

MEMO

Environment & Planning
CITY OF RYDE

**To : Angela Kenna – Panel Secretariat
Joint Regional Planning Panel**

From : Sandra McCarry– Senior Town Planner

Date : 15 March 2012

**SUBJECT : 120 -128 Herring Road, Building B, Macquarie park
2011SYE115
ADDENDUM**

The purpose of this memo is to bring to The Panels attention amendments to some of the conditions, as requested by the applicant.

The conditions were reviewed by the applicant and via an email dated 13 March 2012, the applicant has requested amendments to the following conditions:

➤ **Condition 1(a) – Approved Plans:**

- (a) The truck loading bay area indicated on Plan A204 is to be extended to be a minimum of 13m in length x 5m wide so as to accommodate a reasonable size vehicle with the vehicle contained wholly within the property with no overhang onto the footpath. The loading bay is to be free of any obstacles to allow full 360 degree circulation access by the user. Details of the amendments are to be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

The applicant has requested that the reference to “full 360 degree circulation” be removed and replaced with “adequate circulation” (as shown below) as 360 degree implies total circulation around the truck. A 5m wide loading bay as requested will give adequate circulation.

Council’s Traffic Engineer has reviewed the request and has no objections to deletion of the “full 360 degree” reference and replace with “adequate circulation.”

Council has no objections to the amendment and it is requested that condition 1(a) be amended as below:

- (a) The truck loading bay area indicated on Plan A204 is to be extended to be a minimum of 13m in length x 5m wide so as to accommodate a reasonable size vehicle with the vehicle contained wholly within the

property with no overhang onto the footpath. The loading bay is to be free of any obstacles to allow full 360-degree *adequate* circulation access by the user. Details of the amendments are to be submitted to the Principal Certifying Authority prior to the release of the Construction Certificate.

- **Condition 4 Hours of Works:** 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.

The applicant wish to amend the hours of works for Saturday from 8.00am to 4.00pm to 7.00am to 7.00pm. Council's Manager for Environmental Health & Building is not willing to support the change to the work hours. The 8.00am Saturday start and 4.00pm finish is standard operating work hours and any changes will need to be supported by documentation from surrounding residential properties that they have no objections.

Council does not support the amendment to the work hours. Condition 4 remains unaltered.

- **Condition 10 - Maintenance of the pedestrian/cycleway pathway:** The maintenance of the pedestrian/cycleway and its associated lighting is the responsibility of the owners of Building B. The applicant shall provide at the time of submission of the proposed subdivision plan, an 88E instrument that covers the owners' responsibility to maintain the pedestrian/bicycle pathway and associated lighting infrastructure provided for the pedestrian/cycleway pathway.

The applicant has advised that maintenance of the pedestrian/cycleway will be under community title and will be the responsibility of all buildings. It should be noted that there is a Section 75W in with the Department of Planning to modify the type of subdivision, from Torrens Title to Community Title, however to date this has not been determined.

The applicant has requested that the condition be amended as shown:

The maintenance of the pedestrian/cycleway and its associated lighting is the responsibility ~~of the owners of Building B~~ *of the Community Association*. The applicant shall provide at the time of submission of the ~~proposed subdivision plan~~, *occupation certificate of Building B* an 88E instrument that covers the owners' responsibility to maintain the pedestrian/bicycle pathway and associated lighting infrastructure provided for the pedestrian/cycleway pathway.

Whilst there is a Section 75W in with the Department of Planning to modify the subdivision from Torrens to Community Title this has not yet been determined therefore to ensure that the maintenance of the pedestrian/cycleway is provided the condition is to be amended to read:

The maintenance of the pedestrian/cycleway and its associated lighting is the *responsibility-of the owners of Building B OR of the Community Association*. The applicant shall provide at the time of submission of the *proposed subdivision plan OR occupation certificate of Building B an 88E instrument OR Community Management Plan* that covers the owners' responsibility to maintain the pedestrian/bicycle pathway and associated lighting infrastructure provided for the pedestrian/cycleway pathway.

Council and applicant have no objections to the amendment and it is requested that condition 10 be amended as above.

- **Condition 13 Parking/bicycle Spaces:** One hundred & thirty seven (137) parking spaces are to be provided for Building B use, with one hundred & seventeen (117) spaces for residents and twenty (20) for visitor parking. The car parking spaces are to be clearly line marked with the visitor spaces clearly marked "Visitor Parking". Thirty nine (39) residents and minimum of ten (10) visitor bicycle spaces are to be provided within the 3 basement levels. Details to be shown on the Construction Certificate plans.

The applicant has requested that the requirement for the 10 visitor bicycle spaces to be within the 3 basement levels should be relaxed to allow the spaces to be accommodated in the ground floor landscaping as spatial constraints are restricting any additional bicycle racks.

The applicant was advised that the architectural plans showed 12 visitor bicycle spaces within the Basement Level 1 plan, as such the plans showed that the bicycle racks can be provided. The applicant has agreed that this condition does not need to be amended.

Condition 13 remains unaltered.

- **Condition 26 Encroachments:** Any encroachments onto Macquarie University's property during the course of the construction works (such as rock anchoring and cranes swing) will require a written agreement from Macquarie University.

The applicant wish to amend the condition by adding in bracket at the end of the condition (*not required to be satisfied prior to Construction Certificate*). The applicant is concerned that as the condition is located in the section headed "Prior to Construction Certificate" the PCA will have issues about requiring it to be satisfied prior to Construction Certificate.

Council has no objections to the amendment and it is requested that condition 26 be amended as below:

26 Encroachment: Any encroachments onto Macquarie University's property during the course of the construction works (such as rock anchoring

and cranes swing) will require a written agreement from Macquarie University. (Not required to be satisfied prior to Construction Certificate).

➤ **Condition 47 Stormwater Runoff:** Stormwater runoff from site shall be collected and piped to Council's underground drainage system via an On-site detention (OSD) system designed in accordance with the City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. The design shall incorporate but not be limited to the following:

- a. Building B shall be provided with a minimum 73 cubic metres OSD system incorporating a suitably sized orifice plate to restrict discharge from the total site a maximum of 39l/s in a 1 in 100 year critical duration storm event.
- b. The design shall ensure back water flow will not occur or influence the functioning of the outlet pipe from the OSD tank for all storm events and durations, including preventing the ingress of overland flows into the OSD tank.
- c. All gutters, downpipes and pipeline conveying stormwater runoff to the OSD tank are to be designed for the 1 in 100 year, 5 minute duration storm event.

The applicant contends that item c should be amended to read:

- c. All gutters, downpipes and pipeline conveying stormwater runoff to the OSD tank are to be designed for the 1 in 100 year, 5 minute duration storm event. Podium and landscaped areas should be designed to 1:20 year event as per Australian standards.

Council's Development Engineer does not agree to the proposed modification and has conveyed the reasoning to the applicant's engineer. Condition 47 remains unaltered.

➤ **Condition 65 CCTV Cameras:** CCTV cameras will be required to be installed in the following locations:

- The residents carpark;
- The ground floor lobby and lifts
- The car park entry/exit points.

Digital technology will be required to be used to record images from the camera and this is to be located in a secure location. The surveillance equipment will need to be able to zoom in and out on a person without losing focus. It must be maintained in working order at all times and installed by a qualified and reputable company.

The applicant has requested that reference to the installation of CCTV cameras be removed as CCTV is not normally required in secure residential developments and the development will incorporate controlled security access to lobbies, lifts and basement parking.

The proposed development was referred to Eastwood Police for a Safer by Design evaluation and has recommended that CCTV should be used in communal areas such as lobbies, lifts, car park entry/exit points, in addition with other recommended access controls. As the condition is recommended by Eastwood Police and that the applicant has not sufficiently demonstrated that CCTV cameras will be superfluous to crime prevention requirements, Council is not willing to remove the requirement for installation of CCTV cameras. Furthermore, Council has consistency required CCTV cameras to be provided in large residential developments.

Council does not support the amendment for the deletion of CCTV cameras. Condition 65 remains unaltered.

- **Condition 67 Security:** To enhance the physical security of doors, all glass doors are to be laminated and the main entry/exit doors to individual units on the ground floor, including balcony doors and fire exit doors to the development are to be fitted with a single cylinder lockset (Australian and New Zealand Standard - Lock Sets), which comply with the Building Code of Australia. Windows to individual units on the ground floor should also be fitted with key operated locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the unit.

Once again this is a recommended condition by Eastwood Police to ensure access control. There is no justifications are to why this cannot be satisfied. The applicant has agreed to this condition.

Condition 67 remains unaltered.

- **Condition 69 Video Intercom System:** Intercom facilities should be incorporated into these entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development. An auxiliary lock set should also be incorporated into the design of each of the entry/exit points to enable emergency services to access the development particularly in emergency situations.

The applicant wish to amend the condition by replacing the word "Video Intercom system" with Audio Intercom system" and delete the reference to auxiliary lock sets.

Comments from Eastwood Police require intercom facilities to be incorporated into the entry/exit points with auxiliary lock set for emergency service. The intercom facility recommended by the Police does not have to be a "video" system as such no objections to the deletion of the reference to video however the auxiliary lock set is required to provide access for emergency services.

The applicant has agreed to Condition 69 to be amended to read:

Condition 69 Video Intercom System: Intercom facilities should be incorporated into these entry/exit points to enable residents to communicate

and identify with people prior to admitting them to the development. An auxiliary lock set should also be incorporated into the design of each of the entry/exit points to enable emergency services to access the development particularly in emergency situations.

- **Condition 71Lighting:** Lighting is to be provided around the site and all lighting is to comply with the following requirements:
- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
 - A Lighting Maintenance Policy is required to outline the maintenance, monitoring and operation of lighting.
 - To reduce power consumption and comply with the relevant Australian and New Zealand Standards for Lighting, car park walls and ceilings are to be painted a light colour.
 - Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
 - Lighting is to be automatically controlled by time clocks and where appropriate, sensors for energy efficiency and a controlled environment for residents.
 - The painting of the walls and ceiling of the car park area to be a light colour.

The applicant request that the reference to car park ceilings and walls to be a light colour (3rd & last point) be removed as it relates to the reduction of power consumption and is not necessary as the development satisfy all BASIX power requirements.

As the other lighting requirements are to be satisfied Council has no objections to the removal to the reference for the car park ceilings and walls to be painted a light colour.

Condition 71 to be amended as below:

- Condition 71Lighting:** Lighting is to be provided around the site and all lighting is to comply with the following requirements:
- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
 - A Lighting Maintenance Policy is required to outline the maintenance, monitoring and operation of lighting.
 - Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
 - Lighting is to be automatically controlled by time clocks and where appropriate, sensors for energy efficiency and a controlled environment for residents.

Sandra McCarry
Senior Town Planner

