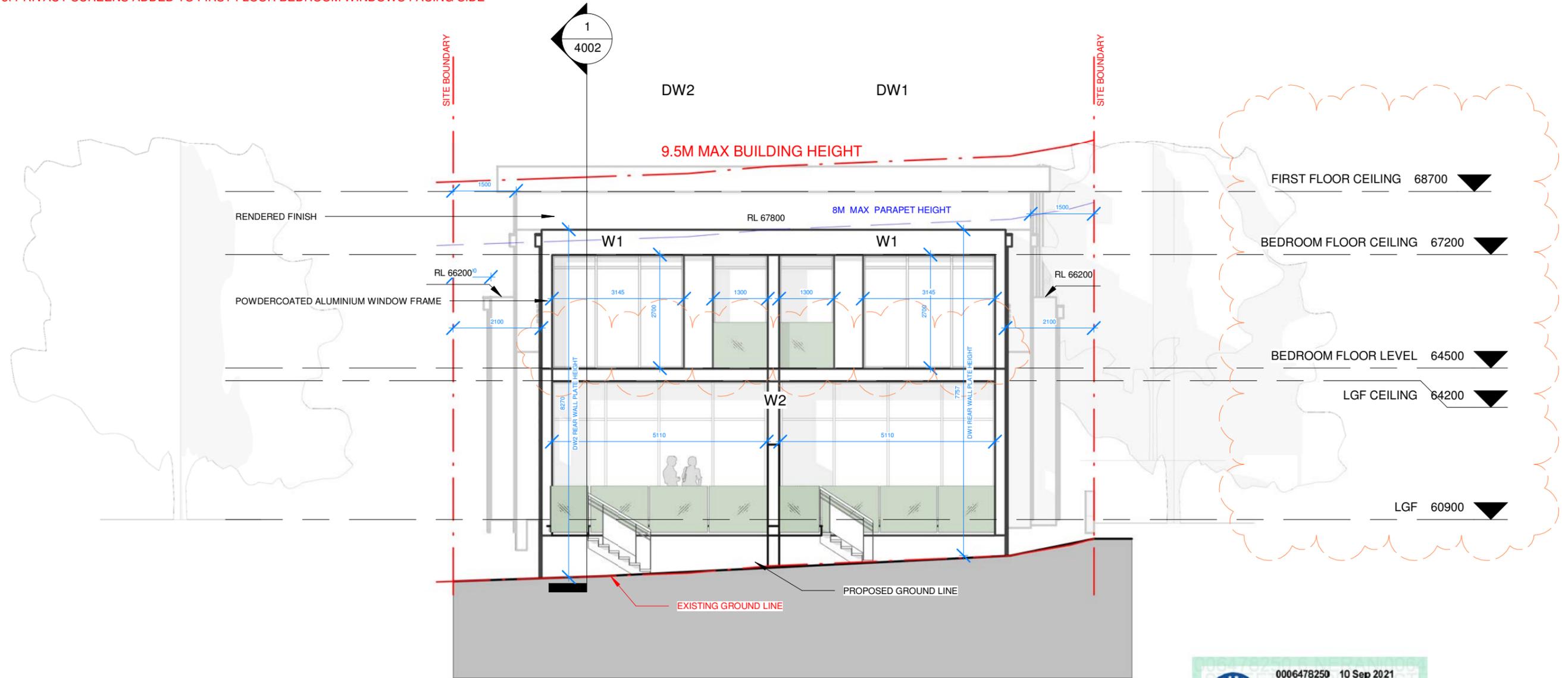
**3003**

**REVISION C**

CLIENT: LEGEND  
CHECKED: Checker

**AMENDMENTS:**

1. INCREASED FRONT SETBACK FROM 6000MM TO 8059MM
2. UPPER FLOOR ALONG NERANG ST REDUCED TO 2700MM FROM 3300MM
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**SOUTHWEST ELEVATION**

1

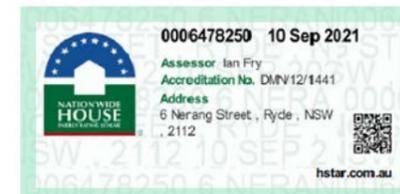
1 : 100

BASIX COMMITMENTS  
REFER TO BASIX CERTIFICATE 1239617M

THE DWELLING PROVIDE 3 STAR SHOWER HEADS, 4 STAR TOILET FLUSHING SYSTEM / KITCHEN TAPS / BATHROOM TAPS  
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CEILING INSULATION  
GLAZING DETAILS

LANDSCAPING - REFER TO LANDSCAPE PLAN



ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
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LEGEND

A3

6 NERANG ST, RYDE

3004



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SOUTHWEST ELEVATION

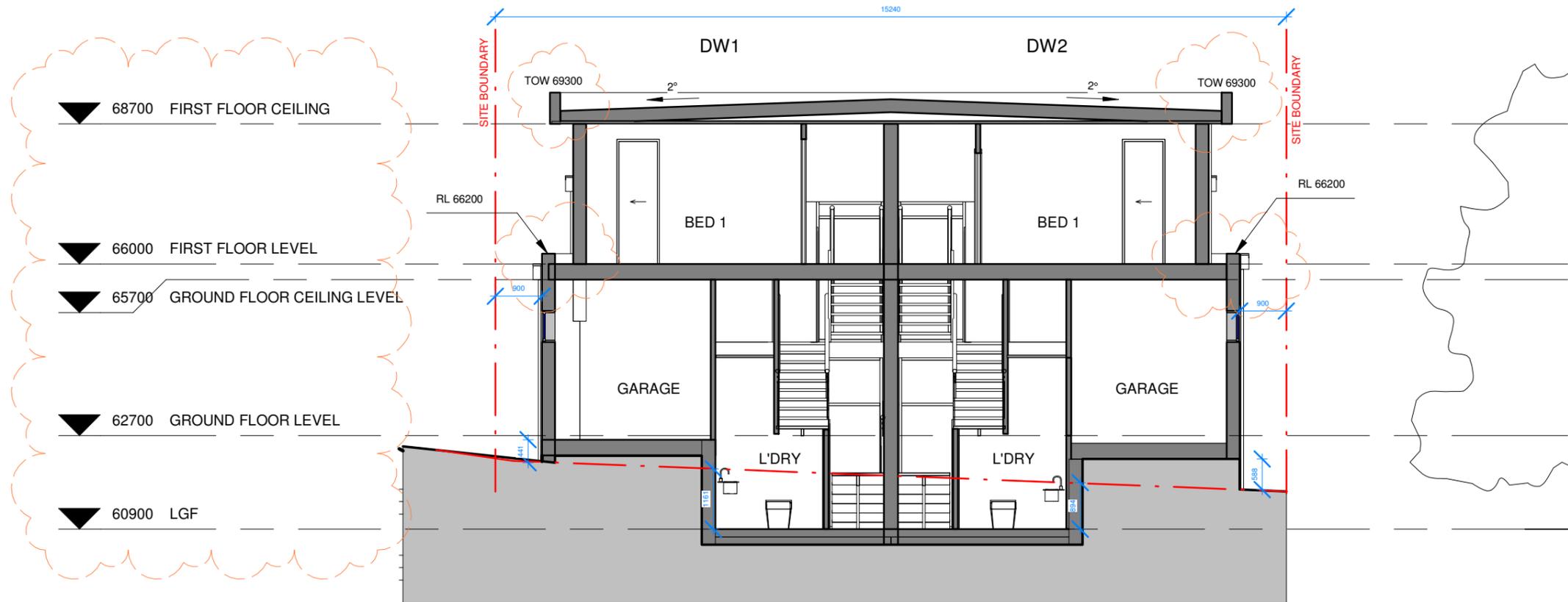
REVISION C

JOB NO. 1610  
DRAWN: Author

CLIENT: LEGEND  
CHECKED: Checker

**AMENDMENTS:**

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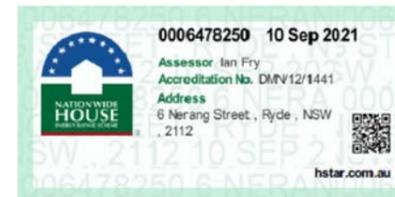
Section 1  
1 : 100

**BASIX COMMITMENTS**  
REFER TO BASIX CERTIFICATE 1239617M

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LANDSCAPING - REFER TO LANDSCAPE PLAN



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LEGEND

A3

4001

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X SECTION

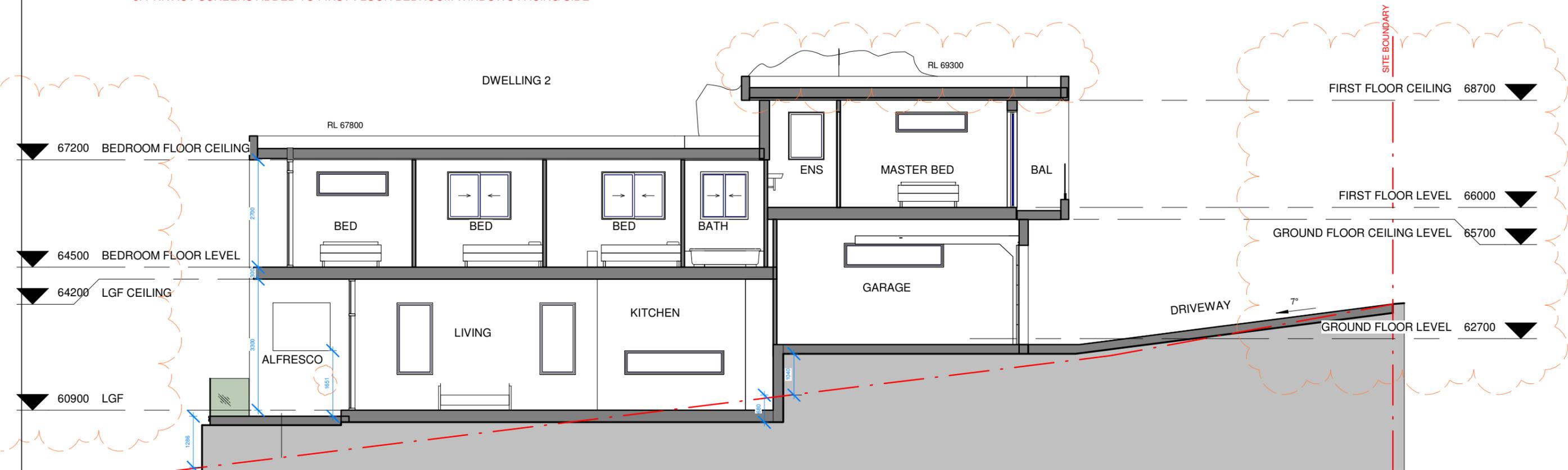
REVISION C

JOB NO. 1610  
DRAWN: Author

CLIENT: LEGEND  
CHECKED: Checker

**AMENDMENTS:**

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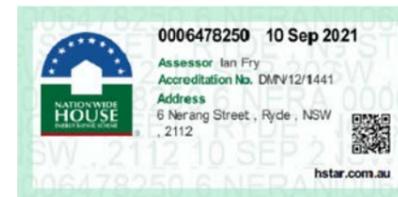
Section 2  
1 : 100

**BASIX COMMITMENTS**  
REFER TO BASIX CERTIFICATE 1239617M

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LANDSCAPING - REFER TO LANDSCAPE PLAN



ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
B	AMENDED FOR DA	13/10/2021
C	AMENDED LEVELS/ HEIGHT	08/12/2021

LEGEND



**6 NERANG ST, RYDE**

**LONG SECTION**

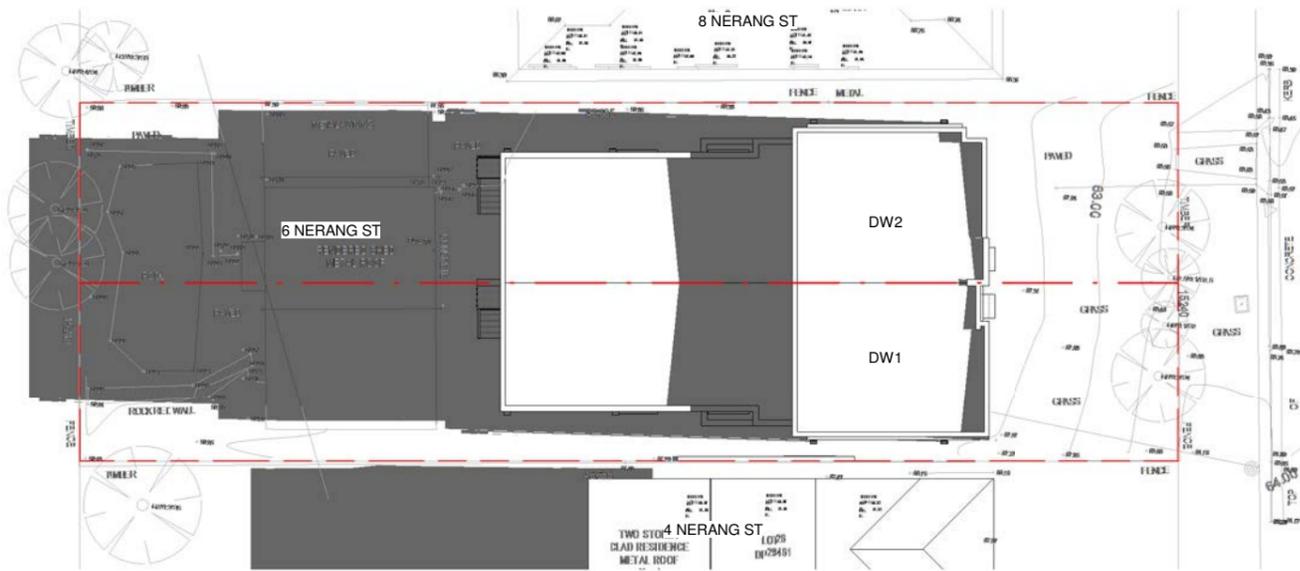
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DRAWN: Author

**A3**

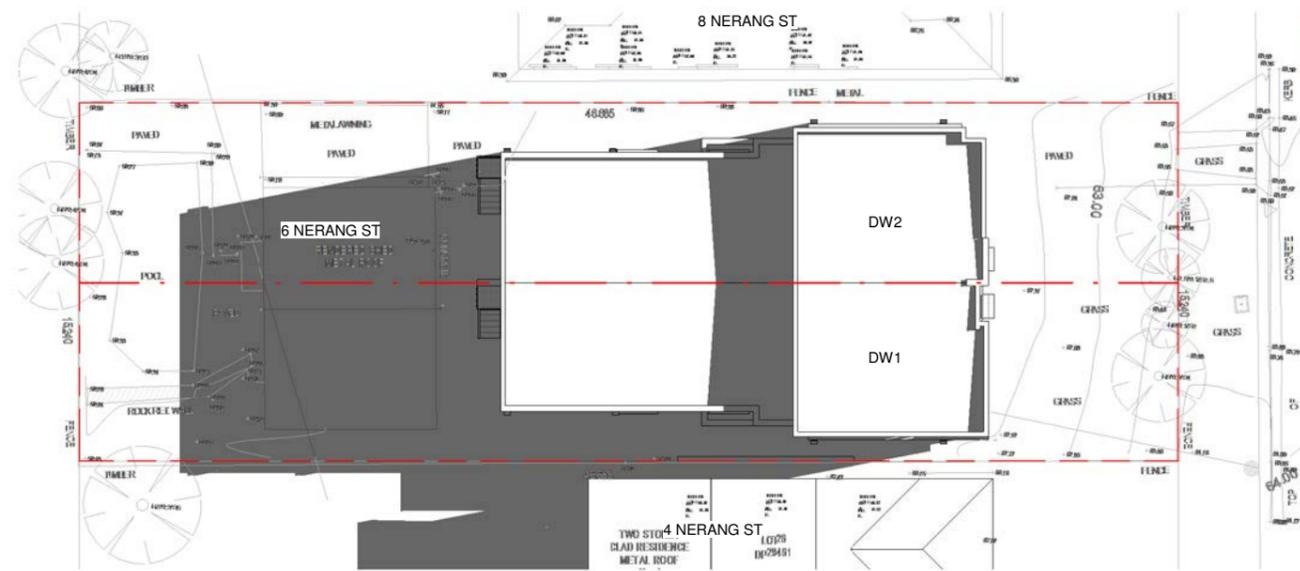
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**REVISION C**

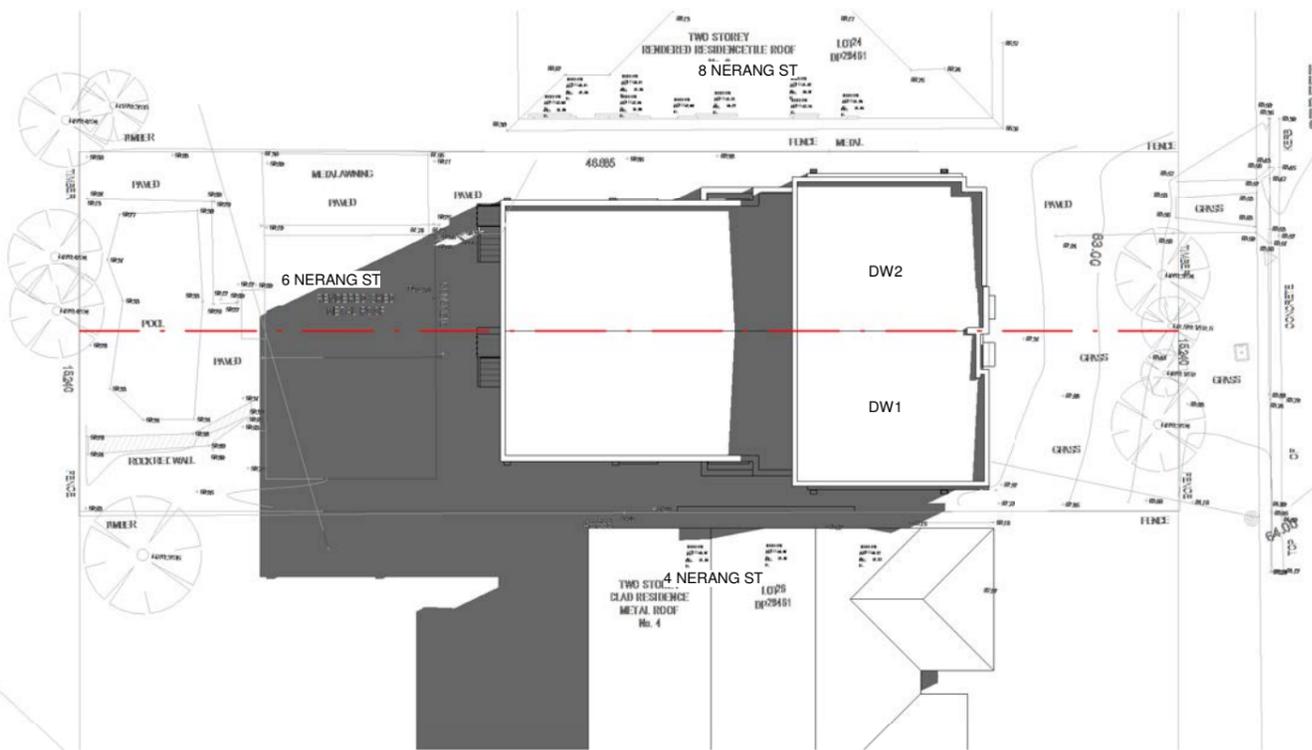
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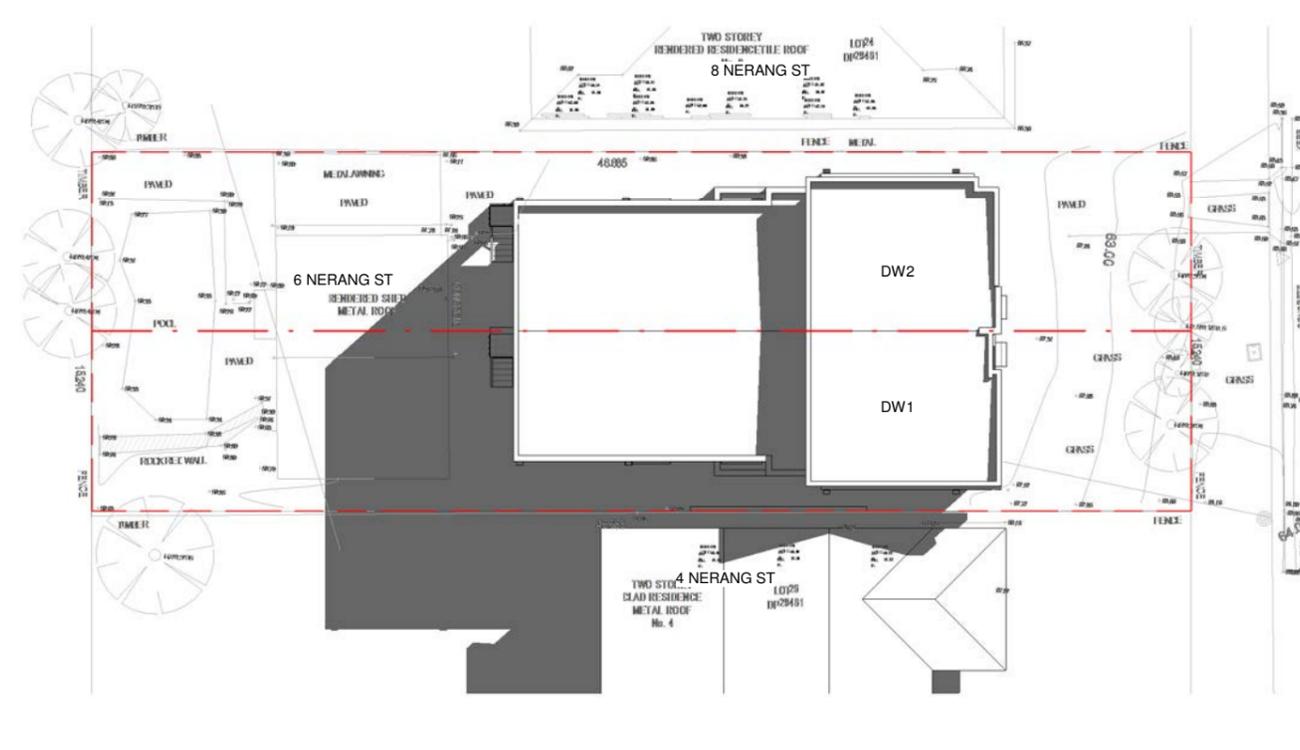
1 SHADOW DIAGRAM 9AM 6/21  
1 : 300



2 SHADOW DIAGRAM 10AM 6/21  
1 : 300



3 SHADOW DIAGRAM 11AM 6/21  
1 : 300



4 SHADOW DIAGRAM 12AM 6/21  
1 : 300

ISSUE	DESCRIPTION	DATE	LEGEND
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6001

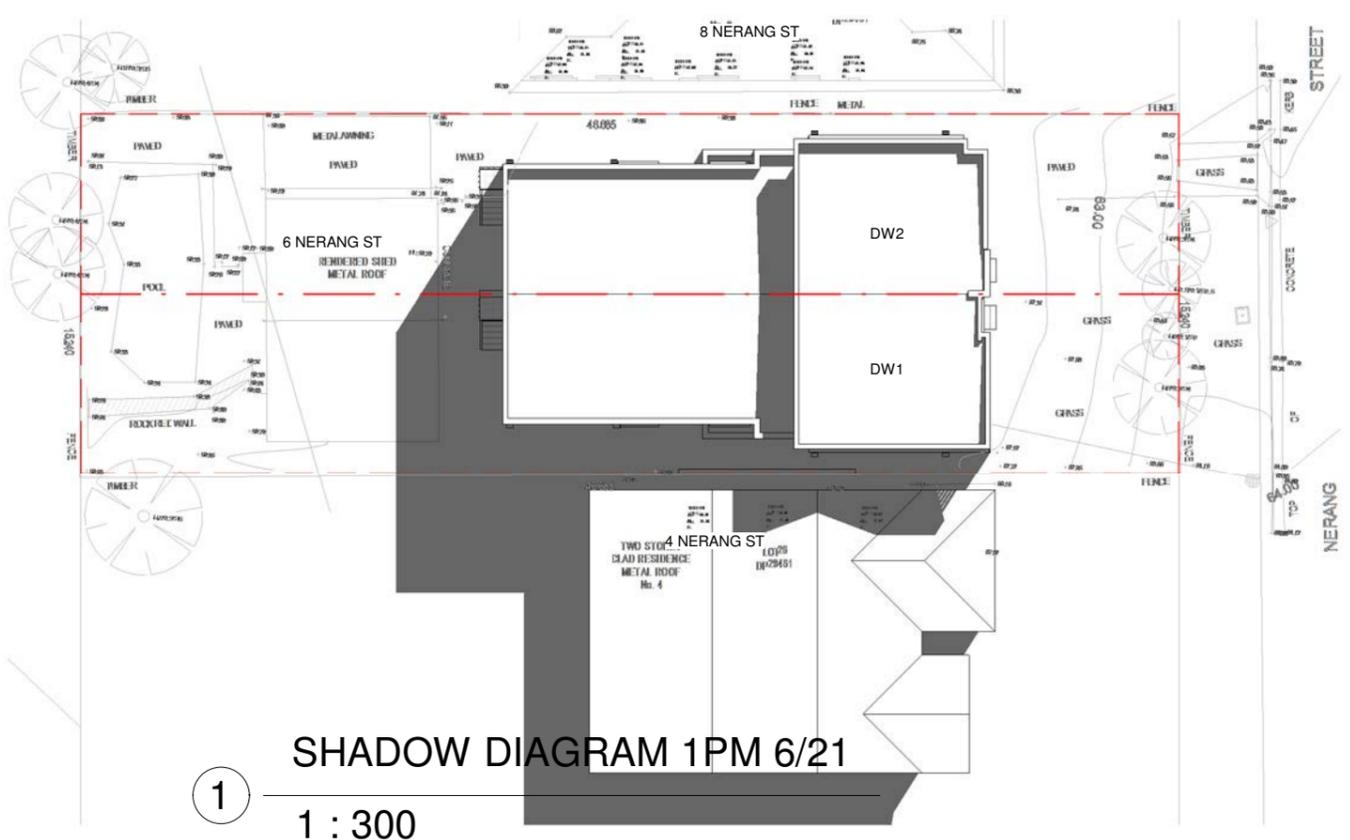
**6 NERANG ST, RYDE**

**SHADOW DIAGRAMS 1**

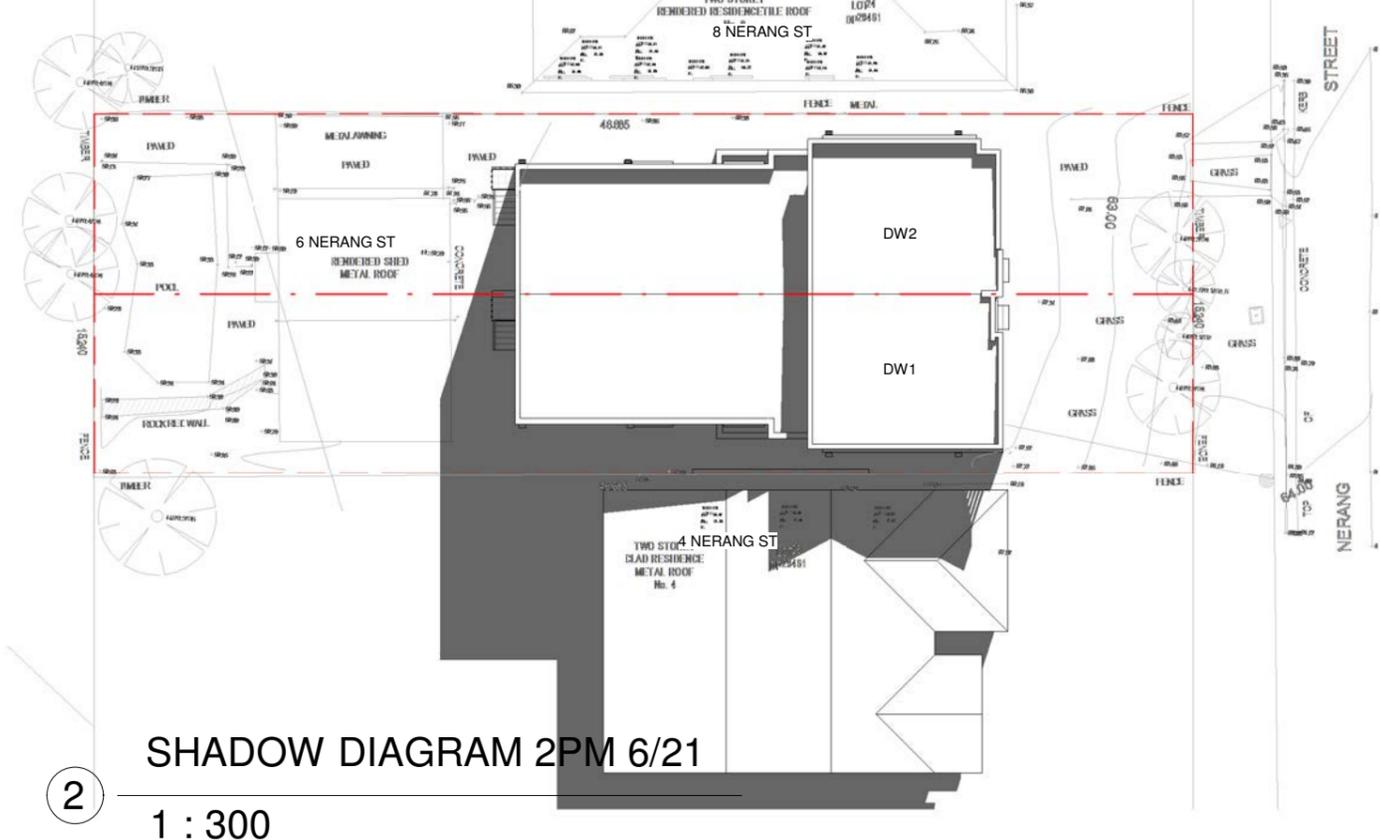
REVISION C

CLIENT: LEGEND  
CHECKED: Checker

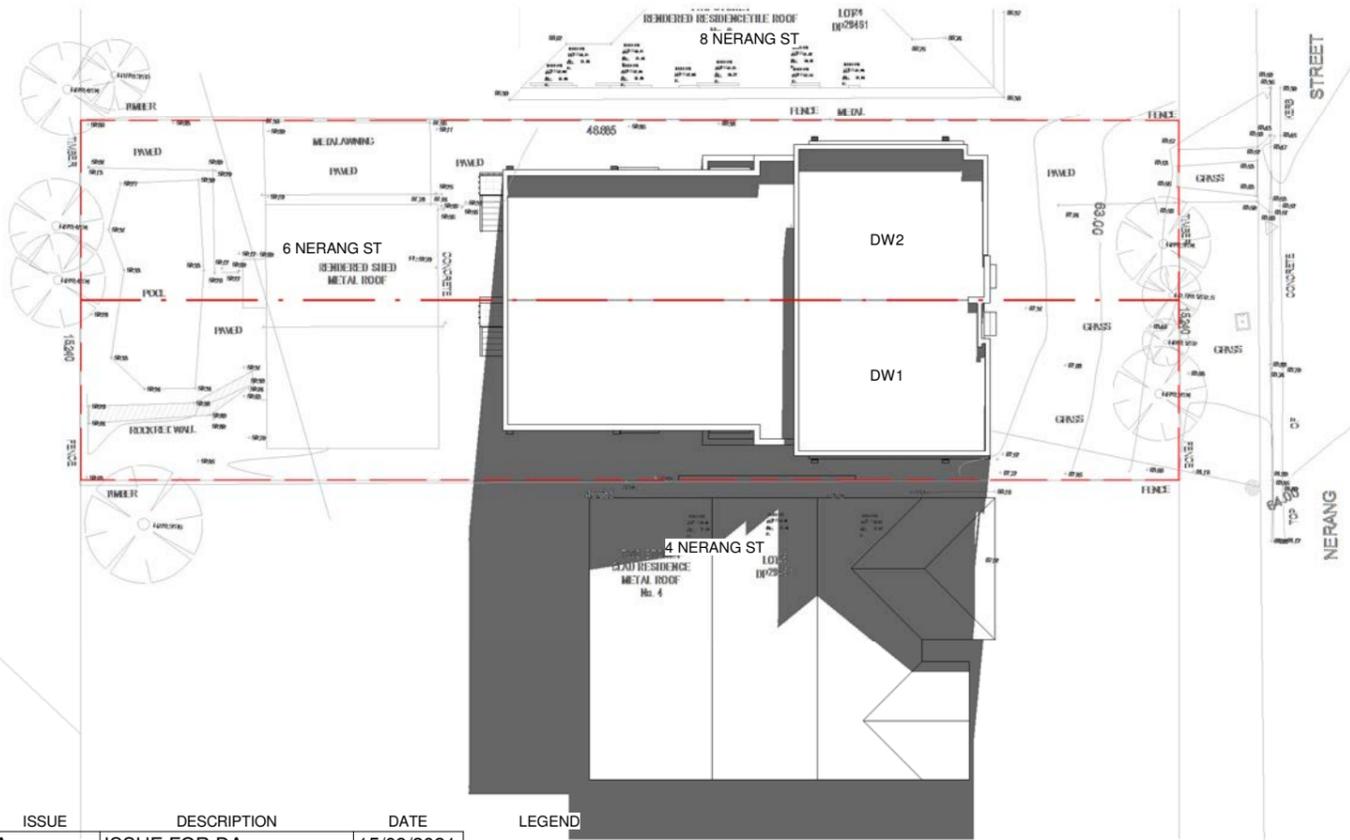
JOB NO. 1610  
DRAWN: Author



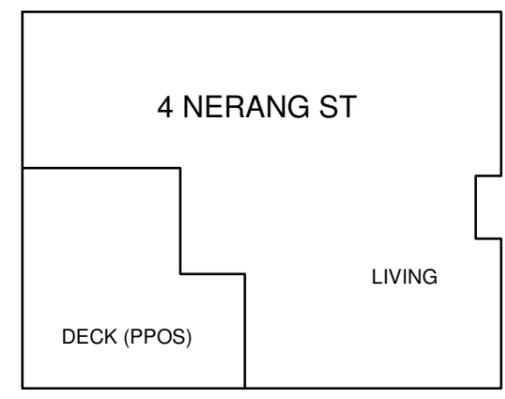
1 SHADOW DIAGRAM 1PM 6/21  
1 : 300



2 SHADOW DIAGRAM 2PM 6/21  
1 : 300



3 SHADOW DIAGRAM 3PM 6/21  
1 : 300



FOOTPRINT OF 4 NERANG ST (NOT TO SCALE)

**SUMMARY:**

- 8 NERANG ST IS ON NORTHERN SIDE OF SUBJECT SITE, THE PROPOSED DEVELOPMENT WILL HAVE NO IMPACT ON SOLAR ACCESS TO 8 NERANG ST
- 4 NERANG ST HAS LIVING ROOM FRONTING NERANG ST, AND ENTERTAINMENT AREA ON SOUTHERN CORNER OF THE DWELLING. ON 21ST JUNE, FROM 9AM TO 1PM, PROPOSED DEVELOPMENT WILL NOT CAST SHADOW ON EITHER LIVING ROOM OR ENTERTAINMENT DECK OF 4 NERANG ST

ISSUE	DESCRIPTION	DATE
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LEGEND

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**6 NERANG ST, RYDE** A3  
6002

**SHADOW DIAGRAMS 2** REVISION C

JOB NO. 1610 CLIENT: LEGEND  
DRAWN: Author CHECKED: Checker



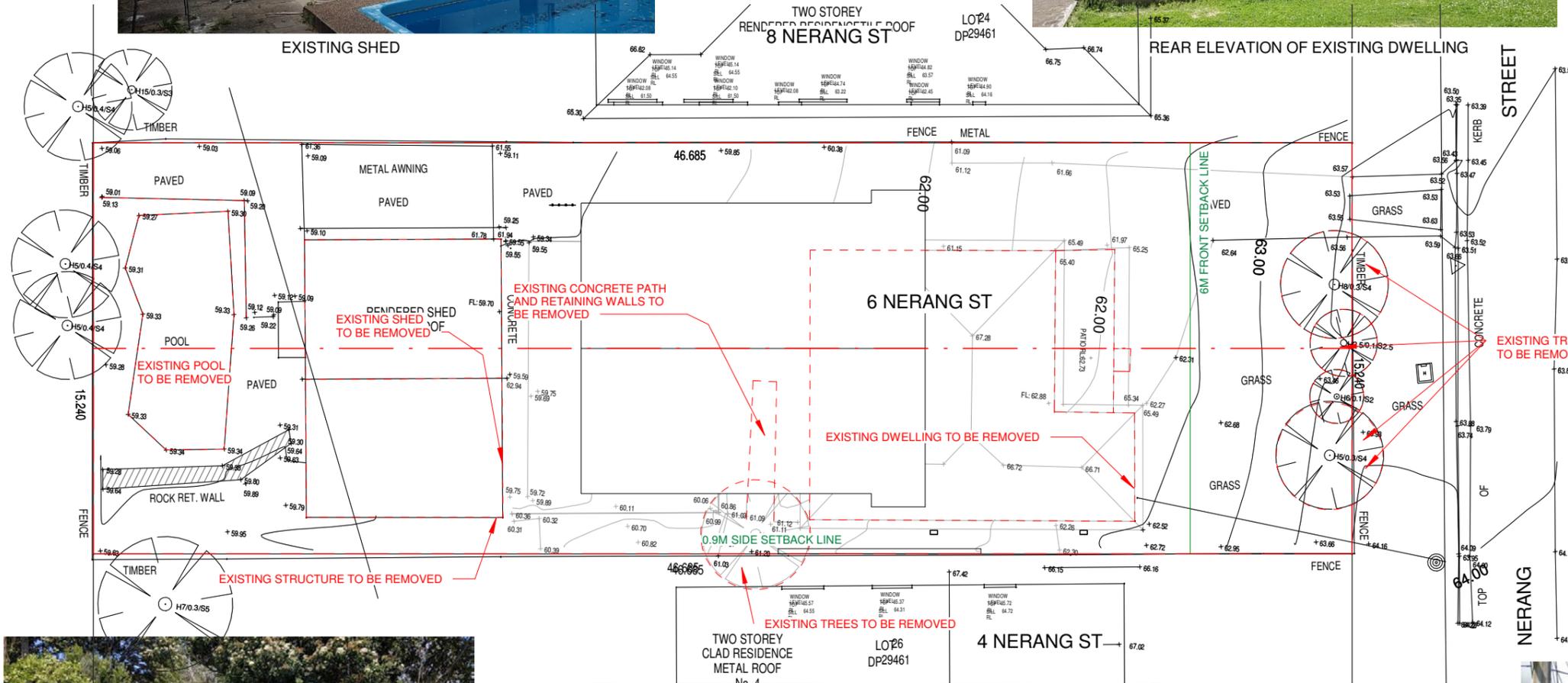
EXISTING SHED



REAR ELEVATION OF EXISTING DWELLING



EXISTING DWELLING TO BE DEMOLISHED



EXISTING SWIMMING POOL



EXISTING SHED



EXISTING FRONT STREETScape

ISSUE	DESCRIPTION	DATE
A	ISSUE FOR DA	15/09/2021
B	AMENDED FOR DA	13/10/2021

LEGEND

1

# DEMOLITION PLAN

1 : 200

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DEMOLITION PLAN

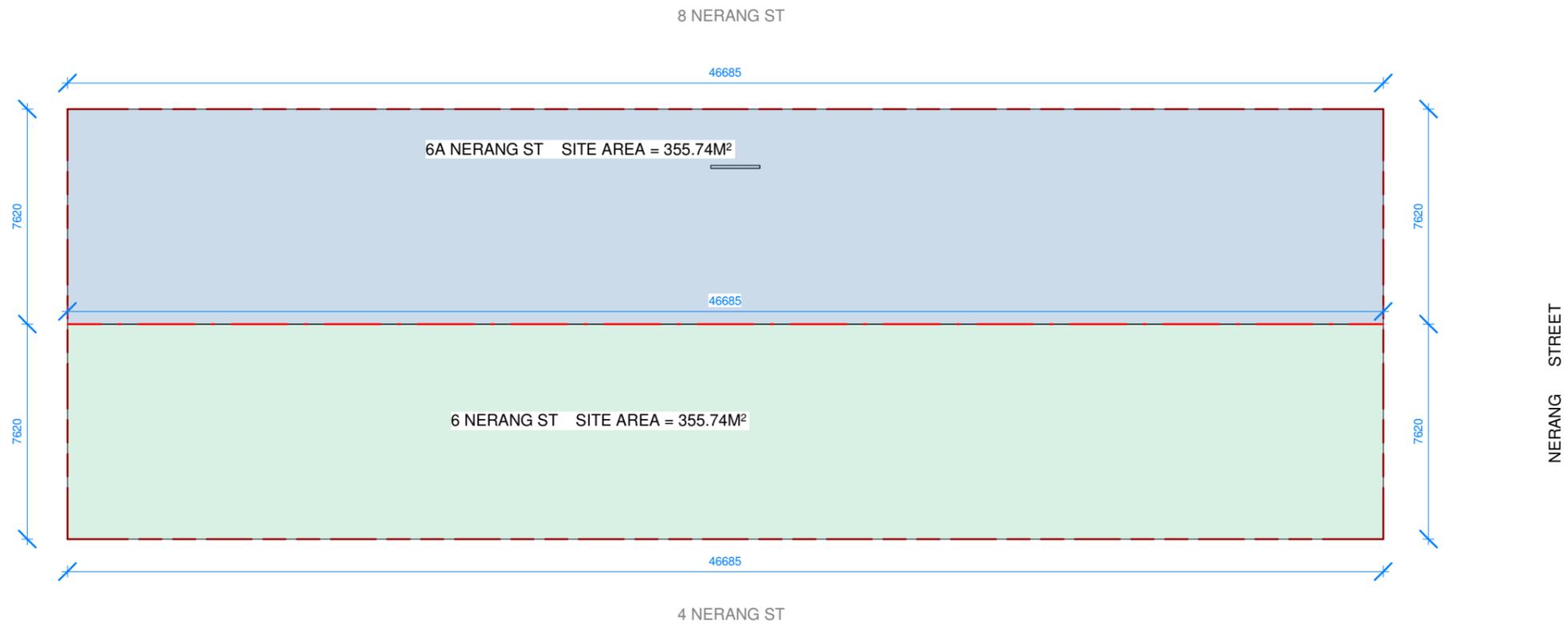
JOB NO. 1610  
 DRAWN: Author

A3

7000

REVISION B

CLIENT: LEGEND  
 CHECKED: Checker



1 SUBDIVISION PLAN  
1 : 200

ISSUE	DESCRIPTION	DATE
A	SUBDIVISION PLAN	1/10/2021

LEGEND



6 NERANG ST, RYDE

SUBDIVISION PLAN

JOB NO. 1610  
DRAWN: Author

A3  
7001  
CLIENT: LEGEND  
CHECKED: Checker