

JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP NUMBER:	2012 SYE 105
DA NUMBER:	LDA2012/0417
LOCAL GOVERNMENT AREA:	City of Ryde
PROPOSED DEVELOPMENT:	<p>Demolition of an existing building and the construction and use of a 7 storey mixed use development with ground floor retail, 62 residential units and parking for 82 vehicles within 3 basement levels.</p> <p>The application includes development on both private land and public land (road reserve), the latter being owned by the City of Ryde Council.</p>
STREET ADDRESS:	<p>1-3 Wharf Road Gladesville, plus areas of existing public roads in Meriton Street and Wharf Road.</p> <p>The total “site” area is 1,330m², comprised of 1-3 Wharf Road (625m² approx.) and road reserve (705m²).</p>
APPLICANT:	Windesea Build Pty Ltd
NUMBER OF SUBMISSIONS:	52 objections and 132 letters of support. The vast majority of these letters of objection and support were in a pro-forma format.
RECOMMENDATION	Deferred commencement approval
REPORT BY:	SJB Planning, consultant town planners to City of Ryde Council.

Assessment Report and Recommendation

1 BACKGROUND

The Sydney East JRPP considered an assessment report regarding this application at its meeting at Ryde City Council held on 19 September 2013.

The report recommended the submission of amended plans to address a number of matters. A copy of the previous report and recommendation is included as an attachment.

The Panel resolved as follows:

1. *The Panel resolves unanimously to accept the recommendation of the planning assessment report to defer the application in order to allow the applicant to lodge amended drawings.*
2. *The amended drawings are to comply with the requirements of the Council's memo of 18 September 2013 (also on the website), paragraphs 1.1 to 1.5. They are to be submitted by 4 October 2013.*
3. *The planning assessment officer is requested to provide a supplementary report by 18 October 2013. Following receipt of this report, the Panel will determine the application by communicating by electronic means, unless it considers that another public meeting is necessary.*

2 ASSESSMENT OF AMENDED DOCUMENTATION

The applicant submitted some of the amended documentation, dealing with the building design matters, on 11 October 2013 and the amended BASIX Certificate was submitted on the 14 October 2013.

A further assessment has occurred and comments are provided below. The comments deal sequentially with each of the items 1.1 – 1.5 (in italics) as resolved by the Panel.

Item 1.1

1.1 In order address external building bulk and scale impacts:

- a. *The building at the rear southern end of the site adjacent to the proposed new lane is to be a maximum of 6 storeys above ground level. The top level of the building is to be part 6 storeys, at the rear, and part 7 storeys for the remainder. This will require a step in the built form from the front to the rear of the building at the top level. The top storey at the rear is to be setback so as to at least comply with the minimum setback of 8.0 metres to the property boundary with No 5 Wharf Road, as required under Ryde Development Control Plan 2010 (RDCP 2010).*
- b. *The whole of the ground floor level (known as level 1) of the building at the rear adjacent to the proposed new lane is to have a minimum setback of 8.0 metres to the property boundary with No 5 Wharf Road. In particular this will require the south-western corner of the building adjacent to the proposed intersection of the new lane and Meriton Street to be amended, so as to be consistent with the requirements of Ryde Development Control Plan 2010 (RDCP 2010).*
- c. *The whole of the building at levels 2-6 at the rear of the site adjacent to the proposed new lane is to have a minimum setback of 6.0 metres to the property boundary with No 5 Wharf Road. In particular this will require the south-western corner of the building adjacent to the proposed intersection of the new lane and Meriton Street to be amended.*

Comment

The top floor has not been setback as requested under 1.1 a, but nonetheless the amended design, taking into account the other amendments undertaken as part of 1.1 b and 1.1 c, as well as taking in to account updated shadow diagrams, confirms that the proposal is acceptable. The additional setback to the south-west corner of the building assists with compliance with the 22m building height development standard.

The updated shadow diagrams, based on the changes required by 1.1 b and 1.1 c, confirm that the shadow resulting from the rear 7 storey component is minimal and, of itself, is not an impact that would warrant refusal of the application. The additional shadow largely falls across roofs and roads. The residential properties immediately adjoining are not further impacted, at mid-winter, as a result of the 7th storey.

In meeting the design amendments required under 1.1 b and 1.1 c it is considered that the intent of the whole of item 1.1 has been adequately met.

Item 1.2

1.2 In order to address issues associated with the internal planning and amenity of the residential units:

- a. All units are to have a minimum gross floor area, exclusive of wintergardens or balconies, as follows:*
 - i. Studio units: 38.5m²*
 - ii. 1 bedroom units: 50m²*
 - iii. 2 bedroom units: 70m²*
- b. The internal layouts of residential units 01-04 on levels 2-7 inclusive are to be re-planned so as to ensure that bedrooms adjoin bedrooms along dividing walls of the units and to avoid circumstances where active uses such as balconies, living areas and bathrooms adjoin bedrooms along dividing walls between the units.*
- c. The wintergardens/balconies are to be amended as follows:*
 - i. Enclosed balconies in the form of wintergardens are acceptable to all ground floor units and units 04-05 on levels 2-7 only. The wintergardens are to have bi-fold windows or sliding screens or similar and not include awning windows. All other units are to have balconies that are not capable of being fully enclosed. These balconies may include sliding screens or similar to provide partial protection.*
 - ii. All studio units are to include balconies (wintergardens where otherwise allowed as outlined above) with a minimum internal area of 6 square metres and a minimum depth at any point of 2.0 metres. All 1 bedroom units are to include balconies (wintergardens where otherwise allowed as outlined above) with a minimum internal area of 8 square metres and a minimum depth at any point of 2.0 metres. All 2 bedroom units are to include balconies (wintergardens where otherwise allowed as outlined above) with a minimum internal area of 10 square metres and a minimum depth at any point of 2.0 metres.*
 - iii. In relation to the balconies to units 08-10 on levels 2-6 each is to include a solid balustrade to a height of 1.2 metres so as to prevent overlooking from a seated position to the rear of No 5 Wharf Road.*

Comment

Items 1.2 a and b have been met. The unit mix has been amended in order to meet minimum unit sizes, resulting in a higher proportion of studios. The Council does not raise objection to this amended unit mix.

Item 1.2 c i has not been met as wintergardens are proposed throughout, but based on the indication provided by the Panel at the 19 September meeting, the inclusion of wintergardens in the development is acceptable in this location, subject to unit and wintergarden sizes, as specified, being met.

The minimum sizes for wintergardens required under Item 1.2 c ii have been met. Not all wintergardens meet the minimum 2m width at any point, but nonetheless the amended plans do provide for much improved utility and arrangement of the wintergardens. The intent of the requirement has been met.

Item 1.2 c iii appears to have been met, but nonetheless for the purpose of clarity may be a condition of any consent.

Item 1.3

1.3 Detailed landscape plan(s) for the treatment of that part of the proposed publicly accessible plaza to be located on the subject site, including details of treatment at the northern end adjacent to the proposed Victoria Road slipway and details of the treatment of the proposed communal open space on the roof of the building are to be provided. Details are to take into account the matters raised by RMS in 1.1 above. The landscape plan is to address all of the public benefits works identified in the Voluntary Planning Agreement. The plan is to include construction drawings for the required works within the plaza, Meriton Street, the laneway and the northern end of the site adjacent to Victoria Road. All of the work is to be in accordance with the Ryde Public Domain Manual.

Comment

The resolution required further landscaping plans in terms of the roof of the building and the public domain areas including the plaza. In respect of the communal open space on the roof of the building, the applicant had previously submitted a plan which demonstrates the use of this area. This plan will form part of the approval and satisfies item 1.3.

The landscape design of the plaza area has previously been agreed to by Council with the adoption of the VPA. Item 1.3 was requesting construction drawings for this work to ensure that the work will be completed in accordance with the Council's Public Domain Manual. In normal circumstances a matter such as this would be addressed by way of a condition of consent, however, as the recommendation required the submission of amended plans to address other issues, the requirement was included.

As the applicant has failed to submit the requested plans, it is a matter that may be dealt with as a condition of consent. This has been included in the recommendation.

Item 1.4

1.4 In order to address the outstanding engineering issues:

- 1. The exit ramp gradients from basement level 1 to the new laneway are excessive and do not comply with section 3.3 of AS2890.1-2004. Accordingly the access ramp gradients are to be modified to comply with this requirement. Evidence that this cannot be achieved is to be supplied to Council prior to consideration of alternative low intensity audible siren with flashing light for pedestrian and traffic warning of vehicle egress from the basement ramp.*

Comment

The Council's engineers have noted that the vehicle exit ramp does not comply with Section 3.3 of AS 2890.1 which requires a ramp grade of no more than 5% for the first 6 metres. The applicant's traffic consultant has presented a revised ramp profile, proposing a ramp grade of 5% (1 in 20) for the first 2 metres within the property, followed by a transition of 12.5% (1 in 8) at 2m length before descending to the main ramp grade of 20% (1 in 5) into the basement garage and finalising with a transition grade of 12.5% (1 in 8) to the basement level 1 parking area.

The revised architectural plans are noted to have amended the cross section detail as shown on architectural drawing DA 4.02, which demonstrates that there is no further scope to flatten the grade at the boundary without drastically increasing the gradient of the ramp within the site or requiring significant modification to the layout and footprint of the habitable floor level above.

The applicant's traffic consultant has presented a review of this non-compliance and presented the following points in relation to this;

- The speed of egressing vehicles will be low given vehicles will be turning into a narrow lane.
- The carpark is will have a relatively low turnover given it accommodates mostly residents and retail tenant parking.
- Users of the garage will be familiar with the situation and aware of the limitations.
- The volume of pedestrians and vehicles in the lane will be extremely low.
- There will be sight lines to the left and right for egressing drivers.
- There will be an audible and visual warning system for pedestrians, activated by egressing vehicles.
- The provision of 2m at 5% will allow egressing drivers adequate vision of pedestrian given the speed constraint.

In general the provision of the excessive driveway splay on the eastern side of the garage exit compensates for the shortfall of non-compliance associated with the ramp grade on approach to the boundary. Taking into account the anticipated traffic and pedestrian conditions in the lane (as noted above) the proposal is considered acceptable by the Council's engineers.

A condition of consent has been included to require a traffic signal system to be provided. (See condition number 103).

- 2. To facilitate safe pedestrian sight distance the residential bin room shall be chamfered to produce a safe sight triangle of 2.5mx2m at the driveway entrance.*

Comment

The service bay and bin storage area has been setback to provide a splay on the eastern side of the garage entry. This has reduced the given length of the loading bay and consequently will result in service vehicles standing partially (0.5m to 1.0m) into the splayed section. The Council's engineers consider that the loading bay will be used on a temporary basis for short periods and as a result the proposal is acceptable.

- 3. A minimum 1.2m clearance is required from the outside of basement 2 roof slab to the finished level of the new lane way to allow for future provision of utility mains.*

Comment

The applicant has submitted a section which demonstrates that this can be achieved. It should be noted that this section is inconsistent with plan number DA4.02A which demonstrates a section through the driveway and fails to pick up this clearance. To address this issue it is proposed to include an amendment to the wording of condition 1 which refers to the approved plans to advise that this requirement is required on all of the Construction Certificate plans.

4. *Allocation of parking spaces are to be clearly numbered and labelled for the appropriate use e.g. visitor, retail, resident etc and the space dimensions and aisle widths are required to be designed in accordance with AS2890.1-2004 for the applicable user class.*

Comment

The revised plans have dedicated parking spaces labelled on the plans as follows;

Level	Residential Spaces	Retail/ Commercial Spaces	Residential Visitor Spaces
BL1 (Entry)	-	6 (2 dedicated to tenant parking, 3 dedicated to visitor parking and 1 visitor disabled space).	5 (Including 1 small carspace)
BL2	26 (Including 1 small carspace, 6 disabled carspaces)	-	7 (Including 1 small carspace)
BL3 (Basement)	38 (Including 3 small carspaces)	-	-
TOTAL	64	6	12

The development complies with Council's car parking numbers and with AS2890.1-2004 for the applicable user class. Item 1.4 4 has been met.

Item 1.5

1.5 A revised BASIX Certificate that addresses the amended plans in respect of the above is to be submitted. The BASIX Certificate is to demonstrate that the development achieves the required project scores for water, thermal comfort and energy.

Comment

The applicant has submitted an amended BASIX Certificate. The amended development will achieve the minimum BASIX targets for building sustainability.

3 CONCLUSION

The amendments to the building design required under items 1.1 – 1.2 have been adequately addressed.

Item 1.3 dealing with landscaping details has been met in part. The comprehensive design details required for the publicly accessible plaza may be addressed by way of a condition of consent.

The various engineering details outlined in item 1.4 have also been met, or are capable of being met, by way of conditions of consent. An updated BASIX certificate, required under item 1.5, has been provided.

The previous assessment report recommendation, and the subsequent resolution of the JRPP, required a range of amendments and additional information. The applicant has generally met the specific requirements of the JRPP resolution, or where not met, demonstrated that the intent has been met. Some of the outstanding engineering details may be addressed by way of conditions of consent.

4 RECOMMENDATION

That the development application 2012 SYE 105 to undertake demolition of an existing building and the construction and use of a 7 storey mixed use development with ground floor retail, 62 residential units (31 studios, 24 x 1 bed and 7 x 2 bed) and parking for 82 vehicles within 3 basement levels at 1-3 Wharf Road and adjoining road reserve at Meriton Street and Wharf Road Gladesville, be APPROVED and a DEFERRED COMMENCEMENT CONSENT be issued subject to the attached conditions.

Report prepared by:

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Consultant Town Planner, SJB Planning

Attachment 1: JRPP resolution of 19 September 2013

Attachment 2: Previous assessment report

Attachment 3: Conditions of Consent