

29 June 2015

Sandra Bailey - Team Leader Major Development  
City of Ryde Council  
1 Devlin Street  
Ryde NSW 1670

Dear Sandra

**RE: DEVELOPMENT APPLICATION REF:LDA 2015/0031, SHEPHERDS BAY STAGES 8 AND 9, ADDRESS: 116-122 BOWDEN STREET, MEADOWBANK**

Sutherland & Associates Planning Pty Ltd provided initial correspondence to Council on 11 June 2015 in response to Council's letter dated 29 May 2015. The initial correspondence provided a response to each of the issues raised where possible and advised matters for which additional or amended documentation is intended to be provided.

The 11 June 2015 submission in relation to Stages 6 and 7 was accompanied by the following documentation:

- A supplementary letter prepared by Integreco confirming that the proposal will comply with the revised ESD targets for Shepherds Bay.
- A revised, single Sustainable Travel Plan.
- Correspondence from Jude Colechin confirming that the proposed on-street loading bay arrangement is an acceptable arrangement.
- An amended Internal Parking Assessment prepared by Thompson Stanbury.
- In addition, an updated Public Art Plan, prepared by Black Beetle was submitted on 29 June 2015.

Since the 11 June 2015 submission, progress has been made in relation to all of the outstanding issues raised by Council. For the purpose of clarity the outstanding issues, progress and proposed path forward are summarised below:

| Issue                    | Discussion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| Public stormwater design | <ul style="list-style-type: none"> <li>• BG&amp;E met with Council on 4 June 2015 and have a comprehensive understanding of Council's preferred design approach.</li> <li>• BG&amp;E are currently preparing an amended stormwater design to the satisfaction of Council.</li> <li>• BG&amp;E will confirm in early July that an amended stormwater solution can be achieved without the need to alter the floor levels of the buildings.</li> <li>• On this basis, it is proposed that a deferred commencement condition be imposed requiring final resolution of the stormwater design through the site to Council's satisfaction prior to activation of the consent.</li> </ul> |
| Public Domain Plan       | <ul style="list-style-type: none"> <li>• The public domain design relies upon the final resolution of the stormwater design and civil design discussed above and upon Council confirming</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

| Issue                                                                                                                                                                                                                                                                                                         | Discussion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                                                                                                                                                                                                                                                               | <p>satisfaction of the final stormwater and civil design, the public domain plan can be amended to correspond.</p> <ul style="list-style-type: none"> <li>On this basis, it is proposed that a deferred commencement condition be imposed requiring final resolution of the public domain plan including the identification of the exact boundaries of public domain works, to Council's satisfaction prior to activation of the consent.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Landscape Plan (internal: roof and ground)                                                                                                                                                                                                                                                                    | <ul style="list-style-type: none"> <li>Place Design are in the process of amending the landscape plans for the roof areas which will be submitted in early July 2015.</li> <li>The landscape design through the centre of the site relies upon the final resolution of the stormwater design discussed above and upon Council confirming satisfaction of the final stormwater design, the landscape treatment –through the centre of the site can be amended to correspond.</li> <li>On this basis, it is proposed that a deferred commencement condition be imposed requiring final resolution of the landscape design through the centre of the site to Council's satisfaction prior to activation of the consent.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Building Design:</p> <ul style="list-style-type: none"> <li>Internal garbage room changes;</li> <li>Interval vs external garbage collection/loading bay</li> <li>Basement footprints</li> <li>Clearance for basement entry for Stage 8</li> <li>Design Panel comments</li> <li>Car share spaces</li> </ul> | <ul style="list-style-type: none"> <li>Turner Architects have amended the internal garbage room design to respond to Council's request and the amended architectural plans are to be provided in early July.</li> <li>Elephant's Foot have met with and discussed the issue of internal vs external garbage collection and loading bay with Jude Colechin from Council who has confirmed that the proposed on-street loading bay arrangement is an acceptable arrangement.</li> <li>The issue of the location of the basements has already been addressed in correspondence dated 11 June. This letter includes some diagrammatic illustrations of the unacceptable and unnecessary implications of basements only being below the footprint of the buildings above.</li> <li>Turner Architects have reviewed the architectural plans and confirm that there is adequate clearance for basement entry into Stage 8 with a distance of greater than 2.55 metres provided and 2.850 metres for Stage 9.</li> <li>The proposed approach to address the design panel comments were discussed at a meeting with Council and representative from SJB on 24 June 2015. These measures are addressed in detail below in this correspondence and a complete set of amended architectural plans will be provided to Council in early July incorporating these amendments.</li> <li>The architectural plans are in the process of being amended to provide 1 car share space per 90 car parking spaces. A complete set of amended architectural plans will be provided to Council in early July incorporating these amendments.</li> </ul> |
| <p>Private Stormwater design:</p> <ul style="list-style-type: none"> <li>Public overland flow path and private drainage (WSUD) measures to be separated</li> <li>Bioretention System and Gross Pollutant Trap</li> </ul>                                                                                      | <ul style="list-style-type: none"> <li>Harris Page are in the process of amending the private stormwater concept design to separate WSUD measures between private and public stormwater (public WSUD to be addressed by BG&amp;E in their stormwater design through the site as discussed above) as well as to address remaining minor design issues raised by Council. The amended stormwater design is intended to be provided to Council in early July.</li> <li>Supporting calculations/report including the water quality model (MUSIC) in relation to the Bioretention System and Gross Pollutant Trap is currently being prepared by BG&amp;E.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

For ease of reference we will also address each of the issues raised in the order that they are set out within Council's letter, as follows:

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p>1. NSW Roads and Maritime Service (RMS)</p> <p>RMS comments relate to the whole of the redevelopment of the Shepherds Bay site but are nonetheless required to be addressed in the assessment of LOA 2015/0032 for Stages 6 and 7 given the integrated nature of the overall redevelopment and the cumulative traffic impacts. These comments are included in Attachment 1 of this letter.</p> <p>The RMS has identified the deficiencies in the submitted traffic report and you are required to provide the following information:</p> <ul style="list-style-type: none"> <li>• The distribution of trips generated by this development and their impacts on crucial intersections such as Bowden Street/Victoria Road and Morrison Road/Church Street,</li> <li>• Concerns are raised relating to the proportion of proposed road improvements.</li> <li>• A traffic assessment of the Saturday midday peak flow,</li> <li>• Full Mode Share analysis that will identify the requirements and demand for non-private vehicle travel.</li> </ul> | <ul style="list-style-type: none"> <li>• We can confirm that following Holdmark attempting to arrange to meet with the RMS to discuss the issues raised, RMS have advised that further modelling work is not required. They have also stated that there is no need for a meeting as the report forwarded to them satisfied their concerns. They undertook to advise Council accordingly. A copy of RDS email to the RMS dated 29 June 2015 is attached for information.</li> <li>• Road Delay Solutions (RDS), Varga Traffic Planning and Bitzios prepared this information during the preparation of the Concept Approval. We also understand that this information was reviewed by ARUP and RMS officers Andrew Popoff and Owen Hodgson at the time, and on behalf of DoPE. Council should already have this information but further copies of this information can be provided to Council if required</li> <li>• RDS has advised that, as the Meadowbank Employment Area was originally an industrial quadrant, it generated a significant traffic generation. With the closure of the industrial and urbanisation of the Precinct, it was found, during the preparation of the Concept Plan, that the development's increase in vehicle generation through the Precinct was not going to be high. As such, all existing infrastructure in the vicinity of the Concept Plan Site was stringently assessed and the findings presented in the reports that informed the preparation of the Concept Plan application and for which approval was received via the Concept Plan consent. Council should already have this information but further copies of this information can be provided to Council if required.</li> <li>• No Saturday assessment was undertaken as part of the Concept Application, given that the site is to be predominantly residential. It is not considered necessary to undertake such an assessment as RDS do not believe that, based on their experience, there will be any significant impact on the surrounding road network during a Saturday peak as a result of the development. This was accepted during the assessment of the</li> </ul> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Concept Plan application and consent was issued accordingly.</p> <ul style="list-style-type: none"> <li>RDS has advised that share analysis was presented to DIPNR and RMS as part of the Concept Plan submission. Copies of this information can be provided to Council if required.</li> </ul>                                                                                                                                                               |
| 2. Public Works, Traffic and Public Domain                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>a) Public domain</p> <p>Information is required in respect to the exact boundaries of the public domain works that are intended to be undertaken within this stage of the development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>The final design of the public domain and traffic works relies upon the resolution of the stormwater design through the site to Council's satisfaction. Given that an engineering solution is possible, it is considered appropriate and reasonable for the issue of public domain and traffic design to be dealt with as a deferred commencement condition of consent subject to the resolution of the final stormwater design to Council's satisfaction.</p> |
| <p>b) Waste</p> <ul style="list-style-type: none"> <li>Number of bins shown in the Waste Management Plan is not adequate.</li> <li>Stage 8 needs 6x1100L waste and 9x660L recycling bins divided up over 2 chutes equates to 8 bins per chute room required. This room however is a not adequate so spare bin will need to be stored in the garbage holding room.</li> <li>Stage 9A needs 6x1100L waste and 9x660L recycling bins divided up over 2 chutes equates to 8 bins per chute. This room however is a not adequate so spare bin will need to be stored in the garbage holding room.</li> <li>Stage 9B needs 5x1100L waste and 7x660L recycling bins divided up over 2 chutes equates to 6 bins per chute. This room however is a not adequate so spare bin will need to be stored in the garbage holding room.</li> <li>Whilst an area for the garbage holding room is advised in the Waste Minimisation Plan, the bin collection room does not show that the number of bins required will fit into the bin room. A total of 42 bins will need to be stored in this room for collection purposes. The plans must be revised to depict the bin layout so as to ensure that servicing the bins can be practically undertaken in the space provided.</li> <li>The hard waste storage area is shown as part of Building 8 Garbage Holding area. A separate room is required as per the Council Waste</li> </ul> | <ul style="list-style-type: none"> <li>Turner Architects are in the process of amending the architectural plans with respect to the request for modification to the various garbage rooms. An amended architectural package will be provided to Council in early July 2015.</li> <li>Elephant's Foot have met with Jude Colechin who has confirmed that the proposed on-street loading bay arrangement is an acceptable.</li> </ul>                               |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Response                                                                                                                                                                                                                                                                                                                  |
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| <p>Minimisation Plan.</p> <ul style="list-style-type: none"> <li>The Waste Minimisation Plan indicates that bins will be serviced from the basement; however the plans indicate an indented bay is to be provided in Nancarrow Avenue for bin collection. This location is not suitable for transporting bins from the bin storage area at the rear of Stage 9A by runners. Council requires that all bins are serviced off street and within the basement of the building. This not only prevents access issues caused by street tree planting, but also reduces the noise impact to residents near the driveway entry. Major amendments will need to be made to the plans within the basement area for truck access to the bins which does not impede traffic flow and allows the truck to enter and exit the building in a forward manner.</li> <li>The plans show 2 commercial properties (cafes). Commercial waste bins are required to be stored in a separate waste storage area to the domestic waste bins. Whilst the Waste Minimisation Plan mentions that commercial bins will be stored in a corral accessed from Bowden Street, this is not shown on the plans</li> </ul> |                                                                                                                                                                                                                                                                                                                           |
| <p>c) Traffic</p> <ul style="list-style-type: none"> <li>SIDRA analysis results are required for pre-development and post-development conditions under both AM and PM peaks at; <ul style="list-style-type: none"> <li>Constitution Road/Bowden Street roundabout (pre-developed) and converted signalised intersection (post-development);</li> <li>Constitution Road/Belmore Street intersection;</li> <li>Bowden Street/ Nancarrow Avenue;</li> <li>Rothsay Avenue and Belmore Street and</li> <li>The intersection of the Nancarrow Link and Belmore Street.</li> </ul> </li> <li>The results shall include the movement summaries for all trafficable lanes as well as the proposed traffic signal arrangement used for any signalised intersections. Relevant supporting documentation shall be provided to support justification of the proposed arrangement.</li> <li>The geometric parameters for the Constitution Road/Belmore Street intersection have been incorrectly modelled as it does not include the provision of parking or "short lane-with parking" on Belmore Street, south-west leg in either the</li> </ul>                                                    | <ul style="list-style-type: none"> <li>RDS has advised that the pre and post arterial corridors were assessed during the Concept Approval. RDS has advised that additional assessment is therefore not required. This has been confirmed by RMS – refer to RDS email to RMS dated 29 June 2015 (copy attached)</li> </ul> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <p>pre or post-development cases. This needs to be re-modelled for accurate assessment of the impact of the development on this intersection.</p> <ul style="list-style-type: none"> <li>The traffic counts undertaken by R.O.A.R. data for the Junction Street/Church Street and Bowden Street/Victoria Road intersections have been provided but lack of intersection impact assessments have been derived from the data. The applicant is to provide SIDRA analysis of the above-mentioned intersections to determine if phasing adjustments are required. Any signal phasing adjustments shall be negotiated between the applicant and Roads and Maritime Services (RMS). All costs associated with this process shall be borne by the applicant.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>d) Parking</p> <p>There is inconsistent information - on page 9 of the Internal Parking Assessment Report, the summary of the stage 7 car parking has been provided, however this application is for stage 9. The applicant is to provide an amended summary for stage 9.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>An updated and corrected Parking Assessment Report prepared by Thompson Stanbury was provided on 11 June 2015.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>e) Access</p> <p>Ingress and egress are not in accordance with the City of Ryde Development Control Plan (DCP). The applicant is to amend the plans to demonstrate the required dimensions as per the requirements i.e. 6m ingress and 4m egress separated by a 1m concrete island for stage 9</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>The Parking Assessment prepared by Thompson Stanbury which was submitted with the development application addresses this issue and argues that notwithstanding the variation to the minimum driveway width within Australian Standard 2890.1-2004, the proposed width is considered acceptable on the following basis:</p> <ul style="list-style-type: none"> <li><i>The objective of the increased ingress driveway width is to minimise the likely impact of entering vehicles on adjoining public roadway vehicle movements through the accommodation of higher entering vehicle speeds. The greater the entering vehicle speed, the greater the risk of vehicular / pedestrian conflict and / or drivers losing control of the vehicle when entering the constrained offstreet parking area environment.</i></li> <li><i>The local functional order of Nancarrow Avenue is such that traffic demands within the roadway are not envisaged to be high, thereby indicating that the impact of vehicles accessing the subject access driveways at low speeds is unlikely to have any unreasonable impacts on trailing through vehicles.</i></li> <li><i>Whilst the Australian Standard requires a 6m ingress laneway, only one ingress lane would be facilitated as two entering lanes would necessitate an internal merge prior to entering the parking area which is, in itself, undesirable. The provision</i></li> </ul> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p>f) Drainage</p> <p>In regards to the proposed stormwater management system and public drainage infrastructure traversing the property;</p> <ul style="list-style-type: none"> <li>The submitted plans are unsatisfactory in regards to the discharge point of the proposed public drainage infrastructure to Shepherds Bay and related GPT.</li> </ul> <p>In regard to the proposed GPT, the following issues are noted;</p> <ul style="list-style-type: none"> <li>The proposed GPT device is located on 146 Bowden Street and would warrant owners consent be obtained for these works.</li> <li>Details concerning the type of device, it's operation, ability to operate for the design capacity of the system and maintenance must be submitted for review.</li> <li>The documentation does not provide any easement details over the adjoining properties (particularly 146 Bowden Street) essential for a legal right to drain stormwater over this land.</li> </ul> <p>In regards to the new discharge point, this will require the review and approval by the NSW Department of Environment as per the Water Management Act 2000 and other relevant Government legislation.</p> <p>The following details are required;</p> <ul style="list-style-type: none"> <li>Owners consent from NSW Maritime is required.</li> </ul> | <ul style="list-style-type: none"> <li>BG&amp;E met with Council on 4 June 2015 and have a comprehensive understanding of Council's preferred design approach.</li> <li>BG&amp;E are currently preparing an amended stormwater design to the satisfaction of Council.</li> <li>BG&amp;E will confirm in early July that an amended stormwater solution can be achieved without the need to alter the floor levels of the buildings.</li> <li>On this basis, it is proposed that a deferred commencement condition be imposed requiring final resolution of the stormwater design through the site to Council's satisfaction prior to activation of the consent.</li> <li>BG&amp;E are currently in the process of producing the supporting calculations/report including the water quality model (MUSIC) in relation to the Bioretention System and Gross Pollutant Trap.</li> <li>Turner Architects are in the process of reviewing and amending where necessary basement threshold levels in consultation with BG&amp;E and an amended architectural package incorporating these amendments will be provided in early July 2015.</li> <li>Landscape design plans and details will be amended in accordance with the engineers solution above and again it is considered appropriate and reasonable for the issue of landscape design through the centre of the site be dealt with as a deferred commencement condition of consent subject to the resolution of the final stormwater design to Council's</li> </ul> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Response             |
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| <ul style="list-style-type: none"> <li>Environmental impact statement addressing the requirements of "Sydney Harbour Foreshores and Waterways Area DCP - 2005" and the "Sydney Harbour Regional Catchment Environment Plan" by NSW Department of Planning</li> <li>Details and specification of the energy dissipater device at the outlet.</li> <li>Details of the anti-scour apron and proposed footing details.</li> <li>Details concerning the reconstruction of the seawall and restoration of the adjoining infrastructure.</li> </ul> <p>All documentation must be in accordance with Council, RMS and NSW Maritime requirements.</p> <ul style="list-style-type: none"> <li>The design drawings for the proposed new public drainage line traversing the property show the flow velocity in the pipe will exceed 11 m/s in certain sections which exceeds the Council's maximum rate, specified in Section 5.3. 1 of the DCP Part 8.2 (Stormwater Management). Further to the concerns raised for Stages 8 &amp;9 regarding the manner of discharge to the Harbour and potential scouring impacts, the nominated flow rate and capacity of the proposed public drainage system is such to cause rapid degradation of the asset which can significantly reduce its serviceable lifespan. Accordingly the system must be redesigned to ensure the conveyance of stormwater runoff from the greater upstream catchment and roadway related areas is of a rate and capacity complying with Council's DCP requirements. To this end, the following is required;</li> <li>The proposed public drainage system should be redesigned by reducing the capacity of the inground drainage infrastructure to a lesser event (20yr ARI) and making provision for a defined overland flow path able to convey runoff during the 100yr event (accounting for 30% blockage of the inlet capacity of the inground infrastructure).</li> <li>A revised HGL analysis must be provided for the inground drainage infrastructure. All design assumptions or relevant parameters are to be noted on the plan. The details must comply with the requirements specified in Section 5 of the DCP Part 8.2 (Stormwater Management), particularly Section 5.3.1 in</li> </ul> | <p>satisfaction.</p> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Response |
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| <p>regards to pipe velocities.</p> <ul style="list-style-type: none"> <li>• A defined overland flow path is to be provided through the site. The design is to convey overland flow resulting from the 100yr event accounting for 30% blockage of the inground drainage infrastructure. The velocity-depth product must comply with Section 5.4 of the aforementioned DCP Part. Details demonstrating this must be submitted.</li> <li>• The overland flow path and development's WSUD measures (creek beds) are to be separated, to ensure major stormwater runoff from upstream areas will not enter, damage or degrade these components, which are to be maintained by the owners of the future development.</li> <li>• The downstream impacts and flows over public areas are to be considered with respect to property damage and public safety.</li> <li>• Copies of the DRAIN and HECRAS/ TUFLOW modelling to clarify the design.</li> <li>• The applicant is to provide modelling to demonstrate that the design (and specifically the inlet arrangement upstream of Constitution Rd) does not increase flooding or risks.</li> <li>• The applicant will need to provide a design of a major system component to satisfy the Floodplain Development Manual (FDM) requirements for the types of use/risk of the location as a park.</li> <li>• Referring to Harris Page and Associates Stormwater Plan (C-0200 to C- 0291 dated 23 December 2014), a Bioretention System and Gross Pollutant Trap is proposed. The supporting calculations/ report including the water quality model (MUSIC) shall be submitted to the Council for review.</li> </ul> <p>Referring to Stages 6-9 Flood Assessment report, BG&amp;E utilised DRAINS and TUFLOW models.</p> <ul style="list-style-type: none"> <li>• Digital copies of the flood and overland flow modelling must be submitted with the application so as to verify the results obtained and input data.</li> <li>• The hydraulic modelling has been carried out based on the lowering of Constitution Road. Issues associated with lowering of the Constitution Road were raised with the client representatives during a meeting held on 16 February 2015 with Council. At this meeting, it</li> </ul> |          |

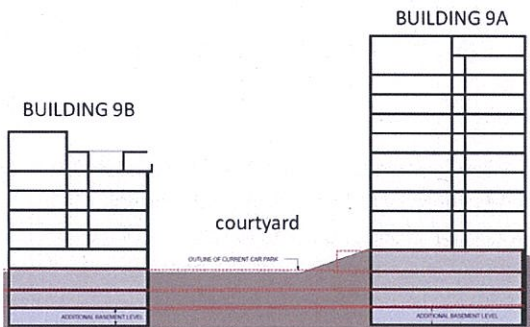
| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>was advised that the levels of Constitution Road be maintained and provision of overland flow be made via additional drainage culverts or a bridge. Subsequently any amendments to the levels of Constitution Road will warrant revision of the Flood Analysers through the property.</p> <ul style="list-style-type: none"> <li>The basement parking levels must be elevated above the Probable Maximum Flood event. Section 3.3 of the submitted Flood Report states that PMF levels were determined to establish basement garage entry thresholds given the high consequence of flooding. Figure A4 depicts the extent and depth of flooding will exceed the nominated entry level basement garage under Stage 7.</li> <li>The Flood Study is to include a large scale site plan shall be prepared showing accurately the existing and proposed flood extent maps for the 1r 00 year ARI and PMF flood events for detailed review. Table 2.1 should include PMF flow rate information.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 3. Development Engineering                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Council's Development Engineer has reviewed the application and has identified the following issues which are required to be addressed. Details are as follows:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>a) Notwithstanding the review undertaken by Public Works, the submitted Flood and Overland Flow Study has depicted PMF levels that would inundate basement garage levels (Figure A4 in report). This is unacceptable as it would have significant impacts in terms of public safety and extensive property damage. The basement garage areas must achieve a crest that is elevated above the PMF event.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Turner Architects are in the process of reviewing and amending where necessary basement threshold levels in consultation with BG&amp;E and an amended architectural package incorporating these amendments will be provided in early July 2015.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>b) The development does not accommodate a loading bay within the property but has nominated an indented loading bay on the Nancarrow Avenue frontage. The imposition of these facilities in the Public Domain, for a development of this scope is not supported. A loading area must be implemented in the site and is to be designed to accommodate an MRV vehicle as per the requirements of AS 2890.2</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>During design development, the issue of on street vs on site loading was specifically discussed with Council. Elephant's Foot discussed this matter with Jude Colechin, Section Manager Waste, from Council who endorsed the proposed on street loading and garbage collection arrangement and advised via email on 10 April 2014 that:</p> <ul style="list-style-type: none"> <li>"the (on street) loading bay would require a non standing sign to be enforced"</li> <li>"there will also need to be a ramp leading from the naturestrip to the loading bay"</li> </ul> <p>Elephant's Foot have recently met with Jude Colechin who has confirmed that the proposed on-street</p> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | loading bay arrangement is an acceptable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| c) The basement garage entry for Stage 8 does not provide adequate clearance over the driveway. It appears from the floor plan levels and nominated crest levels that only 1.7m would be provided.                                                                                                                                                                                                                                                                                                   | Turner Architects are in the process of reviewing and amending where necessary basement threshold levels.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| d) The overland flowpath from Constitution Road will inundate the development's creek beds/ bioretention ponds. It is likely that such events will cause significant damage to these components and therefore expose Council to significant risk and liability. It is essential that the public overland flow path and private drainage (WSUD) measures are separated.                                                                                                                               | <ul style="list-style-type: none"> <li>Harris Page are currently in the process of amending the internal stormwater design to separate WSUD measures. The amended stormwater Concept Plan will be provided in early July 2015.</li> <li>The landscape design through the centre of the site relies upon the final resolution of the stormwater design discussed above and upon Council confirming satisfaction of the final stormwater design, the landscape treatment – through the centre of the site can be amended to correspond.</li> </ul> <p>On this basis, it is proposed that a deferred commencement condition be imposed requiring final resolution of the landscape design through the centre of the site to Council's satisfaction prior to activation of the consent.</p> |
| e) Stage 9a and 9b development discharges to the bioretention basin via a proposed 375mm diameter line which will traverse the easement. This is not supported as it will impose on future maintenance of the public drainage line. The manner of discharge and configuration of the bioretention basin will need to be addressed                                                                                                                                                                    | Harris Page are currently in the process of reviewing and amending the internal stormwater design address this concern. The amended stormwater Concept Plan will be provided in early July 2015.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| f) The submitted infrastructure plans produce a HGL for the proposed in ground public drainage infrastructure from Ann Thorn Park to Shepherds Bay, however only the 10yr ARI event is depicted. The HGL must be updated to reflect the required capacity of the line, as per Public Works request. This is to demonstrate this could be satisfactorily achieved and to enable the assessment of any potential impacts on the developments own drainage system at the nominated points of discharge. | <ul style="list-style-type: none"> <li>BG&amp;E met with Council on 4 June 2015 and have a comprehensive understanding of Council's preferred design approach.</li> <li>BG&amp;E are currently preparing an amended stormwater design to the satisfaction of Council.</li> <li>BG&amp;E will confirm in early July that an amended stormwater solution can be achieved without the need to alter the floor levels of the buildings.</li> </ul> <p>On this basis, it is proposed that a deferred commencement condition be imposed requiring final resolution of the stormwater design through the site to Council's satisfaction prior to activation of the consent.</p>                                                                                                                |
| g) The submitted architectural plans and stormwater management plans are inconsistent with respect to the nominated floor and surface levels. This creates significant concerns regarding the viability of the proposed drainage plan.                                                                                                                                                                                                                                                               | Turner Architects are in the process of reviewing with Harris Page to ensure that consistent levels are provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| Council Issue                                                                                                                                                                                                                               | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| h) The basement garage entry provides inadequate clearance over the driveway. It appears from the plans that some 1.7m would be provided.                                                                                                   | Turner Architects have reviewed the architectural plans and confirm that there is adequate clearance for basement entry into Stage 8 with a distance of greater than 2.55 metres provided and 2.850 metres for Stage 9.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| i) Considering the need to elevate basement garage entries above the PMF flood event and the implementation of a Loading Bay in the property (MRV vehicle height clearance required) , it is warranted that a driveway profile be prepared. | On site loading is not proposed as this issue was discussed and resolved with Council for on street loading during the design development of the application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 4. Environment and Sustainability                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Council's Environment and Sustainability Officer has reviewed the application and has identified a wide range of issues that are included at Attachment 2 to this letter.                                                                   | <p>As per Council's letter dated 27 May 2015, a revised, single Sustainable Travel Plan for the Concept Plan has been prepared by RDS and was submitted on 11 June 2015.</p> <p>Turner architects are currently in the process of amending the building design to accommodate the provision of 1 car share space per 90 spaces</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 5. Environmental Health                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| a) A full contamination report for Stages 8 and 9 of the subject development is required to be submitted. It should be noted that depending on the outcome of the contamination assessment, a remedial action plan may also be required.    | <p>An Environmental Site Investigation accompanied the application as Appendix J to the Statement of Environmental Effects.</p> <p>The Assessment included a desktop analysis as well as 27 test boreholes across the site with multi-level soil sampling undertaken for laboratory analysis for relevant analytical parameters. The results of the soil sampling reported concentrations of the screened heavy metals to be below the adopted human health based SILs for residential with minimal access to soils for most boreholes. In addition, the identified elevated groundwater concentrations for heavy metals are considered by Environmental Investigations to be within background fluctuations of naturally occurring levels for these heavy metals in the Sydney metropolitan groundwater catchment area and do not pose an immediate threat to human health or the environment.</p> <p>Environmental Investigations concludes that overall widespread contamination was not identified however the identified PAH concentrations beneath the western industrial complex will require further investigation.</p> <p>Based on the above, it is considered reasonable for a conditional consent to be issued to require the sampling and testing following demolition of all</p> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>buildings on the site and based on the results of the testing, the need for remediation and validation if required can be established. It is considered that based on this approach Council can be satisfied that the site can be made suitable for the proposed development subject to the imposition of appropriate conditions of consent.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>b) An Acid Sulphate Soils Management Plan including recommendations regarding the ongoing management of the site. The management plan shall also include a plan showing the location of the Acid Sulphate Soils and information regarding the ongoing management of the site</p>                                                                                                                                                                               | <p>A Preliminary Acid Sulphate and Geotechnical Investigation prepared by Asset Geotechnical Engineering Pty Ltd accompanied the development application as Appendix Y to the Statement of Environmental Effects.</p> <p>From the test results of the soil samples undertaken by Asset Geotechnical none of the samples indicate a pH of <math>\leq 4</math>, or the actual presence of acid sulphate soils. However, a number of samples have a pH in H<sub>2</sub>O<sub>2</sub> of <math>\leq 3.5</math> and <math>&lt; 3</math> (these tests have been highlighted) indicating potential for acid sulphate soils. Further testing is required to assess if acid sulphate soils are present on site, and to aid with development of an acid sulfate soil management plan (if required).</p> <p>It is considered appropriate to impose a condition of consent which requires further testing for acid sulphate soils following demolition and if they are for an acid sulphate soils management plan to be prepared at that time. It is noted that this is the approach suggested by Lara Goode in the referral for Stages 6 and 7 (LDA2015/0032) which has an identical circumstance.</p> |
| <p>c) The plans be redesigned and referred to Viva Energy or its subsidiary for approval. Plans shall be redesigned to:</p> <ul style="list-style-type: none"> <li>• Ensure that there will be no excavation or construction within 20 metres of the pipeline easement;</li> <li>• No underground services proposed to be located within 300mm of the easement;</li> <li>• No trees planted over the easement</li> </ul>                                          | <p>The basis for this suggestion is unknown given that the Concept Plan approval permits the construction of a building closer than 20 metres to the pipeline and the approved development at 146 Bowden Street includes works closer than 20 metres to the pipeline easement.</p> <p>There is no statutory requirement for the applicant to undertake a referral to Viva Energy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6. Landscaping                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>The City of Ryde DCP - Part 4.2: Shepherd's Bay, Meadowbank - General Development Controls section 4.1 .5 Landscaping and Open Space highlights as one of the 'controls' that roof gardens are encouraged and must be considered in any landscape plan. It is noted from the architectural plans that within Stages 6 &amp; 7 there will be varying roof heights across the two buildings presenting an opportunity to use roof gardens in the development</p> | <p>Place Design are in the process of amending the landscape plans for the roof areas which will be submitted in early July 2015. Generally, accessible roof gardens will not be provided on the basis of the following:</p> <ul style="list-style-type: none"> <li>• The roof gardens will create privacy issues, with direct view lines to nearby apartments.</li> <li>• There is a significant cost associated with the</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

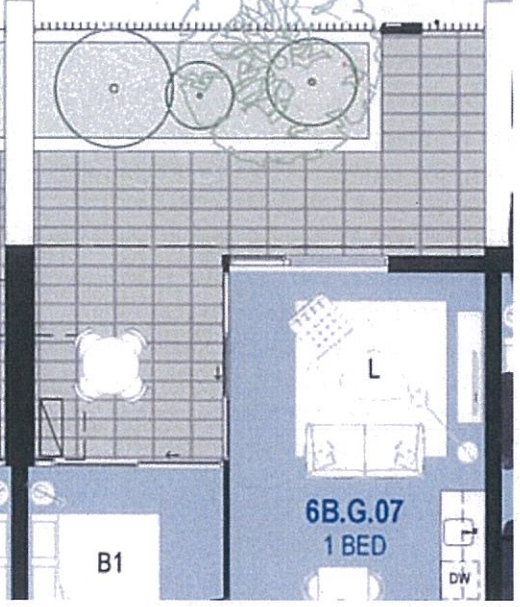
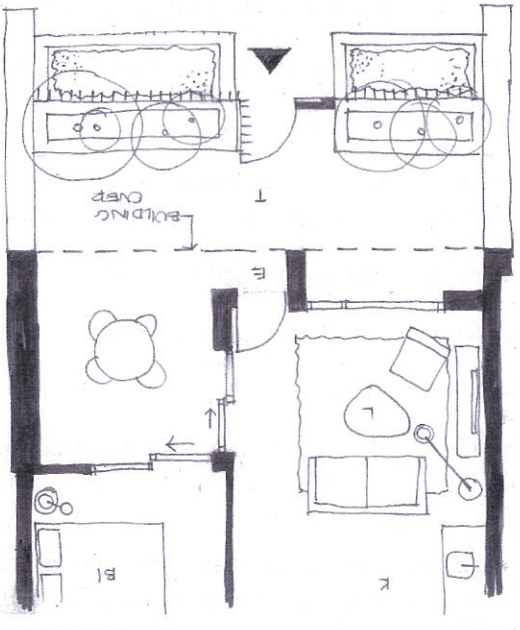
| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <p>that will have a positive impact on residents located within upper floors of the proposal.</p> <p>The landscape architect's plans document a 'Roof Garden Strategy' for roof gardens for this stage of development, however the plans lack a level of detail to be assessed at this stage. It is required that the Landscape Architect provide more detailed concept plans to address these areas.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p>maintenance of these areas which would burden the owners corporation, translating to higher levies on owners/residents. The owners corporation is currently burdened with the costs associated with maintenance of the Public Domain elements. Additional expense in this instance is unwarranted and overly onerous.</p> <ul style="list-style-type: none"> <li>• There are many examples where such roof gardens have not been maintained by Owners Corporations, resulting in potential issues regarding safety, cleanliness and poor aesthetics.</li> <li>• The open space provision already provided exceeds the strict planning requirement. Therefore, roof gardens are not required to meet any communal open space requirement.</li> <li>• Potential management issues with the use of roof gardens, resulting in potential amenity impacts for nearby residents.</li> <li>• The security of the adjacent apartments could be compromised.</li> <li>• Potential issues with leaks which ~re very difficult and costly to repair</li> </ul> |
| 7. Public Art                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Pages 13 and 16 of Ryde Council's Public Art guidance document (Public Art: Planning Guide for Developers) identify criteria and frameworks for the development of a Public Arts plan such as project description, thematic framework, concept drawings and project parameters/ implementation details.</p> <p>Council's Community and Culture Officer has reviewed the application and has identified the following issues which are required to be addressed. Details are as follows :</p> <ul style="list-style-type: none"> <li>• The proposed concepts for artworks have the potential to integrate well into the development and include relevance to the site and local history; however the Plan does not provide enough information to allow for a comprehensive assessment of Project parameters/ implementation criteria as identified in Ryde Council's Public Art guidance document.</li> </ul> <p>As such an updated plan is required to be submitted to address "Project Parameters/ Implementation of the proposed Arts work" as identified on pages 13 and 16 of Ryde Council's Public Art guidance document (Public Art: Planning Guide for Developers).</p> | <p>An updated Public Art Plan, prepared by Black Beetle was provided to Council on 29 June 2015.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| 8. Modified Concept Approval (MP09_0216 MOD1) Conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>With reference to the modification of Minister's Concept Approval dated 16 October 2014, the following issues are required to be addressed:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>a) Scaled and dimensioned drawings</p> <p>In order to accurately assess the built form of the proposed development and accompanying SEPP 65 report relative to the modified concept approval, amended plans, sections and elevations drawn to scale and fully dimensioned including boundary setbacks and floor to ceiling heights(already provided) and floor to floor heights are required to be submitted. It is noted that RLs have been annotated in the proposed plans, sections and elevations; however dimensioned details are still required in this instance.</p>                                                                                                                                                                                          | <p>We are unsure as to what this request refers to. As per Council's DA Checklist, Scaled plans were submitted with the DA.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>b) Basement footprints</p> <p>Condition No.4 of the modified concept approval requires:</p> <p>"Future Development Applications shall ensure that basement parking levels do not exceed 1 metre above ground level (finished) and are located below the building footprint (with the exception of basements connecting Stages 2 and 3 and Stages 4 and 5) without encroachment into street setback areas."</p> <p>Concerns are raised that the proposed basement areas extend beyond the building footprint underneath the communal garden area between building 9A and 9B. As such detailed justification for the non-compliance including consideration of providing additional basement levels underneath the building footprint is required to be submitted.</p> | <p>An interpretation of Concept Plan Consent Condition No. 4 to require basements only under the buildings 9A and 9B would introduce inefficiencies for the basement layouts with the inevitable result being the need for an additional basement level and additional excavation and dewatering and general disturbance of the site.</p> <p>A sketch plans is provided below which illustrates the additional basement levels which would be required.</p>  <p>The core objective for locating basements only under building footprints is to ensure that sufficient deep soil is provided on site, which was central to the Planning Assessment Commission's consideration of the issue for Stages 2, 3, 4 and 5.</p> <p>In this instance, the proposed basement arrangement still results in 76% of the open space and 40% of the site as being deep soil. This is profoundly in excess of the minimum requirements of the Residential Flat Design Code which requires 25% of the open space to be provided as deep soil and 6.25% of the site to</p> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>be provided as deep soil (based on minimum common open space area of 25% of site). ). It is also well in excess of the 7% deep soil required under the new Apartment Design Guide which will replace the Residential Flat Design Code.</p> <p>In other words, the proposed development provides deep soil which is 304% of the minimum required amount of the common open space area and <u>640%</u> of the minimum required amount of the site which must be deep soil.</p> <p>Given the substantial provision of deep soil which is still capable of being provided on the site with the proposed basement arrangement, there is no reasonable basis for concern in relation to the proposed basement arrangement and amendment of the basements would be unreasonable as it would not serve any planning purpose and would simply result basement inefficiencies and additional excavation.</p> <p>Moreover, the wording of the condition is primarily aimed at preventing encroachment into street setback areas only. The basements as designed and as shown in the DA drawings do <u>not</u> encroach into any street setback areas. It is therefore considered that the design as shown in the current DA documents complies with Concept Plan consent condition No. 4.</p> |
| <p>c) ESD report</p> <p>Condition No.22 of the modified concept approval requires:</p> <p>"Future Development Applications shall demonstrate the incorporation of ESD principles in the design, construction and ongoing operation phases of the development, in accordance with the base targets within ESD Guidelines Report prepared by Ecospecifier Consulting dated October 2010. Where no target is provided within this report, the development should strive to achieve the stretch target (where relevant and feasible). In accordance with the EnvironDevelopment philosophy, four of the categories will be targeted to show 'industry best practice' . Where the categories of water and energy are applied, BAS/X will be used to test 'industry best practice' for water and energy, which will be treated as 10% better than the BAS/X pass mark."</p> <p>It is noted that a letter from David Baggs of Integreco Consulting (dated 8 January 2015) states confirmation of compliance with the revised ESD</p> | <p>A supplementary letter prepared by Integreco was provided to Council on 11 June which confirms that the proposal will comply with the revised ESD targets for Shepherds Bay and that the proposal will satisfy four of the nine categories, which was the benchmark required to represent "industry best practice".</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Response                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <p>targets for Stages 2 to 5, it is considered that the letter fails to adequately quantify the relevant standards and proposed targets for the development required by Condition 22.</p> <p>As such additional documentation demonstrating compliance with Condition 22 is required to be submitted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                              |
| 9. Modified Statement of Commitments (March 2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>The modified Statement of Commitments details the various contributions , applications and works the proponent commits to undertaking in association with the project.</p> <p>As identified on page 15 of the modified commitments, "the proponent commits to further investigate the opportunity for including the following ESD principles:</p> <ul style="list-style-type: none"> <li>• Design internal apartment layouts to maximise natural ventilation and to capture prevailing winds</li> <li>• Utilise roof forms to capture natural light and ventilation;</li> <li>• Use of high thermal mass materials with apartments;</li> <li>• Ensure natural light and ventilation is provided to common areas to minimise energy consumption ;</li> <li>• Utilise low water flow and tap ware;</li> <li>• Harvesting of stormwater where feasible;</li> <li>• Recycling of water where feasible.</li> </ul> <p>Details identifying investigation and/ or incorporation of the above mentioned principles are to be submitted.</p> | Refer ESD response above.                                                                                                                                                                                                                                                                                                                                                                                    |
| 10. Urban Design Review Panel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>The DA for Stages 6 and 7 of the proposal was reviewed and commented by Council's Urban Design Review Panel (UDRP) on 11th March 2015. These comments have been forward to you by an e-mail on 5 May 2015, and are in Attachment 4 of this letter.</p> <p>The comments made by the UDRP are supported by Council. The issues raised must be addressed by the proponents and submitted to Council before any further assessment of the development application is carried out by Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>A response is provided below as to how the specific areas of concern will be addressed in the final architectural package to be provided to Council in early July 2015. The proposed approach to address these comments were discussed at a meeting with Council and representative from SJB on 24 June 2015. There was no negative feedback from Council or SJB with regard to any of the proposals.</p> |
| <p><b>Basement carparking</b></p> <p><i>The proposal includes a two multi-level basements. Due to the sloping site, the basement potentially</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Condition No. 4 of the Concept Plan states that Future Development Applications shall ensure that basement parking levels do not exceed 1 metre above finished ground level. The proposed</p>                                                                                                                                                                                                             |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <p><i>protrudes above ground level, particularly along the central stormwater easement, although some apartments 'sleeve' the basement along this alignment (above a basement podium). At some points however, the potential extent of the basement protrusion above ground level (approximately 1.2m) may create undesirable impacts to the quality of the primary site link and should be carefully mitigated.</i></p>                                                                                                                                                                                                                                                                                                                                                                      | <p>development conforms to this requirement and the proposed earthworks will achieve a positive outcome for the area because they will achieve basement levels with minimal protrusion to a maximum of 1 metres above finished ground level which will serve to reduce the apparent mass and scale of the development and provide an improved relationship between the buildings and surrounding public domain. As the basement protrusion is limited to a maximum of only 1 metre above finished ground level and with a landscaped treatment around the perimeter of the basements, the basements will not result in an adverse impact to the quality of the primary through site link.</p> |
| <p><b>Ground level communal open space</b></p> <p><i>The proposal includes communal open space at ground level, which is generally configured positively. The Panel is concerned that the areas designated for public access – north south along the stormwater easement and connecting to the foreshore – is configured to support public use and that factors such as safety, lighting and passive surveillance are adequately resolved. The Panel recommends that the portion of communal open space south of building 9B running to the site boundary be controlled access to either residents, or allocated to units as private space.</i></p>                                                                                                                                           | <p>The Panel's suggestion that the portion of communal open space south of building 9B running to the site boundary be controlled access to residents is supported. This link is not required under the Concept Plan to be a publicly accessible link and so a security controlled access to this link is now proposed, which will be illustrated in the final architectural package.</p>                                                                                                                                                                                                                                                                                                     |
| <p><b>Privacy and building configuration</b></p> <p><i>Generally, the configuration and internal planning of the buildings is clear and strong. Natural light and ventilation is apparent in all common circulation spaces and lobbies, which is encouraged. The re-entrant corners of each of the primary building forms (buildings 8, 9A and 9B) each creates inherent proximity between adjacent apartments, which appears to require some mitigation to adequately manage privacy and cross viewing.</i></p> <p><i>The Panel is also concerned with this configuration at ground level where communal open space appears to connect to the lobby for building 8. If this is the case, then the Panel recommends this issue be thoroughly addressed and resolved by the applicant.</i></p> | <p>There is no access to the lobby of building 8 directly from common open space area adjacent to apartments as is the case in Stage 6. Accordingly, there is no conflict or privacy implication in this regard which requires further resolution.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Residential entry and address</b></p> <p><i>The proposal provides adequate residential address to both Bowden Street and Nancarrow Avenue. Residential lobbies are clearly accessed from public space and are generally offered a sense of space and volume. Ground floor apartments are in some cases configured to address streets and public site links.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Individual street access has been provided for ground floor apartments where the site levels allow this to occur.</p> <p>The treatment of the ground floor access is proposed to be amended by formalising the secondary entries with rearranging the 'hard' landscaping and gateway and by providing a domestic style entry door to give</p>                                                                                                                                                                                                                                                                                                                                              |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                           | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p><i>The Panel encourages this treatment to be repeated along the though site link to the eastern boundary (Building 8) and the northern ground floor address of Building 9B.</i></p> <p><i>In all cases where a ground floor unit has an individual address, it should be configured as formal dwelling entry (rather than as a secondary, purely private address).</i></p>                                                           | <p>better distinction to the front door. An example for Stage 6 being Unit 6B.G.07 is illustrated below:</p>  <p>Existing plan</p>  <p>Proposed plan</p>                                                                                                                                                     |
| <p><b>Solar access</b></p> <p><i>The proposal needs to demonstrate the extent of any self-shading impacts and the shortfall in achievement of SEPP 65 guidelines for solar access.</i></p> <p><i>It would appear that significant portions of Stage 8 and 9 are single aspect south facing dwellings, which are overshadowed by other elements of the project.</i></p> <p><i>Although consistent with the Concept Plan envelope</i></p> | <p>The solar access analysis undertaken by Turner Architects and submitted with the development application did take into account self shading, as evidenced by the fact that the lower apartments in the southern portions of Stage 8 and 9 are marked as not receiving solar access whilst apartments on the same alignment higher in the building do benefit from solar access. Elevation solar access diagrams will be provided with the amended architectural package to</p> |

| Council Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| approval, this selfshadowing and lack of solar amenity should be, in part, offset by the provisions of Condition 21 'enhanced amenity'.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | verify this.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Linear Building / Café</b></p> <p>A café is proposed for the narrow strip of the site to the south along Bowden Street. The Panel is supportive of the use but notes the proposal includes outdoor dining along the shared boundary with the existing apartment building to the east.</p> <p>The Panel recommends the building be reconfigured to more strongly address and activate Bowden Street. A cross section from Bowden Street through to the adjacent apartment building is recommended to assist in resolving the adjacencies of the two uses and to demonstrate how privacy for adjacent residential will be achieved.</p> | <p>The proposed café building adopts the same building footprint as per that which was approved in the Concept Plan. The illustrated outdoor dining is indicative only and specific development consent for the use of the building is not sought in this development application. The specific details for the use of this building to ensure that a detrimental impact does not occur to adjacent apartments will be addressed in any future development application for the fitout and use of this building.</p> |

In summary the following final documentation will be provided to Council in early July 2015

- An amended final architectural package prepared by Turner Architects
- Amended landscape plan dealing with the resolution of the rooftop landscape spaces
- Amended stormwater concept plan prepared by Harris Page

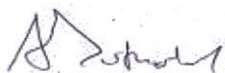
The following matters are being progressed, however, are proposed to be dealt with via a deferred commencement condition of consent given that they are essentially engineering matters which can be readily resolved in time:

- Final site stormwater design (overland flow path).
- Final civil road design for Nancarrow Avenue.
- Final public domain design.
- Final landscape design associated with the stormwater design through the site.

This letter has been prepared and relies on the accuracy and factual integrity of the various consultants documentation that accompany this application. Sutherland & Associates Planning has wholly relied on the technical information, professional opinion and supporting justification in these reports, as prepared by professionals in their field, for the preparation of this letter and the satisfaction of the various issues raised by Council.

Should you have any concerns or queries with regard to the above, please contact me on 0410 452 371.

Yours faithfully



Aaron Sutherland  
**Sutherland & Associates Planning Pty Ltd**