

**JOINT REGIONAL PLANNING PANEL
(Sydney East Region)**

JRPP No	2015SYE147
DA Number	LDA2015/0435
Local Government Area	City of Ryde
Proposed Development	Construction of two residential flat buildings containing a total of 174 apartments and 243 car parking spaces
Street Address	110 Princes Street, Ryde
Applicant	Frasers Putney Pty Ltd
Number of Submissions	2 submissions objecting to the development
Regional Development Criteria (Schedule 4A of the Act)	General Development over \$20 Million
List of All Relevant S79C(1)(a) Matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act, 1979 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Major Developments) 2005 • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy (Building Sustainability Index: BASIX) • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development • Deemed State Environmental Planning Policy Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Ryde Local Environmental Plan 2014 • Ryde Development Control Plan 2014
List all documents submitted with the report for the panel's consideration	Conditions of consent
Recommendation	Approval subject to conditions
Report by	Sandra Bailey, Acting Manager Assessment
Report date	22 February 2016

Assessment Report and Recommendation

1. EXECUTIVE SUMMARY

The following is an assessment of a development application for the construction of two residential flat buildings at 110 Princes Street, Ryde. The development will contain 174 residential apartments consisting of 29 x 1 bedroom, 111 x 2 bedroom and 34 x 3 bedroom apartments. Car parking for 243 vehicles is proposed over a combined basement. The overall height of the buildings will be five and eight storeys. The development also includes a community title subdivision.

The site is part of a Concept Plan Approval and the development forms Phase 2 of Stage 2 of the Royal Rehabilitation Centre Sydney (RRCS) redevelopment. The development is generally consistent with the modified Concept Plan Approval.

During the notification period Council received one submission. The submission raised issues in respect to height, traffic, over development of the site, floodlights, noise and drainage. All of these issues have been addressed in the report.

Assessment of the application against the relevant planning framework and consideration of various design matters by Council's technical departments has not identified any fundamental issues of concern. Consequently this report concludes that this application is sound in terms of design, function and relationship with its neighbours.

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

2. APPLICATION DETAILS

Name of applicant: Frasers Putney Pty Ltd

Owner of site: Frasers Putney Pty Ltd

Estimated value of works: \$67,806,134

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

The site is part of the former Royal Rehabilitation Centre Sydney and is bounded by Victoria Road to the north, Charles Street to the east and Morrison Road to the

south. The western border is bound by the Little Company of Mary (Calvary Retirement Village) on the north west and Princes Street on the south west.

The site is part of a Concept Plan Approval that applies to 17.7 hectares of land. The residential component of the site is 11.52 hectares in area across two parcels of land which are separated by the approved detention basin and Lardelli Park. These two parcels of residential land are known as Stage 1 and Stage 2. Stage 1 of the development has a street address of 600 Victoria Road, Ryde and Stage 2 has a street address of 110 Princes Street, Ryde. This is demonstrated in Figure 1.

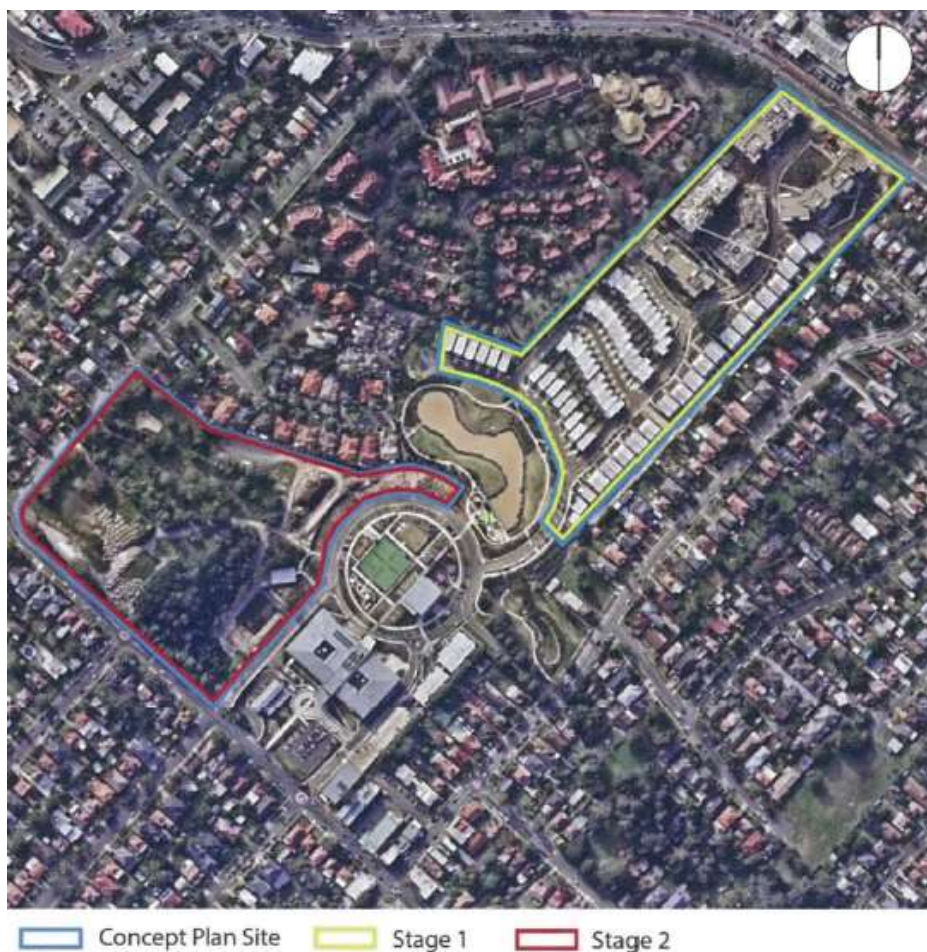


Figure 1. Aerial photograph of the site showing the location of Stage 1 and Stage 2.

Stage 1 of the Concept Plan has largely been completed with many dwellings and apartments occupied. The recreational circle and the new RRCS facilities are also complete.

The portion of the site where the development is proposed is known as Stage 2 Phase 2. The staging plan is demonstrated in Figure 2.

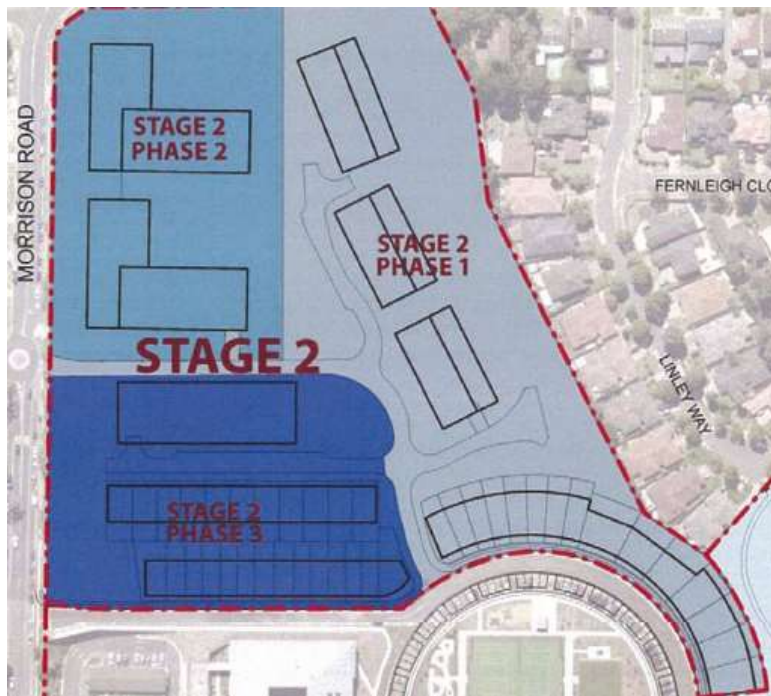


Figure 2. Staging plan for Stage 2.

The Stage 2 Phase 2 portion of the site is bounded by Princes Street to the west, Morrison Road to the south, a new internal road known as Road 21 to the east and Stage 1 Phase 1 which consisted of three residential flat buildings to the north. This portion of the site has a site area of 12,108m². Low density residential dwellings are located on the opposite sides of both Princes Street and Morrison Road.

The site slopes steeply down to the north, east and south east, with an approximate change in levels of 25 metres across the overall Stage 2 site.

There are a number of existing trees within the site, located generally along the Princes Street and Morrison Road frontages.

4. PROPOSAL

The scope of works for which consent is sought comprises:

- Construction of two residential flat buildings. Both of these buildings will have a maximum height of 8 storeys. Each building will include a step at level 6. The portion of the building located closest to Morrison Road will be a maximum of 5 storeys. The buildings will be consistent in terms of materials, finishes and façade articulation features. The materials to be used include brickwork, metal vertical fins, timber and metal claddings and screens, painted face concrete and aluminium glazed balustrades. In total the two buildings will contain 174

apartments. The following table demonstrates the apartment mix within each building:

	Building 7A	Building 8A	Total
1 bedroom	12	17	29
2 bedroom	49	62	111
3 bedroom	23	11	34
Total	84	90	174

Pedestrian access to each building is via Morrison Road.

Photomontages of the development are included in Figures 3 to 5.



Figure 3. Photomontage of the development as viewed from Morrison Road and Princes Street.



Figure 4. Photomontage of the development as viewed from Morrison Road and Road 21.



Figure 5. View of the rear of the development.

- The provision of 243 car parking spaces in combined ground/basement levels beneath the residential flat buildings. 208 spaces are proposed to be allocated to residents and 35 spaces to visitors. The vehicular access to the car parking is via a driveway off Road 21. The basement also includes a shared waste collection

- Associated landscaping and public domain works.
- The development also includes the community titles subdivision of the Stage 2 site. The subdivision will establish three lots for the following purposes:
 - Lot 1 – common property (landscaping)
 - Lot 2 – Apartment buildings 5A1, 5A2 and 6A
 - Lot 3 Apartment buildings 7A and 8A.

The map shows Lot 1 Community Property, which is divided into several units: (5A1), (5A2), (6A), (7A), and (8A). The lot is bounded by Morrison Road to the west and south, and M.C.A. to the north. The map includes various dimensions and a north arrow. The units are numbered 1 through 6. The lot is also labeled as LOT 1 COMMUNITY PROPERTY. The map shows the layout of the units and their dimensions, as well as the dimensions of the lot itself. The lot is bounded by Morrison Road to the west and south, and M.C.A. to the north. The map includes various dimensions and a north arrow.

5. BACKGROUND

JRPP (Sydney East Region) – Business Paper Item – 2015SYE147

On 23 March 2006, the then Minister for Planning approved Concept Plan application **MP05_0001** for the following: -

- (1) *“A new, purpose built specialised rehabilitation and disability facility.*
- (2) *No more than 50 residential dwellings per hectare on land excluding the new, purpose built specialised rehabilitation and disability facility.*
- (3) *Landscaped public and private open space.*
- (4) *Associated services and infrastructure.*
- (5) *Land use distribution, building heights, densities, dwelling mixes and types.”*

On 2 August 2006, the site was listed as a State Significant Site. The listing provided a range of planning controls and land use zones written into Schedule 3 of the Major Development SEPP, consistent with the Concept Plan Approval.

On 30 June 2010, Ryde LEP 2010 was gazetted and the planning controls for the RRCS site were transferred across from Schedule 3 of the Major Development SEPP into the LEP.

5.2 Section 75W Applications

1) A Section 75W Modification Application (s75W) was approved by the Acting Director General of the then Department of Planning and Infrastructure on 8 March 2013. **MP05_0001 MOD 1** relates to the Stage 1 portion of the site fronting Victoria Road for revised built form controls including: -

- Amendments to the layout of Stage 1 including:
 - new building envelopes and building layout;
 - changes to the internal road layouts;
 - changes to basement car parking; and
 - changes to the public domain and open space areas;
- replacement of existing density controls across the entire site with new floor space ratio (FSR) controls,
- staging plan for Stage 1;
- subdivision of Stage 1, Phase 2.

2) A second s75W application was approved by the Director of the Department on 14 October 2014. **MP05_0001 MOD 2** allowed the following modifications to the Concept Approval:

- Amendments to the layout of the Stage 2 site including:
 - new building locations and new building envelopes;
 - changes to dwelling types and mix;
 - changes to the internal road layout, site access points and hierarchy;

- changes to basement car parking locations; and
- changes to the public domain and open space areas including deletion of roof top landscaping on residential flat buildings.
- Replacement of existing density controls across Stage 2 with new floor space ratio controls.
- Staging plan for Stage 2.

5.3 Previous Major Project Approvals

Subdivision

On 12 August 2008, the then Minister for Planning approved the subdivision of the RRCS site into seven Torrens Title super lots, associated rights of carriageway and service easements (**MP07_0100**). A modification was approved on 5 July 2010, (**MP07_0100 Mod 1**) to reflect the zone boundaries under the SEPP and the subsequent LEP controls. A further modification was approved on 31 October 2012 (**MP07_0100 Mod 2**) to further subdivide the Lot 5 (relating to the health care facility).

Health Facility and Community Open Space

On 16 December 2008, a Project Application (**MP08_0054**) was approved for the demolition of part of the Coorabel facility and the construction of a new Health Facility and associated community open space and infrastructure works on part of the RRCS site (Lot 5) was approved. Five subsequent modifications have been approved; modifying buildings, roadways, staging and landscaping. The Central Parklands and Detention Basin are complete and the Central Parklands are open to the public.

Stage 1 Phase 1 Residential Development

On 1 May 2012, Project Application **MP10_0189** was approved for the development of Stage 1, Phase 1 of the residential development. This approval included: -

- demolition of existing buildings required to be removed to facilitate the Stage 1 Phase 1 works;
- subdivision;
- staged construction of a residential development including 54 apartments; 54 semi-detached / terraced and 16 detached dwellings;
- basement car parking to the residential flat building;
- public domain works including roads and utilities;
- tree removal and landscaping;
- construction of vehicular access to the site from Charles Street and Victoria Road; and
- extension / augmentation of the physical infrastructure / utilities required.

A modification was approved on 19 September 2012 (**MP10_0189 MOD1**) to modify the approved residential flat building by increasing floor space and creating seven new apartments. Two further minor modifications have since also been approved.

5.4 Previous Development Applications

1) On 26 June 2013 the Joint Regional Planning Panel approved Local Development Application 2012/0471. This approval involved the following:

- The construction of an 8 storey residential flat building containing 91 apartments and 130 basement car parking spaces in Stage 1 Phase 4A.
- 16 two storey semi-detached dwellings located in Stage 1 Phase 2H.
- The construction of internal road 12.
- Associated landscaping and public domain works.

2) On 19 September 2013 the Joint Regional Planning Panel approved Local Development Application 2013/0165. This approval involved the following:

- The construction of three (3) residential flat buildings consisting of 218 apartments and 305 basement/ground level car parking spaces in Stage 1 Phase 2A and 3A.
- Extension of services and infrastructure on the site.
- Associated landscaping and public domain works.

3) On 17 September 2014, Council approved Local Development Application 2014/0108. This approval involved the demolition of existing buildings and removal of certain trees adjacent to the buildings to be demolished and removal of pedestrian pathways as part of the Stage 2 development of the site. Demolition works have since commenced.

4) On 23 April 2015, the Joint Regional Planning Panel approved Local Development Application 2014/0522. This application involved the following:

- construction of 3 residential flat buildings comprising 131 apartments and 2 levels of basement parking for 187 vehicles.
- construction of 15 dwellings comprising 8 attached dwellings, 6 semi-detached dwellings and 1 detached dwelling.
- Associated landscaping and public domain works.
- Extension of services and infrastructure on the site including the construction of internal roads 21, 22, 27 and 28 and new vehicular access at the intersection of Morrison Road and Boulton Street.
- Establishment and use of a temporary car park.
- Subdivision of the site (Stage 2 Phase 1) into three super lots plus a fourth lot for Road 21 together with the further subdivision of Lot 1 into single lots for each of the proposed 15 dwellings.

5.5 Current Development Application

The development application was submitted to Council on 10 September 2015.

A letter was sent to the applicant on 16 November 2015 requesting further information and/or consideration in respect of the following issues:

- Compliance with the Concept Plan approval in respect to Aboriginal Archaeological Assessment, compliance with the heritage requirements and dwelling yield clarification.
- Clarification or noncompliance issues with the Apartment Design Guide in respect to solar and daylight access, natural ventilation, apartment size and layouts, storage and common circulation spaces.
- Deletion of the multi-function rooms which are located below ground.

The applicant submitted additional information on 15 December 2015. Amended plans were submitted in early February 2016.

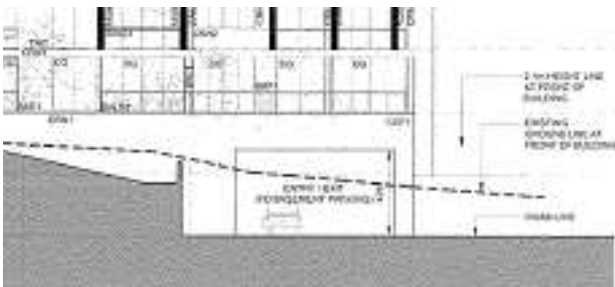
5.6 Consistency with the Concept Approval Plans

The subject application is based on Approved Concept Plan **MP05_0001 MOD 2**. A list of the applicable Conditions of Consent and Statement of Commitments from the Approved Concept Plan (as modified) has been discussed below.

Schedule 2 of the Concept Approval set out various matters to be satisfied by any future development application to implement that consent. Those matters relevant to the current DA are addressed in **Table 2** below:

Schedule 2	
Conditions	Comment
A1. Development Description	The DA is considered consistent with the development description and Concept Plan drawings as revised by the most recent section 75W Application.
A2. Development in Accordance with Plans and Documentation	The DA is generally consistent with the drawings, Environmental Assessment, Statement of Commitments and Putney Hill Architectural and Landscape Design Guidelines approved with the most recent section 75W Application. The development does result in minor variations in respect to the building height and footprint established by the modified Concept Plan. These issues and the Putney Hill Architectural and Landscape Design Guidelines have been discussed in greater detail at the end of this table. These variations are minor and are supportable.

Schedule 2	
Conditions	Comment
A6. Determination of Future Applications	<p>The proposal is consistent with the road layout, siting of the building and basement layouts, dwelling density, building envelopes and provision of landscaping and open space areas as approved in the modified Concept Plan.</p> <p>Accordingly, this development is considered to be generally consistent with the approved Concept Plan.</p>
Part B – Department of Planning's Conditions of Approval	Comment
B7. Contamination Investigation	Site contamination studies were provided to the Department in relation to the previous applications, and the overall site is considered appropriate for residential use.
B9. Archaeological Investigation	<p>An Aboriginal Archaeological Assessment for the entire Putney Hill site was submitted as part of the Project Application for Phase 1 of Stage 1. This report concluded that:</p> <ul style="list-style-type: none"> • No Aboriginal archaeological sites or places have been located within the study area • The area was found to be highly disturbed and to have a low/no archaeological potential • The study area was found to have a low archaeological significance.
B13. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	The applicant has submitted BASIX Certificates for the buildings (No.657206M dated 3 September 2015) which provide the development with a satisfactory target rating. Appropriate conditions will be imposed requiring compliance with the BASIX commitments as detailed within the Certificate (see conditions 3, 28, and 91).
B17. Stage 2 Residential Built Form, Urban Design and Landscaping	This condition of the Concept Plan requires that future applications for Stage 2 shall provide dwelling yield calculations (including projections for future stages) demonstrating that the maximum number of dwellings across the Concept Plan can be achieved. Condition A1 identifies that the total number of dwellings across the site is not to exceed a density control of 50 dwellings per hectare. This results in a maximum of 791 dwellings. Development consent has already been granted for 595 dwellings. This application proposes a further 174 dwellings. The applicant has provided a letter confirming that the future DA to be lodged for Stage 2 Phase 3 will consist of 22 dwellings. This would result in the total number of dwellings in the entire development not exceeding 791.

Schedule 2	
Conditions	Comment
	<p>The development is also to incorporate extensive landscaping within the boundary setback areas including the retention of any significant trees where possible. Council's Consultant Landscape Architect has reviewed the proposed landscaping design and has raised no objections and is satisfied that significant trees in these areas have been retained where possible.</p> <p>The condition also requires that the ceiling height of the parking areas beneath the RFBs do not exceed 2.1m above natural ground level at any point, except within buildings 7A and 8A where the basement parking is sleeved by residential floor space. The development results in one area of non-compliance. This occurs in the north eastern corner at the entry to the car park in Building 8A. The variation is a consequence of the development allowing garbage trucks to enter the basement. In this vicinity the ceiling height will exceed NGL by a maximum of 3.5m. This breach is considered acceptable as it does not contribute to the overall height of the building.</p>  <p>Figure 7. Eastern elevation showing natural ground line in the vicinity of the garage entry.</p>

Part C – Proponent's Statement of Commitments

<p>C1. Health and Community Facilities</p> <p>The proponent will provide a new multi-functional Health and Disability Centre, recreational facilities, a child care centre and community meeting room, negotiate a Planning Agreement under s93 of the Act and/or provide Development Contributions under s94 of the Act for community facilities and infrastructure demand and commit to staged development of the site to enable RRCS to continue its operations.</p>	<p>The RRCS Health Facility was the subject of a previous Project Application (MP08_0054).</p> <p>The contributions were arranged in accordance with a Deed of Agreement established on 15 July 2010 between Ryde City Council, RRCS and Frasers Putney Pty Ltd, which offered community facilities and infrastructure as material public benefit in lieu of a cash payment.</p>
<p>C2. Density and Relationship to Surrounding Community</p> <p>The proponent will implement the State Government's objectives for a sustainable and compact city by</p>	<p>As per previous approvals for the development of Stage 1 and the first phase of Stage 2, the proposal is considered to suitably satisfy these design elements given the following:</p>

Schedule 2	
Conditions	Comment
<p>adhering to the following design elements:</p> <ul style="list-style-type: none"> • The mix of dwelling types, to provide for a range of housing choice; • The maximum densities in the development parcels, to ensure that there is a sustainable and environmentally sensitive distribution of residential density across the subject site; • The location of detached houses and town houses in the peripheral transition zones, to create a buffer to the surrounding residential communities, maintaining a good amenity, solar access, light and privacy for the existing residents; • The location of medium density residential development in the interior of the subject site, to afford increased opportunities for liveable communities within the metropolitan fabric, close to regional employment opportunities and to existing retailing, educational and community facilities, and well serviced by public transport. • The integration of open space, recreational facilities, childcare and community and health facilities with the residential development, to ensure that not only will the newly created communities be sustainable, both socially and environmentally, but that existing residents in the local community will also benefit from the total development. 	<ul style="list-style-type: none"> • The provision of 174 apartments, when considered in light of the housing mix across the overall RRCS site, will provide suitable housing options to the area, which predominantly consists of single residential dwellings. • The overall provision of 174 apartments is consistent with the distribution and density of dwellings in the approved Concept Plan (as modified), which is within the overall density control of 50 dwellings per hectare. • The proposed residential development is well integrated with the urban fabric of the area, and benefits from retail, employment, educational and community facilities. Public transport is also available. • The various components of the RRCS site service the needs of the new community, as well as being readily accessible to service the surrounding community. <p>The proposed development is considered to provide a contributory role to the benefit of its future residents and the surrounding community.</p>
<p>C3. Urban Design</p> <p>The proponent will accord with the maximum heights, maximum number of dwellings, maximum floor space and minimum setbacks in the development parcels in the plans and documentation described in Condition A2, Part A, Schedule 2.</p> <p>The proponent will submit subsequent applications in accordance with the maximum development parameters in the plans and documentation described in Condition A2, Part A, Schedule 2 and in accordance with the</p>	<p>The proposal is generally in keeping with the maximum heights, maximum number of dwellings and minimum setbacks as per the approved Concept Plan (as modified). The proposal also is generally consistent with the documentation and plans described in condition A2.</p> <p>The proposal demonstrates general compliance with the RDG, however solar and daylight access and common circulation spaces exceed the design criteria. Despite this, the development complies with the objectives of these clauses. Refer to discussion at Section 8.7 below.</p>

Schedule 2	
Conditions	Comment
<p>urban design principles set down in State Environmental Planning Policy 65 – Design Quality of Residential Flat Development, Residential Flat Design Code (DIPNR) and the Residential Flat Design Pattern Book (DIPNR).</p> <p>The proponent will adopt the following urban design principles which:</p> <ul style="list-style-type: none"> • Maximise the northern aspect for solar access to dwellings. • Respond to the microclimate of each location and to the varying topography. • Set back buildings from the street frontages to create landscaped settings. • Introduce view corridors through the subject site to maximise visual permeability. • Share views by stepping buildings down the slope. • Diversify building forms to create variety and visual interest. • Limit overshadowing to 50% for 2 hours per day for private open space. • Minimise overshadowing of public open space. • Maintain privacy by ensuring adequate distances between dwellings - windows of habitable rooms be a minimum of 12m apart or if these distances are not achievable, other design measures, such as appropriate window and balcony locations and screening, being incorporated. <p>The proponent will adopt a design philosophy to create a traditional Australian residential living setting in a contemporary urban environment, through:</p> <ul style="list-style-type: none"> • Articulated buildings with an interplay of planes, with balconies and pergolas. • An interplay of self-finishing building materials, brick, stone and tiles. • Variations in colour and texture. • Human scale in the design of facades and spaces between buildings. • Ceiling height of the parking areas beneath residential flat buildings not to exceed 2.1m above natural ground 	<p>The proposal satisfies the specified urban design principles with particular regard to the provision of sufficient landscaped setbacks, minimal overshadowing of public open space, a design that is responsive to the existing topography and the character of the location, and a minimum of 12m separation between habitable room windows of dwellings. The proposal also provides appropriate screening measures, balcony locations and landscaping to assist in providing privacy.</p> <p>The development exhibits the elements specified in the design philosophy by providing buildings with suitable architectural articulation which is enhanced by balconies and a mix of colours and materials. The presentation of the facades and siting of the buildings exhibits a suitable relationship with the human scale.</p>

Schedule 2	
Conditions	Comment
level at any point.	
<p>C4. Landscaping</p> <p>The proponent will adopt landscaping designs being in accordance with the following principles:</p> <ul style="list-style-type: none"> • To create a variety of landscaped public open spaces which respond to the existing topography and landscaped features, and are appropriate for the intended purpose of each area of open space. • To create accessible, landscapes roof-tops for use as private open space. • To create a unique sense of place in different precincts of the development, and landscaping on the collector roads which harmonises with Council's public domain landscape strategies. • To preserve mature trees and landscaping features. • To provide shade along pedestrian pathways and streets through the planting of street and park trees. When selecting species, consideration to be given to drought tolerance, winter solar access, summer shade and provision of habitats. • To provide a high quality, low maintenance suite of street furniture that is located to provide amenity for walkers and park users. • To provide shade for parking areas so that cars can be parked in the shade - ideally reducing the need for intensive air conditioning. • To reduce crime in public places by creating safe open spaces that are overlooked by dwellings and that have at least two access points. • To minimise water usage and maintenance by selecting hardy, drought tolerant native and exotic plants, including those listed on the Sydney Water Plant Selector. • To reduce environmental weeds by selecting plants that are non-invasive or indigenous. • To treat stormwater on subject site through landscape techniques such as wetlands and planted swales. 	<p>The development has incorporated the stipulated landscape design principles. The landscaping will provide a high quality of amenity to the development and incorporate a variety of scales and ranges of open space opportunities. The proposed tree retention and planting will provide the site with large specimens that will enhance the character of the development.</p> <p>The design of the landscaping is considered to be in keeping with, and enhance the character of the Putney locality. The proposal has been reviewed by Council's Landscape Consultant and is supported subject to conditions pertaining to replacement tree planting, tree protection, arborist supervision etc. (see conditions 83, 84 and 85).</p>

Schedule 2	
Conditions	Comment
<ul style="list-style-type: none"> • To provide a range of habitats for indigenous fauna including birds and arboreal mammals, insects, reptiles and amphibians through selection of plant species and planting composition. • To increase water penetration by the use of permeable car parking bays. • To provide accessible paths of travel wherever possible as an integrated part of the open space network; • To provide a landscape that can be maintained without excessive labour, water or nutrient inputs. <p>The proponent will adopt a design philosophy for elements in the public domain, including landscaping and street furniture, which will reflect the character of Putney, to be developed in consultation with Council to the satisfaction of the Department.</p>	
<p>C5. Heritage</p> <p>In the event a future approval is granted to demolish buildings on the subject site, the impacts will be mitigated by the following procedures:</p> <ul style="list-style-type: none"> • The important historic, social and cultural significance of RRCS to be commemorated through a professionally written history of the subject site; • Archival photographic recordings to be made of the significant buildings, the subject site and the landscape elements on the subject site, in accordance with NSW Heritage Council's guidelines; • The original sandstone gateposts at the entrance to Weemala to be retained in situ; • An interpretation strategy to be developed, in order to recognise the important historical and social significance of the subject site to NSW and Ryde; • The history of the RRCS to be commemorated in naming of new facilities, parks and roads. • Archival material to be held by 	<p>Development consent for the demolition of existing buildings on the site was approved under LDA2014/0108 on 17 September 2014. As such, the subject proposal does not include any demolition. However, as part of the consent for LDA2014/0108, advisory conditions were included stating matters that would need to be addressed in any subsequent construction DA for the site. These were essentially the same matters listed in C5 of Concept Approval (as modified).</p> <p>Several supporting documents and strategies were lodged by the applicant to satisfy this requirement in relation to the Concept Plan MP05_0001. These strategies are considered to be satisfactory. Council's Heritage Officer has raised no objection to the proposal.</p>

Schedule 2	
Conditions	Comment
<p>RRCS, displayed where appropriate in the new facility and be made available as a public record in the local city library;</p> <ul style="list-style-type: none"> • A “History Walk” to be created as a key feature of the parkland amenity, including commemorative stones along the public access track displaying the origins of the site in the context of the history of the Putney Village Community and the City of Ryde; • An investigation to be conducted to determine the extent and nature of any remnants of the original Weemala building, including a sampling of surface shard scatters. 	
<p>C6. Utilities Infrastructure</p> <p>The proponent will:</p> <ul style="list-style-type: none"> • Obtain confirmation from utility providers, that existing infrastructure, particularly sewer and water, are capable of supporting the proposed development or can be amplified without detrimentally affecting the existing amenity of the area. • Obtain all necessary approvals from authorities to implement the augmentation and/or reticulation of the utilities infrastructure. 	<p>The required consultants’ reports were submitted in support of the approved Concept Plan (as modified). The applicant confirms that the site is able to be adequately serviced with site infrastructure and utilities, however the existing utilities will be augmented to meet service demands. The applicant will satisfy these requirements and obtain approval from the necessary authorities prior to any work being undertaken.</p>
<p>C7. Traffic & Transport</p> <p>The proponent will work with all traffic and transport authorities and Council to optimise the design and safety of roads and intersections, both within and surrounding the subject site, and to upgrade public transport, including:</p> <ul style="list-style-type: none"> • Review of bus-stops and access to these. • Design of intersections on external roads, including roundabouts. • Improvement in pedestrian safety within the locality. • Reduction in vehicular speeds. • Design of the subject site’s internal road network in accordance with the Australian Model Code for Residential Development Guidelines (AMCORD), with limited access points, discouraging through-traffic and ensuring safety for pedestrians and cyclists. • Design of the internal road network in 	<p>RMS has raised no objections to the development.</p> <p>Council’s Traffic Engineer and Senior Development Engineer have reviewed the proposal and have raised no objections. The following is noted:</p> <ul style="list-style-type: none"> • An existing bus stop is located on Morrison Road at the boundary of the overall site and the provision of further stops on the site frontage are not required. • The Deed of Agreement signed between the City of Ryde Council, RRCS and Frasers Putney Traffic required traffic calming measures to be implemented. • Dedicated pedestrian pathways are provided throughout the RRCS site. • The applicant has committed to a 40km/h speed limit for all internal roads. • The applicant has confirmed that the internal road network satisfies the AMCORD requirements. • Parking is provided in accordance with Council’s car parking rates pursuant to the Ryde DCP 2014. Each apartment is provided with a secure storage

Schedule 2	
Conditions	Comment
<p>accordance with a road hierarchy, to provide a sense of place in different locations and to improve safety for pedestrians and cyclists.</p> <ul style="list-style-type: none"> • Provision of parking and storage in accordance with Council's codes and/or RTA guidelines. • Provision of pathways accessible for people with disabilities between the RRCS health facilities, the Recreation Circle and the Central Parkland. • Provision of a cycleway network. <p>The proponent will negotiate a planning agreement under Section 93 of the Act, and/or providing Development Contributions under Section 94 of the Act, to provide for infrastructure.</p> <p>The proponent will implement the recommendations and conditions set out in the Sydney Regional Advisory Committees letter to the Department dated 5 October 2005 to the satisfaction of the Department.</p>	<p>area adjoining their allocated car parking space.</p> <ul style="list-style-type: none"> • Accessible paths of travel are provided throughout the site and to the adjoining public areas. • A cycleway network is provided. <p>The Deed of Agreement has identified various traffic calming measures that are required to be implemented. At this stage, the applicant has not completed some of these works. These works are required to ensure that this development does not have an adverse impact on traffic movements in the Putney area. For this reason it is proposed to include conditions on any consent to require these works to be completed.</p> <p>The applicant confirms that the proposal satisfies the relevant Australian Standards. The proposal has been reviewed by Council's Senior Development Engineer and no objection is raised.</p>
<p>C8. Stormwater Management</p> <p>The proponent commits to working with Council to develop the design for the stormwater management system, which will operate effectively to the standards for infrastructure, safety and public health set down by Council, and to the satisfaction of the Department.</p>	<p>Stormwater detention and management measures for the overall site were previously approved in Project Application MP08_0054.</p> <p>The subject DA is accompanied by a detailed Civil Engineering Design Report and Plans which have been reviewed by Council's Senior Development Engineer and no objection is raised.</p>
<p>C9. Construction Management</p> <p>The proponent will lodge a Construction Management Plan, prior to development being undertaken on the subject site, including (but not limited to):</p> <ul style="list-style-type: none"> • Traffic management • Noise and vibration management • Dust control • Construction waste management • Erosion and sediment control • Flora and fauna management • Archival recording of heritage • Hazardous materials removal <p>The proponent commits to carrying out any required remediation prior to</p>	<p>The application has been accompanied by a Construction Management Plan that addresses all of the issues required in this condition. In respect to traffic management, the applicant intends to submit a more detailed Traffic Management Plan that would be prepared in accordance with the RMS guidelines. This is acceptable to Council's Traffic Engineer and a condition of consent has been imposed to require this to be submitted prior to the issue of any Construction Certificate on the site. (See condition number 41).</p>

Schedule 2	
Conditions	Comment
developments being undertaken on the subject site, in accordance with the findings of the Contamination Study.	
<p>C10. State Environmental Planning Policy Building Sustainability Index (BASIX)</p> <p>The proponent will comply with the NSW Government Building Sustainability Index targeting 40% reduction for potable water consumption, 25% reduction of greenhouse gas emissions and improvement in the thermal performance of all new residential buildings.</p> <p>The proponent will commit to specified sustainability initiatives.</p>	<p>The applicant has submitted BASIX Certificates for the buildings (No. 657206M dated 3 September 2015) which provide the development with a satisfactory target rating. Appropriate conditions will be imposed requiring compliance with the BASIX commitments as detailed within the Certificate (see conditions 3, 28 and 91).</p>
<p>C14. Submission of Subsequent Applications</p> <p>The proponent will submit subsequent applications for the development of the subject site in accordance with the conditions of approval to Project No. 05_0001.</p> <p>The proponent will submit further documentation for the subsequent applications which will include (but not be limited to):</p> <ul style="list-style-type: none"> • Detailed landscape survey and design. • Archaeological survey, where required in accordance with the Heritage Interpretation Strategy. • Heritage interpretive elements in the public domain • BASIX compliance • Sediment and Erosion Control Plan • Waste Management Plan • Car parking provision, loading and subject site access in accordance with the relevant codes. • Construction Management Plans • Compliance with the utility authorities' standards and reticulation requirements, and approval/permit processes. 	<p>The subject DA has been submitted to satisfy this condition and is accompanied by the necessary supporting documentation. The applicant confirms that all necessary approvals will be attained from utility providers prior to the commencement of works where necessary.</p> <p>The DA is considered to satisfy the submission requirements where relevant, and appropriate conditions of consent will be imposed where necessary.</p>

Building Footprint

Based on the approved building height and setbacks diagram in the modified Concept Plan, the applicant has prepared the following diagram to demonstrate the breaches to the approved building footprint.

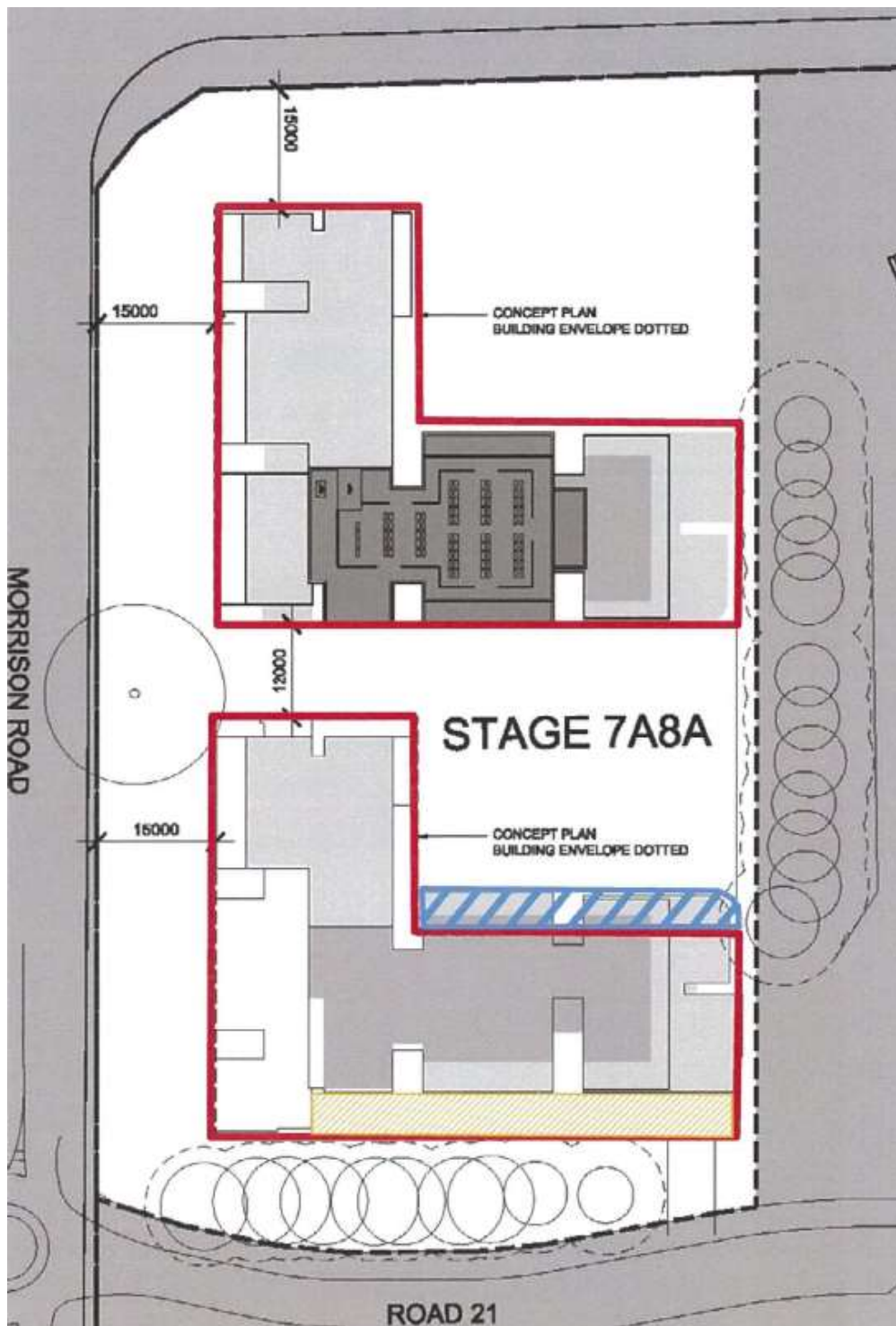


Figure 8. The approved building footprint is identified in red. The blue represents the area of the building that has extended beyond the envelope. The orange represents the area of unused building envelope.

There is a non-compliance with the approved building envelope for Building 8A. The rear portion of the building has moved approximately 2m towards the west. To compensate for this non-compliance, the eastern side of the building has also moved towards the west. The reason for the non-compliance is to ensure the retention of the trees along Road 21.

This breach will not affect the amenity of any adjoining property or any future residential apartment. The development will still maintain separation distances of greater than 35m between Building 7A and 8A. This breach is considered acceptable.

Building Height

The modifications to the Concept Plan specify that the building heights are not to exceed 19m and 26.5m. The development results in minor variations to these height controls. This is demonstrated in the following figure.

In Building 7A, the non-compliance occurs in respect to the fire stairs, pergola and a small portion of the parapet to the rooftop terrace. This results in a maximum breach of 2.1m. Figure 10 demonstrates this non-compliance.

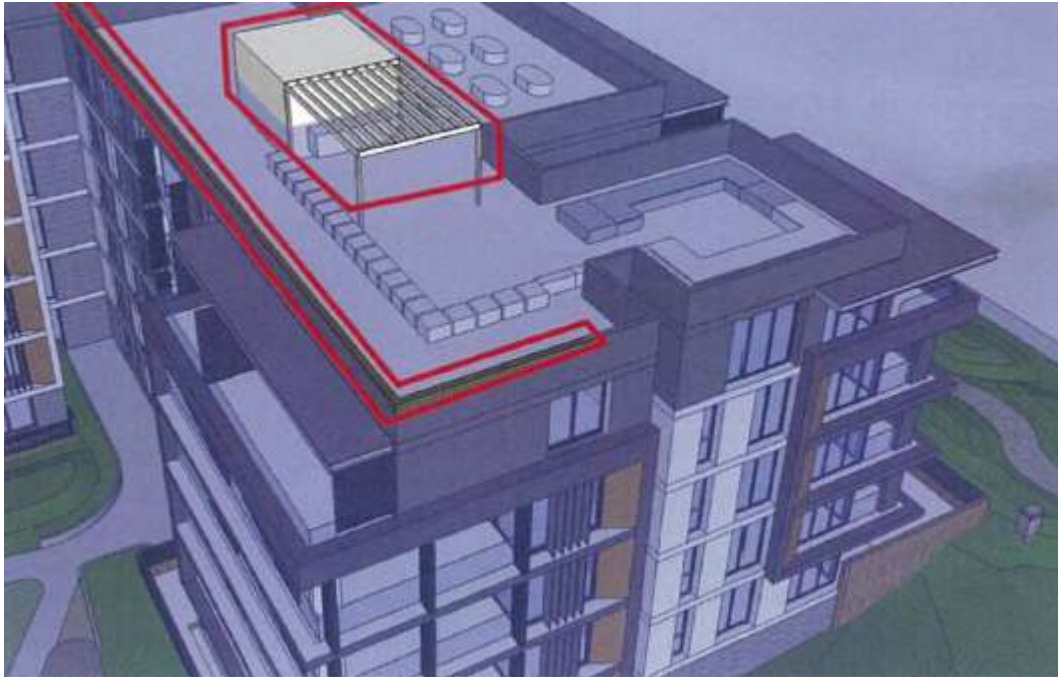


Figure 10. Extent of the height non-compliance demonstrated in red for Building 7A.

The roof top terrace has been added following the UDRP meeting and will add significant amenity to the occupants of the building. This part of the building is setback 14m from the front of the building and is unlikely to be readily visible from Morrison Road and will not affect any adjoining property.

In Building 8A, the non-compliance is restricted to the balustrade of a roof terrace for apartment 608 in the south eastern corner of the building. This results in a maximum breach of 1.05m. This is demonstrated in Figure 11.

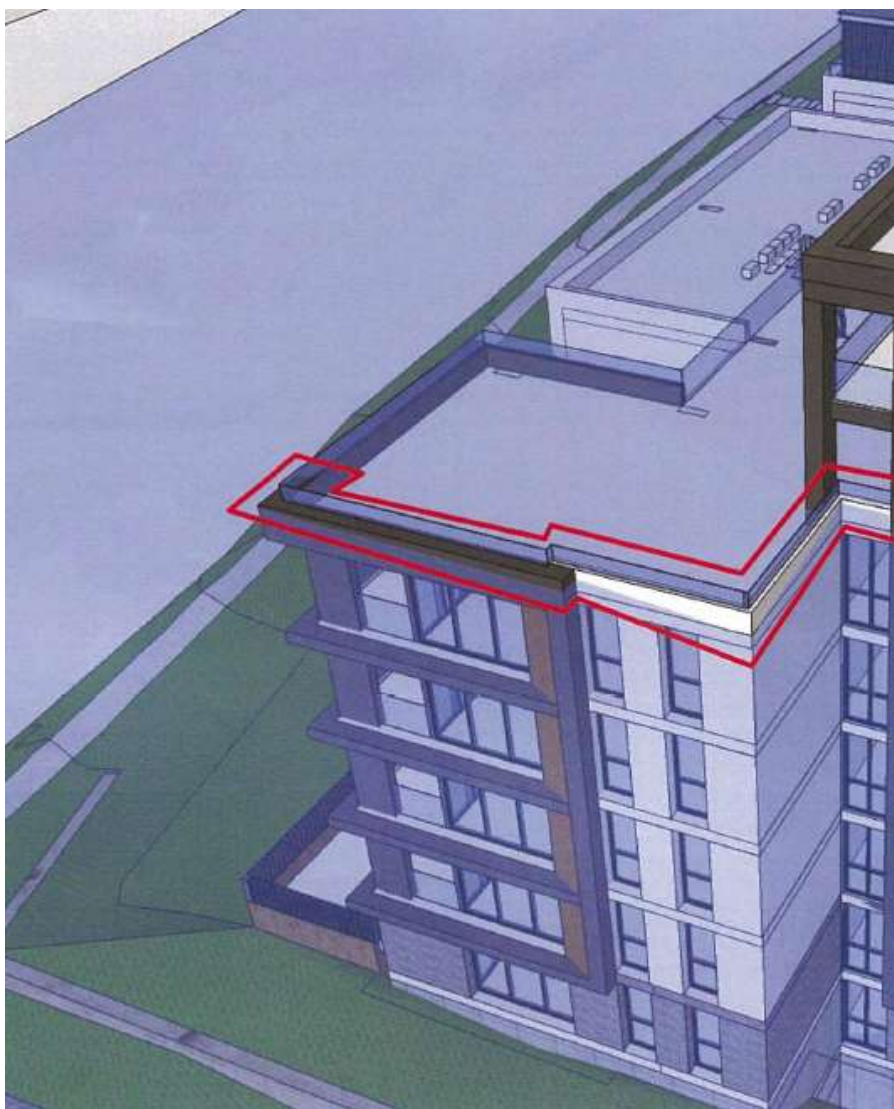


Figure 11. Extent of the height non-compliance demonstrated in red for Building 8A.

This is a minor variation that will not be discernible from the public domain.

Both breaches in the height control are minor and will not result in any adverse impacts. For this reasons, these breaches are supported.

Putney Hill Architectural and Landscape Design Guidelines

Conditions A2 and B17 of the Modified Concept plan approvals require that the development be consistent with the Putney Hill Architectural and Landscape Design Guidelines. These Guidelines provide that along Morrison Road the development is to be setback a minimum of 15m and be a maximum of 5 storeys within the 19m height limit. The built form is then to step back a minimum of 12m. A maximum of 8 storeys is to be provided in the 26.5m height limit.

The development complies with these requirements.

6.PLANNING ASSESSMENT

6.1 Environmental Planning and Assessment Act, 1979

As previously advised a Concept Plan was approved prior to the repeal of Part 3A of the Act. Accordingly, Clause 3B of Schedule 6A of the Act is applicable. This clause specifies that:

- Development within the terms of the Concept Plan can be carried out with consent.
- The development standards in the Concept Plan will have effect.
- A consent authority must not grant consent unless the development is generally consistent with the provisions of the Concept Plan Approval.
- Consent can be granted without complying with the requirements under any relevant environmental planning instrument or masterplan.

As previously detailed the proposal is generally consistent with the approved Concept Plan.

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

As the proposed development has a Capital Investment Value of \$67,806,134, the development application is required to be determined by the Joint Regional Planning Panel.

6.3 State Environmental Planning Policy (Major Developments) 2005

Part 3A of the Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A of the Act, continues to apply to 'transitional Part 3A projects'. As the Director-General's environmental assessment requirements for this project were issued prior to 8 April 2011, the project is a transitional Part 3A project.

No additional matters arise under this Policy for the purposes of the assessment of this application.

6.4 State Environmental Planning Policy No 55 – Remediation of Land

The requirements of State Planning Policy No. 55 – Remediation of Land 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, is it suitable for the proposed use and if it is not suitable, it can be remediated to a standard such that it will be made suitable for the proposed use.

Condition B7 of the Concept Approval required that a Contamination Study be prepared in accordance with SEPP 55 prior to lodgement of the first Project Application. The required study was subsequently undertaken and reviewed by the Department. The study was considered acceptable subject to further investigation in relation to bore hole number 35 which was not located on the subject site.

Accordingly, there would appear to be minimal risk of contamination and the site is considered suitable for the proposed development. However, if any contamination is located during excavation, further investigation may be required. A condition of consent has been imposed to reflect this. (See condition number 71).

6.5 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, a BASIX Certificate has been prepared for the development (No 657206M) which provides the development with a satisfactory target rating.

Appropriate conditions will be imposed requiring compliance with the BASIX commitments detailed within the Certificate. (See condition numbers 3, 28 and 91).

6.6 State Environmental Planning Policy (Infrastructure) 2007

Clause 104 – Traffic Generating Development

The development is identified within Schedule 3 of this SEPP and in accordance with Clause 104 was referred to the Roads and Maritime Services (RMS) for comment. RMS has reviewed the submitted documentation and raised no objection to the application.

6.7 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

This policy aims to improve the design quality of residential flat development in NSW. It recognises that the design quality of residential flat developments is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.

The proposal has been assessed against the following matters relevant to SEPP 65 for consideration:

- Urban Design Review Panel (prior to lodgement);
- The 10 SEPP 65 Design Quality Principles; and
- The Apartment Design Guide.

Urban Design Review Panel

Council's Urban Design Review Panel reviewed the preliminary proposal on 10 July 2015 and 27 July 2015. The following comments were provided by the Panel.

Site Approach

The landscape setting is fundamental to the site planning strategy and includes generous street setbacks and the retention of existing trees along the new street, pedestrian link and Putney Street and adjacent to the courtyard entry at Morrison Street. The “L” shaped buildings frame communal courtyard spaces to the north. Open spaces and through site links are intended to be publically accessible.

In the meeting the architects explained how the landscape design mediates between the building levels and the site using a series of gabion walls, walkways and open spaces. While in principle the Panel supports the conceptual approach to the site, the design results in a number of high, blank walls and isolated spaces at the base of buildings and within the landscape.

The Panel understands the constraints of maintaining existing ground levels around retained trees and supports retention of existing trees. However further design resolution is needed to improve the following conditions:

- Excessive fence height to Building 8A at eastern side of Morrison Road elevation.*
- Blank wall at fence and blank wall at Building 7A western corner and facing Princes Street (refer to photomontage and rendered 7A west elevation).*
- Blank wall at corner of 8A and 7A (Refer to rendered 8A7A north elevation).*
- Blank wall car park entry (refer to 8A east rendered elevation).*
- High gabion walls in 8A7A north elevation. In the meeting it was discussed that additional stepping of the terraces could assist in minimising wall heights.*
- Steep runs at both ends of the pedestrian link along the north eastern boundary. It is recommended that landings be more generous and increased to break up the long runs and to promote better use of the link.*
- Visual isolation of the fitness area along the pedestrian link.*

Comment: The applicant has addressed the above issues by the use of landscaping to improve the appearance of the blank walls.

Building entries and circulation

A single core is proposed for each building which results in a high number of apartments (16) per core, well in excess of SEPP 65 ADG. The architect explained that direct street access is constrained by topography and existing significant trees and that Morrison Road is the most direct and legible location for building address and main entry. This approach to the main street entries does not preclude a second core to each building in the north eastern wing of the buildings. A second core would provide improved access between apartments, car parking and communal open spaces for residents.

Comment: The applicant has been unable to provide the second care to the buildings. This has been discussed in greater detail in the Apartment Design Guide table.

Access to communal courtyards from common corridors is not legible. The links are stepped and include ambiguous spaces. Ideally front entries, lift lobbies and

communal open space access could be more integrated and provide greater pedestrian legibility. In Building 7A there is an opportunity to co-locate the communal open space corridor with the large lobby area and to create a more generous interconnected space. Relocation of the storage room would assist. Other access points to communal open space in the north eastern wings of the “L” building forms could also be made more direct and visually linked to the common corridor.

Comment: The entry lobbies have been amended to improve the links between the lift lobbies and communal open space.

The east-west pedestrian link is at a lower level than the communal courtyards and adjacent apartments. The apartments and the communal area at the north eastern end of the buildings should be designed with windows orientated to promote surveillance of the pedestrian link. Detail design should also consider sight lines and lighting along the link.

Comment: The applicant has redesigned this aspect of the development to address the concerns raised by the Panel.

Apartment Amenity

Generally apartments are well designed. The Panel notes the use of paired, wide notches and small balconies to bedrooms that ensure these rooms have good outlook and privacy. At Level 1 overlooking between balconies and to recessed bedroom windows to Apt 102 and 202 needs resolution.

Comment: A series of fixed and adjustable screens have been included on these apartments to reduce any privacy impacts.

The internal corner of the “L” building form, the adjacent apartments and the quality of the external space in the notch between the two building wings needs future refinement. Separation and visual privacy between Building 7A and 8A and Apts 202 and 203 and similar above apartments needs to be addressed. In particular, screening to unit 303 and similar apartments above in Building 8A needs to be increased with fixed screens angled away from the return building leg.

Comment: The submitted plans have renumbered the apartments so the above numbers are not applicable. It should be noted that fixed and adjustable screens have been added to apartments 215 in both buildings and the levels above. This will address any potential overlooking issues.

Studies to level 01 apartment 106 in Building 7A and similar in building 8A do not have windows. These rooms are large enough to be bedrooms and are also classified as habitable in the ADG. The apartments should be redesigned to eliminate these rooms.

Comment: This issue has been eliminated. The apartments have been redesigned to provide a study nook rather than a room that could potentially be used as a second bedroom.

Storage Space

Large storage spaces are proposed at level 1 where the floor space below ground level is not suitable for habitable use. More information is needed on the use of these extensive areas.

Comment: As proposed on the originally submitted plans multi-purpose rooms were proposed below the ground level. The amended plans have deleted the habitable floor space and converted the space to storage areas.

Roof Terraces

The large expanse of roof area outside the lift lobby of Building 8A at level 6 dominates the outlook from the lobby and terrace to Apt 610 and could be better utilised as potential communal open space or as a green roof. Similarly the smaller roof area outside the lift lobby of Building 7A at level 7 could also be improved.

Comment: An accessible roof terrace has been added to Building 7A. A green roof has been added in part to Building 8A. While this is not accessible to residents, it will improve the outlook for residents.

Façade Design

The modular articulation of the buildings to transition the scale along the streets is supported. The Panel also appreciates the refined palette of material colours and use of reconstituted timber cladding as a highlight. The extent of what appears to be white render for large expanses of blank walls at ground level should be reviewed and more robust material provided.

Comment: This aspect of the development has not been amended. Landscaping has been provided in areas where there are blank walls. The issue of the material colours is a matter for the applicant and Council raises no objection to what is proposed.

Recommendations

The Panel recommends the design be amended to respond to the above comments and submitted to Council for review.

SEPP 65 Design Quality Principles

There are nine design quality principles identified within SEPP 65. The following table provides an assessment of the proposed residential flat building (RFB) against the ten design principles of the SEPP.

Planning Principle	Comment
Context & 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, health and	The development is consistent with the Concept Plan approval as modified.

Planning Principle	Comment
<p>environmental conditions.</p> <p>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.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	
<p>Built Form & Scale</p> <p>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.</p>	<p>The Concept Plan Approval sets the parameters in terms of scale and height. The proposed buildings are consistent with these controls. The built form will provide visual interest, articulation and is appropriate for the proposed use.</p>
<p>Density</p> <p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. 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.</p>	<p>The proposed residential density is consistent with the Concept Plan Approval.</p>
<p>Sustainability</p> <p>Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation 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.</p>	<p>The applicant has provided a BASIX Certificate which indicates that the buildings will meet the energy and water use targets set by the BASIX SEPP.</p> <p>A Waste Management Plan has been submitted and is considered acceptable by Council's City Works and Infrastructure Directorate.</p>
<p>Landscape</p> <p>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.</p>	<p>The landscape design provides an open space area for the use of the occupants of the building as well as for the benefit of the general public. A range of plantings are proposed and these are considered suitable for the proposed use. The landscaping will soften the appearance of the development and provide screening measures to the development.</p> <p>The setback to Morrison Road allows appropriate space</p>

Planning Principle	Comment
<p>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.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p>	<p>for sufficient planting areas.</p>
<p>Amenity</p> <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing. 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.</p>	<p>The design and orientation of the apartments allows for a sufficient level of amenity for future occupants. Apartments are practically laid out to provide appropriate levels of amenity. The design mitigates potential impacts from overlooking and noise impacts. Each apartment features a functional private open space area that takes advantages of views from the site or views of the landscaped areas.</p> <p>The development complies with the controls contained in the Apartment Design Guide in respect to apartment sizes, visual and acoustic apartment sizes, ventilation, outlook and access requirements.</p>
<p>Safety</p> <p>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The proposal makes a positive contribution with respect to safety and security. Passive surveillance opportunities are provided with balconies and windows facing Morrison Road, Road 21 and the internal open space areas.</p> <p>Entrance points are clearly identified and public and private space is clearly delineated through secure entrances and the use of plantings.</p>
<p>Housing Diversity and Social Interaction</p> <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	<p>The development will include the following housing mix:</p> <ul style="list-style-type: none"> • 29 x 1 bedroom apartments (17%); • 111 x 2 bedroom apartments (64%); and • 34 x 3 bedroom apartments (19%). <p>The development predominantly contains two bedroom apartments. There is however a range of apartments which will provide a suitable mix of housing in response to current housing demand and responds to the need for economic housing choice within an area with good public transport access, social and commercial facilities.</p> <p>Adaptable units are also proposed.</p>
<p>Aesthetics</p>	<p>The building facades are strongly articulated with the</p>

Planning Principle	Comment
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 a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	use of balconies, terraces and screening. The development presents as a contemporary design which is compatible with the other buildings within the site.

Apartment Design Guide

The SEPP also requires the Council to take into consideration the requirements of the Apartment Design Guide with regard to the proposed residential flat building (RFB). The following table addresses the relevant matters.

Apartment Design Guide Requirement	Proposal	Complies
Part 2 Development Controls		
Building Depth Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line.	The building depth ranges from 23.1m to 24.25m. Greater depths are permitted where it can be demonstrated that layouts will receive acceptable amenity with room and apartment depths. The development has incorporated significant building articulation by the use of balconies and indents in each elevation. The building depth is consistent with what was envisaged by the modified Concept Approval and the development will provide satisfactory daylight and natural ventilation.	Yes
Building Separation Minimum separation distances for buildings are: <i>Five to eight storeys (approx 25m):</i> <ul style="list-style-type: none"> - 18m between habitable rooms/balconies - 12m between habitable and non-habitable rooms - 9m between non-habitable rooms 	The development complies with the required building separation distances of 18m and 12m. The development also complies with the building separation distances as detailed in the Concept Plan (MP05_0001) Modification 2 approval.	Yes
Street Setbacks Determine street setback controls relative to the desired streetscape and building forms.	The modified Concept Approval requires a street setback of 15m to Morrison Road and Princes Street. The development complies with these requirements.	Yes
Side and Rear Setbacks Related to the height of the building and are important tools for achieving amenity for new developments and buildings on adjacent sites.	The modified Concept Approval also required a 22m setback between Building 8A and any future development of Stage 2 Phase 3. While the redevelopment of Stage 2 Phase 3 is not known, it is not envisaged that there will be any issue with the 22m setback distance as required by the Concept Plan.	Yes
Part 3 Siting the development Design criteria/guidance		
3B Orientation Building types and layouts respond to the streetscape and site while optimising solar access and minimising overshadowing of	The street front is to the SE of the development site. The development has orientated dwellings to the south so as to define the street. The rear wing has been	Yes

neighbouring properties in winter.	orientated to the east and west so as to maximise solar access to apartments. The development will result in overshadowing to residential properties on the southern side of Morrison Road. This shadowing however will only affect the front of the dwellings and the front yards at 9am midwinter. By 10am midwinter, none of these dwellings will be affected by overshadowing and the majority of the front yards will also not be overshadowed. The orientation is consistent with the modified Concept Approval.				
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.	The development will provide clear differentiation to the pedestrian entrances by the use of architectural detailing and changes in materials. The design allows for balconies on the upper floors and the ground floor which will have casual surveillance of the public domain. The development does not incorporate any front fencing along the street frontage. The setback area is to be landscaped to ensure that the appearance of the building is softened. The ground floor balustrading to the balconies on the ground floor will be limited in height to 1m.	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.	The development has incorporated 47.6% of the site as communal open space. The landscape design aims to provide recreational opportunities as well as access through the site for occupants of the development. The landscape design will enhance the streetscapes as well as allow for a range of activities to be conducted in the areas.	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. Design criteria 1. Deep soil zones are to be provided equal to 7% of the site area and with min dimension of 3m – 6m.	As the basements are largely located beneath the building, the development has provided 46% of the site as deep soil zones.	Yes			
3F Visual Privacy Building separation distances to be shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy. Design Criteria 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:	As the development complies with or exceeds the building separation requirements, adequate visual privacy will be achieved in respect to the proposed development and adjoining buildings.	Yes			
<table border="1"> <tr> <td>Building Height</td> <td>Habitable</td> <td>Non habitable</td> </tr> </table>	Building Height	Habitable	Non habitable		
Building Height	Habitable	Non habitable			

	rooms & balconies	rooms		
Up to 12m(4 storeys)	6m	3m		
Up to 25m (5-8 storeys)	9m	4.5m		
Over 25m (9+ storeys)	12m	6m		
3G Pedestrian Access & entries Pedestrian Access, entries and pathways are accessible and easy to identify.			The building entries and pedestrian access connects to Morrison Road. These entries are clearly identifiable and accessible.	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.			The vehicular access is located from Road 21 rather than one of the adjoining streets. The car park entry has been integrated into the eastern façade of Building 8A and a roller door is provided. The entry will allow for at least 2 vehicles to be on the driveway waiting for the roller door to open. The vehicular entry will provide adequate separation distances and clear sight lines.	Yes
3J Parking Provisions. Car parking: For development on sites that are within 800m of a railway station, the minimum parking for residents and visitors to be as per RMS Guide to Traffic Generating Developments, or Council's car parking requirement, whichever is less. Bicycle Parking Provide adequate motorbike, scooter and bicycle parking space (undercover).			<p>The site is not within 800m to a railway station. The car parking rate is determined by Council's DCP. Based on the apartment mix, the development is required to provide between 201 and 253 spaces (166 to 218 resident spaces plus 35 visitor spaces). The development has proposed 243 spaces which satisfies this requirement. The parking layout will provide safe and secure parking. Part of the basement will protrude above ground level by more than 1m along the eastern and northern elevations of Building 8A. This is due to the topography of the site. The applicant has addressed this issue by providing landscaping in front of the area that exceeds 1m above ground level which will adequately soften this part of the development.</p> <p>Council's DCP requires that bicycle parking should be provided equivalent to 10% of the required car spaces. This would require 24 bicycle parking spaces. The applicant has proposed 52 bicycle parking spaces on basement 2. This significantly exceeds Council's requirements.</p> <p>No parking has been provided for motorbikes or scooters. Council's DCP does not have any requirements for this type of vehicle. These vehicles would be able to park in the car parking spaces.</p>	Yes
Part 4 Designing the building				

<p>4A Solar & daylight access 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. No more than 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid- winter. Design should incorporate shading and glare control, particularly for warmer months</p>	<p>The applicant has stated that only 56% of the apartments will comply with the 2 hour solar access requirement. 70% of the apartments will receive 2 hours of solar access if the period is extended to 8.30am to 3.30pm.</p> <p>The ADG identifies that the criteria may not always be possible to achieve on some sites. This includes sites where significant views are orientated away from the desired aspect for direct sunlight. This site enjoys significant views of Parramatta River and surrounding areas. These views are achieved from level 4 and above. 26 of the apartments will enjoy this view.</p> <p>70% of the apartments will either achieve the 2 hours sunlight between 9am and 3pm or will have aspect to significant views. The layout of the development is also consistent with the Concept Plan approval. As the development complies with the design guidance, this aspect of the development is considered acceptable.</p>	<p>Yes</p>
<p>4B Natural Ventilation All habitable rooms are naturally ventilated and the design layout of single aspect apartments are to maximise natural ventilation. Design criteria 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. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.</p>	<p>86% of the apartments will be cross ventilated.</p>	<p>Yes</p>
<p>4C Ceiling Heights Ceiling height achieves sufficient natural ventilation and daylight access. The development is required to provide 2.7m minimum ceiling heights.</p>	<p>The development has proposed 3.05m between floor to floor. This will allow for an adequate ceiling height of 2.7m for the development.</p>	<p>Yes</p>
<p>4D Apartment size and layout Apartments are required to have the following minimum internal areas with one bathroom:</p> <ul style="list-style-type: none"> • Studio = 35m²; • 1 bedroom = 50m²; • 2 bedroom = 70m²; • 3 bedroom = 90m²; • 4 bedroom = 102m². <p>Every habitable room must have a window in an external wall with a total minimum glass</p>	<p>All of the apartments either comply or exceed the minimum requirement.</p> <p>All habitable room depths comply with the requirement.</p> <p>All master bedrooms exceed 10m².</p> <p>All combined living/dining rooms will comply with the minimum width requirement.</p>	<p>Yes</p>

<p>area of not less than 10% of the floor area of the room.</p> <p>Habitable room depths are limited to a maximum of 2.5 x the ceiling height. In open plan where the living, dining and kitchen are combined, there is to be a maximum depth of 8m from a window.</p> <p>Master bedrooms – minimum area 10m² Excluding wardrobe spaces.</p> <p>Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none"> • 3.6m for studio and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments 																				
<p>4E Private Open Space and balconies Apartments must provide appropriately sized private open space and balconies to enhance residential amenity. Design criteria All apartments are required to have primary balconies as follows:</p> <table border="1" data-bbox="215 929 734 1120"> <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> <tr> <td>Ground or podium</td><td>15m²</td><td>3m</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	Ground or podium	15m ²	3m	<p>All of the balconies exceed the minimum requirements.</p>	<p>Yes</p>
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																		
Ground or podium	15m ²	3m																		
<p>4F Common circulation and spaces. Design criteria The maximum number of apartments off a circulation core on a single level is 8. Daylight and natural ventilation should be provided to all common circulation space above ground. Windows should be provided at the end wall of the corridor.</p>	<p>The development has proposed a maximum of 15 apartments to be accessed from the circulation space. The ADG recommends between 8 and 12.</p> <p>The development does not meet the design criteria. The applicant has however provided information to demonstrate that the objective is satisfied. The objective is that 'common circulation spaces achieve good amenity and properly service the number of apartments.' Although the development has provided a single core, there are two lifts located within this core. In addition to this the development has proposed the following:</p> <ul style="list-style-type: none"> • Daylight and ventilation has been provided to all common circulation spaces that are above ground. This consists of a window at the end of the three corridors. • The width of the corridors are 1.8m wide. This width increases to over 3m in the area immediately adjacent to the lift core. Small returns have also been provided along the corridors to assist in breaking up the length of the corridor. <p>The applicant has considered providing a</p>	<p>Yes</p>																		

	<p>second location for a core. To ensure that access was provided to the basement this would have resulted in the core being located only 17.5m from the proposed core. This core would not have provided direct access to the Morrison Road frontage or the landscaped areas at the rear of the site. Given the limited separation distance and the restricted areas that it would service, the second core is unlikely to be beneficial.</p> <p>In this instance, despite not meeting the design criteria, the development is considered to satisfy the objectives for the common circulation spaces. No objections are raised to this variation.</p>											
<p>4G Storage Adequate, well designed storage is to be provided for each apartment. Design criteria In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided:</p> <table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio</td><td>4m³</td></tr><tr><td>1 bedroom apt</td><td>6m³</td></tr><tr><td>2 bedroom apt</td><td>8m³</td></tr><tr><td>3 + bedroom apt</td><td>10m³</td></tr></table> <p>At least 50% of the required storage is to be located within the apartment.</p>	Dwelling type	Storage size volume	Studio	4m ³	1 bedroom apt	6m ³	2 bedroom apt	8m ³	3 + bedroom apt	10m ³	<p>All of the apartments provide adequate storage space.</p>	<p>Yes</p>
Dwelling type	Storage size volume											
Studio	4m ³											
1 bedroom apt	6m ³											
2 bedroom apt	8m ³											
3 + bedroom apt	10m ³											
<p>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.</p>	<p>Appropriate acoustic privacy will be provided for each apartment.</p>	<p>Yes</p>										
<p>4K Apartment mix A range of apartment types with different number of bedrooms (1bed, 2 bed, 3 bed etc) should be provided.</p>	<p>The development has incorporated a range of apartment types and sizes. The development has proposed 29 x 1 bedroom apartments, 11 x 2 bedroom apartments and 34 x 3 bedroom apartments.</p>	<p>Yes</p>										
<p>4M Facades Building facades to provide visual interest, respect the character of the local area and deliver amenity and safety for residents. Building facades are expressed by the façade.</p>	<p>The design of the facades incorporates a number of different building elements including recesses and projections for corners and the provision of balconies including louvers, and balustrade fencing. The building finishes will be brickwork, rendered finishes, timber cladding and glass balustrades. The majority of the paint finishes have a neutral earthy colour palette. The proposal will visually incorporate with the approved colour scheme of Stage 1 Phase</p>	<p>Yes</p>										

	1whilst simultaneously creating a distinct aesthetic presentation which will also be enhanced when viewed from the public domain.	
4N Roof design Roof treatments are integrated into the building design and positively respond to the street. Opportunities to use the roof space for residential accommodation and open space are maximised. Roof design incorporates sustainability features.	The simply flat roof design is well integrated with the overall building design. Materials, colours and finishes of the roof and top floor complement the overall aesthetics. The development incorporates open spaces on the roof.	Yes
4O Landscape design Landscape design contributes to the streetscape and amenity. Landscape design is viable and sustainable	The landscape design aims to provide recreational opportunities as well as being attractive for the residents and visitors. The landscape will enhance the streetscape as well as contributing to the amenity of the occupants.	Yes
4P Planting on structures Appropriate soil profiles are provided.	The development will comply with the minimum soil depth as specified in the ADG.	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.	The development complies with these requirements.	Yes
4U Energy efficiency Development incorporates passive environmental design measures – solar design, natural ventilation etc.	The development complies with these requirements.	Yes

6.8 Deemed State Environmental Planning Policy Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This Plan applies to the whole of the Ryde local government area. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal.

6.9 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 2.3 Zone Objectives and Land Use Table

The land is zoned "*R1 General Residential*" within which a "*residential flat building*" is a permissible form of development.

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 R1 General Residential zone are as follows:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal meets the objectives of the zone though providing a suitable mix of housing types and densities whilst enabling the continued use of the RRCS Health Facility within the overall site. The subject site is located within walking distance of bus services and is suitably serviced by nearby retail and commercial uses.

Clause 2.6 Subdivision – Consent Requirements

The development application includes the community title subdivision of the Stage 2 site. The community title subdivision will create three lots for the following purposes:

- Lot 1 – common property (landscaping)
- Lot 2 – Apartment buildings 5A1, 5A2 and 6A
- Lot 3 – Apartment buildings 7A and 8A

The subdivision layout is demonstrated in Figure 6 on page 7 of this report.

At a later stage lot 2 and lot 3 will be further strata subdivided. This form of subdivision will ensure the ongoing maintenance and up keep of the landscaped area. No objection is raised to this subdivision.

Clause 4.3 Height of Buildings

The height of a building on this site is not to exceed the maximum height shown on the Height of Buildings Map. As demonstrated in Figure 12 below, the map imposes height controls of 11.5m and 18.5m across the site.



Figure 12: Extract of Height of Buildings Map

This development standard however is set aside by virtue of the Concept Approval (as modified). Figure 13 below illustrates the approved building heights for Stage 2.



Figure 13: Extract of approved Building Heights and Setbacks Plan for MP05_0001 (MOD 2) dated August 2014

As illustrated above, the Concept Approval (as modified) specifies a height of 19m and 26.5m for Buildings 7A and 8A.

With the exception of the minor non-compliance for each of the proposed flat buildings as detailed previously after the table in Section 5.6 of this report, the proposed building heights comply with the above Concept Approval maximum heights. The minor breaches will not result in any adverse impacts and are considered acceptable. In these circumstances, consent can be granted without complying with the requirements of the RLEP 2014.

Clause 4.4 Floor Space Ratio

Clause 4.4 states the floor space ratio (FSR) of a building is not to exceed the maximum specified on the FSR Map. The map identifies the site as having a mix of FSR as demonstrated in Figure 14 below.

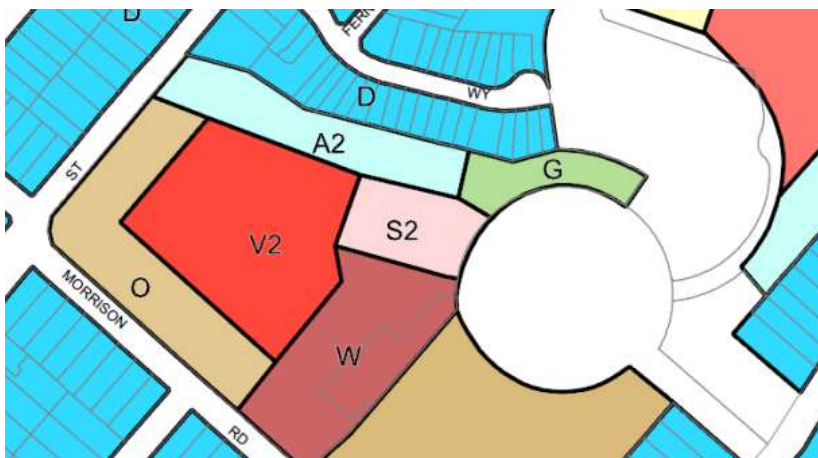


Figure 14: Extract of FSR Map (Note: O is 1.1:1 and V2 is 3.2:1)

As detailed in Section 6.5 of this report, condition B17 of the Concept Approval (as modified) however specifically removes any floor space ratio (FSR) control from the site including the FSR controls contained in LEP 2010 '*or any succeeding instrument*'. The condition states that the built form within Stage 2 will be assessed having regard to the approved building envelopes and the maximum number of dwellings permitted by condition A1 i.e. no more than 50 residential dwellings per hectare. This equates to a maximum of 791 dwellings across the overall site (Stage 1 and Stage 2). The development complies with this requirement.

Other provisions

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

Provision	Comment
Clause 5.9 Preservation	The application seeks the removal of trees as

Provision	Comment
of trees and vegetation	detailed in Section 7 of this report. The development is satisfactory in terms of the provisions of Clause 5.9.
Clause 6.2 Earthworks	The proposed development includes excavation for a basement car park. Council's Senior Development Engineer requires that a sediment and erosion control plan be submitted prior to the issue of a Construction Certificate (see condition 38). Accordingly the development is considered satisfactory in respect of this clause.

6.10 Ryde Development Control Plan 2014

Whilst this Plan applies to all land within the Ryde local government area, in this instance its provisions are not strictly applicable due to the site benefitting from the Concept Plan Approval (MP05_0001). The DCP has therefore been considered only where there is no direct conflict with matters resolved via that Approval. In that context, the following sections of the DCP are of relevance, being:

Part 8.1 of DCP 2014 – Construction Activities

The main construction issues relevant to this proposal will be managing water quality by preventing soil erosion, the management of construction traffic and parking of builder's vehicles, construction noise, dust and the like. Many of these issues can be addressed via appropriate conditions of consent. (See condition numbers 5, 7, 38, 41, 54, 55 and 57). In respect to construction traffic and parking of builders' vehicles, a temporary car park for 100 vehicles was approved as part of LDA2014/0522. This carpark is located to the north of the buildings approved in this LDA. This car park will remain in place for a one year period following the issue of an Occupation Certificate for the final building in Stage 2 Phase 1. This will allow the car park to be used by the workers in Stage 2 Phase 2. This should ensure that there will be minimal impact to the neighbouring residences in terms of building vehicles.

Part 8.2 of DCP 2014 – Stormwater Management

Council's Senior Development Engineer has reviewed the proposed development and advised that the stormwater design complies with the requirements of Part 8.2 of DCP 2014.

Part 9.2 of DCP 2014 – Access for People with Disabilities

The DCP requires that the residential flat buildings must provide an accessible path of travel to all units as well as the provision of 18 adaptable apartments. The applicant has provided a report from an Access Consultant. This report has made recommendations which are to be developed in the ongoing design development and should be confirmed prior to the construction certificate stage. A condition of consent will be imposed to ensure that prior to the issue of a Construction Certificate, a report demonstrating compliance with the BCA is provided by a qualified Access

Consultant. (See condition number 24). The development has provided 18 adaptable apartments which satisfies Council's requirements.

Part 9.3 of DCP 2014 – Car Parking

Council's car parking rate is based on the following:

- 0.6 to 1 resident car parking space per 1 bedroom unit
- 0.9 to 1.2 resident car parking space per 2 bedroom unit
- 1.4 to 1.6 resident car parking space per 3 bedroom unit
- 1 visitor space per 5 units.

The development will contain a total of 174 apartments. The mix of these apartments will be 29 x 1 bedroom, 111 x 2 bedroom and 34 x 3 bedroom apartments. Based on this mix, the development will require a minimum of 165 resident spaces and a maximum of 217 resident and 35 visitor parking spaces.

The development has proposed 208 resident spaces and 35 visitor parking spaces which complies with the above requirements.

6.11 Section 94 Development Contributions Plan 2007 (Amendment 2010)

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 original Concept Plan approval for the site in 2006 included conditions requiring negotiation between the Royal Rehabilitation Centre Sydney and Council to provide for community facilities and infrastructure on and around the site including road works.

Council entered into a Development Agreement with RRCS in 2007. Following the sale of the residential part of the site to Frasers Property Pty Ltd, Council entered into a Deed of Novation on 15 July 2010 with the new owner to ensure delivery of land and works under the deed which would now be attributable to Frasers. Some elements of the Development Agreement remain to be met by RRCS.

The material public benefit of the deed (including open space, community facilities, traffic calming measures, other infrastructure works and land dedication) was valued under the original deed at \$8,129,000. The Section 94 contribution payable at the time was calculated as \$7,291,069. As such, the nominated value of the deed exceeded the contribution payable under Section 94 by \$837,931.

Council is therefore already a party to an agreement that covers the S94 contribution payable for the development of the site under the Concept Plan. The modified Concept Plan approved on 8 March 2013 & 14 October 2014 by the Department of Planning and Infrastructure did not change the development density of the site and

did not require Council or the proponent to revisit the Development Agreement already in place.

7 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 are discussed below.

Tree Removal

The site contains numerous trees which are located within the setback area of Morrison Road and Princes Street and along Road 21. The development proposes to remove in the vicinity of 13 trees and retain at least 13 trees. The trees to be removed are all located within the building envelope.

The most significant tree on the site is a Port Jackson fig that is located midway along the Morrison Road frontage. This tree has a height of 16m and a canopy spread of 24m. The tree is a prominent landscape feature along the Morrison Road frontage. This tree will be retained and the Arborist report has recommended tree protection measures to be implemented during construction. (See condition number 84).

No objections are raised to the development in respect of tree removal.

Traffic

The overall traffic effects of the entire Putney Hill development have been previously addressed in the assessment of the Concept Plan Approval. This assessment found that with approved roundabouts on Morrison Road, the road network will be able to cater for the development.

The development is likely to generate 110 two way movements in the AM peak and 140 two way movements in the PM peak. This is equivalent to 55 single direction vehicular trips in the AM peak and 70 single direction vehicular trips in the PM peak. In the PM peak period this is equivalent to 1 vehicle every 50 seconds. Council and the applicant have entered into a Deed of Agreement in respect to various traffic works to be completed. Subject to these works being completed, the development is unlikely to have any traffic impacts on the local area. It is proposed to include conditions on this consent to ensure that these works are completed. (See condition numbers 33, 43, 35 and 98).

Staging

It is proposed that the development be constructed in 5 stages as follows:

- Site preparation works including excavations

- Construction of basement car parks
- Construction of Apartment Building 7A
- Construction of Apartment Building 8A
- Completion of the landscaping works.

The applicant has requested that in the event of approval, the staging of development is to be outlined to ensure that staged construction certificates can be issued. This approach is consistent with that approved for the Stage 1 development applications. No adverse impacts arise from this approach and relevant conditions are detailed accordingly to reflect which stage of development they must be complied with.

8 SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The suitability of the site to support a land use of this type and scale was determined through the consent granted to Concept Plan Approval MP05_0001. This application is consistent with that Concept Plan approval.

9. THE PUBLIC INTEREST

The development is considered to be in the public interest as it is consistent with the Concept Plan Approval (MP05_0001, as modified) and subsequent assessment of this application has not identified any issues of concern.

10. REFERRALS

External Referrals

Roads and Maritime Services

No objection has been raised to the development application.

NSW Police

No objection has been raised to the development subject to appropriate conditions of consent. (See condition numbers 61 to 65).

Internal Referrals:

Senior Development Engineer

No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 12 to 14, 30 to 32, 37, 38, 49, 66 to 71, 82, 95, 102).

Environmental Health Officer

No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 39, 40, 72 to 81, 96, 105, 106).

Heritage Officer

No objections were raised to the proposed development.

Public Domain Engineer

No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 16, 34 to 36, 53, 86, 98 and 99).

Waste

No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 44, 101, 104, 107, 108 and 109).

Consultant Landscape Architect

No objections subject to appropriate conditions of consent. (See condition numbers 50, 83 to 85, 100).

Traffic Engineer

No objections subject to appropriate conditions of consent. (See condition numbers 33, 41 and 97).

11 PUBLIC NOTIFICATION AND SUBMISSIONS

The proposed development was originally notified and advertised in accordance with Development Control Plan 2014 – Part 2.1, Notification of Development Applications. The application was advertised on 23 September 2015 in the *Northern District Times*. Notification of the proposal was from 18 September 2015 until 7 October 2015.

During the notification period, two submission was received. The issues raised in the submission included the following:

- *The height should not exceed the height limits already approved as taller buildings will cause shadowing and affect privacy of bordering residents.*

Comment: This development does propose minor increases in the height from the approved amended Concept Plan. The increase in height is restricted to a small section of the buildings relating to part of the parapet on both buildings and the lift overrun and pergola on the roof of Building 7A. This increase in height will not result in any additional shadowing to adjoining properties and will not result in adverse overlooking issues. The minor variations in the height can be supported.

- *The roads and local area will not cope with the increased number of traffic and residents.*

Comment: The issue of traffic was considered in the assessment of the Concept Plan and subsequent amendments to this plan. This development will generate traffic that is within the range considered to be acceptable by the Concept Plan.

- *This is an overdevelopment of the Putney area.*

Comment: The development is not considered to be an overdevelopment. The development is consistent with the density requirements as specified in the amended Concept Plan approval.

- *There needs to be an efficient underground drainage system to eliminate flooding to our property at 100 Princes Street.*

Comment: The development will not affect the property at 100 Princes Street in terms of overland flow. The development has incorporated a major trunk drainage system that incorporates WSUD measures and a central OSD basin which has been provided to service all stages of the development.

- *A 6-8m high wall should be erected to separate our property at 100 Princes Street.*

Comment: This stage is not adjacent to 100 Princes Street. This property adjoins the Stage 2 Phase 1 development that has already been approved. In that application privacy was considered to be acceptable. As this development is located further away, there is no justification to require the provision of such a wall. A wall to this height would be unsightly and more likely to impact on the amenity of 100 Princes Street more than what this development does.

- *No floodlights or strong lights between the development and our property.*

Comment: No floodlights are proposed with this development.

- *No lights or music in the demountables near our fence.*

Comment: This is considered to be an unreasonable request from the neighbour. The demountables are only in use during the hours that construction is permitted on the site. To restrict their use to prohibit lighting or music is considered to be excessive.

- *A bus parked near our fence needs to be removed. No cars should be there after hours or on weekends.*

Comment: This does not relate to this application.

12 CONCLUSION

This report considers an application to construct two residential flat buildings comprising 174 dwellings and basement level parking for 243 vehicles; landscaping; extension of services and infrastructure on the site; and a community titles subdivision of the site at 110 Princes Street, Ryde.

The proposal is the subject of the transitional provisions of Part 3A of the Environmental Planning and Assessment Act, and benefits from a Concept Plan

Approval granted on 23 March 2006, as most recently modified on 14 October 2014. The development application generally complies with the approved Concept Plan (as amended) with the non-compliances being minor and justified.

The development complies with the design criteria in respect to the Apartment Design Code with the exception of the common circulation spaces. In this instance the development has proposed a maximum of 15 apartments to be accessed from the circulation space on at least 4 levels within each building. It should be noted that each floor is serviced by 2 lift cores. The footprint of the buildings provided limited opportunity to provide a second core that is adequately separated from the first core. In this instance the design of the development has satisfied that the objective of the requirement has been met as the common circulation space will achieve good amenity as well as be able to adequately service the number of apartments.

The application has demonstrated that the level of amenity in terms of solar access, communal and publically accessible public space, privacy and energy efficiency can be met. Overall, the proposal can be supported subject to conditions.

Given that circumstance, and noting the outcomes from the assessment, the proposal on balance is considered to be fundamentally sound in terms of its design, function and relationship with its neighbours.

It is recommended that the application be approved subject to conditions.

13 RECOMMENDATION

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 LDA2015/435 for the construction of two residential flat buildings at 110 Princes Street, Ryde subject to the conditions of consent in Attachment 1 of this report.
- B. That the objector be advised of this decision.
- C. That a copy of the development consent be forwarded to the RMS.

Report prepared by:

Sandra Bailey
Acting Manager Assessment

Report approved by:

Liz Coad
Acting Director – City Strategy and Planning

CONDITIONS OF CONSENT

GENERAL

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

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

Document Description	Date	Plan No/Reference
Site Plan	3/2/16	A-DA3-7A8A-SP-02
Unit Schedule	3/2/16	A-DA3-7A8A-DS-01
Basement 02 Floor Plan	27/8/15	A-DA3-7A8A-FP-A01
Basement 01 Floor Plan	27/8/15	A-DA3-7A8A-FP-A02
Ground Floor Plan	27/8/15	A-DA3-7A8A-FP-A03
Level 1 Floor Plan	3/2/16	A-DA3-7A8A-FP-A04
Level 2 Floor Plan	3/2/16	A-DA3-7A8A-FP-A05
Level 3 Floor Plan	3/2/16	A-DA3-7A8A-FP-A06
Level 4 Floor Plan	3/2/16	A-DA3-7A8A-FP-A07
Level 5 Floor Plan	3/2/16	A-DA3-7A8A-FP-A08
Level 6 Floor Plan	3/2/16	A-DA3-7A8A-FP-A09
Level 7 Floor Plan	3/2/16	A-DA3-7A8A-FP-A10
Level 8 Floor Plan	27/8/15	A-DA3-7A8A-FP-A11
Roof Plan	27/8/15	A-DA3-7A8A-FP-A12
Typical Apartment Plans	3/2/16	A-DA3-7A8A-FP-A13
Typical Apartment Plans	3/2/16	A-DA3-7A8A-FP-A14
Elevations	27/8/15	A-DA3-7A8A-ELE-01
Elevations	27/8/15	A-DA3-7A8A-ELE-02
Site Section	27/8/15	A-DA3-7A8A-SEC-01
Site Section	27/8/15	A-DA3-7A8A-SEC-02
Stage 2 – 7A Elevations	27/8/15	A-DA3-7A-ELE-01
Stage 2 – 7A Elevations	27/8/15	A-DA3-7A-ELE-02
Stage 2 – 8A Elevations	27/8/15	A-DA3-8A-ELE-01
Stage 2 – 8A Elevations	3/2/15	A-DA2-8A-ELE-02
Schedule of External Finishes	27/8/15	A-DA3-7A8A-DS-05
Schedule of External Finishes	27/8/15	A-DA3-7A8A-DA-06
Tree Retention Plan	August 2015	3235.S2.02
Landscape Masterplan	August 2015	3235.S2.DA01
Deep Soil Plan	August 2015	3235.S2.DA02
Detailed plan Apartments 7A	August 2015	3235.S2.DA03
Detailed plan Apartments 8A	August	3235.S2.DA04

	2015	
Indicative plan typical courtyard	August 2015	3235.S2.DA05
Indicative plan typical courtyard	August 2015	3235.S2.DA06
Landscape Sections A & B	August 2015	3235.S2.DA07
Landscape sections C & D	August 2015	3235.S2.DA08
Landscape Sections F	August 2015	3235.S2.DA09
Typical Hard Landscaping Details	August 2015	3235.S2.DA10
Typical Soft Landscaping Details	August 2015	3235.S2.DA11
Proposed Drainage Design	August 2015	3235.S2.DA12

The works may be carried out in the following stages:

- Stage 1 – site preparation works including excavation
- Stage 2 – construction of basement car parks
- Stage 3 – construction of apartment Building 7A
- Stage 4 – construction of apartment Building 8A
- Stage 5 - Completion of the landscaping works

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 657206M.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
5. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.

The hours of use for the temporary car park and illumination of any associated lighting (approved under LDA2014/0522) are restricted to the following:

- 6.30am to 7.30pm Monday to Friday
- 7.45am to 5.15pm Saturdays.

6. **Hoardings.**

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

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

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

9. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc.) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

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

11. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.

12. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent and the Deed of Agreement between RRCS, Ryde City Council and Frasers Putney.

13. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.

14. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to

public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.

15. **Road Activity Permits.** To carry out work in, on or over a public road, the Consent of Council is required as per the Roads Act 1993. Prior to the commencement of the relevant work, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Councils website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Work*.
- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
 - b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
 - c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
 - d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
 - e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.

- f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips within the carriageway of any public road.

16. **Engineering plans assessment and works inspection fees.** The applicant is to pay to Council fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of the assessment, prior to any relevant approval being granted by Council.

17. **Deed of Agreement and Deed of Novation.** The terms of the Deed of Agreement as amended by the Deed of Novation dated 15 July 2010 are to be fully complied with.

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

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

19. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of any Construction Certificate. (Category: other buildings with delivery of bricks or concrete or machine excavation).
20. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of any Construction Certificate:
- (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
21. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of any Construction Certificate.
22. **Sydney Water Tap in™.** The approved plans must be submitted to the Sydney Water Tap in™ on-line service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Sydney Water Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, eg relocating or moving an asset.

Sydney Water's [Tap in™](https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm) online service is available at:
<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

23. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the relevant Construction Certificate.
24. **Disabled access:** Prior to the issue of the relevant Construction Certificate, a report is to be provided from a suitably qualified access consultant to verify that the Construction Certificate Drawings fully comply with the Building Code of Australia and Australian Standards AS1428.1, AS4299, AS1735.12 and AS2890.6. The report is to be provided to the PCA and Council (if Council is not the PCA).

25. **Adaptable Units:** A total of 18 adaptable units are to be provided within the development. These apartments are to comply with all of the spatial requirements as outlined in AS4299. Details demonstrating compliance is to be provided on the relevant Construction Certificate plans. Prior to the issue of the relevant Construction Certificate, a suitably qualified access consultant is to certify that the development achieves the spatial requirements of AS4299.
26. **Design verification:** Prior to the relevant Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a qualified designer. This statement must include verification from the designer that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development* as were in effect at the time of the lodgement of the development application. This condition is imposed in accordance with Clause 143A of the *Environmental Planning and Assessment Regulation 2000*.
27. **Service infrastructure/utilities:** Unless specifically shown on the approved architectural plans, all service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like shall be located within the building envelope. Where this is not possible and subject to Council approval such infrastructure shall be located on the subject site and appropriately screened from view. Details of all service infrastructure/utilities are to be approved prior to the issue of the relevant Construction Certificate.
28. **BASIX Details to be included on the Construction Certificate:** The relevant Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.
29. **Soil Depth Over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Apartment Design Guide. Information verifying that the development complies with these requirements to be provided on the relevant Construction Certificate plans.
30. **Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

With respect to this, the following revision(s) must be undertaken;

- a) All driveways and vehicle access ramps must have ramp grades and transitions complying with AS 2890. In this respect, ramps must be no greater than 25% for 20m and any ramp transitions must be no greater than 12.5% for crest's and 15% for sag's, for a minimum length of 2m. A driveway profile must be prepared, showing ramp lengths, grades, surface RL's and overhead

clearance, taken from the Council approved boundary levels to the parking space area. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur.

- b) The plant room located opposite spaces V07 & v08 is to incorporate a 2.5m by 2.5m splay on the corner of the plant room to ensure there is adequate sight distance between traffic entering and exiting the facility.
- c) A lift shaft and viaduct/ services adjoins carspace 24 on its western side and obstructs sight distance to traffic approaching the exit. Accordingly the space is to be relocated in the void area of parking on the western side of the lift shift, no less than 2.4m from the side of the lift.
- d) Car space 122 (in the level above) incurs a deficiency as for the point above (regarding car space 24). As there is no ready means to address this, the space is to be deleted.
- e) Car space 59 lacks a blind aisle extension as required by AS 2890.1 Section 2.4.2 (c). As there is no ready means to address this, the space is to be deleted.
- f) To assure the vehicle turntable may be safely operated, the plans are to detail a minimum 1m. clearance envelope around the largest vehicle to be located on the turntable. To address this, detailed section views are to be prepared demonstrating compliance with this requirement. The section views must show the rotated envelope of the largest vehicle to be accommodated and any surrounding structural elements and service ducts at the worst (most imposing) sections.

The plans must also demonstrate all line marking in respect of the turntable. This is to include marking depicting the centre of the turntable, maximum radius in which a vehicle is to be contained upon the turntable, the maximum swept path and associated “keep clear” marking.

The plans are also to identify the location of the turntable controls / control pad. This is to be in close proximity to the turntable. These controls are to include an emergency stop button, rotation control and a programmed / defined turning movement designed to facilitate manoeuvring a vehicle from the typical approach to the typical exit, operated with a single button.

These amendment(s) must be clearly marked on the plans submitted to the Accredited Certifier prior to the issue of the relevant Construction Certificate.

31. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the Stage 2 trunk drainage system located in Road 21, generally in accordance with the plans by Environmental Partnership (Refer to Drawing No. 3235.S2.DA.12 Rev C dated August 2015).

The detailed plans, documentation and certification of the drainage system must be submitted with the application for the relevant Construction Certificate and prepared by a chartered civil engineer and comply with the following;

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

32. **Geotechnical Design, Certification and Monitoring Program.** The proposed development involves the construction of subsurface structures and excavation that has potential to adversely impact neighbouring property if undertaken in an inappropriate manner. To ensure there are no adverse impacts arising from such works, the applicant must engage a suitably qualified and practicing Engineer having experience in the geotechnical and hydrogeological fields, to design, certify and oversee the construction of all subsurface structures associated with the development.

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
 - provide appropriate support and retention to neighbouring property,
 - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
 - ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;
 - is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;

- details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
- details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.

The certification and the GMP is to be submitted for the approval of the Accredited Certifier prior to the issue of the relevant Construction Certificate.

33. **Traffic Calming – Morrison Road/Charles Street.** In accordance with the Concept Plan Approval (as modified) and the Deed of Agreement, the applicant is to provide 4 traffic calming devices on Morrison Road and Charles Street as well as 1 additional traffic calming device on Charles Street between Henry Street and Kenneth Street. The applicant is to engage a third party consultant to undertake a road safety audit of Morrison Road and Charles Street at the approaches to the Putney Shopping Centre. This report is to identify 4 traffic calming devices necessary to improve safety for vehicles and pedestrians in the locality and may include road narrowing and contrasting pavement to create an entry statement and slow traffic. The road safety audit is also to identify 1 additional traffic calming device on Charles Street between Henry Street and Kenneth Street. This report is to be submitted and approved by Council prior to the issue of any Occupation Certificate for any apartment building.

34. **Public domain improvements** - The public domain is to be upgraded in both Princes Street and Morrison Road frontages of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 Public Civil Works. This work is to include the work as outlined in condition 34 and 35. A public domain plan is to be submitted to Council for approval by Council, prior to the issue of the Construction Certificate for Stage 3. The drawings shall incorporate the following:

- (a) Street trees and landscape along the Princes Street and Morrison Road to be provided according to the requirements of the Council Urban Planning team.

Note: In designing the street tree layout, the consultant shall check and ensure that the street trees are positioned such that there are no conflicts with the proposed street lights and other utilities.

- (b) New street lighting using LED luminaires is to be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with vehicular luminance category V3 and pedestrian luminance category P2, at the intersection of Morrison Road and Road 21 including the entry into Road 21. The street lighting will remain on the Ausgrid street lighting network.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and

constructing the new network; and are to be submitted to Council and Ausgrid for approval prior to commencement of work.

- (c) A new roundabout at the intersection of Morrison Road and Princes Street. If the footpath on Morrison Road is affected by the provision of the roundabout, it will be necessary to upgrade or reinstate the footpath.

35. Public Infrastructure Works – Public infrastructure works shall be constructed as outlined in this condition of consent. All works must be completed to Council's satisfaction at no cost to Council, prior to the issue of any Occupation Certificate.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to Council for approval prior to the issue of a Construction Certificate for Stage 3. The design of the works shall be in accordance with City of Ryde DCP 2014 Part 8.3 Driveways, Part 8.5 - Public Civil Works, and Part 8.2 - Stormwater Management as amended by the Deed of Agreement, and all relevant Australian Codes and Standards.

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns and other relevant details for the new works and also demonstrate the smooth connection of the proposed works into the remaining street scape.

- (a) The full reconstruction of the road for the Princes Street frontage of the development site in accordance with Clause 1.1.4 – Constructing Half Road of the City of Ryde DCP 2014 Part 8.5 - Public Civil Works.
- (b) The removal of all redundant vehicular crossings and the replacement with new kerb and gutter. Proposed kerb profiles are to be provided to ensure proper connections to the existing kerb and gutter.
- (c) Where new kerb and gutter is being constructed adjacent to existing road pavement, full reconstruction of the road pavement will be required over a minimum width of 500mm measured from the lip of the gutter, in accordance with Council's road pavement specifications.
- (d) Construction of new plain concrete footpath 1.20m wide at 600mm offset from the boundary line along the Princes Street frontage of the site.
- (e) Construction of the driveway (vehicular) access to the basement levels of the apartment buildings from Road 21. In order to avoid the access driveway looking like a public road, kerbs shall not be returned to the boundary alignment line.
- (f) Construction of the roundabout at the intersection of Morrison Road and Princes Street. Note – These plans are required to be approved by Ryde Traffic Committee.
- (g) Construction of the 4 traffic calming devices on Morrison Road and Charles Street at the approach to the Putney Shopping Centre. (These devices are to be identified in the road safety audit referred to in condition

33. These devices will also be required to be approved by the Ryde Traffic Committee).

- (h) Construction of a traffic calming device on Charles Street between Henry Street and Kenneth Street. Note – These plans are required to be approved by the Ryde Traffic Committee.
- (i) The construction/relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council and their requirements being fully complied with.

Note: Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Section 5 “Standards Enforcement” as amended by the Deed of Agreement..

36. **Site Dewatering Plan.** To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems, a Site Dewatering Plan (SDP) must be prepared and submitted with the application for the relevant Construction Certificate.

The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following;

- All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
- Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.
- Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
- The consultant is to liaise with Council’s Public Works - Stormwater Asset Management section concerning the determination of an appropriate rate of discharge to the public inground drainage system. Consideration will be given to the capacity of the downstream system and the ability of the site to detain stormwater during the construction period. Should there be no public inground drainage infrastructure in which to drain to, the maximum rate of discharge is to be limited to 30L/s to the kerb.
- Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council’s DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- Be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.

- Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
- Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.

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

- Existing and final contours
- The location of all earthworks, including roads, areas of cut and fill
- Location of all impervious areas
- Location and design criteria of erosion and sediment control structures,
- Location and description of existing vegetation
- Site access point/s and means of limiting material leaving the site
- Location of proposed vegetated buffer strips
- Location of critical areas (drainage lines, water bodies and unstable slopes)
- Location of stockpiles
- Means of diversion of uncontaminated upper catchment around disturbed areas
- Procedures for maintenance of erosion and sediment controls
- Details for any staging of works
- Details and procedures for dust control.

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

38. **Mechanical ventilation of car parks.** The basement car park must be provided with a system of natural or mechanical ventilation complying with Australian Standard AS1668.2-2012: The use of mechanical ventilation and air-conditioning in buildings – Mechanical ventilation in buildings.

All fresh air intakes vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.

All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.

The carpark exhaust vent must be located at least 3 metres above ground level or any pedestrian thoroughfare and:

- a) At least 6 metres from any fresh air intake vent or natural ventilation opening; and
- b) At least 6 metres or, where the dimensions of the allotment make this impossible, the greatest distance possible from any neighbouring property boundary.

Details of all proposed mechanical ventilation systems must be submitted for approval with the relevant Construction Certificate. Such details must include plans and specifications of the mechanical ventilation systems; and a design certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the Building Code of Australia and the conditions of consent.

- 39. **Evidence of connection by gravity flow.** Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all of the premises will be connected directly to the sewerage system by gravity flow must be submitted with the application for the relevant Construction Certificate.
- 40. **Construction Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to issue of any Construction Certificate. This condition is to ensure public safety, preservation of roadside parking amenity and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent the site.

The CTMP must:-

- a. Make provision for all construction materials to be stored on site, at all times.
- b. Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- c. Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council's Public Works.
- d. Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- e. Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures if they are to be affected.
- f. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps,

structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street tree's.

- g. The inclusion of parking provisions for all contractors and staff within the basement of the development as soon as the basement is constructed to a suitable standard and can accommodate parking.
- h. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and supplied to Council.

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’s Manual – “Traffic Control at Work Sites” and Councils DCP 2014 Part 8.1 (Construction Activities).

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and is to be paid at the time that the Traffic Management Plan is submitted.

- 41. **Vehicular entry.** The vehicular entries are to have high quality finishes and detailing to the walls and ceiling. No service ducts or pipes are to be provided within the vehicular entry. Details demonstrating compliance is to be submitted on the Construction Certificate plans for Stage 4.
- 42. **Lighting of common areas (driveways etc).** Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the relevant Construction Certificate. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
- 43. **Garbage and recycling rooms.** All garbage and recycling rooms must be constructed in accordance with the following requirements:
 - (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
 - (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
 - (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;

- (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
- (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
- (f) The doors must be of adequate dimensions to allow the allocated bins to fit through the opening including the door. The bin chute rooms on each floor must cater for a minimum 240L recycle bin – width 0.6m, depth 0.8m and height 1.1m The chute rooms at basement level must cater for a minimum of 1100L bins – width 1.4m, depth 1.1m height 1.4m;
- (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
- (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (i) The room must be provided with adequate artificial lighting; and
- (j) a hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.
- (k) Where there is a lockable door to access a bin room or hardwaste storage room, the universal Council key should be installed so the contractor can access the room for servicing bins or collect the household clean up items.

Details demonstrating compliance is to be submitted on the relevant Construction Certificate plans.

44. **Landscape Plan.** A detailed landscape plan is to be submitted with the relevant Construction Certificate for Council's approval. This plan is to be generally consistent with the landscape plans referred to in condition 1. This plan is also to include but not be limited to the following:

- Resolution of all external levels and access;
- Streetscape treatment;
- Pedestrian and vehicle entry treatments;
- Consideration of visual impacts mitigation and screening;
- All landscape areas and their proposed treatment (mass planting beds, paving, lawn etc), planting arrangement, planting schedule, pot size, planting and staking details;
- Drainage, waterproofing and irrigation recommendations for podium planters;
- Soil type selections and depths for podium planters;
- Fencing types, heights and locations;
- Sections and elevations of important features;
- +details of lighting in the communal open space area;
- Seating is to be provided within the communal open space area.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

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

45. Site Sign

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

46. Safety fencing. The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

47. Property above/below Footpath Level. Where the ground level adjacent the property alignment is above/below the ultimate footpath level, as set by Council, adequate measures are to be taken (either by means of constructing approved retaining structures or batters entirely on the subject property) to support the subject land/footpath. An approved fence shall be erected along the boundary for public safety.

48. Ground Anchors. The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

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

50. Dilapidation Report. To ensure Council's infrastructures are adequately protected a dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council. The report shall detail, but not be limited to the location,

description and photographic record of any observable defects but to the following infrastructure where applicable.

- a. Road pavement,
- b. Kerb and gutter,
- c. Footpath,
- d. Drainage pits,
- e. Traffic signs, and
- f. Any other relevant infrastructure.

The report is to be submitted to Council's Traffic Development Engineer, prior to works commencing with another similar report submitted at completion and prior to issue to the issue of an Occupation Certificate for the final apartment building. The reports shall be used by council to assess whether restoration works will be required prior to the issue of the Occupation Certificate for the final apartment building.

All fees and charges associated with the review of this report is to be in accordance with Council's Schedule of Fees and Charges and is to be paid at the time that the Dilapidation Report is submitted.

DURING CONSTRUCTION

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

51. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
52. **Hold Points during construction - Public Domain** - Inspections shall be required to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the following hold points: -
- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
 - b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
 - c) Upon compaction of the applicable sub-base course.

- d) Upon compaction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course)
- e) Upon installation of any formwork and reinforcement for footpath concrete works.
- f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

The Applicant shall submit to Council's City Works and Infrastructure, certification from the Engineer, at each stage of the inspection listed above. The certification will contain photographs of the work in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken. The Engineer's certification for the final inspection shall confirm that the works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

A final inspection for the purpose of the handover to Council, of the public infrastructure assets, shall be conducted in conjunction with Council's Engineer following the completion of the external works. Additional inspections, if required, shall be subject to additional fees payable in accordance with Council's Schedule of Fees & Charges at the time.

- 53. **Construction noise.** The L_{10} noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the property boundary.
- 54. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
- 55. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
 - a. Fill is allowed under this consent;
 - b. The material is deemed suitable through validation by a geotechnical engineer.
- 56. **Construction materials.** All materials associated with construction must be retained within the site.
- 57. **Site Facilities**
The following facilities must be provided on the site:
 - (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
- 58. **Site maintenance**
The applicant must ensure that:

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

59. **Archaeological Finds.** If any unexpected archaeological finds (relics/foundations associated with early European occupation) or Aboriginal relics are encountered during excavation, works in the vicinity of the finds should cease and a suitable archaeologist should be engaged to assess the significance of the material. If relics are encountered, the Heritage Division of the Office of Environment and Heritage as well as Council are to be notified and further archaeological work may be required before works could re-commence. Approvals from the Heritage Branch may also be required to disturb relics.

60. **CCTV Cameras:**

- a) The applicant shall install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. The cameras should include the foyer area to the buildings including the area around the mail boxes as mail theft in unit complexes in the Sydney Metropolitan area is an emerging crime. The cameras should also monitor the immediate vicinity outside the building including, but not limited to, the footpath area in front of the premises. CCTV cameras should also cover any lifts, public spaces and the basement car parks. Recordings should be made twenty four (24) hours a day seven (7) days a week.
- b) As a minimum, CCTV cameras at entry and exit points to the premises MUST record footage of a nature and quality in which it can be used to identify a person recorded by the camera. All other cameras MUST record footage of a nature and quality in which it can be used to recognise a person recorded by the camera.
- c) The time and date must automatically be recorded on all recordings made whilst it is recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed.
- d) If requested by police, the applicant is to archive any recording until such time as they are no longer required.
- e) Recordings are to be made in a common media format such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.
- f) The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel.
- g) If the CCTV system is not operational, immediate steps are to be taken by the applicant to ensure that it is returned to a fully operational condition as soon as possible.
- h) CCTV should be installed throughout the basement car park area and should include the entry and exit points to the car park.

61. **Lighting:** Lighting is to be provided around the site and all lighting is to comply with the following requirements:
- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
 - A Lighting Maintenance Policy is required to outline the maintenance, monitoring and operation of lighting.
 - To reduce power consumption and comply with the relevant Australian and New Zealand Standards for Lighting, car park lighting is to be interfaced with motion detectors.
 - Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
 - Lighting is to be automatically controlled by time clocks and where appropriate, sensors for energy efficiency in accordance with the BASIX Certificates referenced in Condition 3.
62. **Access control:** The following measures shall be addressed in the fit out of the building:
- a) All areas should be fitted with doors that comply with Australian Design Standards.
 - b) The locks fitted to the doors should be of a high quality and meet the Australian design standards.
 - c) Any glass within these doors should be laminated to enhance the physical security of the doors.
 - d) Access control should be set in place to exclude unauthorized access to restricted areas.
 - e) Access should be restricted to residents only to the lifts and stairs leading to the apartments.
 - f) Fire exit doors to the development should be fitted with single cylinder locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the development.
 - g) The main entry/exit doors to individual units should also be fitted with single cylinder locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the unit.
 - h) The balcony doors to individual units should also be fitted with single cylinder locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the unit.
 - i) The windows to individual units should also be fitted with key operated locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the unit
 - j) Intercom facilities should be incorporated into entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development.

j) Letterboxes shall have good quality locks on them. Mail theft is an emerging crime in the Sydney Metropolitan area and as such is important that steps be taken to ensure that letterboxes are as secure as possible. CCTV shall be installed around the area where letterboxes are installed

63. **Car parking security.** Vehicular entry to the parking areas is to be through a secured roller shutter with an intercom system for visitor's access. The doors are to be controlled by locksets such as remote or card operating electronic lock sets. The phasing of the roller door needs to minimise the opportunity for unauthorised pedestrian access after a vehicle enters/exits the car park.
64. **Prevention of graffiti.** To assist in the prevention of graffiti, consideration should be given to the use of graffiti resistant materials to assist in the quick removal of any graffiti.
65. **Traffic Management.** Any traffic management procedures and systems must be in accordance with *AS 1742.3 1996* and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.
66. **Truck Shaker.** A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.
67. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
68. **Geotechnical Monitoring Program - Implementation.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.
69. **Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled "Site Dewatering Plan.", the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.

70. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Environmental Partnership (Refer to Drawing No. 3235.S2.DA.12 Rev C dated August 2015) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in connection to the trunk drainage system.
71. **Discovery of additional information** - Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
72. **Identification and removal of hazardous material.** Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner. An appropriately licensed contractor shall be engaged for the removal of friable asbestos or asbestos containing material greater than 10m² and Work Cover appropriately notified.
73. **Removal of underground storage tanks.** The removal of any underground storage tanks shall be notified to Council and must be conducted in accordance with:
- a) Australian Standard AS4976-2008: The removal and disposal of underground petroleum storage tanks; and
 - b) The Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008.
74. **Storage and removal of waste.** All demolition and construction waste must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.
75. **Contaminated soil.** All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the Waste Classification Guidelines (DECCW, 2009) before being transported from the site.
76. **Transportation of wastes.** All waste must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. All wastes intended for recycling must be transported to a facility where the wastes will be recycled or re-used. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
77. **Disposal of asbestos waste.** All asbestos waste must be disposed of at a landfill facility licensed to receive asbestos waste.
78. **Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.

79. **Imported Fill.** All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.
80. **Plumbing and Drainage.** All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.
81. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
82. **Tree Removal.** This consent authorises the removal of the following trees:
- Tree Group 177 – Cupressus species
 - Tree Group 180 – Eucalyptus species, Liquidambar styraciflua, Jacaranda mimosifolia and Cedrus atlantica
 - Tree 181 – Sapium sebiferum
 - Tree Group 183 – Liquidambar styraciflua and Cupresses species
 - Tree Group 190 – Sapium sebiferum and Brachychiton acerifolius.
83. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically authorised by a condition of this consent. Trees shown on the approved plans as being retained must be protected against damage during construction. The tree protection measures as outlined in the Arboricultural Impact Assessment prepared by Urban Forestry Australia dated August 2015 are to be implemented prior to any work occurring on the site.
84. **Tree Works – Arborist Supervision.** An AQK Level 5 Arborist is also to be engaged to monitor the trees throughout the development process and ensure compliance with the tree protection measures.

Hold points and certification

The following Tree Protection Schedule provides a checklist of the various hold points that are to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be submitted to Council prior to the issue of an Occupation Certificate for the final apartment building.

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1	Indicate clearly (with spray paint) trees approved for removal only	Principal Contractor	Project Arborist	Prior to demolition and site establishment

2	Establishment of tree protection fencing and additional root, trunk and/or branch protection	Principal Contractor	Project Arborist	Prior to demolition and site establishment
3	Supervise all excavations works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the works proceeding adjacent to the tree
4	Inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Bi-monthly during construction period
5	Final inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Prior to the issue of Occupation Certificate

85. **Ongoing Management of the road reserve.** The applicant shall be responsible in ensuring that the road reserve remains in a serviceable state during the course of the project. Under the direction of Council, the applicant will make good any roadside facilities being footpaths, road pavement, et cetera; to Council's (City of Ryde) satisfaction.

PRIOR TO OCCUPATION CERTIFICATE

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

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

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

86. **Landscaping.** All landscaping works approved by condition 1 and 45 are to be completed prior to the issue of the **Occupation Certificate** for the final apartment building.

At the completion of the landscaping works, the landscape consultant who supervised the works shall submit to the Principal Certifying Authority a Landscape Compliance Report that establishes satisfactory completion of the landscaping works approved by this consent.

87. **Fire safety matters.** Prior to the issue of any Occupation Certificate for either building, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Interim/Final Occupation Certificate.

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

88. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Occupation Certificate.

89. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
90. **BASIX Commitments.** Prior to the issue of the relevant Occupation Certificate, the Principle Certifying Authority is to ensure that the BASIX commitments have been implemented in accordance with the approved BASIX Certificate. Note: Certificates from suitably qualified persons are to be submitted to the Principle Certifying Authority (if Council is the PCA) verifying that all BASIX commitments listed have been fulfilled in accordance with the BASIX Certificate.
91. **Design Verification.** Prior to the relevant Occupation Certificate being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential flat development achieves the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Part 2 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat

Development as were in effect at the time of the lodgement of the development application. This condition is imposed in accordance with Clause 154A of the *Environmental Planning and Assessment Regulations 2000*.

92. **Stormwater Management - Work-as-Executed Plan.** Prior to the issue of an Occupation Certificate for the first apartment building, a Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
93. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of an Occupation Certificate for the first apartment building. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
 - b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - d) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
 - e) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
 - f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.

- g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

94. **Positive Covenant – Vehicle Turntable Maintenance.** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the vehicle turntable system. For reasons of traffic safety, it is crucial the unit operate throughout the life of the development, so as to ensure that the system will be maintained and operate as approved, throughout the life of the development. The terms of the instrument are to be generally in accordance with the Council's terms as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7, and to the satisfaction of Council, and are to be registered on the title prior to the release of any Occupation Certificate for the first apartment building. The application to Council for endorsement of the positive covenant must be accompanied by a compliance certificate/ statement, either from the manufacturer/ installer or suitably qualified traffic engineer, stating that the system has been installed and operational.

95. **Certification of Mechanical Ventilation System.** A certificate from a professional mechanical services engineer certifying that all mechanical ventilation systems installed on the premises comply with the approved plans and specifications and the *Building Code of Australia* must be submitted to the Principal Certifying Authority before the issue of the relevant Occupation Certificate.

96. **Road 21 – Completion.** Construction and completion of Road 21 is to occur prior to the issue of any occupation certificate for the site.

97. **Compliance Certificate – External Works and Public Domain Infrastructure Works** – To ensure public infrastructure works required under the consent are completed to Council's satisfaction, a final inspection of the completed works is required to be undertaken by Council's Engineer. Prior to the issue of the Occupation Certificate for the first apartment building, a compliance certificate shall be obtained from Council confirming that all external works in the road reserve including roundabouts and traffic calming devices and public domain infrastructure works have been completed to Council's satisfaction. The applicant shall be liable for the payment of the fee associated with the issuing of this certificate.

98. **Public Domain Works-as-Executed Plans** – To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed Plans certified by a Registered Surveyor shall be submitted to Council for review, with any rectifications required by Council to be

completed by the Developer prior to the issue of any Occupation Certificate for the first apartment building.

The Works-as-Executed Plans are to note all departures clearly in red, on a copy of the approved Construction Certificate drawings, and certification from a suitably qualified Civil Engineer shall be submitted to support all variations from the approved plans.

All public domain works including the required roadworks are to be completed to Council's satisfaction prior to the issue of the Occupation Certificate for the first apartment building.

99. **Landscape Maintenance Plan.** A Landscape Maintenance Plan is required prior to the issue of an Occupation Certificate for any apartment building. The Landscape Maintenance Plan should include the following requirements:

- a. Regular maintenance and trimming of shrubs and plantings.
- b. Shrubs and plantings being appropriately maintained to allow for clear lines of sight over the shrubs from pathways and pedestrians areas, and to avoid any plantings being used as a natural ladder to gain access to any higher parts of the building.
- c. All other trees on the site are to be appropriately pruned, trimmed and maintained so that passive surveillance is not compromised and there is no opportunity for climbing of trees to gain access to balconies or units.

100. **Indemnity.** Where it is necessary for waste collection vehicles to enter the property to service the waste containers, the property owner must indemnify Council and its contractor in writing against claims for damage to the driveways and manoeuvring areas. This is to occur prior to the issue of an Occupation Certificate for the first apartment building.

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

101. **Vehicle Turntable.** To ensure safe and efficient operation of the vehicle turntable unit to be located in the loading bay, the following measures must be implemented in the completed development;

- a) The turntable must have line marking depicting the centre of the turn table, maximum radius in which a vehicle is to be contained upon the turn table itself and the maximum swept path radius and associated "Keep Clear" marking, as a result of the swept path of a vehicle overhanging the turntable.
- b) The turntable controls / control pad must be located in close proximity to the turntable and are to be clearly marked and visible from the turntable. Controls are to include an emergency stop button, rotation control and a programmed/

defined turning movement designed to facilitate manoeuvring a vehicle from the typical approach to the typical exit, operated with a single button.

- c) A maintenance number is to be listed on the control panel area so as to minimise the downtime should the device breakdown.

102. **Parking Allocation.** Both the owner and occupier of the development must provide the following parking allocations as follows;

- 208 residential spaces
- 35 visitor spaces
- No less than 22 bicycle parking spaces.

103. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner. An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.

104. **Offensive noise** - The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

105. **Plant and machinery noise** - The operation of any plant and machinery installed on the premises must not cause:

- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at the most affected noise sensitive location in the vicinity. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
- (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
- (c) The transmission of vibration to any place of different occupancy.

106. **Waste Collection Services.** Arrangements must be made with Council for the provision of waste collection services **before occupation commences**.

107. **Maintenance of Waste Areas.** All waste storage areas must be maintained in a clean and tidy condition at all times.

108. **Management of Waste Areas.** Staff or contractors are to be employed to:

- Take the waste containers from waste storage and recycling rooms to the containers emptying point for servicing and return the containers to the waste storage and recycling rooms after servicing.
- Clean and maintain the waste storage and handling facilities.