

JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP No	2015SYE118
DA Number	LDA 2015/0433
Local Government Area	City of Ryde
Proposed Development	Demolition of existing commercial building and construction of a seven storey mixed use development comprising of 2 x commercial tenancies on the ground level, 88 residential units comprising of 30 x 1 bedroom, 53 x 2 bedroom, 5 x 3 bedrooms and one and a half level of basement parking for 113 vehicles.
Street Address	230 Victoria Road, Gladesville.
Applicant/Owner	Applicant: UrbanLink Architecture. Owner: Silktone P/L.
Number of Submissions	First round of notification received 46 individual submissions and a petition containing 101 signatures. Amended plans and documentation received 7 March & 5 April 2016 were renotified. 12 individual submissions received.
Regional Development Criteria (Schedule 4A of the Act)	General Development over \$20 Million – Cost of Works:\$25,068,982
List of All Relevant s79C(1)(a) Matters	• Environmental Planning and Assessment Regulation 2000; • Environmental Planning and Assessment Act 1979; • State Environmental Planning Policy (State and Regional Development) 2011; • State Environmental Planning Policy – (Infrastructure) 2007; • State Environmental Planning Policy No. 55 – Remediation of Land; • State Environmental Planning Policy (Building Sustainability Index: BASIX); • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development; • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; • Ryde Local Environmental Plan 2014; • City of Ryde Development Control Plan 2014; – Part 4.6 - Gladesville Town Centre and Victoria Road Corridor

	- Part 7.2 Waste Minimisation and Management - Part 9.2 Access People with Disabilities - Part 9.3 Car Parking and • Section 94 Development Contributions Plan 2007.
List all documents submitted with this report for the panel's consideration	Attachment 1 :Conditions of consent. Attachment 2 : Peer Review – Traffic Impact Assessment Report by Bitzios Consulting.
Recommendation	Approval
Report by	Sandra McCarry- Senior Town Planner
Report date	July 2016

Assessment Report and Recommendation

1. EXECUTIVE SUMMARY

The following report is an assessment of a development application for the construction of a mixed use development at 230 Victoria Road Gladesville, legally described as Lot 3 in DP 527517.

The development application (as amended) proposes demolition of all existing buildings and the construction of a mixed use development containing 88 residential units and 2 retail/commercial tenancies. The proposed development will comprise of two seven storey buildings with one and half levels of basement car parking for 113 vehicles. Vehicular access will be from Gerard Lane. The application also includes associated landscaping.

During the notification period (from 16 September 2015 to 7 October 2015) Council received 46 individual submissions and a petition containing 101 signatures. Amended plans were received on 7 March 2016 and were re-notified for the period of 9 March 2016 to 6 April 2016. However this notification did not include any amended documents (plans only). Accordingly the amended plans and amended documents were re-notified on 14 April 2016 and given until 5 May 2016 to make a submission. The amended plans received 12 submissions. The 1st round and 2nd round of submissions raise various concerns including parking, cumulative traffic impacts, access to the site, transition from fully commercial to mainly residential use, inappropriate form of development, noise, privacy, non compliant with Council's controls, selling to overseas investor, pollution, bulk and scale and heritage. All of the issues raised have been addressed in the report.

The proposal generally complies with Council's requirements except for variation to the building depth for the front building (Building A), minimum internal area to some of the 2 & 3 bedroom apartments, southern side setback for Building A, building separation for the upper levels (Levels 6 to 7) and ground floor ceiling height. These non-compliances are considered to be acceptable in the context of the development as discussed in the body of the report. The development fully complies with the more substantive controls under Ryde Local Environment Plan 2014 and the Development Control Plan 2014 –

Gladesville Town Centre and Victoria Road Corridor including maximum height provision and floor space ratio (FSR) controls.

Assessment of the amended application against the relevant planning framework, and consideration of various design matters by Council's Technical Departments have not identified any fundamental issues of concern. The proposal has been amended in accordance with the Urban Design Review Panel (UDRP) recommendations and consequently this report concludes the application is sound in terms of its design, function, and relationship with its neighbours.

This report recommends that consent be granted to this application, in accordance with conditions provided at **Attachment 1**.

2. APPLICATION DETAILS

Applicant: UrbanLink Architect.

Owner: Silktone Pty Ltd.

Estimated value of works: \$25,068,982.

Disclosures: No disclosures with respect to the Local Government and Planning Legislation Amendment (Political Donations) Act 2008 have been made by any persons.

3. SITE DESCRIPTION & CONTEXT

The site forms part of Gladesville Town Centre and is located on the western side of Victoria Road between Hepburn Avenue to the north and Jordan Street to the south. The site has existing vehicular access from Gerard Lane to the north.

The subject site is an irregular shaped allotment with an eastern frontage to Victoria Road of 22.62m, a northern (side) boundary of 68.30m, a western (rear) boundary and a southern (side) boundary of 23.35m.

Figure 1 below provides an aerial view of the site (outlined in red) and its context.



Figure 1: Aerial photograph of the site and surrounding area.

Existing site improvements consist of a 5 storey office building fronting Victoria Road. An open parking area is located at the rear of the site which is accessed from Gerard Lane. Gerard Lane extends northwards from the site and connects with Hepburn Avenue to the north. See **Figures 2 & 3**.

To the north of the site is a row of part single storey and part two storey commercial buildings located between the subject site and extending to Hepburn Avenue. The buildings in this section of Victoria Road have vehicular access from Gerard Lane at the rear of their properties. West of Gerard Lane, along Hepburn Avenue are low density detached dwelling houses. See **Figures 4 & 5**.

Adjoining the site to the west are 3-4 storey residential flat buildings located at 1, 3 and 5 Western Crescent. The residential flat buildings at Nos. 1 and 3 are separated from the proposed development by their open car parking area with a setback of approximately 15m from the common boundary with the subject site. 5 Western Crescent is a long narrow lot containing two separate residential flat buildings. The front residential flat building faces Western Crescent with the second building located at the rear of the site, adjacent to the north western boundary of the subject site. This building is setback 2.8m from the common boundary. A view of the rear elevation of the residential flat buildings at Nos. 1, 3 and 5 Western Crescent is shown in **Figure 6**.

To the east of the site, opposite Victoria Road are single storey commercial buildings and at the corner of Pittwater Road and Victoria Road is the heritage listed Gladesville Presbyterian Church. See **Figure 7**.

To the south of the site on the corner of Victoria Road and Jordan Street is a public park. Within the park is a single storey building which contains a café and public

toilets. Immediately adjoining the public space also sharing a boundary with the subject site is 1-7 Jordan Street which contains a 4 storey commercial building. See **Figure 8**.



Figure 2: Subject site – View from Victoria Road – existing 5 storey building to be demolished.



Figure 3: View from Gerard Lane looking at the rear of the existing commercial building.



Figure 4: View from Victoria Road north of the subject site with single and two storey shops.



Figure 5: View of dwelling houses along Hepburn Avenue, west of Gerard Lane.

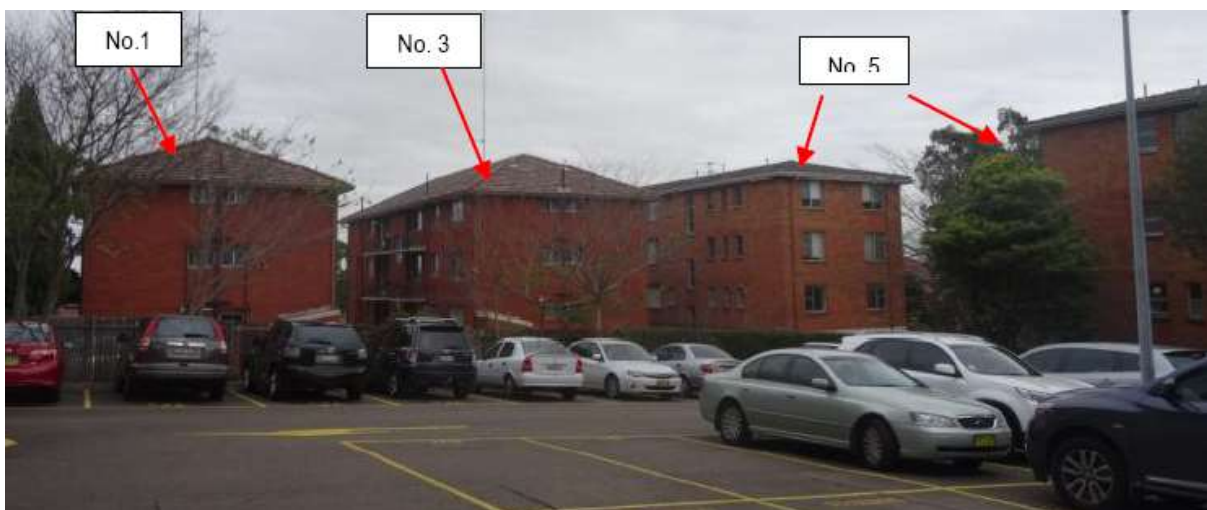


Figure 6 – Rear view of 1-3 & 5 Western Crescent adjacent to the existing commercial building car parking area.



Figure 7: View of the heritage listed church located opposite.



Figure 8. View looking at the southern end of the building and adjacent to open space at the corner of Victoria Road and Jordan Street.

4. SITE DETAILS

This DA relates to 230 Victoria Road, Gladesville. The development site comprises of one allotment and is legally described as Lot 3 DP 527517. The total area of the site is 2875.9m².

5. PROPOSAL

It is proposed to demolish the existing 5 storey office building and construct a seven (7) storey mixed use development with associated landscaping.

The development comprises of two separate residential flat buildings, Building A facing Victoria Road and Building B located at the rear of the site. The development will comprise of 2 x commercial tenancy at ground level fronting Victoria Road with a

total commercial floor area of 306m² plus 30 x 1 bedroom, 53 x 2 bedroom and 5 x 3 bedroom apartments (88 residential units in total).

Vehicular access to the site is from Gerard Lane, which is the existing vehicular access for the commercial building. Gerard Lane extends northwards from the site and connects with Hepburn Avenue. The proposal includes one and half levels of basement car parking. Basement 1 comprises 88 car parking spaces and the lower ground floor provides parking for 25 car parking spaces. A total of 113 parking spaces (including 10 accessible spaces), 5 motorbike and 23 bicycle spaces are provided.

Figures 9,10 & 11 below provides photomontage of the proposed building as viewed from Victoria Road and from the rear from Gerard Lane.



Figure 9: Photomontage of subject building as viewed from corner of Victoria and Pittwater Road – opposite the subject site.



Figure 10: Photomontage of the subject site, view from Gerard Lane vehicular access to the site. Note: the photomontage of Gerard Lane is incorrect as Gerard Lane does not have any footpath, tree planting or street lighting as shown.



Figure 11: Current view of Gerard Lane showing existing lighting and footway.

6. BACKGROUND

6.1 Pre-Lodgement

Relevant Background for the Current Development Application

- The application was submitted to Council on 8 September 2015 without prior review by the UDRP. The application was reviewed by the UDRP on 20 October 2015 where it was advised that considerable redesign was required and the proposal, as submitted, could not be supported.

The UDRP provided the following specific comments:

- *Greater consideration of the heritage setting and views along Victoria Road and Pittwater Road is needed.*
- *Addressing the street - The shopfront along Victoria Road should wrap around to engage with the entry and plaza (at the corner of Jordan and Victoria Road) so as to maintain the existing activation along the plaza.*
- *The panel recommends the building form be broken into two distinct buildings with a central courtyard. This would enable the rear building to have a clear sense of address and pedestrian access from Victoria Road. A central courtyard will provide a consolidated open space between two distinct building forms.*
- *The quality of the landscape plans and design is poor and should be significantly improved.*
- *Privacy conflicts with some of the units and elevated walkway. Glazed balustrades along Victoria Road and at lower levels in the rear building wing offer little privacy for residents and should be amended.*
- *Site entry from Victoria Road to the residential lobbies is not legible and commercial space should be provided with a separate lobby and garbage space. No direct lines of sight are provided and there are a number of opportunities for concealment. Access to the rear lift core is particularly poor with a change in level and convoluted path of travel.*
- *The building form is overly long and the façade articulation exacerbates the scale of the building. Greater articulation and material consideration is needed.*

Some of the issues raised by the panel such as building separation, amenity, setback and communal open space were also raised by Council's Officers.

- Council wrote to the applicant on 25 November 2015 advising that the current proposal could not be supported due to issues with building separation, built form, scale, amenity issues, non compliance with SEPP 65 – Apartment Design Guide and Council' Development Control Plan 2014 – Gladesville Town Centre and Victoria Road Corridor.
- A meeting was held with the applicant on 3 December 2015 and the applicant agreed to amend the proposal in accordance with the UDRP recommendations and to submit amended plans for further review.
- A 2nd UDRP meeting was conducted on 9 February 2016 to review the amended plans. The amended plans adopted the UDRP's suggestion to provide two distinct buildings, which has resulted in substantial improvement to the design quality, and

subject to some small refinements, the UDRP was satisfied that the amended proposal was acceptable and could be supported.

- Amended plans received on 7 March 2016. These plans were re-notified from 9 March 2016 to 6 April 2016. However this notification did not include any amended documents. Accordingly the amended plans and the amended documents received on 5 April 2016 were re-notified on 14 April 2016 until 5 May 2016.

The amended plans and supporting information included:

- Redesigned as two buildings with a pedestrian link between Building A & B defined with a clear entry and pathway.
- Greater separation between the buildings and greater rear and south setback of Building B.
- Compliance with the height control.
- Reduce density from 2.7:1 to 2.57:1.
- Building form redesigned with façade along Victoria Road broken into smaller forms to visually reduce its scale with greater attention to articulation and material selection.

7. APPLICABLE PLANNING CONTROLS

The following planning policies and controls are of relevance to the development:

- State Environmental Planning Policy (State & Regional Development) 2011
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Building Sustainability Index: BASIX)
- Deemed SEPP – Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Ryde Local Environmental Plan 2014
- Ryde Development Control Plan 2014
 - Part 4.6 - Gladesville Town Centre and Victoria Road Corridor
 - Part 7.2 Waste Minimisation and Management
 - Part 9.2 Access People with Disabilities
 - Part 9.3 Car Parking
- Section 94 Contribution Plan

8. PLANNING ASSESSMENT

8.1 State Environmental Planning Policy (State and Regional Development) 2011

This proposal has a Capital Investment Value of more than \$20 million (\$25,068,982) and consequently the Joint Regional Planning Panel is the consent authority for this application.

8.2 State Environmental Planning Policy No 55 – Remediation of Land

The requirements of State Planning Policy No. 55 – Remediation of Land (SEPP 55) apply to the subject site. In accordance with Clause 7 of SEPP 55, Council must consider if the land is contaminated, if it is contaminated whether it is suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed development.

The site is currently used for office purposes and there is no reason to suspect that the site is contaminated. Nevertheless, a Phase 1 Contamination report had been prepared by Benviron Group dated August 2015 and is included in the Statement of Environmental Effects (SEE). The report states *“based on the result of this investigation, it is considered that the risk to human health and the environment associated with soil contamination at the site are low in the context of the proposed use of the site. The site therefore is suitable for the proposed development subject to the following recommendation:*

Any soils for proposed removal from the site should be initially be classified in accordance with the “Waste Classification Guidelines, Part 1: Classifying Waste” NSW DECC (2014)”.

The report concludes that there is no evidence requiring further investigation or remedial action.

Council's Environmental Health Officer has reviewed the report and raised no objections to the proposal and has included the above recommendation in their conditions. See **Conditions 30 & 31**.

8.3 State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP applies to the subject site given its location adjacent to a classified road, being Victoria Road. The following provisions of the Infrastructure SEPP are applicable to this DA:

Infrastructure SEPP	Comments	Comply
Clause 101 Development with frontage to a classified road (1) The objectives of this clause are: (a) To ensure that new development does not compromise the effective and ongoing operation and function of classified roads; and (b) To prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.	The subject site will have a 22.6m frontage to Victoria Road. The proposal will have no vehicular access from Victoria Road with all vehicular access from Gerard Lane. The proposal was referred to Roads & Maritime Services (RMS) who granted concurrence subject to Conditions. See Conditions 14 to 16 .	Yes

Infrastructure SEPP	Comments	Comply
(a) A building for residential uses 2. Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette. 3. If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq measures are not exceeded: (a) In any bedroom in the building – 35 dB(A) at any time between 10pm and 7am (b) Anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.	requirements of the SEPP. See comments above and Conditions 43 & 44.	

Table 1: SEPP Infrastructure.

8.4 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 is a deemed SEPP and applies to the subject site.

The site is located within the designated hydrological catchment of Sydney Harbour and therefore is subject to the provisions of the above planning instrument. However, the site is not located on the foreshore or adjacent to the waterway and therefore, with the exception of the objective of improved water quality, the objectives of the planning instrument are not applicable to the proposed development. The objective of improved water quality is satisfied through compliance with the provisions of Part 8.2 of DCP 2014. The proposed development raises no other issues and otherwise satisfies the aims and objectives of the planning instrument.

8.5 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.

This Policy aims to improve the design quality of residential flat development. This proposal has been assessed against the following matters relevant to SEPP 65 for consideration:

- Urban Design Review Panel;
- The SEPP 65 Design Quality Principles; and

- The Apartment Design Guide.

Urban Design Review Panel

A UDRP meeting was held on 20 October 2015 after the application was lodged. The panel did not support the original proposal which was a continuous building form in a loose “T” shape with a rear wing extending from Victoria Road along the depth of the lot. The panel advised that the proposal required significant redesign and recommended that the building form be broken into two distinct buildings with a centre courtyard.

The applicant accepted the advice and amended the proposal. A 2nd URDP meeting was conducted on 9 February 2016 and the panel were generally supportive of the amended proposal. The following comments with regard to the 9 Design Quality Principles of SEPP 65, were made as detail below:

Planning Principle	Comment	Comply
Context and Neighbourhood Character Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic and environmental conditions. Responding to context involves identifying the desirable elements of an area’s existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	The subject site is located on 230 Victoria Road Gladesville and is within the Gladesville Town Centre. The UDRP has advised: <i>The site is located in the centre of the Gladesville Town Centre near the intersection of Victoria Road and Pittwater Road/Jordon Street. This important crossing in the town centre is marked by two significant heritage listed churches: Gladesville Presbyterian Church across Victoria Road to the east of the site and Christ Church Anglican Church across Jordon Street to the south.</i> <i>Immediately adjacent to the site to the south on the corner is a pocket plaza with a café and row of trees. It is noted that the plaza is not zoned open space. The existing building on the subject site addresses both Victoria Road and the plaza. With the plaza on the corner, any development on the subject site will be visually prominent from this key intersection and create a backdrop to both churches. The shopfront along Victoria Road should wrap around to engage with the entry and plaza beyond to maintain existing activation along the plaza.</i>	

Planning Principle	Comment	Comply
	<i>The 2875.9m² site is relatively large for the town centre but has an irregular shape and limited street frontage to Victoria Road. The site is bounded by retail and commercial buildings along Victoria Road and the eastern end of Jordon Street. To the east and north east of the laneway existing walk-up apartments are adjacent to the site.</i> <i>Gerard Lane terminates at the mid-point of the site and provides an opportunity for vehicle access away from the main street frontages.</i> <i>The site slopes down 1m to the north along Victoria Road and 5m from Victoria Road to the rear boundary.</i> <i>The site is zoned B4 Mixed Use with a FSR of 2.57:1 and an overall height of 22m. Sites immediately to the west along Western Crescent are zoned R4 High Density Residential with a FSR of 1.0:1 and a height of 11.5m. Sites to the immediate north and west of the laneway are zoned R2 Low Density Residential with a FSR of 0.5:1 and a height of 9.5m. Buildings within the R2 and R4 zones are unlikely to change under the current controls and proposed development needs to transition between the town centre uses and surrounding residential areas.</i> <i>The Panel is aware of an approved DA for a mixed use building to the south with residential apartments oriented toward the site. Existing and future buildings should be more clearly mapped.</i> <i>In general, the proposal is considered appropriate in its desired future context.</i> <u>Planner's Comments:</u> The proposal is compliant with the height control and is under the FSR of 2.7:1, being 2.57:1. The proposal has been amended to responds to the surrounding site and is not	Yes

Planning Principle	Comment	Comply
	considered to be out of context to nearby developments and future developments along Victoria Road.	
Built Form and Scale Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	The UDRP has advised: <i>The adoption of the previous Panel's suggestion that the massing be organised as two distinct buildings results in a substantial improvement in the design quality of the proposal.</i> <i>Building A on Victoria Road has no side setbacks, which is permitted and appropriate here. The setbacks from the property boundaries for Building B are 6m. For the first 4 stories, this setback is compliant with the recommendations in the ADG. Level 4 and above should be setback a further 3m, however given the specifics of the site and neighbours, this additional setback is not considered necessary and the proposal is deemed acceptable in terms of boundary setbacks. These setbacks are considered reasonable and appropriate.</i> <i>According to the applicant's drawings, the scheme is compliant with the LEP height limit for the site.</i> <u>Planner's Comments:</u> The proposal complies with the height and FSR controls under RLEP 2014. The height of the development is not likely to adversely impact on the streetscape. The proposal has provided privacy screening along the north-western elevation of Building B. Together with raised planter box on the ground floor terrace area of Units BLG02, BLG03 & BLG04, (see Condition 1(b)) the proposal will have an acceptable impact on the amenity of the surrounding buildings. The bulk of the development is also considered to be acceptable given that the development achieves compliance with the	Yes

Planning Principle	Comment	Comply
	objectives in the Apartment Design Guide. The proposal is a well-articulated form, with the ground floor addressing the streetscape.	
Density Good design has a density appropriate for a site and its context, in terms of the number of units or residents. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	<u>UDRP comments</u> <i>A floor space ratio of 2.7:1 applies to the site. The proposal is under the maximum FSR permitted, being 2.57:1. The revised design is less dense than the original, a recognition by the applicant that on the subject site height and setback are the determining controls, resulting in less FSR than the permitted maximum.</i> <u>Planner's Comments:</u> The proposal complies with the height, FSR and the setback requirements. The proposal is considered appropriate in form and scale to the surrounding B4 zone.	Yes
Sustainability Good design involves design features that provide positive environmental and social outcomes. Good sustainable design includes use of natural cross breezes and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.	<u>Planner's Comments:</u> The applicant has provided an amended BASIX Certificate and energy and water efficiency targets under SEPP (BASIX) 2004 are achieved. A Site Waste Minimisation and Management Plan has been submitted and assessed as acceptable by Council's City Works and Infrastructure Directorate. The design has also ensured the development will comply with the passive solar design principles, soil depth and cross ventilation as provided in the Apartment Design Guide.	Yes
Landscape Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.	<u>UDRP comments</u> <i>External open spaces are greatly improved and a full set of landscape drawings provided. The communal open spaces at grade (with generous and well located deep soil provision) and on level 6 are useful and well designed.</i> <u>Planner's Comments:</u> Landscaped open spaces have been provided at ground level and the roof top of	

Planning Principle	Comment	Comply
Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks. Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, and respect for neighbours' amenity and provides for practical establishment and long term management.	the front building (Building A). The open spaces are greatly improved and well designed. Council's Consultant Landscape Architect has reviewed the amended proposal and has advised that the revised landscape plans are generally considered to provide an improved open space layout which results in functional communal open spaces of a high quality with appropriate planting. Additionally, improved curtilage landscaping has resulted in a development which is more effectively screened.	Yes
Amenity Good design positively influences internal amenity for residents and external amenity for neighbours. Achieving good amenity contributes to positive living environments and resident well being. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.	<u>UDRP comments</u> <i>Although the access from Victoria Road through Building A to Building B has been improved, the Panel suggests that a further design change be considered. A straight line connection running parallel to the east-west walls of Building A and commencing at Victoria Road in about the location of the present main entrance and lobby would meet Building B at about its eastern fire stair. Some internal replanning would be required, but two advantages would result:</i> <i>– direct, line-of-sight connection between Building B and Victoria Road.</i> <i>– Improvement in the privacy issue between the common access ramp and the adjoining units in Building B.</i> <i>There are a number of instances where deep recesses in the building facades are used in an attempt to provide light and air to internalised bedrooms – pair of 2-bed units on north-west side of Building B all levels; pair of apartments facing Victoria Road in Building A from Level 01 up; apartment on Level 6 Building A. These situations are not acceptable in terms of internal amenity (limited outlook, lack of acoustic privacy) and the ADG does not allow such deep recesses. The proposal should be modified to eliminate privacy and restricted outlook problems for all bedrooms.</i>	

Planning Principle	Comment	Comply
	<i>The Level 01 apartment in Building B adjacent to main access ramp has both bedrooms up against the ramp, posing privacy issues. Realignment of the ramp as suggested above would largely solve this problem, although screens along the ramp edge may still be required.</i> <u>Planner's Comments</u> The development has been further amended to provide direct line of sight connection between Building B and Victoria Road. Access to Building B from Victoria Road is provided via an open passageway that leads past the common open space area and unifies the development buildings. This has realigned the ramp as suggested by the UDRP and amendments have been made to increase privacy between the common open space area and adjoining units with the addition of privacy louvres and stepped planter beds that increases privacy. The internal layouts have been modified to eliminate the issues of the deep recesses. The development comprises two buildings with a central courtyard. The design and orientation of the buildings allows for sufficient level of amenity for occupants of the buildings. Balconies and courtyards will assist in the provision of good amenity levels to the residents. All balconies are linked to the indoor living areas and form an extension of these spaces. Some units have a secondary balcony off bedrooms. This will facilitate improved amenity in these units. Shadow diagrams show that adequate solar access to the dwellings is achieved for this residential development. 60.2% of the residential units are cross ventilated. Each dwelling has its own storage area. The amenity of the proposed apartments is adequate.	Yes
Safety Good design optimises safety and security, within the development and the public domain. It provides for quality public and	<u>UDRP comments</u> <i>The revised design acknowledges previous criticisms in this regard. With the direct access from Victoria Road to Building B</i>	

Planning Principle	Comment	Comply								
private spaces that are clearly defined and fit for purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety. A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	<i>suggested above, all security issues will be satisfactorily addressed.</i> <u>Planner's Comments</u> The application is accompanied by a Crime Prevention through Environmental Design (CPTED) report. NSW Police has reviewed the proposal and has advised that the factors of Crime Prevention through Environment Design within the development have been considered. Surveillance, lighting, territorial, maintenance, space management and access control have been considered. Conditions 50 &120 to 128 have been imposed as recommended by NSW Police.	Yes								
Housing Diversity and Social Interaction Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well designed developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents.	<u>Planner's Comments</u> The proposed comprises 88 apartments as follows: <table><tr><td></td><td></td></tr><tr><td>1 bedroom</td><td>30</td></tr><tr><td>2 bedroom</td><td>53</td></tr><tr><td>3 bedroom</td><td>5</td></tr></table> Of those, 9 apartments (10%) will be adaptable. Condition 52 has been imposed to ensure 9 apartments are provided as adaptable apartments. The development provides a suitable mix of housing in response to current housing demand and the economic choice within an area with good public transport access and commercial facilities.			1 bedroom	30	2 bedroom	53	3 bedroom	5	Yes
1 bedroom	30									
2 bedroom	53									
3 bedroom	5									
Aesthetics Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of well designed apartment buildings responds to the existing or future local context, particularly desirable elements and rhythms of the streetscape.	<u>UDRP comments</u> <i>The changes to building massing and configuration address some of the panel's earlier comments. The highly visible blank southern wall to Building A requires further development in response to the open space it adjoins and the important heritage context of the site.</i> <u>Planner's Comments</u> The Urban Design Review Panel has provided comments with regard to the overall design of the buildings and was	Yes								

Planning Principle	Comment	Comply
	supportive of the proposal. The development has incorporated a variety of materials and finishes to assist in the massing of the buildings however with regard to the southern wall of Building A, Condition 1(d) will be imposed requiring further works/details to address the aesthetic of this wall to be submitted and approved by Council. Generally, the aesthetics respond to the desired future character of the area.	

Table 2: Design Principles

Conclusion: The 2nd UDRP concluded that subject to minor amendments (which have been achieved) the application is supported and does not need to be further reviewed by the Panel. As detailed previously in this report, it is considered that the matters raised by the Panel have been suitably addressed in the amended plans.

Apartment Design Guide

The SEPP requires consideration of the "Apartment Design Guide" (ADG) which supports the nine Design Quality Principles by giving greater detail as to how those principles might be achieved. The following table provides an assessment of the proposal against the matters in the ADG:

Apartment Design Guides		
	Considerations	Consistent
Building Depth Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line.	The building proposes depth of: Building A: 21-22m Building B: 18m Notwithstanding the proposed depth variations for Building A, the proposal provides for acceptable amenity as the building has been designed to have greater modulation and articulation, allowing for better air circulation. Building A has 23 out of the 40 apartments receiving the required cross ventilation requirements. In addition the habitable rooms depth is under the maximum allowed and the extent of variation is not excessive. Given UDRP have raised no concerns in this regard,	No for Building A – variation considered acceptable. Building B complies.

	the proposed design is considered reasonable in the circumstances.	
Building Separation Minimum separation distances for buildings are: <i>Up to four storeys (approx 12m):</i> - 12m between habitable rooms/balconies - 9m between habitable and non-habitable rooms - 6m between non-habitable rooms <i>Five to eight storeys (approx 25m):</i> - 18m between habitable rooms/balconies - 12m between habitable and non-habitable rooms - 9m between non-habitable rooms <i>Nine storeys and above (over 25m):</i> - 24m between habitable rooms/balconies - 18m between habitable and non-habitable rooms - 12m between non-habitable rooms	Proposal is 7 storeys. <u>Building A:</u> In accordance with previous Council advice and that of Council's UDRP, the development provides zero side setbacks to both side boundaries for Building A. This is envisaged by the DCP controls and appropriate in this location. <u>Building B:</u> <u>Western boundary: 1 & 3 Western Crescent.</u> Proposal complies with the 6m separation for the first 4 storeys but does not comply with the 9m setback for Levels 5 to 7. The variation to the levels above the 4th storey is considered acceptable as the residential flat buildings on the adjoining site 1 & 3 Western Crescent are setback approximately 15m from the common boundary and is only 4 storeys. <u>North western boundary: 5 Western Crescent</u> Proposal provides for a 6.1m separation for the first 4 storeys but does not comply with the 9m setback for Levels 5 to 7. The rear building on 5 Western Crescent is 4 storey and setback 3m from the common boundary. Council's UDRP has advised given the specifics of the site and neighbours, this additional setback is not considered necessary and the proposal is deemed acceptable in terms of boundary setbacks. Council's UDRP raised no	Yes Yes for the 1st four levels. No to levels 5 to 7. variation acceptable.

	concerns with regard to the proposed setback/building separation. A potential 6m minimum side separation is therefore considered to be consistent with the objectives of the ADG with regard to appropriate massing and spacing between buildings, visual privacy, overshadowing and raises no concerns regarding open space and deep soil zones. Building separation between Building A & B complies with the required separation.	
Front, Rear & Side Setbacks See discussion under the relevant Development Control Plan.	As per building separation requirement.	Yes
Part 3 Siting the development Design criteria/guidance	Consideration	compliance
3B Orientation Building types and layouts respond to the streetscape and site while optimising solar access and minimising overshadowing of neighbouring properties in winter.	Proposal has been amended to respond to the streetscape and adjoining properties.	Yes
3C Public domain interface Transition between private & public domain is achieved without compromising safety and security and amenity of the public domain is retained and enhanced.	Building A's entrance and connection to the small open space area at the corner of Victoria Road & Jordan Street has been improved by way of windows wrapping around the building to face the open space as recommended by the UDRP.	Yes
3D Communal & public open space Provide communal open space to enhance amenity and opportunities for landscaping & communal activities. Design Criteria 1. Provide communal open space with an area equal to 25% of site; 2. Minimum 50% of usable area of communal open space to receive direct sunlight for a minimum of 2 hours between 9 am and 3 pm on 21 June.	25.7% of communal open space proposed (740m ²). 419m ² of this communal open space on the ground floor and 329m ² on the roof top terrace.	Yes

3E Deep Soil Zone Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality. <u>Design criteria</u> 1. Deep soil zones are to be provided equal to 7% of the site area and with min dimension of 3m – 6m.	The proposal provides 309m² of deep soil landscape area which is 10.7% of the site area. The deep soil area will have minimum dimension of 3 to 6m.	Yes												
3F Visual Privacy Building separation distances to be shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy. <u>Design Criteria</u> Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows: <table border="1" data-bbox="204 1182 743 1630"> <thead> <tr> <th>Building Height</th><th>Habitable rooms & balconies</th><th>Non habitable rooms</th></tr> </thead> <tbody> <tr> <td>Up to 12m(4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>Over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </tbody> </table> <u>Note:</u> Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.	Building Height	Habitable rooms & balconies	Non habitable rooms	Up to 12m(4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m	Building separation requirements between Buildings A & B have been complied with. Therefore visual privacy is maintained between the two buildings. The setback of Building B from the north-west boundary (common boundary with adjoining building at 5 Western Crescent) complies with the 6m setback requirement, however 5 Western Crescent is only setback 2.8m, therefore the separation between the two buildings is only 9m as opposed to the required 12m separation for habitable room to habitable rooms. Note: 5 Western Crescent has small non habitable rooms and habitable room windows facing the subject site. As discussed above under Building Separation, the proposal has provided the required 6m setback and it is proposed to provide solid balustrades and privacy screens to the outer edge of the balconies so as to avoid a direct line of sight. In addition Condition 1 (b) has been imposed requiring planter boxes being provided on the outer edge of the terrace area of Apt BLG02, BLG 03 & BLG04. This planting	Yes
Building Height	Habitable rooms & balconies	Non habitable rooms												
Up to 12m(4 storeys)	6m	3m												
Up to 25m (5-8 storeys)	9m	4.5m												
Over 25m (9+ storeys)	12m	6m												

	will also ensure the terrace has adequate privacy from any residents using the outdoor space provided in this vicinity.	
3G Pedestrian Access & entries Pedestrian Access, entries and pathways are accessible and easy to identify.	The development has been amended to provide a clear and direct residential entry from Victoria Road.	Yes
3H Vehicle Access. Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.	Vehicle access is from Gerard Lane and is considered satisfactory.	Yes
3J Parking Provisions. Car parking: For development in the following locations: • on sites that are within 800 metres of a railway station; or • within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre.	The site is not within 800m of a railway station or within a nominated regional centre. Accordingly the applicable parking rate is as detailed in Council's DCP – Part 9.3 Car Parking. The parking provision is discussed further in the report.	N/A
Bicycle Parking: Provide adequate motorbike, scooter and bicycle parking space (undercover).	Bicycle parking has been provided (18 spaces). Motorbike parking is indicated on the plans.	Yes
Basement Design for parking: • Basement car park not to exceed 1m above ground (use stepped/ split level). • Natural ventilation to be provided for basement car parks. Any ventilation grills/ screening device to be integrated into the façade and landscape design.	Basement below ground.	Yes
Part 4 Designing the building		
4A Solar & daylight access 1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter.	The proposal provides solar access to 62 out of the 88 apartments, representing 70.4% of the total apartments.	Yes
No more than 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm	78 out of the 88 apartments will receive some direct sunlight to the apartments, resulting in only	Yes

at mid- winter.	10 apartments not receiving direct sunlight between 9am – 3pm. This is less than 15% of the development.											
Design should incorporate shading and glare control, particularly for warmer months.	The design incorporates eaves, balconies and external louvres.	Yes										
4B Natural Ventilation All habitable rooms are naturally ventilated.	All habitable rooms have direct access to a window opening for natural ventilation.	Yes										
Design layout of single aspect apartments to maximises natural ventilation.	The single aspect apartments have depths less than 8m, with a floor-to-ceiling height of 2.7m. This complies with the 2:1 width to depth ratio.	Yes										
<u>Design criteria for natural cross ventilation:</u> 1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed. 2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	 The proposal provides natural cross-ventilation to 53 apartments, representing 60%of the total apartments. The overall depth of each of the cross-over/cross through apartments is less than 18m.	 Yes Yes										
4C Ceiling Heights Ceiling height achieves sufficient natural ventilation and daylight access. The following is required as a minimum: <table border="1"><tr><th colspan="2">Min ceiling height for apartment & mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m (3.1m floor to floor)</td></tr><tr><td>Non Habitable</td><td>2.4m</td></tr><tr><td>2 storey apts</td><td>2.7m for main living area , 2.4m for 2nd floor</td></tr><tr><td>Attic</td><td>1.8m at edge of room</td></tr></table>	Min ceiling height for apartment & mixed use buildings		Habitable rooms	2.7m (3.1m floor to floor)	Non Habitable	2.4m	2 storey apts	2.7m for main living area , 2.4m for 2 nd floor	Attic	1.8m at edge of room	 All apartments achieve a minimum ceiling height of 2.7m and the ground floor commercial has a floor to ceiling height of 3.3m.	 Yes
Min ceiling height for apartment & mixed use buildings												
Habitable rooms	2.7m (3.1m floor to floor)											
Non Habitable	2.4m											
2 storey apts	2.7m for main living area , 2.4m for 2 nd floor											
Attic	1.8m at edge of room											

spaces			
Mixed used zone	3.3m for ground & 1 st floor to promote future flexibility of use.		
4D Apartment size and layout Apartments are required to have the following minimum internal areas with one bathroom: • Studio = 35m²; • 1 bedroom = 50m²; • 2 bedroom = 70m²; • 3 bedroom = 90m²; • 4 bedroom = 102m². <u>Note:</u> ➤ Additional bathrooms increase the minimum internal area by 5m²;		All of the 1 bedroom apartments comply with the minimum internal area. However, additional bathrooms are provided in the 2 & 3 bedroom apartments. This requires a minimum internal area of 75m ² and 95m ² for the 2 & 3 bedrooms apartments, respectively. 20 of the 53 x 2 bedroom apartments range in size from 73m ² to 74m ² which is short of the required minimum by up 2m ² . This variation is relatively minor. The 3 bedroom apartments are 91m ² which is short of the required minimum by 4m ² . The apartment layouts are functional and the apartments all provide adequate circulation spaces. No objection was raised by Council's UDRP to this non-compliance. Given the above, the variation can be supported.	No – variation considered acceptable.
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.		All habitable rooms have direct access to a window opening that achieve minimum of 10% of the room area. No borrowed daylight and air is proposed.	Yes
Habitable room depths are limited to a maximum of 2.5 x the ceiling height. In open plan layouts – habitable room (where the living, dining and kitchen are combined) be maximum depth of 8m from a window.		Minimum is 2.5 x 2.7 = 6.7m. Bedroom depths are less than 6.7m. Combined living dining and kitchen areas are less than 8m from a window.	Yes
Master bedrooms - minimum area of 10m ² (excluding wardrobe space).		Generally the master bedrooms are 10m ² or over.	Yes
Bedroom - minimum dimension of 3m (excluding wardrobe space).		All bedrooms have minimum dimension of 3m.	Yes

Living rooms or combined living/dining rooms have a minimum width of: • 3.6m for studio and 1 bedroom apartments; • 4m for 2 and 3 bedroom apartments.	The width of the living rooms to the 2 bedroom apartments are a minimum of 4m.	Yes															
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	The cross over apartments has a minimum depth of 4m.	Yes															
4E Private Open Space and balconies Apartments must provide appropriately sized private open space and balconies to enhance residential amenity. Design criteria 1. All apartments are required to have primary balconies as follows: <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum area</th><th>Min. depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4m²</td><td>N/A</td></tr> <tr> <td>1 bedroom</td><td>8m²</td><td>2m</td></tr> <tr> <td>2 bedroom</td><td>10m²</td><td>2m</td></tr> <tr> <td>3+ bedroom</td><td>12m²</td><td>2.4m</td></tr> </tbody> </table>	Dwelling type	Minimum area	Min. depth	Studio apartments	4m ²	N/A	1 bedroom	8m ²	2m	2 bedroom	10m ²	2m	3+ bedroom	12m ²	2.4m	The apartment balconies comply with the minimum area requirement. The 3 bedroom apartments do not achieve the minimum depth of 2.4m, only having a depth of 2m. The variation of 0.4m is considered acceptable as the balconies achieve the desired area and provide an area capable of fitting a small table and chairs. Given that the variation is relatively minor and relates only to 5 out of the 88 apartments, the proposed variation can be supported.	Yes No – variation considered acceptable.
Dwelling type	Minimum area	Min. depth															
Studio apartments	4m ²	N/A															
1 bedroom	8m ²	2m															
2 bedroom	10m ²	2m															
3+ bedroom	12m ²	2.4m															
2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m.	The ground floor apartments of Building B have been provided with private open areas that are greater than the minimum balcony area stipulated in point 1 above.	Yes															
4F Common circulation and spaces. Design criteria 1. The maximum number of apartments off a circulation core on a single level is 8. 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	Maximum of 7 apartments per floor is proposed.	Yes															
4G Storage Adequate, well designed storage is																	

to be provided for each apartment. Design criteria 1.In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided:		Storage areas inside the apartments have been shown. Storage areas in the basement are quite generous and will allow the minimum requirement to be met. It is therefore considered that sufficient storage has been provided. Condition 56 has been imposed to ensure that this is met.	Yes
Dwelling type	Storage size volume		
Studio	4m ³		
1 bedroom apt	6m ³		
2 bedroom apt	8m ³		
3 + bedroom apt	10m ³		
At least 50% of the required storage is to be located within the apartment.			
4H Acoustic privacy Noise transfer is minimised through the siting of buildings, building layout, and acoustic treatments. Plant rooms, services and communal open space and the like to be located at least 3m away from the bedrooms. Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.		An Acoustic Assessment Report has been prepared by Acoustic Noise and Vibration Solutions P/Ltd. This report provides that the proposed site is capable of complying with all relevant acoustic criteria through means of standard acoustic treatment and management. The acoustic treatment and management methods suggested in this report include: • Glazing, (windows and doors) • Mechanical Ventilation, and • Construction management. Condition 44 has been imposed to ensure that the development complies with this requirement.	Yes
4K Apartment mix A range of apartment types with different number of bedrooms (1 bed, 2 bed, 3 bed etc) should be provided.		A suitable mix of 1, 2 & 3 bedroom apartments have been provided.	Yes
4L Ground floor apartments Building facades to provide visual interest, respect the character of the local area and deliver amenity and		The ground floor apartments in Building A are located behind the commercial tenancies.	Yes

safety for residents.	The buildings facades provide visual interest with commercial uses facing Victoria Road. This will activate the street.	
Building functions are expressed by the façade.	Building A is a mixed used building and the design reflects the proposed use of the building.	Yes
4N Roof design Roof treatments are integrated into the building design and positively respond to the street.	Roof elements are integrated into the building design.	Yes
Opportunities to use roof space for residential accommodation and open space are maximised.	Communal open space is proposed on the roof top of Building A which is located away from residential properties. This is in accordance with the UDRP recommendation.	Yes
Roof design incorporates sustainability features.	Building A is well within the height limit and sufficient height is available to provide shading to the roof top area. This can be conditioned – See Condition 1 (c) .	No – to be conditioned.
4O Landscape design Landscape design contributes to the streetscape and amenity. Landscape design is viable and sustainable	The proposal includes a landscape plan. Council's Consultant Landscape Architect has reviewed the plan and has advised that the plan generally provides a quality landscape design with appropriate species.	Yes
4P Planting on structures Appropriate soil profiles are provided.	Council's Consultant Landscape Architect has reviewed the landscaping plan. To ensure that the soil provision complies with the recommended soil profiles, a condition on the consent has been imposed requiring compliance with the relevant soil depth. See Condition 58 .	Yes
4Q Universal design Universal design features are included in apartment design to promote flexible housing for all community members. A variety of apartments with adaptable designs are to be provided.	A minimum of 9 adaptable apartments are required to be provided. The proposal will provide 9 adaptable apartments.	Yes
4R Adaptive reuse New additions to existing buildings	N/A	N/A

are contemporary and complementary and enhance an area's identity and sense of place. Adapted buildings provide residential amenity while not precluding future adaptive reuse.		
4T Awnings and signage Awnings are well located and complement and integrate with the building design.	Awning shown – to be condition to comply with Council's requirements. See Condition 48 .	Yes
4U Energy efficiency Development incorporates passive environmental design measures – solar design, natural ventilation etc.	Amended BASIX Certificate submitted.	Yes

8.6 State Environmental Planning Policy (Building Sustainability Index: BASIX)

The development is identified under the Environmental Planning and Assessment Regulation 2000 as a BASIX Affected Building. As such, an amended BASIX Certificate has been submitted (No. 656382M_02 issued 17 June 2016) which provides the development with a satisfactory target rating.

Appropriate conditions have been imposed requiring compliance with the BASIX commitments detailed within the Certificate. See **Conditions 3 & 103**.

8.7 Ryde Local Environmental Plan 2014

The following is an assessment of the proposed development against the applicable provisions from the Ryde Local Environmental Plan 2014.

Clause 2.2 - Zoning

The site is zoned '*B4 Mixed Use*' under the provisions of the LEP 2014. Shop top housing and residential flat buildings are permitted in this zoning.

Clause 2.3 – Zone Objectives

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives for the B4 Mixed Use zone are as follows:

- *To provide a mixture of compatible uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

The development complies with the above objectives. It will be consistent with the desired future character for the precinct by introducing a mixed use building

consisting of residential and retail use. The massing and scale of the development is appropriate in terms of the existing and future built environment and the built form contributes to the character and public domain of the area.

Clause 4.3 Height of Buildings

Building height is defined in this planning instrument as meaning the vertical distance between ground level (existing) at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Clause 4.3(2) of LEP 2014 states that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. In this instance, the Height of Buildings Map identifies a maximum height of 22 metres for any building on the subject site. The proposal has been amended to comply with the height control (22m) and is considered satisfactory.

Clause 4.4 Floor Space Ratio

Clause 4.4(2) states the floor space ratio (FSR) of a building is not to exceed the maximum specified on the FSR Map. The FSR Map specifies a maximum FSR of 2.7:1 for the site. This equates to a gross floor area (GFA) of approximately 7765.10m². The proposed development, as amended, has a GFA of approximately 7402m² which is below the maximum allowed being 2.57:1.

Other provisions

The table below considers other provisions relevant to the evaluation of this proposal:

Provision	Comment
Clause 5.1 Relevant acquisition authority	No part of the site is mapped as being reserved for acquisition for public purposes.
Clause 5.9 Preservation of trees and vegetation	Tree removal proposed on the subject site is generally supported given that those to be removed are not significant within the landscape and have only a low-moderate retention value. It is noted that the removal of one (1) neighbouring tree is not supported given it does not fall within the site boundaries. Condition 1(a) has been imposed requiring retention of this tree. An Arborist Report has been submitted and Council's Consultant Landscape Architect has raised no objections to the trees removal.
Clause 5.10 Heritage conservation	The site is not a heritage item however on the opposite side of Victoria Road is a local heritage item and south of the site is Gladesville Shopping Centre Conservation Area. Council's Heritage Advisor has reviewed the proposal and supports the demolition of the existing building and the proposed construction of the new mixed used building (as amended). See Heritage Advisor's comments under "Referral"

Control	Comment	Compliance
- Active uses are required along the Victoria Road frontage. - Where required, active uses must comprise the street frontages for a depth of at least 10 m. - Vehicle access points may be permitted where Active Street Frontage is required if there are no practicable alternatives. - Ground floor shop fronts may incorporate security grills provided these ensure light falls onto the footpath and that the interior of the shop is visible. Blank roller-shutter doors are not permitted.	Active uses are provided along Victoria Road with commercial use proposed along the frontage. Minimum 12m depth. No vehicle access point proposed along Victoria Road See Condition 6.	Yes N/a To be conditioned.
3.1.3 Buildings Abutting the Street Alignment Provide continuous street frontages with buildings built to the street boundary in the Gladesville Town Centre precinct and in Monash Road precinct except as shown in the key site diagrams.	The proposal adopts a compliant zero setback to Victoria Road.	Yes
3.1.4 Setbacks Setbacks in accordance with Setback Requirements Table and Key Sites diagram. The Setbacks Requirements Table requires a 0m setback to Victoria Rd.	Zero setback to Victoria Road.	Yes
3.1.5 Rear Setbacks and Residential Amenity - Provide a 9m ground level setback at the rear of sites fronting Victoria Road in the North Gladesville and Monash Road Precincts except where adjoining Gerard Lane - Provide 12 m separation minimum above the ground floor between residential buildings (including existing residential buildings on adjacent sites). - Buildings fronting Victoria Road may build to the side boundary for a depth of 20m measured from the street frontage. A side setback	The site is located within the Town Centre Precinct and does not have a rear boundary to Gerard Lane. Gerard Lane terminates at mid point of the northern boundary of the site. The second control is applicable for the rear building. To ensure an equitable setback, a 6m setback should apply (in accordance with ADG for habitable rooms/balconies). <u>Rear boundary</u>: taken from western boundary which adjoins 1	N/a Yes

Control	Comment	Compliance
is then required to achieve 12m separation between proposed and potential residential land uses.	& 3 Western Crescent – the setback has been amended from 3.4m to the required 6m setback. Note: Adjoining properties 1 & 3 Western Crescent has a setback of approx. 15m, therefore the total building separation between the buildings is approximately 21m.	Yes
	<u>Side setback:</u> The setback to the side north western and southern boundaries is 6.1m and 6m, respectively, thus complying with the half of 12m separation requirement. Note: The adjacent building at 5 Western Crescent (north western boundary) has a setback of approximately 2.8m, therefore the separation between the two buildings is 8.9m. This is short of the required 9m by 0.1m which is relatively minor and privacy screens and Condition 1(d) imposed for raised planter along some of the terraces will mitigate overlooking concerns.	Yes
	Building A, which front Victoria Road, is built to the side boundaries for a length of 22m along the northern boundary and 21m along the southern boundary. This non-compliance is relatively minor and the building has been designed to have greater modulation and articulation. Building A has 23 out of the 40 apartments receiving the cross ventilation requirement and the habitable rooms depth is under the maximum allowed. Furthermore, the UDRP has raised no objections to the design. Residential uses are proposed to the rear of the development. The north-western and western boundaries adjoin residential flat building.	No – variation acceptable.
Predominantly residential activities should be located adjoining low density residential areas including at the rear. If this is not practicable, activities that		

Control	Comment	Compliance
3.2 – Access		
3.2.2 Vehicular Access - Provide vehicular access from the local roads network in preference to Victoria Road. This will require development of public laneways within the rear setback of most sites in the North Gladesville and Monash Road Precincts in particular. - For all existing and proposed laneways, the laneway must include a 2-way carriageway, 6 m wide (regardless of traffic generation) and a footpath along one side 1.5 m wide, to the satisfaction of Council. A setback of 0.5 m may also be required to any built form (total 8 m allowance)..	The proposed vehicular access point is from Gerard Lane. No access from Victoria Road is proposed. The existing laneway (Gerard Lane) is not proposed/required to be widened as part of this proposal. The development site is located at the end of the laneway, therefore the widening of the laneway is not possible and is not required as part of this development. It is only when the properties adjacent to the laneway (rear of 232-246 Victoria Road) are redeveloped that the laneway can be widened, as illustrated in the aerial photo below.  Aerial photo of the subject site, outlined in red. The properties backing onto Gerard Lane, 232-246 Victoria Road are outlined in black.	Yes. N/A
3.2.3 Parking The subject site is identified as a location to provide publicly acceptable parking to support retail, entertainment and commercial land uses, to Council's satisfaction. The quantity of publicly accessible parking within the Town Centre Precinct shall equal or exceed existing public parking.	This control pertains to the need to provide at least the number of any existing public parking spaces on a site as part of any redevelopment. Given no public car parking currently exists on the site, this control is not applicable to the proposal.	N/A
3.3 Public Domain		

Control	Comment	Compliance
3.3.1 Pedestrian Connections • Provide street furniture, lighting and generous paved areas along the main pedestrian routes within the retail and commercial core with clear direct sightlines and direct linkages. • Provide an elevated connection across Victoria Road to Council and RMS satisfaction (refer to Figure 4.6.13 and Figure 4.6.06).	Part of requirement for Public Domain upgrade – See Conditions 69 & 70. The subject site is not within the area identified for an elevated connection over Victoria Road.	To be conditioned. N/A
3.3.2 Public Domain Framework • Improve the quality and function of the small park space on the corner of Victoria Road and Jordan Street.	The proposal has been amended to provide ground floor side windows, facing the small park at the corner of Victoria Road and Jordan Street. The redesign is in accordance with the recommendation of the UDRP to help provide surveillance to the park area.	Yes
3.3.3 Landscape Character Provide street trees as shown on the Landscape Character Control Drawing (Figure 4.60) and in accordance with the Ryde Public Domain Technical Manual and Relevant Street Tree Master Plans.	The Landscape Character Control Drawing does not include the subject site. Condition 69 has been imposed requiring Public Domain Works. Note: Street trees are not required along this particular site.	N/A
3.3.4 Urban elements • Provide paving, seats, benches and bins in accordance with the Ryde Public Domain Technical Manual. • Provide seating and shelter (awnings or bus shelter) at all bus stops. Seating shall be in accordance with the Ryde Public Domain Technical Manual. • Provide new street lighting to primary and secondary streets as selected by Council and underground power cables. • Provide pole lighting, lighting from building awnings and structures, in new public spaces, to ensure night time pedestrian safety.	In accordance with the provisions with the DCP and as per all other similar forms of development in the Gladesville Town Centre including neighbouring sites, Condition 69 has been imposed requiring compliance with the Ryde Public Domain Technical Manual and the provisions of this section of the RDCP 2014.	To be conditioned to comply

Control	Comment	Compliance
3.3.7 Victoria Road – Town Centre Precinct Section • Provide a 3.5 metre wide footpath and buildings typically built to the boundary defining both sides of Victoria Road; • Provide continuous granite paving for the full footpath width in accordance with the Ryde Public Domain Technical Manual. • Provide landscaping consistent with an urban setting including planter boxes and the like. • Provide street furniture in accordance with the Ryde Public Domain Technical Manual including: • Provide seats and bins at 50 metre intervals and at bus stops, a minimum one per block, if required by Council. • Provide new street lighting, staggered at 20 metre intervals on both sides of street, or to Council satisfaction. • Provide lighting to the underside of awnings for the safety and security of pedestrians. • Power lines are to be underground in locations specified by Council.	The proposed building will be built to the boundary on Victoria Road. The existing footpath is already 3.5m in width in this location.  Existing building and front footpath. Conditions 69 & 70 imposed requiring compliance with the Ryde Public Domain Technical Manual and the provisions of this section of the RDCP 2014.	Yes Conditioned to comply
4.0 Key Sites		
4.1 Introduction Future design & development proposals for Key Sites are to be reviewed by UDRP.	The subject site is not included as a Key Site within Gladesville Town Centre.	N/A

Table 3: Part 4.6 Gladesville Town Centre and Victoria Road Corridor Compliance table.

Part 7.2 Waste Minimisation and Management

As the development involves the demolition and construction of buildings, the applicant submitted a Waste Management Plan (WMP). The WMP has been reviewed by Council's Waste Management Co-ordinator and Environment Health Officer and is considered satisfactory.

Appropriate conditions of consent will be imposed to ensure that the waste materials will be disposed of satisfactorily.

This DCP also requires that development provide appropriate and separate space for the storage of residential and commercial wastes. The development complies with these requirements and no objections have been raised by Council's Waste Management Co-ordinator or Environment Health Officer.

In terms of waste collection, the amended design will allow for waste collection vehicles to access the waste collection area to the rear of the building and then to manoeuvre within the site and exit in a forward direction. Conditions with regard to ongoing waste management are included as **Conditions 28, 60, 61, 138, & 143 to 147.**

Part 9.2 Access for People with Disabilities

The application includes an Access Compliance Report prepared by Accessible Building Solutions which states that the development can achieve compliance with the access provisions of the BCA, the Access to Premises Standards, and the requirements of AS4299 – Adaptable Housing. **Condition 46** is recommended requiring compliance with the recommendations of the report.

Part 9.3 Car Parking

Council's DCP requires the following carparking requirements:

Residential Development - High Density (Residential Flat Buildings)

- 0.6 to 1 space / one bedroom dwelling
- 0.9 to 1.2 spaces / two bedroom dwelling
- 1.4 to 1.6 spaces / three bedroom dwelling
- 1 visitor space / 5 dwellings

Commercial Premises

- 1 space / 40m² GFA office or
- 1 space/25m² GFA retail

The development, as amended will contain a total of 88 units comprising:

- 30 x one Bedroom
- 53 x two Bedroom
- 5 x three bedroom

In addition, two commercial tenancies with a total floorspace of 306m² are proposed.

* Note: Given that the commercial tenancies fronts Victoria Road, it is envisaged that the area will be principally used as retail.

On the basis of the above DCP rates, the proposed development requires off-street car parking to be provided as follows:

	Lower Limit	Upper Limit
One bedroom units	18	30

Two bedroom units	47.7	63.6
Three bedroom units	7	9.6
	72 (73)	103.2 (104)
Visitors' spaces 1 / 5 units	17.6 (18)	18
Total Residential	= 91	= 122
Commercial - Office (306m ²)	7.65 = 8	= 8
Retail	12.24 = 13	= 13
Total Parking	= 99 or 104	= 130 or 135

The revised plans provide a total of **113** car parking spaces, which is below the maximum.

The development is compliant with respect to the resident parking component (9 spaces over the minimum parking level) however is short in terms of visitor parking (3 spaces) and commercial (3 spaces when adopting the retail parking rate).

Condition 134 has been imposed to ensure that the allocation of the car parking spaces is in accordance with the above requirements.

9 of the units are to be adaptable in accordance with the minimum 10% requirement. Council requires that a disabled parking space be allocated to each of these units. 9 disabled parking spaces have been provided however the plans do not indicate specific unit allocations. **Condition 52** has been imposed requiring the residential disabled car spaces to be allocated to the adaptable units.

Council's Senior Development Engineer has considered the internal layout of the carparking and has provided the following comment:

*A review of the parking area with regards to AS 2890.1 notes the proposal is generally compliant however several spaces adjoining walls/ structures do not provide the additional 300mm clearance for access/ manoeuvring required by the Standard. This matter could be accommodated with slight modifications to column locations/ room dimensions and is therefore addressed by a condition of consent. See **Condition 62**.*

The DCP states that: *in every new building, where the floor space exceeds 600m² GFA (except for dwelling houses and multi-unit housing) provide bicycle parking equivalent to 10% of the required car spaces or part thereof."*

Based on the above, 13 bicycle spaces are required to be provided. 18 bicycle spaces have been provided, along with motor cycle parking. This is considered satisfactory. **Condition 134** also includes a requirement for a minimum of 13 bicycle spaces to be provided.

City of Ryde Section 94 Development Contribution Plan 2007

Development Contributions Plan – 2007 (2010 Amendment) allows Council to impose a monetary contribution on developments that will contribute to increased demand for services as a result of increased development density / floor area.

The development will require Section 94 contributions in accordance with Council's current Section 94 Contributions Plan on the basis of construction of a development comprising:

- 30 x 1 bedroom units;
- 53 x 2 bedroom units;
- 5 x 3 bedroom units and
- 306m² of commercial floorspace.

The required contributions have been calculated as follows:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$240,070.28
Open Space & Recreation Facilities	\$561,263.66
Civic & Urban Improvements	\$210,104.50
Roads & Traffic Management Facilities	\$ 28,747.91
Cycleways	\$17,902.90
Stormwater Management Facilities	\$55,442.25
Plan Administration	\$4,825.52
The total contribution is	\$1,118,357.02

Condition 34 requiring the payment of the above Section 94 contribution prior to the issue of any Construction Certificate has been included in the recommendation of this report and which will further be indexed at the time of payment if not paid in the same quarter.

9. LIKELY IMPACTS OF THE DEVELOPMENT

Most of the impacts associated with the proposed development have already been addressed in the report. The additional impacts associated with the development or those requiring further consideration are discussed below.

Context and setting

The proposed development is considered appropriate with regard to context and setting. The subject site is located within the Gladesville Town Centre and Victoria Road Corridor and falls within the Town Centre Precinct. The current planning provisions aim to transform the precinct to a mixed use town centre with ground floor commercial activities and residential above.

Built Form

The proposed development will not have any significant adverse impacts on the existing built environment or the amenity of the surrounding area.

The development is consistent with Council's controls with respect to the height and scale envisaged for future redevelopment of the area. The proposed built form and character of the development will contribute to an attractive public domain. However the southern wall of Building A requires further refinement given that it adjoins open

space and will be quite visible along Victoria Road. **Condition 1(d)** has been imposed requiring further works/details to address the aesthetic of this wall to be submitted and approved by Council.

Access and Traffic

The development has the entry/exit off Gerard Lane and will provide off street car parking within the basement levels of the development. A Traffic Impact Assessment prepared by Varga Traffic Planning was submitted with the application. Council Traffic Engineer has reviewed this report. Bitzios Consulting were also engaged to undertake an independent peer review of the report and of the traffic and parking components of the development.

Council's Traffic Engineer and Bitzios Consulting have both concluded that the development will result in a nett decrease in vehicle movements in comparison to the current 5 storey commercial building and that the development is not likely to have an adverse impact in term of traffic and parking within the vicinity. See full discussion under Section 10 of the report.

Accordingly, from a traffic perspective the development will not result in any unacceptable traffic implications to the road network.

Overshadowing and Solar Access

The extent of overshadowing is an important consideration in terms of amenity to the proposed development as well as adjoining developments.

The overall development complies with 70% of apartments receiving the required three hours solar access as required by SEPP 65. The development will comply with the requirements of Council's codes and the SEPP 65 requirements in terms of providing acceptable amenity within the development.

The development is unlikely to result in any significant increase in overshadowing onto the surrounding residential building or open spaces. The subject site has an east west orientation, thus the majority of the overshadowing will occur on the southern side on the wall of the adjoining commercial building. The proposal does not impact on the minimum 3 hours of sunlight that the adjoining residents will receive on winter solstice.

Shadow diagrams submitted with the proposal show that properties to the north of the site (2 to 8 Hepburn Ave, 232-246 Victoria Road and 5 Western Crescent) will have minimal overshadowing from this development.

1-3 Western Crescent which is located to the west of the site will have their rear yard area (which is their car parking area) in shade at 9am however by 12 noon only a small section of the rear yard will be in shade. By 3pm there will be no shadow cast onto these properties.

Due to the orientation of the site, the adjoining southern property, 1-7 Jordan Street, which contains a 3-4 storey commercial building, will be impacted by overshadowing for most of the day. This building has a nil setback to Jordan Street and the side

setback and any redevelopment of the subject site will have some overshadowing impact to 1-7 Jordan Street. Given that the proposal complies with the setback, height and FSR control, and the development is of a bulk and scale anticipated by the controls, the proposal is considered satisfactory.

On the eastern side of Victoria Road are a church and shops forming part of the mixed use zone of Victoria Road. The development will not cast any overshadowing to these properties until 3pm and only to a small section of the Church's front yard area. This is considered acceptable.

The public open space on the corner of Victoria Road and Jordan Street will receive the morning sun and will be in shade from 10am. The impact of the proposed building is not considerably different to the current shadow cast by the existing 5 storey commercial building and no concerns are raised in this regard.

Visual Privacy

Visual privacy is another important consideration in respect of amenity.

The development is considered to provide adequate privacy between the proposed development and the adjoining properties. The proposal has provided the required setback from the side and rear boundaries, however the rear building at 5 Western Crescent has a setback of only 2.8m from the common boundary. This elevation has non habitable and habitable windows facing the subject site. To minimise any possible overlooking into the habitable windows, a solid balustrade and privacy screens are proposed to the north western elevation of Building B. In addition **Condition 1(b)** has also been imposed requiring planter boxes be provided along the terrace edge of Units BLG02, BLG03 & BLG04 which are directly opposite the building as illustrated in **Figure 12** below.

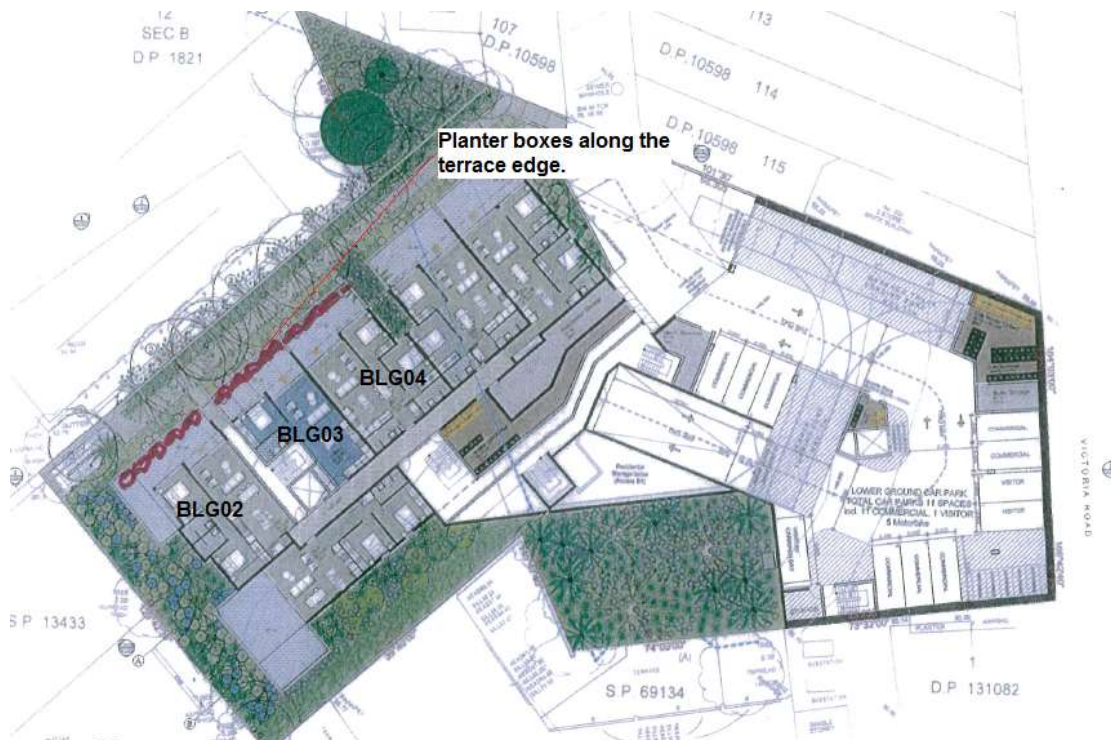


Figure 12: Condition 1(b) imposed to provide planter boxes along the terrace edge of Units BLG02, BLG03 & BLG04 to minimise possible overlooking to windows opposite.

Construction Impacts

Construction impacts are controlled by Part 8.1 of the Ryde DCP 2014. Council's standard conditions of consent have been imposed to control the impact of the construction activities. Similar to any major redevelopment work, some level of inconvenience/impact may result once the construction commences. However, to address the issue and to minimise traffic impact, a Construction Traffic Management Plan (CTMP) has been submitted. Council's Traffic Engineer has reviewed the CTMP and advised that truck movements are not anticipated to travel along Hepburn Avenue beyond Gerard Lane. Access will be restrained to the following routes: Victoria Road to Hepburn Avenue to Gerard lane for ingress and Gerard Lane to Hepburn Avenue to Victoria Road for egress. This means that no trucks should be travelling along Hepburn Avenue west of Gerard Lane which removes any conflicts between trucks and passing cars along Hepburn Avenue.

However no details of truck movements from the north or of trucks wanting to head south have been provided and **Condition 74** has been imposed requiring a CTMP to be submitted with anticipated routes of construction traffic to be directed to Victoria Road. The movement of vehicles coming from the north is expected to use Monash Road, Ryde Road and Pittwater Road to access the site from the south, via Victoria Road and Gerard Lane. Trucks wanting to head south from the site will be expected to use the same roads. See **Figures 13 & 14** below.

Condition 74 has been imposed requiring submission of a Construction Management Plan to minimise impact of construction activities on the surrounding

community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent to the site.

Public Domain

Council has a Public Domain Technical Manual that applies to Gladesville. This document specifies the landscaping, paving and street furniture required to be provided as part of an upgrade of the existing public domain. **Condition 69** has been imposed to ensure that the public domain is upgraded as part of this development consent.

10. COMMENTS FROM COUNCIL DEPARTMENTS

Internal Referrals:

Environmental Health Officer: 25 September 2015: Council's Environmental Health Officer has reviewed the proposal and submitted documents (Contamination Report prepared by Benviron Group and Acoustic Report prepared by Acoustic Noise & vibrations Solutions Pty Ltd).

No objection has been raised to the development subject to adherence to the recommendations contained in the reports. Appropriate conditions of consent have been imposed. See **Conditions 17,18, 26 to 32, 44, 133, 138 to 146 & 152.**

It was also advised that if the fitout and use of the commercial tenancies is for a food premises, a separate application is required (for installation of exhaust ventilation & grease trap). See **Condition 133.**

Heritage Officer: 19 April 2016: The development proposal was referred to Council's Heritage Officer as the subject site is within the vicinity of the following items of heritage significance listed under Schedule 5 of Ryde LEP 2014:

- i) 'Great North Road' Victoria Road (Item No.54)
- ii) 'Church' 265A Victoria Road, Gladesville (Item No.142)
- iii) 'Church' 220 Victoria Road, Gladesville (Item No.140)
- iv) 'Gates' 220 Victoria Road, Gladesville (Item No.139)
- v) 'Gladesville Shopping Centre Heritage Conservation Area (Item No.C5)

Council's Heritage Officer has provided the following comments:

The subject site is situated within the vicinity of a number of heritage items, most prominently, the two Churches which sit diagonally opposite each other and have a significant visual contribution to the character of Victoria Road and to the gateway to the Gladesville Shopping Centre Heritage Conservation Area.

The subject site presently contains a multi-storey commercial office building, which displays characteristics, form and detailing which identify the building as belonging to the late 20th Century and attributed to the 'Late 20th Century International' architectural style.

This building is considered a visually prominent element within the broader streetscape, simply because of its imposing scale which is flanked by smaller scaled

buildings, typically of one to two storeys. However, the existing building is considered of little architectural interest and value and in my opinion, would not meet the criteria to demonstrate heritage significance. In this regard, demolition of the existing building is supported.

The proposal then involves the construction of a multi-storey building, predominantly for residential accommodation and with a commercial level at the ground floor. In principle, because the building is largely simulating an overall height and scale that is not too dissimilar to the existing built form, no objections are raised to the proposed redevelopment of the site and to the height and scale proposed.

The replacement building will enhance the aesthetic quality of the built fabric of the streetscape and enhance the sensory appeal of the setting to the heritage items, particularly through adopting an architectural form and language that has visual interest, relief and incorporates a palette of materials that will complement the heritage items and their setting.

While the proposed building will still be a visually dominant feature within the streetscape, it will in effect, continue the existing built form relationship and broader setting / backdrop to the heritage items and is considered acceptable accordingly.

No objections are raised to the proposed development.

Senior Development Engineer: 27 June 2016: Council's Senior Development Engineer has reviewed the amended proposal and has advised:

The submitted drainage plan has not been revised in line with the architectural revisions. With the amended basement footprint now extending to the boundary, it is impossible for the onsite detention storage to be located in the original proposed position, at the vehicle entry point fronting Gerard Lane. Nonetheless, a review of the plans notes there are expanses of void areas over the internal basement garage ramp and residential storage area in which the OSD system could be accommodated. A defined failure path could also be provided along the southern edge of the building.

*Due to the differences between the revised plans and original stormwater management system, no stamped plans are provided though a condition requiring these modifications and requirements is applied. See **Condition 64**.*

The development is compliant with respect to the resident parking component (9 spaces over the minimum parking level) however is short in terms of visitor parking (3 spaces) and commercial (3 spaces - when adopting the retail parking rate). The development also warrants a disabled space to be provided for visitor parking.

The reallocation of resident parking spaces to the visitor and commercial component reduces the total resident parking capacity to 85 parking spaces (including the 9 disabled / adaptable spaces). This would still be in the permissible range of resident parking requirements and therefore is addressed as a condition of consent.

A review of the parking area with regards to AS 2890.1 notes the proposal is generally compliant however several spaces adjoining walls/ structures do not provide the

*additional 300mm clearance for access/ manoeuvring required by the Standard. This matter could be accommodated with slight modifications to column locations/ room dimensions and is therefore addressed by a condition of consent. See **Condition 62**.*

City Works and Infrastructure – Public Works:

Traffic and Development Engineer: 7 July 2016: Council's Traffic and Development Engineer has reviewed the proposal and the submissions received with regard to the traffic and parking for the proposed development. The following comments are made:

The generation rate has been adopted as per the RMS Guide to Traffic Generating Developments. The values in the RMS document have been quantified based on 10 surveys conducted in 2012, 8 within Sydney and 1 in the hunter and Illawarra. All developments (i) close to public transport, (ii) greater than 6 storeys and (iii) almost exclusively residential in nature.

The proposal will have a net reduction of 34 vehicles in the peak, therefore the proposed development is anticipated to reduce the impact of traffic on the local network. In addition, there have been no crash incidents at this location, as such there is no warrant to upgrade or alter the existing layout of the intersection of Gerard Lane and Hepburn Street.

The DCP has been prepared to identify the minimum and maximum number of car parking spaces any development would require. This is based on several surveys and information gathered through RMS on similar sized developments in and around the greater Sydney area.

With the number of car parking spaces being compliant with the City of Ryde DCP, it is anticipated that suitable parking will be made available for both residents and visitors to the proposed development. The nature of parking in the area is anticipated to promote the use of public transport and the reduction in car ownership of the future tenants.

There is no footpath along Gerard Lane. This is deemed suitable as pedestrian access is generally along Victoria Road with access from the building noted to be to Victoria Road also. Pedestrian foot traffic is not deemed suitable through this location in the first instance and to accommodate a footpath there would be an extensive requirement to acquire land which is too onerous on the developer.

Truck movements are not anticipated to travel along Hepburn Avenue beyond Gerard Lane. Access will be restrained to the following routes: Victoria Road to Hepburn Avenue to Gerard lane for ingress and Gerard Lane to Hepburn Avenue to Victoria Road for egress. This means that no trucks should be travelling along Hepburn Avenue West of Gerard Lane which removes any conflicts between trucks and passing cars along Hepburn Avenue.

The Traffic Management Plan associated with construction will be required to adhere to the Construction Management Plan to be submitted so as to minimise the impacts of the construction activities on the local residents.

Majority of movements associated with the site post occupation will match into the existing movements of the area during the morning and afternoon peak. With the net decrease, there will be fewer vehicles making these trips in the peak periods.

A cul-de sac is not a suitable option in this location as there are minimal ways to get traffic from the local surrounds onto Victoria Road. To close off access to Hepburn would result in larger queues on other intersections and would generally make traffic conditions worse for the local area.

The diagrams below demonstrate the anticipated routes of construction traffic based on the fact that access to and from the site will be as direct as possible to Victoria Road. The movement of vehicles coming from the north is expected to use Monash Road, Ryde Road and Pittwater Road to access the site from the south, via Victoria Road and Gerard Lane. Trucks wanting to head south from the site will be expected to use the same roads to head back south.



Figure 13. Proposed truck movements from Victoria Road and back onto Victoria Road.



Figure 14: Anticipated routes for demolition/construction as access will be generally from Victoria Road.

Due to the issues raised in the public submissions, Council also engaged Bitzios Consulting P/Ltd (a specialist traffic engineering and transport planning consultancy) to undertake an independent peer review of the traffic and parking report submitted by the applicant.

Bitzios Consulting reviewed the traffic and transport aspects, including:

- the development application;
- the proposed access locations;
- safety issues;
- traffic generation and distribution;
- parking demand and provision;
- parking layout and any potential traffic circulation issues;
- the impact of the developments on the external road system; and
- a review of recent submissions made to Council in relation to traffic, parking, access, and related safety issues.

The following is a summary of the report:

- *Parking Provision*

The development provides a total of 113 off-street parking spaces, which comprises of the following:

- *88 residential spaces including 9 disabled spaces; 7 commercial spaces; 18 visitor spaces; 7 Motorcycle spaces; and 23 bicycle spaces.*

Additionally, substantial on-street parking availability was observed during the PM Peak site visit along Hepburn Avenue and Western Crescent, with the vast majority unrestricted. This indicates that should overflow parking occur from the proposed basement car park, there is sufficient on-street parking capacity to absorb the excess demand without exacerbating issues for existing residents.

Compliance with City of Ryde DCP 2014

The proposal meets the requirements of the Ryde DCP 2014 in relation to residential, disabled, visitor and bicycle parking spaces. However, the parking layout shown in the architectural drawings DA2100, DA2101 and DA2102 Issue A shows 7 commercial spaces, which does not fulfil the requirement of 8 spaces derived from 1 parking space per 40m² GFA (Ryde DCP 2014 Section 9.3 Clause 2.3).

*Note: This has been conditioned to ensure compliance. See **Condition 134**.*

- Traffic Review - Traffic Generation

The traffic generation rates used in the traffic report are in accordance with the RMS Guide to Traffic Generating Developments 2002 and RMS Technical Direction (TDT 2013/04a).

The traffic generated from the proposed site using these rates would be ≈22 trips per hour in the AM Peak and ≈18 trips per hour in the PM Peak. Varga Traffic Planning identified the AM Peak as critical and only presented it. The proposed traffic generation was then contrasted with the theoretical existing traffic generation using the commercial premises rate (≈62 trips per hour in the AM Peak. 47 trips in the PM Peak), for a net decrease in generated traffic of 40 vehicles in the AM Peak. This is an industry standard set of traffic generation rates and comparing existing and future theoretical rates is acceptable.

The spot counts conducted during the site visit PM Peak showed a traffic generation from exiting the Gerard Lane exit to be 23 vehicles per hour. This figure is less than half the theoretical traffic generated by the rates in the RMS Technical Direction (TDT 2013/04a) (47 trips in the PM Peak). Employees were also observed walking from the site to their vehicles parked on Hepburn Avenue, indicating that the spot count may have underestimated the existing trip generation. This supports the notion that the proposed land use will reduce the peak hour vehicle trips, although marginally in comparison to the estimates of the two RMS documents.

Comparing the Traffic Generation Using Rates from 2002 and Rates from 2013

A common theme in the community submissions that the study was based on “out of date and irrelevant” traffic generation rates from the RMS Guide 2002. Actually, Varga has used the more up to date RMS Technical Direction 2013, where appropriate, which are generally lower. It is actually more conservative to apply the 2002 rate, which are as follows:

- *For high density residential flat buildings*
 - *Peak Periods: 0.24 peak hour vehicle trips per dwelling.*
- *For commercial premises:*

- *PM Peak: 2 peak hour vehicle trips per 100m² GFA.*

These results of these rates are compared with the previous results in Table 2.4.

Table 2.4: AM Peak Traffic Generation Source Comparison

	RMS Guide 2002		RMS Technical Direction 2013	
	Rate	Volume	Rate	Volume
Residential	0.24	27	0.19	22
Commercial	2/100m ² GFA	6.5	1.6/100m ² GFA	1.9
Existing Land Use	2/100m ² GFA	76	1.6/100m ² GFA	62
Net Change		-42.5		-38.1

Evidently, either rate results in a heavy reduction in generated traffic when comparing the existing and future traffic generation. The spot count traffic volumes and projected traffic generation for the proposed development are similar with the likelihood of a slight decrease in vehicle trip generation due to the proposed development at 230 Victoria Road.

Conclusion:

- *There is likely to be a net decrease in traffic generated by the proposed development shown by the RMS Traffic Generation publications and spot counts conducted by Bitzios Consulting. However, the theoretical decrease of 40 vehicle trips per hour in the AM Peak and 30 vehicle trips per hour in the PM Peak is likely overstated as shown by the spot count data. A reduction in the order of 10 vehicle trips per hour would be a more reasonable assumption.*
- *Even when using a conservative approach of assuming a higher trip generation rate for the residential units and applying an indicative existing trip generation based on the spot count conducted by Bitzios Consulting a slight reduction in generated traffic is likely. This results in a minimal impact on the surrounding road network.*

Planner's comments:

Council's Traffic Development Engineer and Bitzios Consulting have concluded that there will be a net deduction in vehicles with the development anticipated to have a reduced impact on the local traffic network. However it should be noted that all these figures for existing traffic assumes that the existing building is fully occupied.

- **Traffic Impact**

The Traffic and Parking Assessment Report states that net decreases are likely as a result of the proposed development and that the development will not create any unacceptable traffic implications which is a reasonable assessment. The report provided no explanation of traffic distribution. However, this is acceptable due to the calculated reduction in net trips on the existing network.

Planner's comments:

Noted – no adverse traffic implication likely as a result of this proposal. However to address residents' concerns about traffic and increase to traffic as a result of this development, **Conditions 35,77 and 137** have been imposed requiring a post and pre development traffic surveys to be undertaken on the surrounding road network (Gerard Lane and Hepburn Avenue). The purpose of the surveys is to determine if there will any increase in traffic as a result of this proposal. If, after the surveys, there is a significant increase in traffic as a result of this development, traffic calming measures may be required to be provided in Gerard Lane or Hepburn Avenue.

The Bitzios Consulting Report is attached as **Attachment 2**.

Waste: 7 July 2016: Raised no objections to the proposal. The applicant has provided the requested information and amended the plans to allow for collection of garbage within the building. No objections subject to conditions. See **Conditions 60, 61 & 143**.

Public Domain: 7 July 2016: The public domain is subject to the finishes and elements described in City of Ryde DCP 2014, Part 4.6 - Gladesville Town Centre and Victoria Road Corridor, Town Centre Precinct; and the Public Domain Technical Manual Section 2 – Gladesville Town Centre. The Victoria Road frontage of the development site has been renovated recently – the footpath is already paved with granite pavers. There are overhead power cables along the Victoria Road frontage of the site. Undergrounding of power and all telecommunication lines will be required. Near the boundary with 232 Victoria Road there is a power pole (part of the above network) with a street light. The developer will be required to provide one MFP as a replacement of the existing pole with a luminaire to Council's requirements. Council street lighting schema shows one MFP in front of this site. No objections to approval subject to conditions. See **Conditions 69, 70, 73 & 115**.

Council's Consultant Landscape Architect: 10 May 2016: Council's Consultant Landscape Architect has reviewed the proposed development and has provided the following comments:

The Revised Landscape Assessment considers the amended tree removal, impact on existing trees and landscaping as part of revised plans submitted to Council for the construction of a new seven (7) storey mixed use development at the subject site being 230 Victoria Road, Ryde.

*The tree removal and retention status of a number of trees has been modified since the original plans submitted. This is due to the level of impact changing due to a modified built form as well as the landscape open spaces being modified in response to the new building layouts. Tree removal proposed on the subject site has been supported given that those to be removed are not significant within the landscape and have only a low-moderate retention value. Appropriate tree protection will be required for a number of trees to be retained on both the subject site and neighbouring allotments. Accordingly, a condition has been recommended that a Project Arborist be engaged to undertake appropriate tree protection and supervise all works that may impact those trees to be retained on both the subject site and neighbouring allotments. See **Condition 95**.*

The revised landscape plans submitted are generally considered to provide an improved open space layout which results in functional communal open spaces of a high quality with appropriate planting. Additionally, improved curtilage landscaping has resulted in a development which is more effectively screened.

External Referrals

Roads and Maritime Services: 20 October 2015: RMS has reviewed the proposal and has advised that no objections are raised subject to conditions. See **Conditions 14 to 16**.

NSW Police: 29 September 2015: NSW Police have raised no objections to the development however they have provided comments and recommendations with regard to:

1. Surveillance
2. Landscaping
3. Lighting
4. Environmental Maintenance
5. Space/activity management
6. Access Control
7. Other matters

Generally, the proposed development is capable of addressing each of the above criteria in an acceptable manner and conditions have been imposed as recommended. See **Conditions 50 & 123 to 128**.

Consulting Structural Engineer: 16 June 2016: Council's Consulting Structural Engineer, Cardno NSW P/L has reviewed the proposal and raised no objections subject to conditions. See **Condition 45**.

11. PUBLIC NOTIFICATION & SUBMISSIONS

The development application was advertised in the Northern District Times on 16 September 2015 and notified between the period of 14 September and 7 October 2015. During this notification period Council received 46 individual submissions and a petition containing 101 signatures.

Amended plans were re-notified for a period of 9 March 2016 to 6 April 2016. However this notification did not include any amended documentations. Accordingly the amended plans and amended documentations were re-notified on 14 April 2016 and given until 5 May 2016 to make submissions.

The 2nd and 3rd round of notification received a total of 12 submissions raising the same concerns as tabled in the 1st round of notification.

The 1st round of submissions raised the following concerns:

- **Scale**

100 unit 7 storey residential block replacing a 5 storey partially used commercial building is disproportionately large for the local community and out of place. The proposed development exceeds the combined 98 units planned/built in 3 local developments at 297 Victoria Road (32 units - 5 storeys); 260-370 Victoria Road (26 units - 5 storeys); and Meriton Street (40 units - 7 storeys). This will pose a significant adverse and onerous impact on local traffic and parking for existing and future residents that is inconsistent with other developments in the area.

Any new building should stay at the existing height/storeys and not above this height.

Planner's comments:

The design and scale of the development has been amended as recommended by the UDRP. The amended proposal has been reduced from 100 apartments to 88 apartments and floor space ratio reduced from 2.7:1 to 2.57:1.

The development complies with the height and floor space controls for the site. Whilst the current commercial building is 5 storeys, The Gladesville Town Centre and Victoria Road DCP do not stipulate the maximum number of storeys, only maximum height which is 22m. The proposal complies with the height control.

A Traffic and Parking Assessment Report has been submitted with the application. Council's Traffic Development Engineer and independent Traffic Consultant, Bitzios Consulting P/L has reviewed the submitted documentations and supports the findings of the applicant's Traffic Report, which states "*net decreases in traffic are likely as a result of the proposed development and that the development will not create any unacceptable traffic implications*".

As the development is expected to have a net decrease in traffic, the proposal is not considered to have an adverse or onerous impact on local traffic or parking and is consistent with the future character of the area. In addition, the proposal complies with the maximum number of car parking spaces to be provided on site.

However to address the concerns of the residents, **Condition 77** has been imposed requiring post development monitoring of traffic along Hepburn Avenue to gauge the level of change in traffic conditions produced by the development and the potential need to implement future traffic calming measures.

- **Transition from fully Commercial to mainly Residential use**

The change in use of the site from a commercial to a mixed residential site will change the peak traffic times from weekday concentrated around morning and afternoon peak hours to greater impacts on weekends which will significantly impact traffic for local residents during times when they are at home.

Planner's comments:

The change of use to predominantly residential use is not considered to have a significant adverse impact in terms of traffic generation and parking. The

independent traffic review conducted by Bitzios Consulting concluded that the traffic generation rates project a reduction in the traffic generated by the site for both the AM and PM Peaks.

Bitzios Consulting has advised that with regard to weekend rates: *the weekend traffic generation rate for high density residential is 0.20 vehicle trips per unit during peak hour (23 per hour). This is very similar to the weekday AM peak hour rate of 0.19 vehicle trips per unit (22 per hour). Unfortunately the RMS Guide to Traffic Generating Developments do not provide weekend rates for commercial premises.*

Should there be no traffic generated at weekends for the existing then by comparison the traffic generation will increase with the new development. However, due to the expected low volume of traffic generated we envisage that there will be very little impact as background traffic on weekends is also lower than weekdays.

It should not be an issue that we cannot compare current weekend traffic generation with proposed as traffic generated by the development is so low that it will not have a significant impact on the local traffic network.

- **Traffic**

The current reports do not address the true impact arising from the development. The Traffic and Parking Assessment Report included in the plan is a generic report based on 2002 non local guideline statistics and predicts a reduction in traffic of nearly 50% despite car parking spots available increasing by 30 from the status quo of 99 to 129 - it is not a current detailed independent local survey and specific analysis of impact with recommendations.

The Statement of Environmental Effects states that the proposal is "unlikely to affect the level or service, capacity and function of nearby roads and intersections" but this is not based on any specific independent research and survey of the nearby roads and intersections. Hepburn Avenue has a 3 ton limit which is already regularly ignored, damaging the road. Traffic and parking during development by workers on the site will impact the local area.

Planner's comments:

Bitzios Consulting has advised: *The traffic generation rates used in the Traffic and Parking Assessment Report are referenced from the RMS Technical Direction 2013/04a, revising the RMS Guide to Traffic Generating Developments 2002. Both rates are empirically derived. Although the 2013 Technical Direction is more recent, the 2002 Guide is more conservative (higher generation rate). Both of these rates show a net traffic reduction into the future.*

Council's Traffic and Development Engineer concur with the submitted Traffic Report with regard to the generation rate used however it is acknowledged that the current existing building is not entirely occupied. Therefore, in order to gauge the level of change in traffic conditions produced by the development and the potential need to implement future traffic calming measures, **Condition 77** has been imposed requiring the applicant to undertake traffic count surveys of the surrounding road network (Gerard Lane and Hepburn Avenue) prior to the commencement of any work. If, after the surveys, there is significant increase in traffic changed as a result of this

development, traffic calming measures may be required to be provided in Gerard Lane or Hepburn Avenue. See **Condition 137**.

Truck movements are not anticipated to travel along Hepburn beyond Gerard Lane. Access will be restricted to Victoria Road to Hepburn Avenue to Gerard lane for ingress and Gerard Lane to Hepburn Avenue to Victoria Road for egress. This means that no trucks should be travelling along Hepburn Avenue West of Gerard Lane. Trucks coming from the north will need to use Monash Road, Ryde Road and Pittwater Road to head back to the subject site via Victoria Road. This will be the same routes for trucks wanting to head back south.

- **Road safety**

Road safety - particularly with regard to the old and very young. Speeding cars already an issue on the residential streets surrounding the development and Hepburn Avenue already saw a child killed some years ago.

Planner's comments:

The issue of road safety with regard to pedestrians crossing Hepburn Avenue and speeding vehicles is not directly related to the proposed development, rather this is a broad safety concern for the street. Footpaths are provided along both sides of Hepburn Avenue with kerb ramps to allow pedestrian movement across Gerard Lane. To address this issue Council has imposed **Condition 77** for monitoring of Gerard Lane and Hepburn Avenue and if found that vehicles are regularly speeding along these streets, Council's City Works and Infrastructure will investigate options to for implementation of traffic calming measures.

- **Access**

Using an existing lane will directly impact surrounding residential streets and would be better planned to enter/exit/be directed straight onto a lower residential density street such as Jordan Street. The use of Gerard Lane is a compliance breach - regardless of traffic generation, the Ryde Council compliance checklist 3.2.2.b requires existing or new lanes to be 6m wide two-way with a 1.5m footpath.

Planner's comments:

The subject site does not have any direct frontage to Jordan Street so the suggestion that entry/exit be from Jordan Street is not feasible. Furthermore, Bitzios Consulting has also advised that *"the configuration of Jordan Street combined with the queueing and congestion currently experienced does not allow a feasible entry and egress point for the development"*.

The subject site is at the end of Gerard Lane, as such there is no opportunity for the laneway to be widened as part of this redevelopment. The provision of widening the laneway can only be applied to redevelopment of properties that backs onto the lane way being 232-246 Victoria Road.

As advised previously the access for the existing building is also via Gerard Lane. Gerard Lane is 5.18m wide and this will allow for two way movement in the laneway. This has been confirmed by both Council's Traffic Engineer and Bitzios Consulting.

- **Parking**

There is insufficient on site parking for families with multiple vehicles. Visitor spaces will be at capacity and overflow parking will go onto surrounding streets.

Planner's comments:

The proposal complies with Council's car parking requirement. Adequate car parking for residents, visitors and customers will be provided on the site.

- **The Financial Investments Review Board (FIRB)**

The FIRB allows for developments of 100 dwellings or more to be sold and marketed to 'foreign persons' i.e. overseas investors. The 100 unit development risks creating an overseas investment pool and is not serving the local first home buyer needs. The development is not consistent with maintaining the current community balance which is predominantly owner-occupied residences.

There is also a lack of impact in planning reports for existing and new population needs - schools, health services, public transport etc.

Planner's comments:

The amended plans have reduced the number of apartments from 100 to 88. The issue of selling the units to overseas investors is not a planning consideration under the Environmental & Planning Assessment Act, 1979.

The provision of new infrastructure such as schools, public transport etc is under the State government jurisdiction and Council at the time of the making of the current planning controls (LEP 2014) wrote to the relevant departments for them to consider as part of their strategic plans for funding for new schools, public transport etc. It should be noted that Victoria Road is a major strategic bus corridor, accordingly Gladesville Town Centre is well serviced by buses.

- **Heritage impact**

Both Christ Church Anglican Church (220 Victoria Road - built in 1878) and GladesHill Presbyterian Church (2 Pittwater Road - built in 1888) are heritage listed. The proposed 7 storey development opposite these sites will significantly detract from their heritage perspective. A Heritage management report is not listed as essential but should be a required document.

Planner's comments:

A Heritage Impact Statement was submitted with the development application. This report concluded that the proposed works would not have a detrimental impact on the heritage significance of the heritage items in the vicinity of the site.

Council's Heritage Advisor has also reviewed the proposal and raised no objections to the proposal as follows: *The proposal involves the construction of a multi-storey building, predominantly for residential accommodation and with a commercial level at the ground floor. In principle, because the building is largely simulating an overall height and scale that is not too dissimilar to the existing built form, no objections are*

raised to the proposed redevelopment of the site and to the height and scale proposed.

- **Aesthetics**

Nil setbacks do not aesthetically improve the Victoria Road corridor and run a high risk in the future of becoming an "existing outdated" building.

Planner's comments:

The site is within the Town Centre Precinct with nil setback to Victoria Road to promote level continuity for pedestrian and shoppers in the retail cores of the town centre. This will help promote street activation and is in accordance with Council's controls. The design has been reviewed by Council's UDRP and found to be acceptable.

- **Pollution**

Traffic noise and pollution ongoing - will impact surrounding residents and their health. Noise pollution will be created from new residents with balconies facing existing residencies. Water and air quality will affect local residents.

Planner's comments:

The development is suitably located within the B4 Mixed Use zone and the development has been designed to respond to the opportunity to provide a high quality development at the site.

With regard to traffic noise and increased pollution to surrounding residents, the proposal is for 88 units and 306m² of commercial space. Subsequent traffic reports state that the proposal will not generate an increase in existing traffic, therefore the proposal is not considered to significantly increase traffic noise or pollution. Furthermore the proposed development is predominantly residential as such it is not envisaged that the proposed use will create unacceptable noise levels as to warrant refusal of the application.

The assessment of the development application has been carried out in accordance with the requirements under the EP& A Act, 1979. The details of the assessment included in this report indicate that the development is unlikely to result in any unacceptable level of impact in terms of traffic, noise or air pollution and the proposal will have minimal adverse environmental impacts.

- **Privacy**

Privacy and light reduction will directly and significantly affect numbers 2, 4 and 6 Hepburn Avenue as well as the units in numbers 1, 3 and 5 Western Crescent.

Planner's comments:

2, 4 & 6 Hepburn Avenue is located north of the subject site, with 2 Hepburn Avenue having a common boundary with the subject site. The northern tip of Building B will be setback a minimum of 6m from the common boundary with 2 Hepburn Avenue. 4 & 6 Hepburn Avenue rear yard area is located more than 20m away from Building B north-west facing balconies. The main living areas of the Building B are orientated

north-west with the end apartment oriented north east. Therefore, due to the orientation of the balconies and the separation distance exceeding the building separation requirements in the Apartment Design Guide overlooking is not considered to be an issue to these properties. **Figure 15** below illustrates the distances between Building B and properties along Hepburn Avenue.

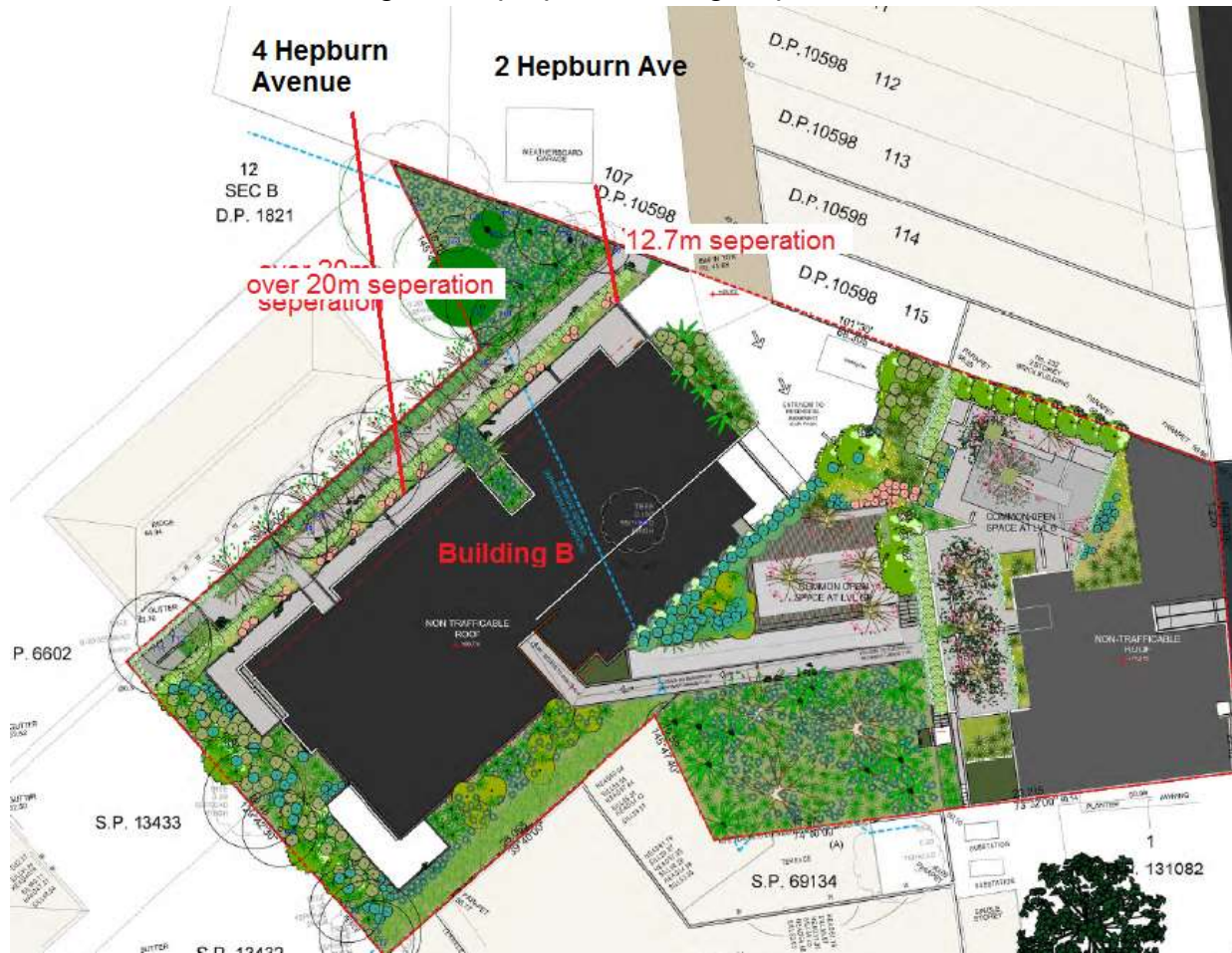


Figure 15: Separation distance between Building B and properties along Hepburn Avenue.

The proposal also complies with the setback control for 5 Western Crescent, having a 6.1m setback and privacy screen along the balconies facing 5 Western Crescent. The provision of privacy screen and **Condition 1(b)** for planter along the edge of the terrace area of apartments BLG02, BLG03 & BLG04 will further mitigate any potential overlooking concerns to the rear building of 5 Western Crescent.

- **Trees**

Developers state they plan on retaining existing trees "where possible" which gives the developer licence to seek paid advice from an arborist supporting removal of any of the trees.

Planner's comments:

Council's Consultant Landscape Architect supports the removal of nominated trees on site except Tree 1 (Brush Box) which is located on the adjoining site at 1-7 Jordan Street. The submitted Arborist Report has been reviewed by Council's Landscape Officer who has advised: *whilst the Arborist Report submitted has supported the*

*removal of most of the trees located on the subject site, the Landscape Plans indicate that a number of trees located adjacent to the boundaries on the site are to be retained and incorporated into the new landscape scheme on site. Whilst this is supported in principle, protection will be required during demolition and construction to ensure these trees are not damaged. As such, conditions have been included relating to tree protection and Arborist supervision being implemented for those trees to be retained. See **Conditions 94 & 95**.*

*It should be noted that a number of the tree species identified on site are noted as being 'exempt' under Part 9.5 of the Ryde DCP 2015. Those trees to be removed have been supported with the exception of one (1) tree located on the neighbouring allotment which is noted within the Arborist Report as to be removed. Accordingly, a condition has been imposed that this tree be retained and protected as part of the development. See **Condition 1(a)**.*

- **Noise**

There is a significant usable roof space and large verandahs that could lead to additional noise for surrounding properties as well as privacy concerns over our back yards (Hepburn Avenue).

Planner's comments:

The issue of loss of privacy, both noise and overlooking to Hepburn Avenue is not considered to be an issue. The roof top communal open space area have been relocated from the rear building (Building B) to Building A located in the front section of the site. Building A adjoins commercial properties and is away from residential properties. The roof top communal open space is adequately screened with shrubs and a wide planter bed and is located approximately 30m away from the nearest residential property at Hepburn Avenue (2 Hepburn Avenue) and some 57m away from 4 Hepburn Avenue. The setback distance and screening as provided exceed the building separation requirements in the Apartment Design Guide and will ensure acceptable distances to maintain privacy.

- **Construction work**

Detrimental effect on site access as well as safety for the current commercial occupant and their customers. We also wish to raise on behalf of our current Lessee, whom operate a hair and beauty salon which is highly sensitive to polluted environments, that a construction to this scale will have a damaging effect to their daily business.

Planner's comments:

With any major redevelopment work, some level of inconvenience may result once the construction commences. However, to address the issue and to minimise traffic impact, a CTMP has been submitted. The CTMP will help ensure safe and efficient movement of vehicles and pedestrians onto, off and around the site, minimising disruptions / impacts and maintain a safe environment for vehicular and pedestrian traffic external to the site.

In addition, the construction period is temporary and site management conditions have been imposed to minimise disruption to adjoining sites and the surrounding

area. A requirement has been included in the DTMP and CTMP that all rear access to properties adjoining the laneway is to be retained at all times during construction. See **Conditions 33 & 74**.

- **Cumulative impact**

There are at least 15 new and proposed developments and many more to come. There is no overarching management of the impact of this massive cumulative development as 2 Councils are involved and they work independently and are defensive of their patch. Each development's traffic generation, traffic flows, parking and other impacts are seen in isolation and sometimes overly favourable.

This is detrimental to village community and will create traffic and social problems. Many rules and regulations are breached during planning and construction. I have written a number of times to Hunter's Hill Council about major safety breaches that are occurring on the footpaths in front of these building sites and the standards of enforcement are weak and often non-existent.

Planner's comments:

The subject site is within Gladesville Town Centre and the proposed development is permissible with Council's consent. The Gladesville Town Centre and Victoria Road Corridor DCP aims to provide for long term redevelopment of the area to revitalise the area as an attractive and vibrant urban area with diverse mix of retail, commercial, residential and leisure use. The number of new and currently proposed developments is consistent with this aim and associated changes to planning controls.

Council's Traffic Engineer and Bitzios Consulting have concluded that the proposed development will not have a significant impact on the surrounding traffic flow or parking. See comments above.

No empirical evidence has been provided to support the assumption that the proposal will create social problems to the community. NSW Police have reviewed the proposal and subject to conditions regarding surveillance, lighting, environmental maintenance, space/activity management and access control have no objections to the proposal. See **Conditions 50, 123 to 128**.

Any breaches in conditions of consent with regard to building sites are to be referred to Council's Environmental Protection & Development Control Officer for investigation.

- **Future Planning**

At present we just allow any and all developers to put up whatever they like, not taking into account how it blends in with the rest of the buildings and environment. What are we leaving for our children in the total concrete environment they will have to live in due to no actual planning of the area.

Planner's comments:

The Gladesville Town Centre and Victoria Road Corridor DCP and RLEP 2014 are the planning controls for the area. These planning controls provide for a vision and guidelines for the long term redevelopment of the area to an active urban area with diverse mix of retail, commercial, residential and leisure use. The DCP requires landscaping, deep soil planting and residents' communal open space and upgrade of public domain to be provided with each development.

The proposal has also been reviewed by the UDRP who are experts in architecture and urban design. The UDRP's recommendations for design improvements have been undertaken by the applicant and the panel is supportive of the proposal.

- **Traffic Impact**

The additional traffic which will be generated by this proposal is of major concern. The only access point to the parking for the development is via Gerard Lane, impacting on surrounding local streets. This will have a MAJOR impact on Hepburn Avenue Gladesville. The number of vehicles that will be travelling to and from the site will significantly increase the volume of traffic to Hepburn Avenue, both during the construction and after completion.

Hepburn Ave is a narrow street and cars park on either side allowing only one car to drive through in any direction at any time, parking is already very difficult for the residents in Hepburn Avenue. Exiting the properties driveway can be extremely difficult as there is very little room to manoeuvre around the cars parked right up against each driveway.

Discrepancy in the number of car spaces – SEE states 132 car spaces are proposed – yet have not been shown to be provided.

Hepburn Ave has a 3 ton limit – vehicles will not follow this during construction. Residents of Hepburn Ave already struggle with parking during the week – this problem will increase, especially on weekend.

Planner's comments:

The independent Traffic Report by Bitzios Consulting concluded that the traffic generation rates of the proposed development will be a net decrease from the existing land use, accordingly the volume of traffic is considered to be less. However it is acknowledged that the existing commercial building is not fully occupied accordingly **Condition 77** has been imposed requiring post development monitoring to gauge the level of change in traffic conditions as a result of the development. If there is a significant increase in traffic, traffic calming treatments may be required. See **Condition 137**.

The proposed development provides on site parking in accordance with City of Ryde's DCP parking controls and is expected to provide sufficient parking. The revised plans provide a total of **113** car parking spaces, which is below the maximum. The proposal complies with the car parking requirement, providing 18 and 8 spaces for visitor and commercial parking space, respectively.

A CTMP has been submitted and truck movements are not anticipated to travel along Hepburn beyond Gerard Lane. Access will be restricted to the following routes: Victoria Road to Hepburn Avenue to Gerard Lane for ingress and Gerard Lane to Hepburn Avenue to Victoria Road for egress. See **Figures 13 & 14** above showing anticipated truck movements. **Conditions 33 & 74** have been imposed requiring submission of a DTMP and a CTMP and which are to ensure, inter alia, truck movements are restricted to the following routes: Victoria Road to Hepburn Avenue to Gerard lane for ingress and Gerard Lane to Hepburn Avenue to Victoria Road for egress. No trucks should be travelling along Hepburn Avenue West of Gerard Lane. Trucks coming from the north will need to use Monash Road, Ryde Road and Pittwater Road to head to the subject site via Victoria Road.

- **Change to traffic movements**

Have Hepburn Ave as a "No Through Road" approaching Gerard Lane thus reducing the traffic flow for cars entering the site via Hepburn Avenue and also asses what changes can be made for parking in the street via consultation with residents. Hepburn Ave will be heavily affected as the other developments along Victoria Road will also be using Gerard Lane for access. Have the development access their car park at Victoria Road or Jordan Street.

Planner's comments:

The proposal for vehicular access to be from Victoria Road or Jordan Street is not an option. Victoria Road is a classified road and Roads and Maritime Services will not allow new vehicular access from Victoria Road. The subject site does not have a frontage to Jordan Street.

Any request to alter the existing traffic/parking arrangement in Hepburn Avenue or close off any streets will need to be requested in writing to Council's City Works and Infrastructure.

- **SEE**

The "statement of Environment Effects "addresses the Development as a 6 storey Mixed Use development" When the DA and plans show 7storey. Is this a typo or have the Environment effects been correctly addressed.

Planner's comments:

The proposal is for a 7 storey building. An amended Statement of Environment Effects was submitted which addressed the error.

- **Impact to the Church site at 265A Victoria Road & 5 Western Crescent**

Proposal will have significant shadowing across the church site – the sunlight duration on the outdoor spaces of the church's property is important. Construction works will have an impact on the church community due to construction parking pressures. No construction zones be permitted on Jordan Street to deplete the current use of street parking. The use of public parking on the Council's car park should be maintained as currently restricted.

Loss of light to 5 Western Crescent.

Planner's comments:

The proposal will not have any significant overshadowing impact to the church site located across the road at 265A Victoria Road. Shadow diagrams for 21 June show that the development will not cast shadow to the church at 9am or 12 noon and at 3pm only a small section of their front setback will be affected. See **Figure 16** below.



Figure 16: Shadow diagram illustrating shadow cast at 3pm on 21 June 3pm – minimal impact to the church at 265A Victoria Road. The church site will not be affected at 9am or 12 noon.

5 Western Crescent is located north of the subject development accordingly the proposal will not have any overshadowing impact to 5 Western Crescent, as illustrated in the shadow diagrams below. See **Figures 17, 18 & 19** below.



Figure 17: Overshadowing impact to 5 Western Cres at 9am – minimal impact.



Figure 18: Overshadowing impact to 5 Western Cres at 12 noon – minimal impact.



Figure 19: Overshadowing impact to 5 Western Cres at 3pm.

The CTMP states that parking for construction staff is to be on the streets - Hepburn Avenue, Gerard Street, parts of Gerard Lane and other surrounding streets within the vicinity of the site. Once the basement car park and driveway is completed there will be opportunities for on-site parking. Whilst parking on the streets is not ideal, street parking spaces are available for public use including parking by construction workers. The parking restrictions in the Council's car park will not be altered.

- **Adverse Impact to 5 Western Crescent**

Adverse impact to privacy and light to units in the rear building of 5 Western Crescent. Traffic noise, water and air quality will affect local residents.

Planner's comments:

5 Western Crescent is a deep site and contains two separate residential flat buildings, one facing Western Crescent and one to the rear adjacent the north west boundary. The southern elevation of the rear building is setback only 2.8m from the common boundary, see **Figure 20** below illustrating the windows facing the subject site.

The proposed development is setback 6.1m from the common boundary, which complies with Council's DCP and the Apartment Design Guide for building separation. The proposal is deemed acceptable in terms of boundary setback. However the total separation between the two buildings is 8.9m. This separation distance was considered adequate by Council's UDRP.

To minimise overlooking to the adjoining site, solid balustrades and privacy screens are proposed to the outer edge of the balconies facing the adjoining site. This will provide visual privacy to 5 Western Crescent. In addition, as the ground floor finished level is slightly higher than the adjoining site and Units BLG02, BLG03 and BLG04 will be directly opposite the adjoining building, **Condition 1(b)** has been imposed requiring the external terraces for Unit BLG02, BLG03 & BLG04 to be provided with raised planters of adequate width and depth to support screen planting capable of providing privacy to 5 Western Crescent.

There is no empirical evidence that the proposed development will significantly impact on traffic noise, water and air quality as to warrant refusal of the proposal.



Figure 20: The windows beneath the red arrows are common stairwell windows, blue arrows are likely habitable rooms windows and the remaining windows are likely to be non habitable windows.

- **Questions to Council**

- *How will heavy vehicles access the site during demolition and construction?*
- *Where will workers on the site park?*
- *Where will the cranes be located?*
- *What will be the permitted hours for demolition and construction – including permissible hours for the delivery and removal of building materials?*
- *The Statement of Environmental Affects states that the proposal is “unlikely to affect the level or service, capacity and function of nearby roads and intersections” how is this possible?*
- *Will there be specific independent research and survey of the nearby roads and intersections the project is given the go-ahead?*

Planner’s comments:

See previous comments above regarding the construction activities and traffic impact.

The proposed development, whilst during the construction period, will cause some disruption to surrounding roads. However this is managed by the implementation of

the DTMP and CTMP which are required to be provided for development of this site. The construction period is temporary and once completed, the proposed development is not considered to adversely impact on the surrounding street.

- **Jordan Street**

Congestion in Jordan Street is likely to be increased due to the development.

Planner's comments:

Bitzios Consultancy has commented on this aspect and has advised: *"with the assessment of traffic generation showing a reduction in traffic it is unlikely that the congestion on Jordan Street will be negatively impacted by the development at 230 Victoria Road"*.

- **Viability of the Town Centre**

Viability of Gladesville Town Centre as a commercial centre. If this property is allowed to convert from commercial to mainly domestic – reduce number of shops and offices.

Planner's comments:

The subject site is zoned B4 Mixed use which permits commercial and residential use. The proposal has provided 306m² of commercial space on the ground floor of the front building, facing Victoria Road. The proposal complies with Council's requirements with regard to providing compatible land uses within the B4 Mixed use zone. The development satisfies this objective.

Submissions re: Amended Plans

Amended plans and amended documentations were re-notified on 14 April 2016 and given until 5 May 2016 to make submissions.

The amended plans received 12 submissions. The submissions raised the same issues as discussed above, in addition to the following concerns:

- *Whilst the amended plans show a reduction, the plans do not show a decrease in scale. The 7 storey residential block replacing a 5 storey partially used commercial building remain disproportionately large and out of place. This development combined with other redevelopments is still imposing significant adverse and onerous impact on traffic and parking. The scale remains inconsistent with other developments in the area.*

Planner's comments:

The proposal has been amended in accordance with the recommendations by the UDRP. This has resulted in the massing being organised as two distinct buildings, which has resulted in a substantial improvement in the design quality. In addition, the proposal complies with planning controls in terms of height and floor space ratio (proposal is below the maximum allowed) and accordingly is not considered to be inconsistent with the desired future character of the area.

With regard to the cumulative impact on traffic, the calculated traffic generation rates of the proposed development are projected to be a net decrease from the existing

land use. It is acknowledged that this is taken from a fully occupied building, nevertheless, it is considered that the proposed development will not generate a significant increase in traffic movement as to have an onerous impact on traffic and parking. See discussion above with regard to traffic and parking impact.

- *Transition from commercial to mainly residential use – change traffic times, greater on weekends.*

Planner's comments:

The transition from commercial to mainly residential has been discussed above.

With regard to changes to traffic times on weekend, Council requested Bitzios Consulting to provide comments with respect to traffic rates on weekends. These have been provided as follows:

The weekend traffic generation rate for high density residential is 0.20 vehicle trips per unit during peak hour (23 per hour). This is very similar to the weekday AM peak hour rate of 0.19 vehicle trips per unit (22 per hour).

Unfortunately the RMS Guide to Traffic Generating Developments does not provide weekend rates for commercial premises. Should there be no traffic generated at weekends for the existing then by comparison the traffic generation will increase with the new development.

However, due to the expected low volume of traffic generated we envisage that there will be very little impact as background traffic on weekends is also lower than weekdays. It should not be an issue that we cannot compare current weekend traffic generation with proposed as traffic generated by the development is so low that it will not have a significant impact on the local traffic network.

- *Images represent that the Gerard Lane access to the site has a footpath on both sides. There is NO FOOTPATH AT ALL either side. The lane roadway measurement is only 5.18m. No footpath at all. Very few street lights in Hepburn – how streets will be made safe for residents that need to walk to and from their homes.*

Only one car can drive through entering or exiting at any time.

In an emergency any vehicles eg Fire Brigade or Ambulance needing to enter the site will have difficulties if the vehicles that are on site need to leave the site at the same time.

There needs to have an additional/another vehicle access to this site for such a development.

Planner's comments:

No changes are proposed to the configuration of Gerard Lane which is currently used as the access to 230 Victoria Road. The road width of 5.18m will allow for two way traffic movements. Emergency vehicle access procedures would remain consistent with the protocols currently in place for the existing building.

Council's Traffic and Development Engineer has advised that currently there is no footpath along Gerard Lane however this is considered acceptable as pedestrian access is generally from Victoria Road. Provision of a footpath and new lighting would be considered when sites with their rear setback to Gerard Lane are redeveloped and Clause 3.2.2 of the DCP is applicable.

The street lighting along Hepburn Avenue is not directly related to the proposed development. It should be noted that there is a street light in Gerard Lane however pedestrian traffic would be predominantly from Victoria Road.

- *Hepburn Ave has a major parking problem NOW. If this development goes ahead any visitors to the residences or residents owning more than one vehicle and employees and visitors to the commercial area of this development have no where to park other than the side streets this would only be Hepburn Ave.*

A solution may be to make Hepburn Avenue a No Through Road /Dead End With no access into Gerard lane from Hepburn Ave or into Hepburn from Victoria Road or Gerard Lane.

Planner's comments:

The proposal complies with the car parking requirement and **Condition 134** has been imposed requiring the allocation of spaces for the different use.

The question of closing off Hepburn Avenue and any changes to parking restriction along the surrounding streets is a matter to be considered separately upon written request to Council's City Works and Infrastructure.

- *Amended plans are unclear nor were there any revised traffic management or SEE. Plans at Council still state 100 units and it is not clear where the changes have been made to the reduction of units.*

Planner's comments:

Amended plans and revised documents were re-notified together on 14 April 2016. The covering sheet of the amended plans states 88 units. The reduction in units/scale is a result of breaking of the massing of the development into two distinct buildings. The original proposal had the proposed building as a continuous building form in a loose "T" shape with a rear wing extending from Victoria Road along the depth of the lot (See **Figures 21 & 22** below of the original proposal and revised design). The revised design is less dense than the original resulting in less FSR than the permitted maximum.

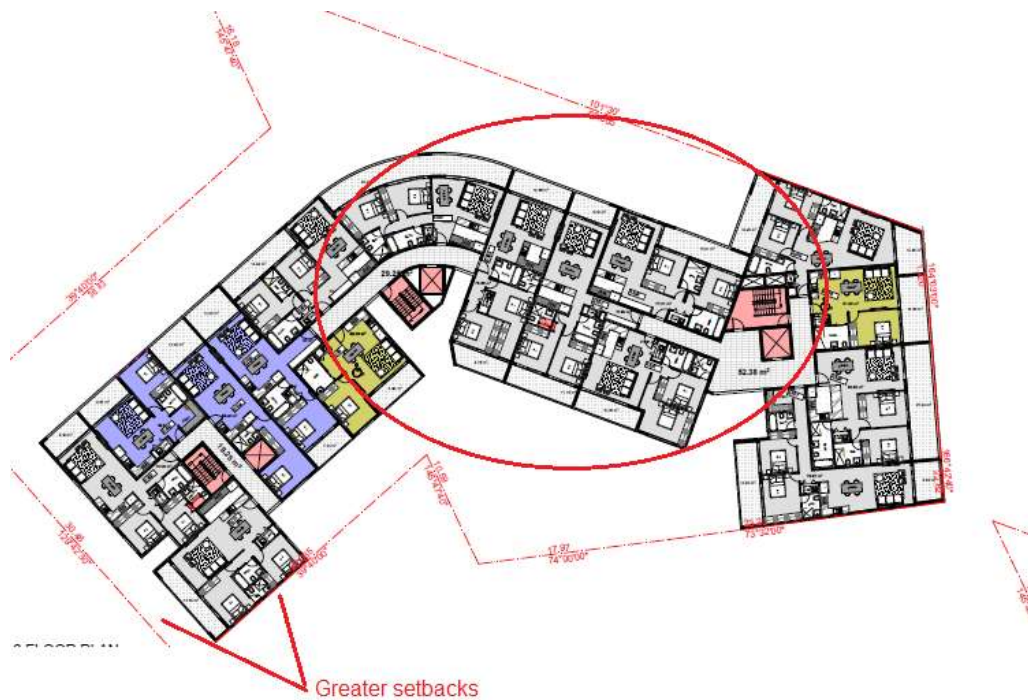


Figure 21: Original proposal – typical floor plan of each levels, one long continuous building.



Figure 22: Amended proposal – break up of the building to provide two distinct buildings and greater setback to the rear and southern boundary.

12 CONCLUSION

After consideration of the development against section 79C of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is considered suitable for the site and is in the public interest. The

proposal provides an opportunity to redevelop the site with a mixed use building that is considered responsive to the strategic intentions of the Gladesville RLEP2014 and associated planning controls that have been adopted for the locality by the Council. The proposed development was amended as per the recommendations of the UDRP and comprises two separate buildings which provide a high degree of amenity for future occupants in terms of access to public transport, commercial uses and the shopping centre.

The application generally complies with the planning provisions. The issues raised in the submissions have been considered and have been adequately addressed through the assessment process. Refusal of the application is not warranted based on the reasons contained in the submissions.

With respect to the issue of traffic around Gladesville, an independent Traffic Consultant (Bitzios Consulting) was engaged to review the impact of the proposal on the surrounding streets and the review is attached as **Attachment 2**. The review concludes that the development is not likely to have an adverse impact on the existing traffic and road network. However it is acknowledged that the existing building currently on site is not fully occupied and the construction of a new 7 storey building for 88 units will alter the existing traffic pattern in the area. Accordingly **Conditions 35, 77 and 137** have been imposed requiring pre and post traffic count surveys on the surrounding road network to gauge if there are any increase/traffic change as a result of this development. If there is an increase and the increase is significant, traffic calming measures may be required to be provided along Gerard Lane or Hepburn Avenue (this will be done in consultation with residents of Gerard Lane and Hepburn Avenue).

The parking design deficiencies identified in the report has been rectified or conditioned to comply.

In light of the above, it is recommended that the application be approved subject to conditions.

RECOMMENDATIONS

Pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 the following is recommended:

- a) That the Sydney East Region Joint Regional Planning Panel grant consent to development application LDA2015/433 for the demolition of the existing building and construction of a mixed use development at 230 Victoria Road, Gladesville subject to the conditions of consent in **Attachment 1** of this report.
- b) That the objectors be notified of this decision.
- c) That a copy of the development consent be forwarded to RMS.

Report prepared by:

Sandra McCarry
Senior Town Planner

Report approved by:

Sandra Bailey
Acting Manager Assessment

Liz Coad
Acting Director City Strategy and Planning.