

SYDNEY NORTH PLANNING PANEL

Panel No.	2016SYE042
DA Number	LDA2016/0058
Local Government Area	City of Ryde
Street Address	6-8 Western Crescent GLADESVILLE
Proposed Development	Demolition of existing buildings and construction of a 10 storey mixed use development comprising of new facilities for the Gladesville RSL Youth Centre, 34 residential apartments and 98 parking spaces within 5 basement levels.
Applicant/Owner	Gladesville RSL and Community Club Limited
Total Submissions	Original proposal - Fifteen (15) submissions received Amended proposal – One (1) submissions received
Regional Development Criteria (Schedule 4A of the Act)	Schedule 4A(3) of EP& A Act – The development has a capital investment value of more than \$20 million. The SNPP is the Consent Authority.
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No. 55 (Remediation of Land) • State Environmental Planning Policy (Building Sustainability Index: BASIX) • Deemed State Environmental Planning Policy Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development • Ryde Local Environmental Plan 2014 • Ryde Development Control Plan 2014 • Section 94 Development Contributions Plan 2007 (Amendment 2010)
List of documents attached to this report	Attachment 1 – Recommended Conditions of Consent Attachment 2 – Clause 4.6 variation in respect to building height Attachment 3 - Clause 4.6 variation in respect to floor space ratio
Recommendation	Approval
Report by	Natalie Piggott – Senior Town Planner
Report date	27 July 2017

Summary of s79C matters	
Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?	Yes
Legislative clauses requiring consent authority satisfaction	
Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?	Yes – SEPP 55.
Clause 4.6 Exceptions to development standards	
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Yes
Special Infrastructure Contributions	
Does the DA require Special Infrastructure Contributions conditions (S94EF)?	No
Conditions	
Have draft conditions been provided to the applicant for comment?	Yes - applicant has agreed to the conditions.

Assessment Report and Recommendation

1. EXECUTIVE SUMMARY

The following report is an assessment of a development application for the construction of a mixed use development comprising 34 apartments and new expanded facilities for the Gladesville RSL Youth Centre proposed at 6-8 Western Crescent, Gladesville. The overall development will be 10 storeys in height with parking for 98 vehicles proposed in 5 levels of basement car parking.

The development has been assessed in respect to the relevant planning instruments and the application is non-compliant with the following:

- Clause 4.3 Height of Buildings– the development results in breaches to the building height control contained within the Ryde LEP 2014. The non-compliance is due to the lift overrun and is equivalent to 380mm. The applicant has submitted a Clause 4.6 variation to this development standard;
- Clause 4.4 Floor Space Ratio – the development results in a breach of the floor space ratio control contained within the Ryde LEP 2014. The non-compliance is due to the additional floor space contained within the Youth Centre. The applicant has submitted a Clause 4.6 variation to this development standard;
- Building separation under the Apartment Design Guide – the southern elevation of the proposal does not comply with the building separation requirements under Section 2F and 3F of the ADG;
- Common circulation and spaces – the Mezzanine Level does not provide a window to the common circulation as required under the design criteria of Objective 4F-1 of the ADG;

- Storage – the storage provisions within the basement car parking levels do not fully comply with the minimum storage requirements under 4G of the ADG. This has been dealt with by conditions of consent;
- Number of storeys – the development does not comply with the required number of storeys under the Key Site Diagram contained within Part 4.6 Gladesville Town Centre and Victoria Road Corridor Section 4.3.6 of Ryde DCP 2014;
- Minimum floor to floor height – the development has not provided the minimum floor to floor ceiling height of 3.6m to the ground floor in accordance with Part 4.6 Gladesville Town Centre and Victoria Road Corridor Section 3.1.1 of Ryde DCP 2014;
- Awning – the development has not provided an awning along Western Crescent and Coulter Street in accordance with Part 4.6 Gladesville Town Centre and Victoria Road Corridor Section 3.1.7 of Ryde DCP 2014. This has been dealt with by conditions of consent;
- Minimum 3.5m footpath requirement – the development has not provided a minimum 3.5m wide paved footpath along Coulter Street in accordance with Part 4.6 Gladesville Town Centre and Victoria Road Corridor Section 3.3.9 of Ryde DCP 2014.

Following a merit based assessment the proposed variations are considered meritorious in the circumstances and are supported by Council Officers.

The development constitutes an Integrated Development pursuant to Section 91A of the Environmental Planning and Assessment Act because of its impact on the groundwater (aquifer interference activity). The Department of Primary Industries – Water has provided the General Terms of Approval. These have been included in the recommended conditions of consent.

The development application was publicly exhibited between 2 March 2016 and 1 April 2016. During this period, 15 submissions were received raising concern regarding the development.

Amended plans in response to the issues raised by Council Officers were submitted on 6 September 2016. These plans were re-notified between 24 October and 8 November 2016. As a result of the re-notification one submission was received. All issues raised by the submissions have appropriately been dealt with and have been discussed in detail under the submissions section of this report.

The capital investment value of the application exceeds \$20 million. In accordance with Schedule 4A of the Environmental Planning & Assessment Act 1979, the consent authority for the purposes of determining the subject application is the Sydney North Planning Panel.

The development is consistent with the desired future character of the precinct as identified in the relevant planning instruments.

The development application is recommended for approval subject to appropriate conditions provided in **Attachment 1** of this report.

2. APPLICATION DETAILS

Name of applicant: Gladesville RSL Club c/o Urbis Pty Ltd.

Owner of site: Gladesville RSL Club

Estimated value of works: \$21,613,800.00

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 legally described as Lot 2 Section C in DP1821 and Lot 3 Section C in DP1821 and formally known as 6 to 8 Western Crescent Gladesville. The site comprises two allotments and has a total combined site area of 1024.4m². The site has frontages to 3 roads, the primary frontage being Western Crescent and the secondary frontages to Ross Street and Coulter Street. The non-road frontage boundary adjoins The City of Ryde's car park. Western Crescent and Coulter Street have a boundary of 27.735m and Ross Street and the side boundary are 37.035m (on title).

Currently onsite is the existing community centre that is used by the Gladesville RSL club for cricket, dance, gymnastics and karate lessons. The site has a gradual slope from the north-west corner to the south-east corner of approximately 5.5m. Due to this slope the building presents as single storey along Western Crescent and goes to two storeys as the site falls down towards Coulter Street. The site does not support any significant landscaping and there is one street tree along Ross Street.

Figure 1 below provides a site aerial of the site and surrounding allotments. Figures 2 to 10 are photos of the site and surrounding buildings.

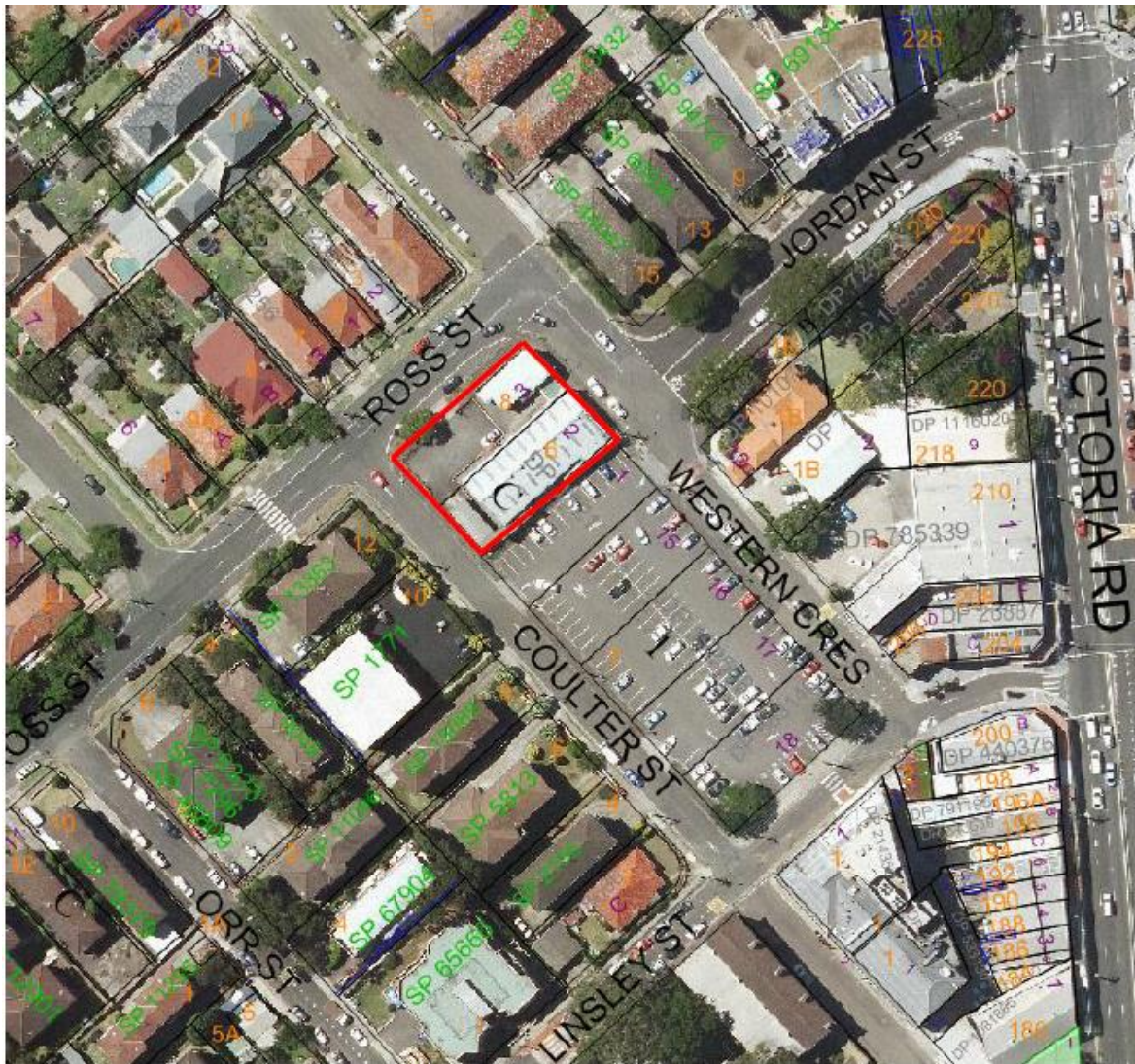
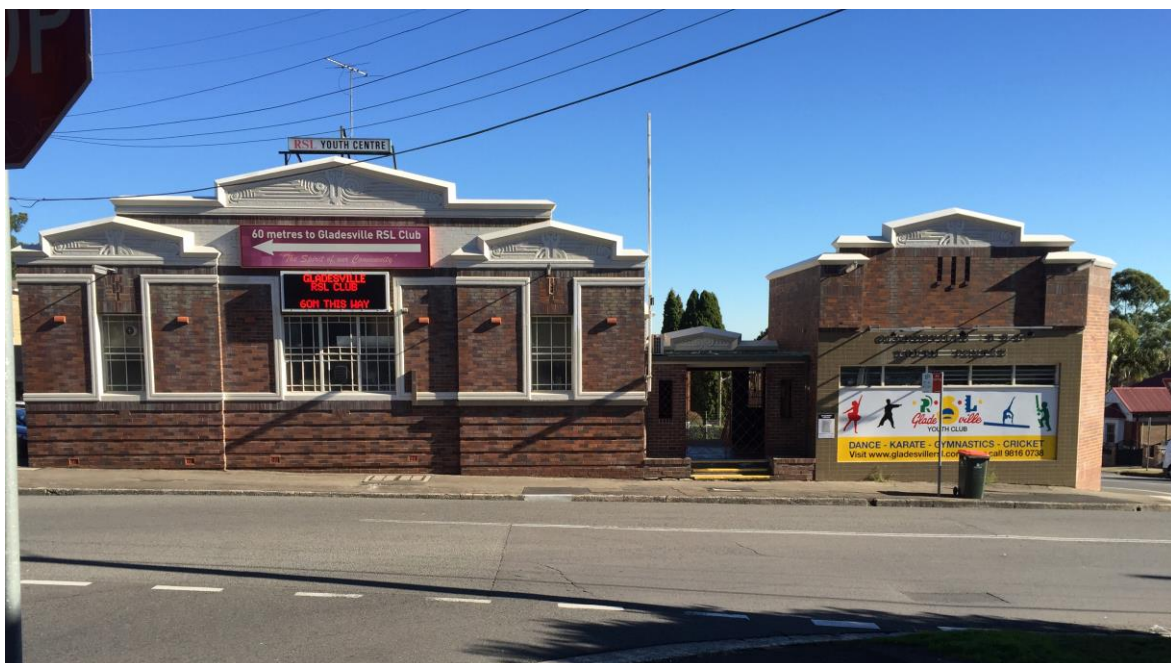


Figure 1: Site Aerial.



Figures 2: Existing Youth Centre façade along Western Crescent to be retained.



Figure 3: Council Car park adjoins the site to the south. At the end of the car park is the Gladesville RSL Club.



Figure 4: 3 storey residential flat buildings along Coulter Street.



Figure 5: Residential flat buildings located at end of Coulter Street & adjoining Ross Street.



Figure 6: View of development site from Ross Street.



Figure 7: View of development site from Coulter Street with Gladesville RSL building.



Figure 8: View of residential dwellings along Ross Street opposite development site.



Figure 9: View of residential dwellings opposite development site in Ross Street.



Figure 10: View up Jordan Street from Western Crescent.

4. **PROPOSAL**

The application proposes to construct a 10 storey residential flat building and Youth Centre comprising of the following:

- Basement Levels P5 to P6 – 44 Residential parking spaces and lift access from Lifts 3 and 4;
- Basement Levels P3 to P4 – 42 Club & Youth Centre parking spaces plus 12 bicycle parking spaces and lift access from Lifts 1 and 2;
- Basement Level P2 – 12 Club & Youth Centre parking spaces, 2 courtesy bus parking spaces, general waste loading dock, residential waste storage area and lift access from Lifts 1 and 2;
- Basement Level P1 – Car parking entry from Coulter Street, gymnasium floor, storage rooms and lift access from Lifts 1 and 2;
- Ground floor - Youth Centre and residential entry, Youth Centre foyer and reception, staff kitchen and sitting area, change rooms and bathroom facilities, viewing and seating area to gymnasium below, lift access to Youth Centre from Lifts 1 and 2, stair access to Level P1 gymnasium, residential lift lobby to Lifts 3 and 4, community facilities for residential use with kitchenette, recreation room and accessible toilet, mechanical plant rooms and fire stairs;
- Mezzanine Floor –Lift foyer to Lifts 1 and 2, singing room, dance and karate room with costume storage room and karate store room, separate lift foyer for residential Lifts 3 and 4, 2 x 3 bedroom apartments, 1 x 2 bedroom apartment and outdoor residential communal area;
- Levels 1 to 4 – Residential Lift lobby to Lifts 3 and 4, 4 x 2 bedroom apartments and 1 x 3 bedroom apartment;
- Level 5 – Residential Lift lobby to Lifts 3 and 4, 1 x 1 bedroom apartment, 1 x 2 bedroom apartments and 1 x 3 bedroom apartment, communal facilities room and communal open space;
- Level 6 – Residential Lift lobby to Lifts 3 and 4, 2 x 2 bedroom apartments and 1 x 3 bedroom apartment;
- Level 7 – Residential Lift lobby to Lifts 3 and 4, 2 x 2 bedroom apartments and 1 x 3 bedroom apartment; and
- Level 8 – Residential Lift lobby to Lifts 3 and 4 and 2 x 3 bedroom apartments;
- Retention of building façade along Western Crescent and parts of Coulter Street.

Summary of development:

Site Area :	1,024m ²
Zone:	B4 Mixed Use
FSR: 4.3:1 or 4,404.92m²	4:585:1 (4,695.44m ²)
Height : 33m	33m with lift overrun at 33.38m
Apartment Mix:	1 x 1 bedroom 22 x 2 bedroom 11 x 3 bedroom
Car parking Required:	
Residential: 36-52 spaces & 7 visitor spaces	34 Apartments: 37 spaces & 7 visitor spaces Total 44 spaces
Youth Centre: (972.21m ²): 49-73 spaces	Youth Centre: 54 spaces
Bicycle parking 10% of GFA:	
Youth Centre: 5 spaces	12 Bicycle parking spaces are proposed in Youth Centre parking level
Residential: 5	

The Youth Centre proposes to operate between the following hours:

- Gymnastics - 7 days a week from 6 am to 8 pm Monday to Friday and 9 am to 5 pm Saturday/Sunday;
- Dance Classes - 4 pm to 9 pm Wednesday, 4 pm to 6 pm Monday and 9 am to 5 pm Saturday; and
- Karate Classes - 4 pm to 8 pm Tuesday and Thursday.



Figure 11: Montage of proposed building.



Figure 12: Front elevation of proposal along Western Crescent. This diagram shows the retention of the front façade of the building.



Figure 13: Rear Elevation along Coulter Street showing 7 storey component of proposal.

5. **BACKGROUND**

11 February 2016	Application lodged with Council.
19 February 2016	Additional information request sent to applicant to provide a geotechnical report. Referrals sent to referral officers.
25 February 2016	Application was notified to surrounding properties and advertised in the Northern District Times. Submissions closed on 1 April 2016 and fifteen (15) submissions were received.
13 April 2016	Urban Design Review Panel (UDRP) meeting held with applicant.
20 April 2016	JRPP briefing held.
21 April 2016	Amended SEE, solar access diagrams, gross floor area calculation plans, apartment area schedule and amended Clause 4.6 variation lodged by applicant.
28 June 2016	Preliminary assessment letter sent to applicant advising of issues identified with proposal and requesting further information and amended plans.
6 September 2016	Amended plans and additional information lodged by applicant proposing the following amendments: <ul style="list-style-type: none">• Amendments to Ross Street façade to include significant glazing at ground level to achieve streetscape activation;• Deletion of awning along Coulter Street;• Reduction of privacy impacts by the use of highlight windows, glazing and additional louvres to the southern elevation units;• Relocation of security gates of an additional 6m from entrance;• Increase in basement clearance levels for waste collection vehicles.
12 October 2016	Meeting with Applicant to discuss proposed amendments. Additional plans were requested at meeting to clarify FSR calculations, traffic impact assessment and waste management plan.
24 October 2016	Re-notification carried out to objectors only. One (1) submission received.
29 November 2016	Additional information lodged as requested at meeting held on 12 October 2016.
14 December 2016	Meeting with applicant to discuss waste management, vehicular clearance for waste trucks within basement and SIDRA modelling information. SIDRA modelling provided via email from applicant after

meeting.

18 January & 2 February 2017	E-mails to applicant requesting basement clearance requirement of 3.5m for waste vehicle/truck to be provided and stormwater information.
22 February 2017	Waste management plan with basement swept paths and basement section received and referred to Council referral officers.
23 February 2017	Further details on basement section requested by Council's Traffic Engineer to show ground and vertical clearance test on section drawing.
7 March 2017	Basement clearance plans provided demonstrating 3.5m waste truck ground and vertical clearance test.
26 April 2017	Briefing to new Sydney North Planning Panel.
2 June 2017	Confirmation of existing gross floor area of existing Youth Centre and amended Clause 4.6 variation requested.
13 June 2017	Additional information received.
14 June 2017	Additional briefing to Sydney North Planning Panel.

6. PLANNING ASSESSMENT

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

As the proposed development has a capital Investment Value of \$21,613,800.00 the development application is required to be determined by the Sydney North Planning Panel.

6.2 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 Officers must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The applicant has provided a preliminary environmental site assessment which has concluded that there is likely to be a low risk of contamination and that the site is likely to be suitable for the proposed development. The report has also recommended that:

1. *A Hazardous Materials Assessment (Hazmat) for the existing buildings be undertaken prior to the commencement of demolition work; and*
2. *Complete a Stage 2 ESA to address the identified data gaps. Due to access difficulties, this should be conducted after the demolition of the*

existing buildings so that an assessment of soil and groundwater conditions beneath the buildings can be undertaken.

Council's Environmental Health Officer has reviewed the assessment and agrees with the findings. Appropriate conditions of consent have been imposed to reflect the above (See condition numbers 38 to 39, 52 to 57, and 98 to 99).

6.3 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 697061M dated 29 January 2016) 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 4 and 120).

6.4 Deemed SEPP Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Deemed SEPP Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 applies to the subject site and has been considered in this assessment.

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

6.5 State Environmental Planning Policy No. 65 (as amended -19 June 2015)

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

- Urban Design Review Panel
- The 9 SEPP 65 Design Quality Principles;
- The NSW Apartment Design Guide (ADG) guidelines;

The development application has been reviewed by Council's Urban Design Review Panel twice. Once before it was submitted and once following the lodgement of the development application.

- **Urban Design Review Panel**

Council's Urban Design Review Panel reviewed the proposal on 13 April 2016. The following comments were provided by the Panel.

Context and Neighbourhood Character

The site is located in Western Crescent on the corner of Ross St. It benefits from 3 street frontages including Coulter St and is adjacent to a council carpark.

The site visually terminates Jordon St and contains an existing building which contributes to the street character.

The site falls to the south west. The extent of the fall is not known as no survey was provided within the information provided to the panel.

The site is subject to Block Plan 18 within Council's DCP. The DCP established an envelope with:

- 8 storeys to Western Cres for a depth of 18m including an articulation zone,
- 2 storeys to Ross Street including an articulation zone for a depth of 6m and
- 6 storeys to Coulter St for a width of 18m, again with an articulation zone to the street.

To the south of the site are located residential apartment buildings of 4 storeys. To the north is the rear portion of properties that bound Victoria Road. These include the heritage Christ Church Anglican and its lands.

To the west are low scale detached dwellings and to the east is the on grade Council car park which is proposed eventually to be redeveloped according to the block plan.

Comment: The above comments are noted.

Built Form and Scale

Contributory item:

The proposal retains a 3m portion of the contributory hall building only on Western Cres. The remainder of the building is proposed to be demolished.

The minutes of the previous panel meeting (20 October 2015) stated:

- *The existing building is not a heritage item*
- *Retention of 3m portion "amounts to 'facadism' and is not supported*
- *"The Panel would rather see demolition of the item and replacement with a high quality design that also contributes to the streetscape and setting of the heritage church, than such a token retention."*

The panel remains concerned that this approach in combination with the proposed lower level façade design along Ross and Coulter Streets is not a meaningful retention and response to the existing building.

Noting that the building as it fronts Western Crescent is not without interest, and if the applicant wishes to pursue its retention, the Panel strongly encourages the applicant to seek additional expert architectural heritage advice on the extent of the building to be retained so that it is meaningful. The Heritage Officer should review the actual proposal and participate in its design, not just comment on the existing building.

The Panel also considers that the design of the new building should demonstrate a much stronger relationship to the scale and proportion of the existing building, if it is to be retained. The Heritage Officer should also provide advice on how this should be achieved.

Comment: Council's Heritage Officer has provided the following comments in support of the retention of the front façade:

It is noted that Council's Urban Design Review Panel has provided comments suggesting that a more meaningful expression of the building should be retained, however I disagree with their preferred outcome of the total demolition of the building and replacement with a high quality built outcome. It is agreed that a larger portion of the building could be retained, however in light of the assessment of significance, the fact that the interior of the building has been substantially modified and is of lesser significance, retention of a larger portion of the building is not considered necessary.

In my opinion, a high quality built outcome can still be achieved through the retention of the façade of the building with a 3m portion of the building behind and with a skillful and meaningful marriage between the retained portions of the building and the new tower development.

The retention of the façade is therefore supported. The applicant, however, has failed to provide a structural integrity report to confirm that this part of the building can be adequately retained during demolition and construction. Accordingly a deferred commencement condition has been imposed to demonstrate that the façade can be retained (See condition 1 of Part A).

Building height -

The proposal still exceeds the maximum number of storeys in the DCP in 2 locations. The Western Crescent portion of the building exceeds the 8 storey building envelope height by the equivalent of 2 storeys (accounting for taller ground floor) and the 18m depth by 3m. The Coulter Street portion of the building exceeds the 6 storey building envelope by 1 storey.

The proposal is within the LEP maximum height applying to the site (33m) with the exception of the lift overrun, which exceeds the height plane by 380mm.

The panel is now willing to consider some modification of the DCP heights (but not the LEP) if its current recommendations are adopted and the design is improved.

Comment: Noted. There is a minor variation in respect to building height associated with the lift. This variation is equivalent to 380mm and it can be supported on merit. The amended plans have made further amendments as recommended by the Panel. As stated by the Panel, no objection is raised to the additional storeys.

Interface with future 2 storey podium to the south east

The communal terrace on level 2 adjacent the common boundary has been deleted.

Comment: As recommended by the UDRP this aspect of the development was deleted.

Ross Street

The lower façade to Ross Street is dominated by blank walls and fully screened windows and creates a poor interface to the street. The transition from the retained façade to Western Crescent is unconvincing and detracts from the retained contributory façade. The Ross Street façade should be redesigned to better transition around the corner and to improve its contribution to the street by:

- Incorporating additional windows in the façade. The Panel notes that toilets and other service rooms are proposed on the external wall and this limits*

windows. The internal layout should be amended to relocate these spaces away from the external wall, opening up the space for the common lobby waiting room, which could have windows to the street.

- The lighter base should be deleted. The extended datum from the Western Crescent ground line provides an odd datum and human interface along the street and a blank wall that will invite graffiti.
- The windows should be extended to ground and greatly enlarged. A large percentage of glazing (ideally a fully glazed façade within structural framing) would allow daylight into the gym and light from it to spill out into the street at night (safety and activation) and generally deliver an animated and visually open façade, more directly relating this important community asset to the neighbourhood. This approach could also introduce a vertical rhythm along the street and would improve its articulation. The Panel appreciates the proponent's concerns about unwanted looking in from the street and daylight/sunlight/glare issues for gym users, but believes the design of the glazing could resolve these potential problems (fritting, translucent glass, screening etc.).

Comment: In accordance with the recommendations of the Panel, the façade along Ross Street has been amended to include various window shapes and sizes with significant glazing at the ground level to achieve streetscape activation (see Figure 14 below).



Figure 14: Elevation of Ross Street showing additional windows and glazing.

Side boundary setbacks

The proposal provides a 3-3.5 setback to the south-eastern side boundary Street for residential apartments above the podium. The proposal has removed side facing balconies and reoriented apartment to overlook Coulter Street with secondary windows facing the side boundary. The Panel supports these changes and recommends screening of bedroom windows or the use of angled windows to reorient outlook to the street.

Comment: Additional louvers have been provided to bedroom windows and terraces to ensure adequate privacy is maintained as recommended by the Panel.

Awning and windows to Coulter Street

The Panel does not consider that an awning is required on Coulter Street. The awning as proposed has limited amenity and clashes with street trees and should be

deleted. The Panel recommends that the windows be extended to the base of the building to improve the articulation of the façade and minimize blank walls.

Comment: The applicant has deleted the awning along Coulter Street and provided additional glazing as recommended by the Panel. However under Section 3.1.6 Awnings of Part 4.6 of Ryde DCP 2014 the site is identified as requiring awnings to Western Crescent and Coulter Street to provide pedestrian activation. Given that Western Crescent cannot accommodate an awning due to the retention of the façade; Coulter Street will be required to provide an awning. Accordingly a condition has been imposed requiring that an awning along this façade is to be provided (see Condition 1a).

Density

The proposal exceeds the allowable FSR of 4.3:1 by 305sqm (actual FSR 4.6:1). The applicant has justified this additional FSR on the basis of the cost in providing a new Youth Facility on the site. The Panel remains uncomfortable about the significant FSR non-compliance – the applicant will need to make a very strong case under Clause 4.6 of the LEP.

Comment: The applicant has provided a Clause 4.6 variation to the FSR and this is discussed further in this report. It should be noted that the FSR is 4.58:1 rather than 4.6:1.

Sustainability

Sustainability was not discussed in the meeting. The Panel encourages the applicant to consider initiatives.

Comment: The application has included a Basix Certificate and the development achieves energy and water efficiency targets.

Landscape

The location and quality of the Communal Open Space

The proposed space above the existing parapet of the retained hall building on the corner of the site has been retained. This space provides northern aspect and is complemented by a new roof terrace on Level 6 and is easily accessed from common circulation. The Panel supports the reconfigured open space.

The planters along Ross Street have been removed. Refer to built form for facade improvement recommendations.

Comment: The existing use of the site as a community facility does not currently accommodate any deep soil or soft landscaping provisions.

Whilst the ADG requires 7% deep soil, given that the ground floor is to be used as a Youth Centre, the provision of 0% deep soil under the circumstances can be supported. 25% communal open space has been provided in the form of 2 levels of communal open space totalling 256m². Each apartment has been provided with balconies to provide private open space.

Housing Diversity and Social Interaction

The Panel understands that the proposal is for seniors housing and will remain in the ownership of the club. The applicant should confirm that the proposed mix complies with Council's requirements, including smaller apartments (studios and 1 bed apartments) to supplement the proposed 2 and 3 bedroom apartments.

Comment: The development is currently being assessed as a mixed use development. At the pre-lodgement meeting it was indicated that the development may be lodged as a SEPP Seniors Living development, however subsequently the development has been lodged as a mixed use development for which the apartment mix of 1 x 1 bedroom, 22 x 2 bedroom & 11 x 3 bedroom is considered to be satisfactory.

Aesthetics

The architecture has been slightly amended to improve the alignment of bays and building elements between the contributory façade and the upper residential levels. While some colour is proposed in the upper levels its use is minimal. If the existing building is retained, greater sensitivity in design and material and colour selection for the residential component beyond white render and glass is recommended to better unify the old and the new.

Refer to built form for ground floor recommendations.

Comment: The façade has been amended as recommended by the UDRP, however a slight increase in colour scheme has been proposed. Accordingly a condition has been recommended to provide a schedule of colours and finishes to Council's Heritage Officer for approval (see condition 83).

• **Design Quality Principles**

Part 4 of the Policy requires the consent authority to take into consideration the design quality principles as set out in Schedule 1. These principles do not generate design solutions, but provide a guide to achieving good design and the means of evaluating the merits of proposed solutions. Accordingly the applicant provided an assessment of the proposal against these design principles in accordance with the Environmental Planning and Assessment Regulation.

Planning Principle	Comments
<p>1. Context & Neighbourhood Character</p> <p>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 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>The site is located within an area currently undergoing significant change in response to the zoning of the area. The area does have a mixed zoning of B4, R4 and R2 which provides a transition area from high density, medium density and low density residential development. This is reflected in the varying building heights of 15m, 19m and 22m surrounding the subject site, with floor space ratios of 1:1 and 2.7:1. The subject site has a maximum 33m building height and floor space ratio of 4.3:1.</p>
<p>2. 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.</p> <p>Good design also achieves an appropriate built</p>	<p>The development does result in breaches to the height and FSR control. However these breaches do not adversely impact the character of the streetscape.</p> <p>The breach to the height control is restricted to the</p>

Planning Principle	Comments
<p>form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>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>lift overrun of 380mm which is located centrally within the building and does not contribute to the bulk and scale of the development.</p> <p>The breach to the FSR is a consequence of the size of the Youth Centre and this is discussed further in this report.</p> <p>The built form of the development responds to relevant controls in DCP2014 and will contribute positively to the existing and emerging character of the surrounding streetscape. It will also be consistent in terms of massing and scale with the desired future character of the precinct.</p> <p>The proposed built form is also considered to be acceptable given that the development achieves suitable compliance with the objectives contained in the ADG.</p> <p>Notably, Council's UDRP was supportive of the building's placement and massing.</p>
<p>3. 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.</p> <p>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 applicant has provided a Clause 4.6 variation to the FSR and this is discussed further in this report.</p>
<p>4. Sustainability</p> <p>Good design combines positive environmental, social and economic outcomes.</p> <p>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 Site Waste Management Plan has been submitted and assessed as acceptable by Council's Environmental Health Officer.</p>
<p>5. 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>Good landscape design enhances the</p>	<p>The existing use of the site as a community facility does not currently accommodate any deep soil or soft landscaping provisions.</p> <p>Whilst the ADG requires 7% deep soil, given that the ground floor is to be used as a Youth Centre, the provision of 0% deep soil under the circumstances can be supported. The site is also subject to a Key Site Diagram which also does not make any provisions for deep soil as the buildings</p>

Planning Principle	Comments
<p>development's environmental performance by retaining positive natural features which contribute to the local context, coordinating 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>have zero setbacks to all three street frontages and envisages a zero setback to the only non-street frontage elevation.</p> <p>25% communal open space has been provided in the form of 2 levels of communal open space totalling 256m².</p> <p>Each apartment has been provided with balconies to provide private open space.</p>
<p>6. 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 well-being.</p> <p>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>All apartments are larger than the minimum apartment size recommended under the ADG and are well proportioned to accommodate various furniture layouts over their life span. The proposal will achieve adequate levels of natural ventilation and solar access. Adequate privacy measures are proposed to ensure that there will be minimal opportunities for overlooking between units.</p> <p>Storage is provided to all dwellings, both internally and in the basement parking levels, however the storage is not fully compliant with the requirements under the ADG and this is discussed further in this report.</p> <p>In addition, all units are provided with sufficient indoor and outdoor living spaces.</p> <p>All levels within the buildings are accessible from lifts as well as being accessible from the street via Western Crescent.</p>
<p>7. 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 well-lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	<p>The proposal makes a positive contribution to the street with respect to safety and security. All three frontages have a zero setback and are provided with large windows at ground floor level.</p> <p>The development provides secure access points to the site and car park entries and has clear separation between the residential component of the development with the Youth Centre including separate lift access from the basement car parking levels.</p>
<p>8. 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.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p>	<p>The development will include the following housing mix:</p> <ul style="list-style-type: none"> • 1 x 1 bedroom, • 22 x 2 bedroom, • 11 x 3 bedroom. <p>The proposed range of apartments provides a</p>


Planning Principle	Comments
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>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>9. Aesthetics</p> <p>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.</p> <p>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.</p>	<p>The building facades are strongly articulated with the use of balconies, terraces and screening.</p> <p>The retention of the façade along Western Crescent has been adequately incorporated into the contemporary design of the building and this is compatible with the other buildings within the locality.</p>

- **SEPP 65 APARTMENT DESIGN GUIDE**

The SEPP also requires Council Officers to take into consideration the requirements of the Apartment Design Guide. These matters have been discussed in the following table based on the amended plans received on 6 September 2016.

Part 2 Developing the controls		
Controls	Considerations	Consistent
2E Building Depth		
Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line.	The building proposes 14m – 18m building depth.	Yes
2F Building Separation		
<p>Minimum separation distances for buildings are:</p> <p><i>Up to four storeys (approx 12m):</i></p> <ul style="list-style-type: none"> - 12m between habitable rooms/balconies - 9m between habitable and non-habitable rooms - 6m between non-habitable rooms <p><i>Five to eight storeys (approx 25m):</i></p> <ul style="list-style-type: none"> - 18m between habitable rooms/balconies - 12m between habitable and non-habitable rooms - 9m between non-habitable rooms <p><i>Nine storeys and above (over 25m):</i></p> <ul style="list-style-type: none"> - 24m between habitable rooms/balconies - 18m between habitable and non-habitable rooms - 12m between non-habitable rooms <p><u>Note:</u></p> <ul style="list-style-type: none"> • At the boundary between a change in zone from apartment buildings to a lower density area, increase the building setback from the boundary by 3m 	<p>As the site has three street elevations, the building separation distances for Western Crescent, Ross Street and Coulter Street comply.</p> <p>The relevant elevation is the southern elevation which adjoins the Council car park. This has proposed a zero setback to the boundary for the ground and first floor and a 3m to 3.5m setback for the upper storeys.</p> <p>This does not comply with the requirements under the ADG, however the Key Site Diagram requires a 2 storey retail/commercial building to be built to the boundary with the upper floors setback 3m. The development has complied with this requirement by providing a 2 storey element built to the boundary with the remaining upper</p>	<p>Yes</p> <p>No – acceptable</p>

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<ul style="list-style-type: none"> No building separation is necessary where building types incorporate blank party walls. Typically this occurs along a main street or at podium levels within centres. 	<p>storeys to be setback a minimum 3m.</p>  <p>Figure 15: Key Site Diagram with location of site</p> <p>On merit this can be supported as this development supports the desired further character and massing of buildings as envisioned by the Key Site Diagram in the DCP. Any development adjacent to the site would be required to be 2 storeys in height for a distance of 22m. The minimum 3m setback will still ensure all of the apartments will receive acceptable amenity in respect to visual and acoustic privacy, natural ventilation, sunlight and outlook. As recommended by the UDRP additional louvers have been provided to the windows and balconies of the apartments facing the car park to provide additional privacy. Should any future development be proposed on the neighbouring site that is over 2 storeys, it would be necessary for Council Officers to agree to amend the Key Site Diagram and that development would be burdened to provide the separation required under the ADG.</p>	
Front, Rear & Side Setbacks		
See discussion under the relevant Development Control Plan.	The site has three street frontages Western Crescent, Ross and Coulter Street, which require zero setback. The development complies with this requirement.	Yes
Part 3 Siting the development		
3B Orientation		
Building types and layouts respond to the streetscape and site while optimising solar access and minimising overshadowing of neighbouring properties in winter.	Unit layouts respond to all 3 street frontages to maximise solar access. 85% of living rooms and balconies receive more than 2 hours direct sunlight in mid-winter between 9am-3pm. Overshadowing of neighbouring	Yes

[illegible]

<p>Basement Design for parking:</p> <ul style="list-style-type: none"> • Basement car park not to exceed 1m above ground (use stepped/ split level). • Natural ventilation to be provided for basement car parks. Any ventilation grills/ screening device to be integrated into the façade and landscape design. 	<p>bicycle parking spaces are to be provided on either P5 or P6 parking levels.</p> <p>Car parking will not protrude above ground level. Natural ventilation has not been provided to basement and car parking areas due to the level of excavation required. Accordingly a condition has been imposed requiring all car parking levels to be provides with an approved system of mechanical ventilation (see Condition 24).</p>	<p>Yes</p>
<p>Part 4 Designing the building</p>		
<p>4A Solar & daylight access</p>		
<p>1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter.</p>	<p>The site has 29 of the 34 apartments receiving a minimum of 2 hours direct sunlight to the living rooms and balconies. This equates to 85% of the apartments receiving sunlight for a minimum 2 hours between 9 am and 3 pm at mid-winter.</p>	<p>Yes</p>
<p>2. No more than 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid- winter.</p>	<p>Five (5) apartments out of the proposed 34 would not receive any sunlight access in midwinter, which is less than 15% of the total number of apartments.</p>	<p>Yes</p>
<p>3. Design should incorporate shading and glare control, particularly for warmer months.</p>	<p>This will be adequately dealt with using cantilevered roofs over balconies, highlight windows and internal shading fixtures.</p>	<p>Yes</p>
<p>4B Natural Ventilation</p>		
<p>All habitable rooms are naturally ventilated.</p> <p>Design layout of single aspect apartments to maximises natural ventilation.</p>	<p>The units have been designed to maximise natural ventilation. Depths of living rooms/kitchens are generally no more than 8 metres. Window openings to habitable rooms are generous. Light wells are not used for primary air source. A variety of window types provide safety & flexibility. Adjustable windows & doors are operable. Single-aspect apartments have indented façade to create wind pressure difference and with open-plan layouts and wide frontages to maximise cross-ventilation. Apartment depths are limited to less than 8m to habitable rooms for all single-aspect apartments.</p>	<p>Yes</p> <p>Yes</p>
<p><u>Design criteria for natural cross ventilation:</u></p> <p>1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p> <p>2. Overall depth of a cross-over or cross-</p>	<p>All 34 apartments are naturally cross ventilated.</p> <p>The proposal does not include any cross</p>	<p>Yes</p> <p>Yes</p>

through apartment does not exceed 18m, measured glass line to glass line.		over apartments. The overall depth of all apartments is less than 18 metres.													
4C Ceiling Heights															
Ceiling height achieves sufficient natural ventilation and daylight access. The following is required as a minimum:		<p>The apartments have 3.1m floor to floor height which is generous to ensure a 2.7m floor to ceiling height is achieved.</p> <p>The ground floor gymnasium shows a ceiling height of 3.3m – 6.69m.</p> <p>All other ceiling height requirements are complied with as per the guideline.</p>	Yes												
<table><tr><td colspan="2">Min ceiling height for apartment & mixed use buildings</td></tr><tr><td>Habitable rooms</td><td>2.7m (3.1m floor to floor)</td></tr><tr><td>Non Habitable</td><td>2.4m</td></tr><tr><td>2 storey apts</td><td>2.7m for main living area , 2.4m for 2nd floor</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room</td></tr><tr><td>Mixed used zone</td><td>3.3m for ground & 1st floor to promote future flexibility of use.</td></tr></table>		Min ceiling height for apartment & mixed use buildings		Habitable rooms	2.7m (3.1m floor to floor)	Non Habitable	2.4m	2 storey apts	2.7m for main living area , 2.4m for 2 nd floor	Attic spaces	1.8m at edge of room	Mixed used zone	3.3m for ground & 1 st floor to promote future flexibility of use.		
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4D Apartment size and layout															
4D-1 Design Criteria															
1. Apartments are required to have the following minimum internal areas with one bathroom: <ul style="list-style-type: none">• Studio = 35m²;• 1 bedroom = 50m²;• 2 bedroom = 70m²;• 3 bedroom = 90m²;• 4 bedroom = 102m². <p><u>Note:</u></p> <p>➤ Additional bathrooms increase the minimum internal area by 5m²;</p>		The application proposes 1, 2 & 3 bedroom apartments. The proposed areas of the apartments comply with the ADG. The following range have been provided: <ul style="list-style-type: none">• 1 bed = 56m²;• 2 bed = 78m² – 100m²;• 3 bed = 99m² – 124m².	Yes												
2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.		All habitable rooms have direct access to a window that achieves minimum of 10% of the room area. No borrowed daylight and air is proposed.	Yes												
4D-2 Design Criteria															
1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height. In open plan layouts – habitable room (where the living, dining and kitchen are combined) be maximum depth of 8m from a window.		All units comply with this requirement.	Yes												
4D-3 Design Criteria															
1. Master bedrooms - minimum area of 10m ² & other bedrooms 9m ² (excluding wardrobe space).		Master bedrooms are over 10m ² .	Yes												
2. Bedroom - minimum dimension of 3m (excluding wardrobe space)		All bedrooms have minimum dimension of 3m.	Yes												
3. Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none">• 3.6m for studio and 1 bedroom apartments;• 4m for 2 and 3 bedroom apartments.		All units achieve the minimum width. Apartment layouts allow for flexibility over time for furniture layouts.	Yes												

4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	No cross over apartments proposed.	N/A															
4E Private Open Space and balconies																	
<p>Apartments must provide appropriately sized private open space and balconies to enhance residential amenity.</p> <p>Design criteria</p> <p>1. All apartments are required to have primary balconies as follows:</p> <table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum area</th><th>Min.depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4m²</td><td>N/A</td></tr> <tr> <td>1 bedroom</td><td>8m²</td><td>2m</td></tr> <tr> <td>2 bedroom</td><td>10m²</td><td>2m</td></tr> <tr> <td>3+ bedroom</td><td>12m²</td><td>2.4m</td></tr> </tbody> </table> <p>2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m.</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	<p>All balconies comply with minimum depth requirement ranging from 8m² to 99m².</p> <p>There are no apartments on ground level.</p> <p>In addition to private balconies for individual apartments, various communal open space and communal facilities have been provided.</p>	<p>Yes</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															
4F Common circulation and spaces																	
<p>Design criteria</p> <p>1. The maximum number of apartments off a circulation core on a single level is 8.</p> <p>2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.</p> <p>3. Design Guide:</p> <p>Daylight and natural ventilation should be provided to all common circulation space above ground. Windows should be provided at the end wall of corridor, adjacent to the stair or lift core.</p>	<p>Two lift cores are proposed in the development. The maximum number of apartments off the 2 lifts is 5.</p> <p>Not applicable.</p> <p>The ground floor entry and foyer has been designed to allow direct, clear and legible access from the street (Western Crescent).</p> <p>The internal corridor on upper levels (Level 1- 8) have large wall opening with glazing to allow daylight access.</p> <p>This is not achieved on the mezzanine level which provides access to only 3 apartments. Given that this corridor is only 11m long measured from the lift, is articulated and serves only 3 apartments, no issues are raised. The UDRP did not raise any concerns regarding this matter at the Urban Design Review meeting. No objections are raised in relation to this matter.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>No - Justified</p>															

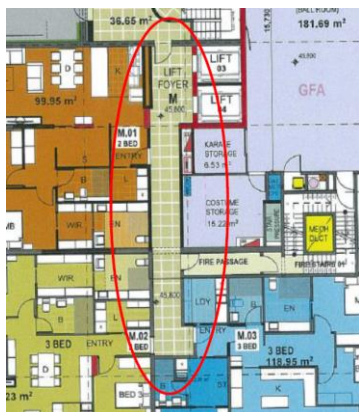


Figure 16: Mezzanine circulation corridor

4G Storage

Adequate, well designed storage is to be provided for each apartment.

Design criteria

1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is to be provided:

Dwelling type	Storage size volume
Studio	4m ³
1 bedroom apt	6m ³
2 bedroom apt	8m ³
3 + bedroom apt	10m ³

At least 50% of the required storage is to be located within the apartment.

Additional storage is conveniently located, accessible and nominated for individual apartments (show on the plan).

The total storage area required for the development is:

1 x 1 bedroom: 6m³

22 x 2 bedroom: 176m³

11 x 3 bedroom: 110m³

Total required: 292m³

The development has provided 146m³ to the apartments and 135.8m³ within the P5 and P6 residential basement car parks. The storage provided within the apartments complies with the 50% requirement.

However the various located basement storage areas on P5 and P6 are non-compliant by a total of 10.2m³. These storage areas are not individually marked and access to these areas is not indicated on the plans. Therefore when access and pathways are taken into consideration, the available storage space within these areas is likely to be reduced making the non-compliance greater than 10.2m³. Given that the development has provided 1 additional parking space the basement parking layout could be amended to provide better storage areas. This may also resolve the issue of the storage area located in the corner between parking space numbers 6 and 7 on both basement levels. This storage area is not conveniently located as should cars be parked in the 2 spaces the storage area is not readily accessible. Accordingly a condition shall be included to provide the required storage space in accordance with the ADG which are readily accessible and individually marked (see condition 80).

No – conditioned to comply

4H Acoustic privacy

Noise transfer is minimised through the siting of buildings, building layout, and acoustic treatments.

Plant rooms, services and communal open space and the like to be located at least 3m away from the bedrooms.

Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.

An Acoustic Assessment Report was provided by Acoustic Logic dated 29 January 2016. The report takes into consideration internal noise criteria and external noise measurements and has made recommendations for the treatment of:

- Glazed windows and doors
- Roof/ceiling treatments
- External walls

The report states that the development is capable of complying with all relevant acoustic criteria through means of standard acoustic treatment and

Yes

	<p>management and a condition shall be included to require compliance with the submitted acoustic report (see Condition 58).</p> <p>The recommendations within the Acoustic Assessment Report will be required to be complied with via condition 58.</p>	
4K Apartment mix		
A range of apartment types with different number of bedrooms (1bed, 2 bed, 3 bed etc) should be provided.	<p>Apartment mix is:</p> <ul style="list-style-type: none"> • 1 x 1 bedroom, • 22 x 2 bedroom, and • 11x 3 bedroom <p>4 apartments (10%) will be adaptable. Overall the proposed mix is considered reasonable.</p>	Yes
4L Ground floor apartments		
Building facades to provide visual interest, respect the character of the local area and deliver amenity and safety for residents.	<p>Amendments to the facade have been carried out as recommended by the UDRP that provides adequate articulation and visual interest which is reflective of the contemporary buildings recently approved within the locality.</p> <p>In terms of safety for the residents, the Youth Centre facilities are located on the ground floor which provides adequate surveillance and passive security to the development. The outdoor communal open space located on the Mezzanine Level together with the large terraces provided to the apartments located on Level 1 also provide adequate surveillance to the street.</p>	Yes
Building functions are expressed by the façade.	The building is mixed use residential and the design reflects the proposed use of the building.	Yes
4N Roof design		
Roof treatments are integrated into the building design and positively respond to the street.	Roof elements are integrated into the building design.	Yes
Opportunities to use roof space for residential accommodation and open space are maximised.	Communal open space for use by residents is proposed on the Mezzanine Level and roof of Level 5. This is in accordance with the UDRP recommendation.	Yes
Roof design incorporates sustainability features.	Sustainability features incorporated.	Yes
4O Landscape design		
Landscape design contributes to the streetscape and amenity. Landscape design is viable and sustainable	The proposal includes a landscape concept plan prepared in accordance with the design principles outlined in this Part.	Yes
4P Planting on structures		

Appropriate soil profiles are provided.	Planting choice & depths are appropriately selected & detailed in landscape plans prepared by landscape Architects Taylor Brammer.	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.	An Accessibility Report is required to be submitted demonstrating that the development complies with the BCA and relevant Australian Standards (see condition 77).	To be conditioned
4R Adaptive reuse		
New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place. Adapted buildings provide residential amenity while not precluding future adaptive reuse.	N/A	N/A
4S Mixed use		
Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement.	The development is located within an area identified as requiring active street frontages. In accordance with Part 4.6 of DCP 2014 the development has a community facility located at the ground floor which provides direct access to Western Crescent. This also provides the residential entry. The footpath along the street will be upgraded to provide amenity for pedestrians.	Yes
4T Awnings and signage		
Awnings are well located and complement and integrate with the building design.	No awning has been provided in accordance with the UDRP recommendation, however under Ryde DCP 2014 an awning is required along Western Crescent and Coulter Street. As Western Crescent cannot provide an awning due to the retention of the façade, Coulter Street will be required via a condition of consent to provide an awning (see condition 1a).	Yes
4U Energy efficiency		
Development incorporates passive environmental design measures – solar design, natural ventilation etc.	Complies with BASIX requirements.	Yes

6.6 Ryde Local Environmental Plan 2014

Ryde LEP 2014 commenced on 12 September 2014 as the new environmental planning instrument applicable to the City of Ryde. Under Ryde LEP 2014, the property is zoned B4, and the proposed development is permissible with consent.

The following is a summary of the clauses under Ryde LEP 2014 applicable to the development.

Clause 2.3 Zone Objectives and Land Use Table

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

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To ensure employment and educational activities within the Macquarie University campus are integrated with other businesses and activities.*
- *To promote strong links between Macquarie University and research institutions and businesses within the Macquarie Park corridor.*

The site is close to Victoria Road and thereby is close to public transport in the form of major bus routes.

The site is within approximately 650m to Glades Bay Park, 750m of Bill Mitchell Park and 530m to Peel Park.

The development proposes a Youth Centre and residential building which complies with the car parking requirements under Part 9.3 of DCP 2014. Given the proximity to public transport facilities and recreational facilities, the development is considered to be consistent with this objective.

Clause 2.7 Demolition Requires Consent

Under this Clause the demolition of a building or work may be carried out only with consent.

The application includes demolition for which consent is being sought.

Clause 4.3 Heights of Buildings

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

Clause 4.3(2) of LEP 2014 states that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (refer Figure 17 below).

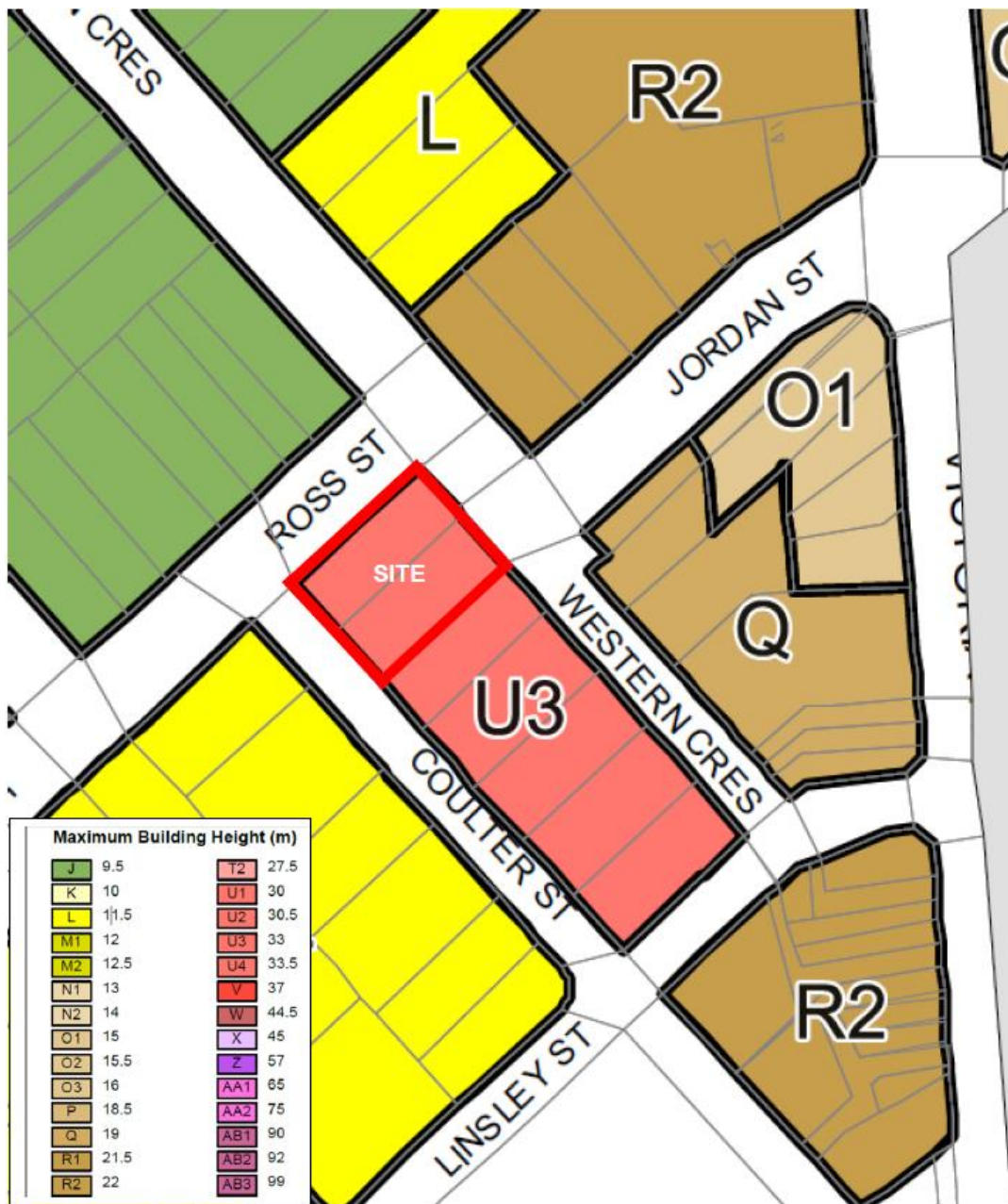


Figure 17: Height of Building Map.

In this instance, the Height of Buildings Map identifies a maximum height of 33m for any building on the subject site.

The building complies with the maximum height control except for the lift overrun. The extent of non-compliance is 380mm which represents a 0.1% variation. This variation is demonstrated in Figure 18.



Figure 18: Height non-compliance diagram by Architects Contempo.

The applicant has submitted a clause 4.6 variation to the height control.

Clause 4.6 of LEP 2014 allows exceptions to development standards. Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard.

The consent authority must be satisfied that the applicant's written request has satisfied the above criteria and that the proposed development will be in the public interest as it is consistent with the zone objectives as well as the objectives of the particular development standard. In addition, consent cannot be granted unless the concurrence of the Director-General has been obtained. These matters are discussed below.

1. Written request provided by the applicant.

The applicant provided a written request seeking to justify the variation to the development standard with the lodged application.

2. Whether compliance with the development standard would be unreasonable or unnecessary in the circumstances of the case.

The applicant has provided the following justification for the proposed variation:

- *The proposed height exceedance is caused by a lift over run structure located towards the centre of the building footprint. These structures will not cast any additional shadow than that cast by the building itself.*
- *Further, these non-habitable structures will cause no privacy or visual impact issues to neighbouring properties given their location on the roof of the building well above the sight lines from these neighbouring properties.*
- *No reduction in solar access to the public domain will result from the lift over run structures. All shadows cast by these elements will fall within the shadow lines cast by the proposed building. This has been established in the shadow assessment to not materially impact nearby open space areas south of the site.*
- *The proposed structures will not be perceptible from the public domain and as such will have no impact on the building's visual relationship with site topography.*

The proposed building height for the overall building is compliant with the LEP control. As a result, it will be in proportion with and in keeping with the character of existing and future similar development.

The extent of non-compliance does not provide for an additional storey. The visual bulk of the building complies with the height control.

Due to the slope of the site and the centralised location of the lift overrun, the encroachment to the 33 metre height control does not result in additional detrimental impacts to surrounding properties due to overshadowing. The extra shadow from the breach is contained within the shadow cast by the rest of the building.

A strict numerical compliance with the development standard would not deliver any substantive additional benefits to the owners or occupants of the surrounding properties or the general public. It should also be noted that Council Officers have approved similar variations in the area. Compliance can therefore be considered to be unreasonable and unnecessary in the circumstances of the case.

3. Environmental grounds to justifying contravening the development standard.

The applicant has addressed the environmental grounds to justify the non-compliance as detailed in the above section. All of the above issues are supported. Despite the breach of the control, the development does not result in unacceptable impacts on the environment.

4. Consistent with the zone objectives and objectives of the development standard.

The zone objectives have already been identified in an earlier section of the report. As previously concluded, the development complies with the objectives of the zone. The objectives of the height clause in LEP 2014 are as follows:

(a) to ensure that street frontages of development are in proportion with and in keeping with the character of nearby development.

Comment: As demonstrated in the SEPP65/ADG consideration of this report, the proposed development is compatible with the emerging character of the area. The bulk and scale of the building as viewed from the street is consistent with the planning controls set out in the Key Site Diagram and desired character for the Gladesville Town Centre Precinct. The height of this development is compliant with the exception of the lift overrun which is located centrally within the building and will not have any detrimental impact to the streetscape.

(b) to minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area.

Comment: The applicant has provided shadow diagrams for 9.00am, 12noon, 3.00pm in midwinter. The diagrams demonstrate that the residential buildings along Coulter Street will be overshadowed till 12pm noon with no further shadowing cast on any other residential buildings from 12pm noon onwards.

The solar access diagrams submitted also demonstrate the proposed development will receive adequate solar access. The height non-compliance of the lift overrun will not adversely impact on this aspect of the development.

(c) to encourage a consolidation pattern and sustainable integrated land use and transport development around key public transport infrastructure.

The development is proposed on two sites for which the existing Youth Centre has been located over a considerable amount of time. The area has adequate public transport provisions with a bus route and stop located at the front of the adjacent site located in Jordan Street.

(d) to minimise the impact of development on the amenity of surrounding properties.

The impact on adjoining properties has been considered previously under the ADG assessment. The height exceedance for the lift overrun will not add to any impact due to privacy or shadowing.

(e) to emphasise road frontages along road corridors.

The site is not located on an important road frontage along a road corridor.

5. Concurrence of the Director General.

Circular PS 08-003 issued on 9 May 2008 informed Council that it may assume the Director-Generals concurrence for exceptions to development standards.

Conclusion

The variations to the height control of LEP 2014 are considered relatively minor and the development will still satisfy the objectives of the control. Despite the non-compliance with the height control, the development satisfies the criteria outlined in Clause 4.6 and the variation is acceptable and can be supported.

Clause 4.4 Floor Space Ratio (FSR)

The subject site has a maximum floor space ratio (FSR) of 4.3:1 as indicated by the Floor Space Ratio Map. The subject site has a site area of 1,024m² therefore the FSR equates to 4,404.92m² of allowable gross floor area. The proposed development, as amended, has a gross floor area of 4,695.44m² which equates to an FSR of 4.585:1. This represents a non-compliance of 290.652m² or 6.6% with the FSR control.

The proposed development does not comply with the maximum FSR applying to the site under Clause 4.4 of Ryde LEP 2014. The applicant has submitted a clause 4.6 variation to the FSR control.

Clause 4.6 of LEP 2014 allows exceptions to development standards. Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard.

The consent authority must be satisfied that the applicant's written request has satisfied the above criteria and that the proposed development will be in the public interest as it is consistent with the zone objectives as well as the objectives of the particular development standard. In addition, consent cannot be granted unless the concurrence of the Director-General has been obtained. These matters are discussed below.

1. Written request provided by the applicant.

The applicant has provided a written request seeking to justify the variation to the development standard contained in Clause 4.4 of Ryde LEP 2014.

2. Whether compliance with the development standard would be unreasonable or unnecessary in the circumstances of the case.

The applicant has provided the following justification for the proposed variation:

- *The proposed additional floor space relates only to the expansion of the Gladesville RSL Youth Centre which offers a significant community benefit for the suburb of Gladesville and the greater Ryde Local Government Area;*
- *The enlarged Youth Centre proposed exceeds the minimum requirements detailed under the Ryde Development Control Plan 2014 (RDCP2014) and provides for a significant public benefit;*
- *The development as proposed exceeds the minimum residential amenity requirements for the site and does impact on the existing/potential residential amenity of adjacent developments in a way a compliant scheme would not;*
- *The additional floor space proposed is in the form of a mezzanine floor level which if removed would not alter the bulk or scale of the building; and*
- *The public benefit of maintaining the development standard is not eroded by the proposal*

The site has an allowable FSR of 4.3:1, together with a building height of 33m. This site has been given increased building height and FSR controls to allow for higher density to be provided. This increase is due to the public domain and community space that is required to be provided which is supported by a Key Site Diagram under the DCP.

The site is identified under Section 4 of Part 4.6 of DCP 2014 as being a Key Site, namely Block 18 (Coulter Street). Under Part 4.6 Section 4.3.7 Public Domain Controls the site is required to provide community space of either 10% of the key site area or 500m² (whichever is greater). In this instance the site is required to provide 500m² as this is greater than 10% of the site area.

The site has an existing community facility, which does provide a public benefit, which no longer meets the needs of the community in terms of its usability and availability. The existing gymnastic facilities do not meet current size standards which require a competition floor of 13m x 13m and ceiling height of 6m. This prohibits men's gymnastics from being facilitated at the site and the safe practice of manoeuvres for other classes which require 6m ceiling heights. The dance and karate classes are at capacity and are unable to be expanded due to insufficient floor space and there are no ancillary facilities on the site for spectators or family members to utilise while waiting for classes to finish.

Currently on site the Youth Centre has an existing FSR of 680.97m² which is 180.97m² over the required 500m². The proposal will increase the FSR of the Youth Centre to 972.21m². This is an increase of 291.24m² to the existing facilities and 472.21m² over the required 500m² under the DCP.

Increasing the Youth Centre to provide additional floor space that allows for facilities that can adequately cater for the services the Youth Centre offers is considered to be an appropriate community/public benefit. Any additional bulk from the additional floor space is contained within the permitted height control. The bulk and scale of the building is consistent with the controls envisaged in the planning instrument. Modulation of the overall built form reduces any potential visual dominance and the design ensures acceptable scale, articulation and visual interest.

Given the breach of the FSR control is attributed to the provision of the Youth Centre it is proposed to impose a condition of consent requiring a positive covenant to be placed over the title of the land to ensure the Youth Centre is to be retained as a community facility (see condition 119).

3. Environmental grounds to justifying contravening the development standard.

The applicant has provided the following environmental planning grounds to justify the variation to the development standard:

- *The expanded Youth Centre facilities will not impact on the further development of the Gladesville Town Centre and will have an inconceivable impact on the existing public infrastructure.*
- *The proposed development is orientated and positioned to achieve greater percentage north-east and north-west facing apartments;*
- *The proposal meets the Apartment Design Guide requirements for naturally cross ventilated apartments and apartments that achieve solar access for more than 2 hours in mid-winter; and*
- *The proposal exceeds the Apartment Design Guide requirements for total areas of, communal open space, and private open space to all apartments.*
- *The proposal provides two hours of solar access to at least 50% of all properties adjacent to the site on 21 June to enable the future redevelopment for residential purposes;*
- *The proposal maintains the existing heritage façade of the Jordan Hall whilst not impeding on the development of a design which allows for a high level of residential amenity;*
- *The proposed development significantly exceeds the requirements of the ADG in regards to the provision of Communal Open Space;*

The development proposal will allow an appropriate level of development for this specific area and thereby fulfils the objectives of the B4 zone and is in the public interest as the development will provide a community facility which has a public benefit. It is considered that the above arguments by the applicant can be supported as despite the breach of the control, the development is not considered to result in any unacceptable impact to immediate adjoining properties, locality or environment.

4. Consistent with the zone objectives and objectives of the development standard.

The zone objectives have already been identified in an earlier section of the report. The following assessment against the objectives of the development standard is as follows:

- (a) *to provide effective control over the bulk of future development.*

Comment. The proposed non-compliance does not manifest itself in the form of an unreasonably large or bulky development. The development is consistent with the bulk and scale as envisaged by the LEP and DCP controls. Given no adverse

impacts arise from the proposed bulk of the building and the UDRP have raised no concerns in this regard, the proposal is considered to satisfy this objective.

(b) to allow appropriate levels of development for specific areas.

Comment: The proposal is considered to result in an appropriate level of development for the area, which incorporates community facilities, and will be consistent and compatible with the existing and desired future character of the area. This objective of the control is therefore satisfied.

(c) In relation to land identified as a Centre on the Centres Map – to consolidate development and encourage sustainable development patterns around key public transport infrastructure.

Comment: The site is located within the Gladesville Town Centre. It is therefore well located with regard to key bus routes and is considered to constitute a sustainable form of development.

It is concluded that the proposal satisfies the above objectives notwithstanding the proposed breach of the control.

5. Concurrence of the Director General.

Circular PS 08-003 issued on 9 May 2008 informed Council Officers that they may assume the Director-Generals concurrence for exceptions to development standards.

Conclusion

Despite the 6.6% variation to the FSR requirement, the development complies with the objectives of the control as well as the objectives of the B4 zoning. The development is also considered to be in the public interest as it will provide improved facilities to the public in the form of a Youth Centre. As there are sufficient environmental grounds to justify contravening the development standard and in these circumstances strict compliance would be unreasonable and unnecessary. The variation to the floor space can be supported.

Other provisions

Provision	Comment
Clause 5.1 Relevant acquisition authority	No part of the site is mapped as being reserved for acquisition for public purposes
Clause 5.9 Preservation of trees and vegetation	No trees currently exist on the subject site.
Clause 5.10 Heritage conservation	The site is located in within the vicinity of the items of heritage significance listed under Schedule 5 of the LEP. Council's Heritage Officer has reviewed the proposal and has raised no objection to the proposal subject to conditions of consent. The application is therefore considered to satisfy the provisions of clause 5.10.

Clause 6.1 Acid sulfate soils	The site is not impacted by acid sulfate soils.
Clause 6.2 Earthworks	The proposed development proposes excavation for 5 basement carpark levels. Relevant matters nominated in this clause have been considered and no concerns have been identified.

6.7 City of Ryde DCP 2014

Council adopted City of Ryde Development Control Plan 2014 (RDCP) on 28 May 2013, and it came into effect on 12 September 2014.

The development is subject to the following provisions of the DCP:

- Part 4.6 – Gladesville Town Centre & Victoria Road Corridor
- Part 7.2 – Waste Minimisation and Management
- Part 8.1 - Construction Activities
- Part 8.2 – Stormwater Management
- Part 9.2 – Access for People with Disabilities
- Part 9.3 – Car Parking

Part 4.6 – Gladesville Town Centre & Victoria Road Corridor


The purpose of this DCP is to facilitate the revitalisation of Gladesville Town Centre as a vibrant, attractive and safe urban environment with a diverse mix of retail, commercial, residential and leisure opportunities. The vision for this precinct is for a genuine mixed use town centre.

The following table demonstrates compliance with the relevant planning controls for the site.

Control	Comment	Compliance
3.0 Objectives and Controls		
3.1 Built Form		
3.1.1 Built Form Heights		
1. Buildings must comply with the maximum heights described in the Gladesville Town Centre and Victoria Road Corridor LEP and the Built Form Heights Plan in this DCP.	Does not comply with maximum height as discussed under LEP requirement. Minor breach due to the lift overrun.	No – supported by Clause 4.6 variation above.
2. Floor to ceiling height for residential uses must be a minimum of 2.7 metres.	2.7m	Yes
3. Ground floor levels are to have a floor to floor height of a minimum of 3.6 metres	Ground floor ceiling height is 3.3m.	No – supported as minimum under ADG is 3.3m
3.1.2 Active Street frontages		
1. Provide ground level active uses where indicated on the map. Active uses consist of community and civic facilities, recreation and leisure	The DCP requires an active frontage along Western Crescent and Coulter Street. Western Crescent provides the pedestrian access to the Youth Centre	Yes

Control	Comment	Compliance
<p>facilities, shops, commercial premises, residential uses that do not occupy 20% of the street frontage.</p> <p>2. Where required, active uses must comprise the street frontage for a depth of 10 metres.</p> <p>3. Vehicle access points may be permitted where active street frontage is required if there are no practicable alternatives.</p> <p>4. Security grills can be incorporated to ground floor shops. Blank roller shutter doors are not permitted.</p> <p>5. Serviced apartments, hotels and motels shall not have apartments located on the ground floor.</p>	<p>and residential building thereby providing that street front activation. Coulter Street has provided large windows at ground level to the gymnasium and this provides an active street along this frontage. Security grills not proposed.</p> <p>Vehicle access is proposed from Coulter Street which is satisfactory.</p> <p>None of these uses have been proposed so the control is not applicable.</p> <p>Not applicable.</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
3.1.3 Buildings Abutting the Street Alignment		
<p>1. Provide buildings built to the street boundary in the Gladesville Town Centre Precinct and in Monash Road Precinct where shown on the Key Site Diagram</p> <p>2. Ground level architectural features such as recessed doors and windows are permitted to a maximum of 400mm from the street boundary to design out concealment opportunities and promote personal safety and security.</p>	<p>The Key Site Diagram requires building to be built to the street boundary for Western Crescent, Ross Street and Coulter Street. The development complies with this requirement.</p> <p>The only recess provided is for the entry to the building on Western Crescent. This recess complies with the requirement.</p>	<p>Yes</p> <p>Yes</p>
3.1.4 Setbacks		
<p>1. Setbacks shall be in accordance with the following Table and Figures 4.6.07 and 4.6.08</p> <p>0m setbacks are required at ground level.</p>	<p>0m setbacks are provided on all frontages at ground level.</p> <p>An additional setback is provided to Western Crescent above ground floor to protect the curtilage of the existing heritage façade.</p> <p>A 6m setback above two storeys to Ross Street is also provided in accordance with the Key Sites Built Form Plan.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
3.1.5 Rear Setbacks and Residential Amenity		
<p>1. Provide 9m ground level setback at the rear of sites fronting Victoria Road or as shown in Key Site Diagram (KSD).</p> <p>2. Provide 12m separation minimum above the ground floor between residential buildings.</p> <p>3. Buildings fronting Victoria Road may build to the side boundary for a depth of 20m measured from the street frontage. A side setback is then required to achieve 12m separation between proposed and potential land uses</p>	<p>These controls are not applicable to the site. Setbacks are to be in accordance with the Key Site Diagram.</p>	<p>N/A</p>

Control	Comment	Compliance				
3.1.6 Conservation Area Built Form						
<p>1. The following are to be noted as contributory items in the Conservation Area:</p> <p>CONTRIBUTORY ITEMS IN CONSERVATION AREA</p> <table><tr><td>ADDRESS</td><td>DESTINATION</td></tr><tr><td>6-8 Western Crescent</td><td>Jordan Hall - early 20th century community hall</td></tr></table>	ADDRESS	DESTINATION	6-8 Western Crescent	Jordan Hall - early 20th century community hall	<p>Jordan Hall identified as a contributory item.</p>	<p>Noted</p>
ADDRESS	DESTINATION					
6-8 Western Crescent	Jordan Hall - early 20th century community hall					
<p>2. The contributory items identified in the table above should be retained.</p>	<p>The development has retained the front façade along Western Crescent as part of the conservation of Jordan Hall. The demolition of the contributory item has been assessed by Council’s Heritage Officer and found to be acceptable given the façade is proposed to be retained</p>					
<p>3. With regard to development involving Jordan Hall, 6-8 Western Crescent, community floor space equivalent to that of the existing hall, ground floor and mezzanine will be required to be provided in any new development.</p>	<p>The community centre has an existing FSR of 680.97m². The proposal has provided a Youth Centre with an FSR of 972.21m² and is therefore compliant with the control.</p>	<p>Yes</p>				
<p>4. The following controls also apply to all contributory items identified in the above table:</p>						
<p>i. a heritage assessment of all contributory items is to be included with the development application. The heritage assessment is to be prepared in accordance with the NSW Heritage Office guidelines and is to consider the setting of the item;</p>	<p>A heritage impact statement was provided with the application.</p>	<p>Yes</p>				
<p>ii. a pre-lodgement meeting is to be held with Council staff for all proposals which include contributory items;</p>	<p>A pre-lodgement meeting was held prior to lodgement of the development application.</p>	<p>Yes</p>				
<p>iii. if the contributory item is found to have heritage significance sufficient to list as a local heritage item then the heritage provisions of this DCP [and Ryde LEP 2014] apply to the subject site;</p>	<p>The site is not proposed to be listed as a local heritage item and does not require the provisions of RLEP2014 or RDCP 2014.</p>	<p>Yes</p>				
<p>iv. new development adjacent to contributory items should reflect the scale, massing, parapet lines, string courses, material qualities and fenestration patterns of the contributory items.</p>	<p>Not applicable.</p>	<p>N/A</p>				
3.1.7 Awnings						
<p>1. Provide awnings over footpaths for ground level building frontages as shown on relevant map.</p>	<p>The UDRP did not consider that an awning is required around the building as it would detract from the contributory building (retained façade) and should be deleted. However awnings are required under the DCP and as Western Crescent cannot provide an awning due to the retention of the façade, Coulter Street will be required to provide an awning (see</p>	<p>To be conditioned.</p>				

Control	Comment	Compliance
 <p>Figure 19: Extract of Figure 4.6.11</p> <ol style="list-style-type: none"> Awning height is to be generally a minimum of 3m from the pavement and setback 600mm from the kerb edge. The heights of adjoining awnings should be considered. Awnings are to protect people from sun and rain. Glazed awnings are generally not permitted. Provide lighting preferable recessed to the underside of awnings, sufficient to ensure a high level of safety for pedestrians at night. 	<p>condition 1a).</p> <p>Awning along Coulter Street to be provided via condition 1a.</p> <p>Glazing will not be permitted (see condition 75).</p> <p>The awning along Coulter Street to be provided via condition 1a shall include provisions for lighting.</p>	<p>To be conditioned</p> <p>To be conditioned</p> <p>To be conditioned</p>
3.2 Access		
3.2.1 Minimum Street Frontage / Site Amalgamation		
Any development within the North and South Gladesville Precinct is to have a minimum 40m frontage to Victoria Road and one driveway crossing maximum, unless it can be demonstrated that access may be achieved from the local road network.	The site is not located in either the North or South Gladesville Precinct.	N/A
3.2.2 Vehicular Access		
<ol style="list-style-type: none"> Provide vehicular access from the local roads network in preference to Victoria Road. This will require development of public laneways within the rear setbacks of most sites. Where laneway access proposed, must include 2-way carriageway of 6m width, 1.5m footpath & 0.5m setbacks from other built elements. 	<p>Access is provided off Coulter Street which is satisfactory.</p> <p>No laneway access is proposed.</p>	<p>Yes</p> <p>N/A</p>
3.2.3 Parking		
<ol style="list-style-type: none"> Provide publicly accessible parking to support retail, entertainment and commercial land uses, church and educational institutions as shown on the Parking Control Drawing. 	The development complies with the required parking rates.	Yes
3.2 Public Domain		
3.3.1 Pedestrian Connections		
<ol style="list-style-type: none"> Provide through-site links, squares and Plaza's as per Fig 4.6.13. 	In accordance with Fig 4.6.13 of DCP 2014 the site is required to provide through site connections and improved	Yes

Control	Comment	Compliance
	pedestrian environments. The Key Site Diagram, however provides further details as to how this is to be achieved and the through site connection and pedestrian link is intended to be provided by the Council car park site further towards Linsley Street. The proposal is therefore not required to provide any through site connections or pedestrian links on their site but will be required to provide pedestrian activation along Coulter Street with the provision of an awning.	
2. Provide street furniture, lighting and generous paved areas along the main pedestrian routes.	A condition of consent is recommended to ensure compliance with public domain requirements (see Condition 63).	Yes
3.3.2 Public Domain Framework		
1. Improve Trim Place connections with the public domain network. 2. Improve the quality and function of the small park space on the corner of Victoria Road and Jordan Street. 3. Increase the quantum and diversity of public space in the heart of the town centre. 4. Create vehicular and pedestrian connections through major development site.	These controls are not applicable to the subject development as it is not located in the location referenced in the controls.	N/A
3.3.3 Landscape Character		
1. Create a consistent planting theme with a number of species to ensure that the planting gives a visual coherence. 2. Provide street trees as shown on the Landscape Character Control Drawing (Figure 4.6.15) and in accordance with the Ryde Public Domain Technical Manual and relevant street tree master plans	Planting along the street will be consistent with the Ryde Public Domain Technical Manual (see Condition 63). Street trees shall be required along the street consistent with the Ryde Public Domain Technical Manual (see Condition 63).	Yes Yes
3.3.4 Urban Elements		
1. Provide paving, seats, benches and bins as selected by Council Officers in accordance with the Ryde Public Domain Technical Manual.	Conditions of consent have been recommended which require this development to comply with the requirements of the Ryde Public Domain Technical Manual. (See Condition 63).	Yes
2. Provide seating and shelter (awnings or bus shelter) at all bus stops, and provide seating at community facilities and drop off points. Seating shall be in accordance with the Ryde Public Domain Technical Manual.	To be provided via condition 63.	Yes
3. Provide new street lighting to primary and secondary streets as selected by Council Officers and underground power cables	Condition 63 will require will require the under grounding of the power cables.	Yes
4. Provide pole lighting, lighting from building awnings and structures, in new public spaces, to ensure night time	To be provided via condition 63.	Yes

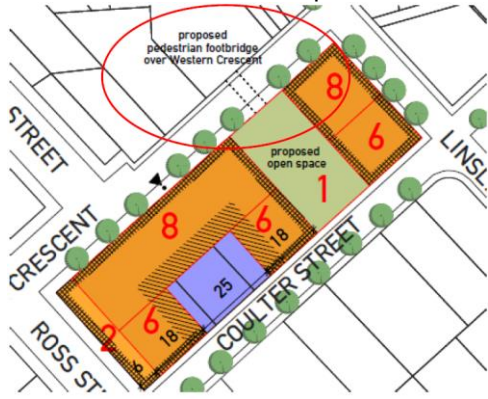
Control	Comment	Compliance
pedestrian safety.		
3.3.8 Western Crescent Section		
1. Provide a 14.5 metre wide street defined by built edge both sides and a 3.5 m continuous paved footpath both sides.	Figure 4.6.19 requires a footpath of 3m which is consistent with the existing footpath along Western Crescent that the subject site is located on.	Yes
2. Provide parking one side and one way traffic as directed by Council Officers.	Not applicable.	N/A
3. Provide continuous granite paving for the full footpath width in accordance with Ryde Public Domain Technical Manual	To be provided via condition 64.	Yes
4. Provide street furniture in accordance with the Ryde Public Domain Technical Manual including: <ul style="list-style-type: none"> i. provide seat and bins at 50 m intervals and at bus stops, minimum one per block, if required by Council Officers; ii. provide new street lighting, staggered at 40 m intervals on both sides of street; iii. provide lighting to the underside of awnings for the safety and security of pedestrians. 	To be provided via condition 63.	Yes
5. Powerlines are to be underground in locations specified by Council Officers.	To be provided via condition 63.	
3.3.9 Coulter Street Town Centre Precinct Section		
1. Provide a 12.5 metre wide street defined by a built edge on the eastern side, and a landscape setback on the western, residential side.	Built edge to be provided along eastern site (See condition 63).	Yes
2. Provide small scale street trees in footpath on the eastern side, continuing to Trim Place.	To be provided via condition 63.	Yes
3. Provide continuous paved surface 3.5 m wide on the eastern side, with granite paving for the full width. Paving is to be in accordance with Ryde Public Domain Technical Manual.	The requirement of a 3.5m wide paved surface has been reviewed by Council's Senior Coordinator Strategic Planning. It is considered that the existing footpath is adequate in width to provide the required pedestrian footpath. Council's City Works and Infrastructure Public Domain Senior Coordinator has also reviewed this requirement and, subject to the existing footpath upgrade, has advised that no further widening of the footpath is required. Accordingly no additional footpath width is required and paving requirements will be in accordance with Ryde Public Domain Technical Manual (See condition 63).	No - supported
4. Provide street furniture in accordance with the Ryde Public Domain Technical Manual including: <ul style="list-style-type: none"> i. provide seat and bins at 50 m intervals and at bus stops, minimum one per block, if required by Council 	To be provided via condition 63.	Yes

Control	Comment	Compliance
<p>Officers;</p> <p>ii. provide new street lighting, staggered at 40 m intervals on both sides of street.</p> <p>5. Powerlines are to be underground in locations specified by Council Officers.</p>	To be provided via condition 63.	Yes
4.0 Key Sites		
4.3.6 Block 18 (Coulter Street) Built Form Controls		
The site is identified as a Key Site under the DCP and is subject to Key Site Diagram (KSD) that specifies a building envelope, building setbacks, height, land use zones, articulation zones, building depth, building separation etc. The site is identified as Block 18 (Coulter Street).	The development site falls within the street block affected by the KSD. Generally the building form accords with the KSD in relation to setbacks, articulation and building layout.	Yes
Building Uses 1. Building use – must be mixed use active uses and complement community, education and entertainment facilities.	The proposal includes gymnasium, karate/dance studio, community facility and apartments. The use is consistent with the requirements.	Yes
Street Frontage 1. Provide active uses including retail or commercial at the first floor and ground floor level frontage to Coulter Street, Ross Street, Linsley Street and Western Crescent.	The ground and first floor of the development contains the Youth Centre which provides an active use.	Yes
Building Height, Depth and Separation 1. Building Height, depth & separation – to comply with Fig 4.6.36:	<p>The development does not comply with the number of storeys shown in the Key Site Diagram. The Key Site Diagram for the site requires 8 storeys along Western Crescent, 6 storeys along Coulter Street and 2 storeys along Ross Street for a depth of 6m. The development proposes 10 storeys along Western Crescent and 7 storeys along Coulter Street. For the purposes of this control the lift overrun and rooftop is not considered a storey. In the event where a DCP control (based on storeys) conflicts with the height provisions of RLEP 2014 (based on metres), the DCP provision has not effect to the extent that it is “inconsistent or incompatible” with RLEP 2014 pursuant to Clause 74C(5) of the Environmental Planning and Assessment Act 1979. The height of the building is consistent with the desired future character of the area despite the number of storeys.</p> <p>However the proposal has maintained the intent of the Key Site diagram as follows:</p> <ul style="list-style-type: none"> • Providing Ross Street frontage with the required 2 storey element for a depth of 6m; • Providing the required zero setback along Ross Street, Western Crescent 	No – supported



Figure 20: Key Site Diagram and Site location

- The building envelope in residential buildings including all balconies and façade articulation is 18 m wide.
- The building depth in commercial and retail buildings also includes balconies and façade articulation. Façade articulation such as the use of balconies, bays, entry portals and the expression of structure are desirable

Control	Comment	Compliance
architectural expressions.	<p>and Coulter Street together with adequate articulation to the building facades</p> <ul style="list-style-type: none"> Providing a 2 storey built form element at zero setback along the southern elevation with a minimum 3m setback to the remaining upper levels. This is to address the encroachment into the 2 storey retail/commercial building required under the Key Site Diagram. 	
Building Setback 1. Zero setback from all Street frontages.	The building is built to boundary on all frontages.	Yes
Access 1. Provide a pedestrian footbridge at a location to the satisfaction of Council Officers and the RMS that links Block 18 with Block 21.	<p>The footbridge is indicated on Figure 4.6.36 at the proposed open space section of the Council car park site.</p>  <p>Figure 21: pedestrian footbridge</p> <p>The pedestrian link is not required to be provided at the subject site's location. Not applicable.</p>	N/A
2. The footbridge shall be lit to P4 Australian Standard, provide weather protection and be fully accessible.		N/A
3. A DA application for new floor space that exceeds 500 m2 is to provide a detailed traffic and pedestrian access study that demonstrates safe convenient access.	A Traffic Report has been provided in support of the application. Satisfactory access has been proposed. No issues have been raised by Council's Traffic Engineer in relation to these matters.	Yes
4. Parking and safe access must be provided during construction of any new development that exceeds 500 m2 (including consideration of kiss and ride for the school and childcare).	The traffic management plans for demolition and construction restricts vehicle movements between school zone hours of 8.00am to 9.30am and 2.30pm to 4.00pm weekdays (see conditions 26 & 47).	Yes
4.3.7 Block 18 (Coulter Street) Public Domain Controls		
1. Provide public domain and community space equal to 10% of the key site area or 500m ² (whichever is the greater) and generally in accordance with Block 18 Public Domain Plan (Figure 4.6.38).	The site is proposing to provide community space in excess of 500m ² . As previously advised a positive covenant over the title of the land shall be required to retain the Youth Centre as a community facility to ensure the requirement of this control to provide	Yes

Control	Comment	Compliance
	community space is maintained (see condition 119).	Yes
2. Set back future buildings on eastern side of Western Crescent for street tree planting, and plant in carriageway on the western side of Western Crescent.	Suitable landscaping and public domain upgrade works will be undertaken as part of the subject Development Application to ensure the design intent of Block 18 can be maintained. Plantings to be in accordance with Ryde Public Domain Technical Manual (see condition 63)	Yes
3. Widen footpaths on Linsley Street and Coulter Street to improve pedestrian amenity and allow street tree planting.	Adequate footpath width provided as previously discussed.	Supported
4. Widen footpath on Coulter Street and plant, to enhance the connection to Trim Place.	As discussed previously no further widening of the footpath is required in accordance with comments provided by Council's City Works and Infrastructure and Strategic Planning.	N/A

Part 7.2 Waste Minimisation and Management

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

Appropriate conditions of consent will be imposed to ensure that the waste materials will be disposed of satisfactorily. (See condition numbers 31 to 34, 39 and 116).

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

In terms of waste collection, the design will allow for waste collection vehicles to access the waste collection area and then to manoeuvre within the site and exit in a forward direction. Conditions with regard to ongoing waste management are included as conditions 165 to 167.

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 17 to 19, 47, 86, 99, 100, 103, 104 to 110 and 116).

Part 8.2 of DCP 2014 – Stormwater Management

Council's Senior Coordinator Development Engineering Services 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 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 4 adaptable apartments.

The proposed development will provide a continuous accessible path of travel from the adjoining footpath to the ground floor lift lobbies. The lifts will facilitate access to the basement car park levels and the upper floor levels of the building. The development complies with the requirements for an accessible path of travel under Part 9.2 of Ryde DCP 2014.

An access report is required to be submitted prior to the issue of a construction certificate to demonstrate that the development complies with the requirements under the Building Code of Australia and relevant Australian Standards (see condition 77). The development will also be required to provide 4 adaptable apartments (see condition 78)

Part 9.3 Car Parking

The Car Parking DCP requires parking to be provided at the following rates:

0.6 to 1 space per one bedroom dwelling
0.9 to 1.2 spaces per two bedroom dwelling
1.4 to 1.6 spaces per three bedroom dwelling (not applicable)
1 visitor space per 5 dwellings.

Based on the above rates, the minimum and maximum requirements for the development are as follows:

- Residential:

	Lower Limit	Upper Limit
One bedroom units x 1	0.6	1
Two bedroom units x 22	19.8	26.4
Three bedroom units x 11	15.4	17.6
Total Residential Parking	35.8 = 36	45
Visitors' spaces 1 / 5 units	7	7
Total Parking	43	52

- Youth Centre

Recreation Facilities (indoor) / Gymnasium: 1 – 1.5 spaces / 20m² GFA

	Area (m²)	1 space per 20 m²	1.5 space per 20m²
Youth Centre Total	972.21m ²	48.61 (49)	72.91 (73)

Accordingly the development is required to provide a minimum of 43 residential parking spaces (including visitor spaces) and 49 Youth Centre parking spaces totalling 92 spaces required for the entire development.

The proposed development provides a total of 98 parking spaces, 44 spaces comprising of 4 adaptable car spaces and 7 visitor spaces (including 2 accessible visitor parking spaces) for the residential component and 54 parking spaces together with parking spaces for 2 courtesy buses for the Youth Centre.

This is compliant with the parking requirements, however given that the development does not fully comply with the storage requirements under the ADG, a condition has been imposed requiring the basement car park levels P5 and P6 are amended to provide the required amount of storage (see condition 80).

Therefore the number of parking spaces for the residential component of the development shall be 36 residential spaces and 7 visitor spaces totalling 43 spaces (see condition 152) and the development shall have a total of 97 parking spaces.

To prevent any visitors to the Youth Centre utilising the residential parking spaces, a security gate shall be required to be placed on Level P4 to restrict access to basement levels P5 and P6 (see condition 118).

The development is also required to provide bicycle parking of 10 spaces, 5 for the residential component and 5 for the Youth Centre. The development has provided 12 spaces on P4 which is a parking level for the Youth Centre therefore this component of the application is compliant, however no bicycle parking is provided on the residential parking levels of P5 and P6.

Accordingly a condition of consent shall be imposed requiring the provision of bicycle parking to be provided in accordance with Part 9.3 of DCP 2014 (see condition 21).

6.8 Section 94 Development Contributions Plan 2007 (Amendment 2010)

Development Contributions Plan – 2007 (2010 Amendment) allows Council Officers 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 contributions that are payable with respect to the increased floor area are based on the following figures being inside Macquarie Park:

Contribution Plan	Contributions
Community and Cultural Facilities	\$101,857.49
Open Space and Recreation Facilities	\$250,752.17

Civic and Urban Improvements	\$ 85,285.62
Roads and Traffic Management Facilities	\$ 11,633.61
Cycleways	\$ 7,266.86
Stormwater Management Facilities	\$ 23,097.63
Plan Administration	\$ 1,959.14
Grand Total Payable	\$481,852.52

Notes:

Condition 45 requiring the payment of a Section 94 contribution has been included in the recommendation of this report which will further be indexed at the time of payment if not paid in the same quarter.

In terms of the S94 contribution for the community facility, Council's Section 94 Contributions Officer has supported an exemption to the Youth Centre on the basis that it is providing a community service which is not a defined use under the Section 94 Plan as these facilities are usually funded by Section 94 contributions.

7.0 LIKELY IMPACTS OF THE DEVELOPMENT

Many of the impacts associated with the proposed development have already been addressed in the report. Other likely impacts are discussed below:

7.1 Overshadowing

The development will result in overshadowing to the residential buildings opposite the site along Coulter Street and the Council car park adjoining the site.

The applicant has provided shadow diagrams demonstrating the amount of shadowing cast by the development.

The residential buildings affected by the overshadowing in Coulter Street will only be those residential buildings located at the end of Coulter Street towards Ross Street (see Figure 22 below).

These residential buildings will be overshadowed between 9am and 12pm on 21 June only with no overshadowing occurring from 12pm onwards. Therefore these residential buildings will receive a minimum 3 hours of sunlight from 12pm to 3pm. This complies with the solar access requirements under the ADG.

The Council car park will also receive overshadowing from the development. This overshadowing will start from 9am and will progress over the car park throughout the day. As demonstrated by the solar diagrams (Figure 22 below), the majority of the car park will receive sunlight between 9am and 12pm with parts of the site at the southern-most end of the car park having minimal overshadowing occurring from the proposed development.

The proposed development will therefore have minimal impact to existing development as the residential buildings surrounding the site maintain adequate solar access. Any future development to the Council car park will be impacted to a

degree by the shadows cast by the development, however assessment of the solar access impacts will be carried out at the time a development application is lodged.



Figure 22: 9am, 12pm and 3pm shadow diagrams

7.2 Youth Centre Hours of Operation

The development seeks the following hours of operation for the Youth Centre:

- Gymnastics - 7 days a week from 6 am to 8 pm Monday to Friday and 9 am to 5 pm Saturday/Sunday;
- Dance Classes - 4 pm to 9 pm Wednesday, 4 pm to 6 pm Monday and 9 am to 5 pm Saturday; and
- Karate Classes - 4 pm to 8 pm Tuesday and Thursday.

However to ensure practical operating hours are provided a condition of consent is proposed to allow the following hours of operation:

Hours of operation. The premises will operate within the following hours:

- 6am to 10pm, Monday to Friday; and
- 6am to 9pm Saturday and Sunday.

These hours will allow a level of flexibility in terms of managing the site and community facilities.

7.3 Plant Rooms

Concerns were raised by the previous Joint Regional Planning Panel regarding the size and location of the plant rooms proposed for the development. The development proposes two plants rooms on the ground floor and a smaller mechanical deck on each residential floor. This is demonstrated in Figures 23 and 24 below.

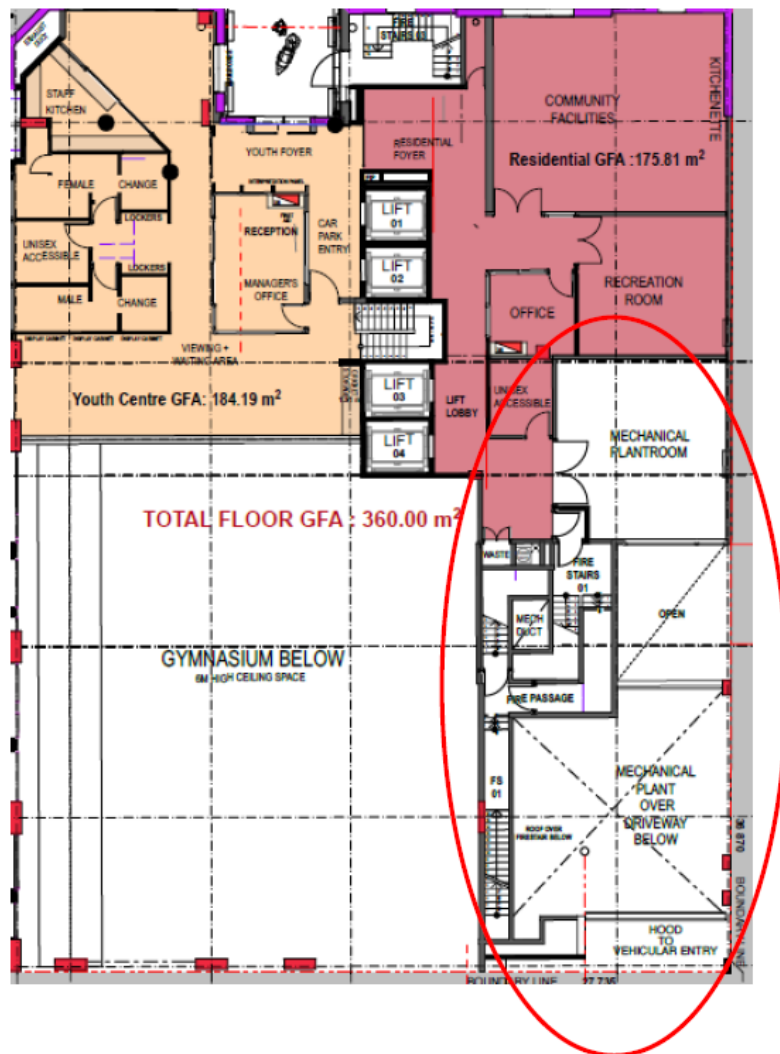


Figure 23: Extract of Ground floor showing 2 plant rooms.

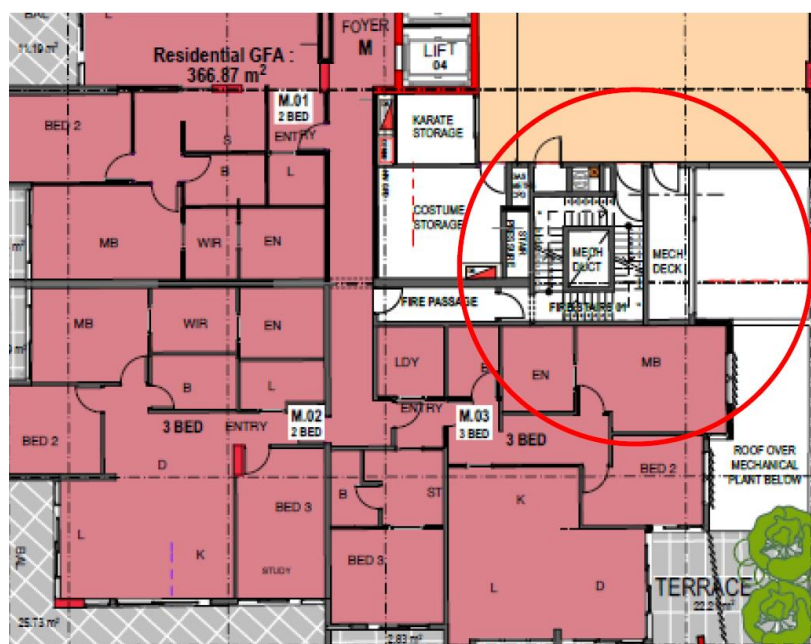


Figure 24: Extract of ground floor showing mechanical deck reflected on each residential level.

The applicant has provided a mechanical engineer's letter stating that each apartment will be air conditioned and the condenser units are proposed to be located within the mechanical deck on each floor to minimise refrigerant pipes installation. These mechanical decks are provided with privacy louvres and are setback from the boundary and are unlikely to have any visual or acoustic impacts.

The plant room located on the ground floor adjacent to the residential recreation room is to be used for:

- Air handling units servicing the gymnasium, dance and karate room;
- Condenser units for the ground floor offices' Fan Coil Units systems;
- Outside air fans; and stair pressurisation system.

The mechanical plant over the driveway is not proposed to be a plant room. The sections provided by the applicant shows that the mechanical plant over the driveway is intended to be within the roof space of the driveway entry into P1 Level. This is demonstrated in Figure 25 below and has been confirmed in a statement provided by the mechanical engineer for the development.

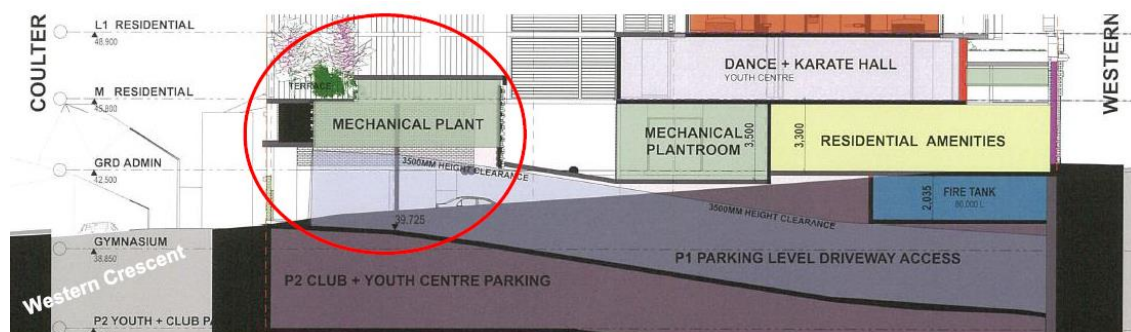


Figure 25: Section through southern elevation showing mechanical plant within P1 Carpark entry roof space.

In terms of acoustic issues a condition has been imposed requiring acoustic treatment of the development to ensure amenity levels both within and without the development is maintained (see condition 58).

8.0 SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The proposed development is considered suitable for the subject site with respect to the B4 – Mixed Use zoning under RLEP 2014, the dimensions, topography, context and setting of the site. The proposed development predominantly complies with the planning controls identified under the various planning instruments.

9.0 THE PUBLIC INTEREST

The development is considered to be in the public interest as it is consistent with the relevant planning controls and allows the redevelopment of the site in a manner anticipated by the site specific controls.

10. REFERRALS

External referrals

Department of Primary Industries: 18 March 2016: DPI Water (formerly the NSW Office of Water) has reviewed documents for the above development application and considers that, for the purposes of the *Water Management Act 2000* (WM Act), a controlled activity approval is required. Accordingly conditions of consent have been provided (see conditions 172 to 193).

NSW Police: 14 March 2016: NSW Police have raised no objections to the development however they have provided comments and recommendations with regard to:

1. Surveillance
2. Landscaping
3. Lighting
4. Territorial Re-enforcement
5. Environmental Maintenance
6. Landscaping
7. Access Control
8. Other matters

Generally, the proposed development is capable of addressing each of the above criteria in an acceptable manner and conditions have been imposed as recommended (see Conditions 117, 118 and 147 to 151).

Internal Referrals

Senior Coordinator Development Engineering Services: No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 13 to 18, 27, 70 to 73, 75, 90, 109 to 112, 127 to 131, 152 and 153).

Environmental Health Officer: No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 23, 24, 38, 39, 52 to 60, 98 to 102, 125 and 160 to 166).

Heritage Officer: The application was referred to Council's Heritage Officer who supported the application subject to conditions, in particular, a deferred commencement condition relating to the retention of the Jordan Hall façade along Western Crescent. This has been included in the draft conditions of consent together with the additional recommended conditions of consent (see conditions 1, 2, 41 to 44, 62, 145, 146, and 171).

City Works and Infrastructure – Public Works:

Drainage Engineer: No objections were raised to the proposed development subject to conditions of consent. (See condition numbers, 74, 95, 113, 154 and 155).

Traffic Engineer: No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 19, 26, 47, 87, 88, 93, 133 and 134).

Public Domain Assets Officer: No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 20, 63 to 69, 91, 92, 114, 135 to 140).

Waste: No objections were raised to the proposed development subject to conditions of consent. (See condition numbers 40, 81, 82, 115, 116, 142, 143 and 157 to 159).

11. PUBLIC NOTIFICATION AND SUBMISSIONS

The proposed development was advertised on 2 March 2016 and notified from 25 February 2016 to 1 April 2017. During this time, 15 submissions were received with one submission in support of the application.

The issues raised in the submissions are discussed below:

- ***Overdevelopment of site and locality:*** Concerns are raised that the development is inconsistent with the surrounding locality, is of a scale that is too high negatively impacting on the surrounding developments, the building height and setbacks will set a precedent in the area and the locality is being overdeveloped with apartment buildings.

Comment: The locality is currently undergoing significant change with the redevelopment of a number of sites. These sites are zoned for high rise development and, as such, the housing density within the area is increasing due to the zoning.

The surrounding locality have building heights that are between 9.5m to 22m with the subject site and adjoining Council car park being the only sites within the locality that have an allowable 33m building height. Also the subject site and Council car park are subject to a Key Site Diagram with specific setbacks and density controls that do not apply to any of the other surrounding sites. This Key Site Diagram envisions a high density development for which the proposal is consistent with.

The development is within the building height limit of 33m as required under the LEP, with the exception to the lift overrun which is a minor encroachment located within the centre of the building. This does not impact the overall height of the development as it is a minor breach of 380mm centrally located within the building. The proposed development does not present a risk of setting precedence as the surrounding sites do not have the same density or height controls.

- ***Traffic and parking impacts:*** Concerns have been raised that the development will cause significant traffic management issues, particularly through the Council car park, with potential pedestrian safety impacts for parents and students of the Gladesville Public School. Concerns are also raised that the development will increase traffic and reduce parking within the area, particularly during construction.

Comment: The submissions have raised several issues in relation to car parking during demolition and construction of the development. In respect to traffic

management and safety issues raised for parents and students of the Gladesville Public School, provisions have been made by Council's Traffic Engineer who has required, via conditions of consent, that no heavy vehicle movements or construction activities affecting vehicle and pedestrian traffic are permitted in school zone hours (8:00am-9:30am and 2:30pm-4:00pm weekdays) during demolition and construction of the project (see conditions 26 and 47).

In term of parking for the development the parking provisions for the development comply with the car parking requirements under Part 9.3 of RDCP 2014. For general parking provisions, currently there is a public car park adjoining the site time limited to 2 hours that provides general parking for visitors to the area. On street parking is also available in surrounding streets.

Whilst there is a concern that the Council car park will be used for construction vehicles and off street parking for the locality will be impacted, any such use of the car park would require approval by Council Officers. A condition has been included that once construction of the basement car parking levels are completed all construction vehicles associated with the development will be required to be parked within the basement level car parks onsite (see condition 47). Council Officers cannot prevent the Council car park from being used by construction vehicles, however given that the car park is only 2 hour parking and that this is regularly enforced, it is unlikely to be used by construction vehicles.

- **Noise and pollution:** *Concerns are raised that the proposal will increase noise and pollution from construction vehicles, excavation, use of external balconies and increased traffic to the area.*

Comment: The standard hours for construction work for building activities are restricted to the hours between 7am and 7pm Monday to Friday and 8am to 4pm on Saturdays. A noise management plan will also be required under conditions of consent as the development proposes significant excavation. This noise management plan will include an assessment of expected noise impacts, work practices to minimise noise impacts, noise monitoring procedures and complaints management procedures.

As previously discussed the proposal will also be required to submit a construction traffic management plan which will include details of construction vehicle movements and times.

The development will also be subject to acoustic treatment to ensure acoustic noise levels are maintained. Balconies have been designed and orientated to reduce privacy and acoustic impacts to the surrounding residential properties. These balconies also have sufficient separation distances from adjoining residential properties provided by the road which range from between 8m to 14m kerb to kerb.

In terms of pollution from increased traffic the development is permissible with consent and increased pollution from traffic is not a planning consideration.

- **View loss:** *Concern is raised that the development will block views from the lower density residential development surrounding the subject site.*

Comment: In terms of view loss the site has a permissible building height of 33m which will affect the views from any of the residential properties surrounding the subject site. This is unavoidable where the surrounding properties have permissible building heights between 9.5 to 22m.

- ***Heritage impacts and conservation:*** Concerns are raised that the development will have a negative impact on the neighbouring heritage items and the retention of the façade of Jordan Hall will not be viable due to the level of excavation.

Comment: Council's Heritage Officer has assessed the application in terms of its impact on the heritage item opposite the site and the retention of the façade along Western Crescent. Accordingly this assessment has found that the proposed development will have minimal impact to the surrounding heritage items, in particular, the item located at 220 Victoria Road.

In terms of the retention of the façade along Western Crescent the applicant has provided a statement from a structural engineer that the façade is capable of being retained. However, this statement has not provided adequate details which clearly demonstrate how the façade is to be retained. A deferred commencement condition has been recommended in the draft conditions that requires a structural engineer assessment is to be submitted. This assessment must demonstrate that the façade can be retained in a safe manner and that the excavation works will not cause the collapse in part of in full of the façade.

If the deferred commencement condition cannot be satisfied then the consent cannot be activated.

- ***Impact on local infrastructure:*** Concerns are raised that the local infrastructure cannot accommodate the increase in density to the area and that the roads, schools, stormwater, sewerage and public transport are inadequate.

Comment: At the time the rezoning proposal was being considered by Council Officers, all Government Authorities were notified and provided input into the future zoning and development controls for the locality. The Government Authorities identified that the local infrastructure, such as main roads, schools, sewerage and public transport were adequate to accommodate the development envisaged by the new planning controls.

- ***Floor space ratio:*** Concerns are raised that the development does not comply with the permissible FSR of 4.3:1 and this has a negative impact with increased bulk, overshadowing and increased dwelling/parking.

Comment: The application is non-compliant with the permissible FSR of 4.3:1 under Clause 4.4 of LEP 2014. The applicant has provided a written Clause 4.6 requesting a variation to the development standard. The variation to the FSR has been discussed previously in this report and found to be acceptable in terms of bulk and scale and overshadowing. The increase to the FSR is related to the Youth Centre.

The development has provided adequate car parking spaces for the apartments and the Youth Centre.

- **Overshadowing:** *Concerns are raised that the development will cause overshadowing to the neighbouring properties along Coulter Street.*

Comment: The submitted shadow diagrams clearly demonstrate that the developments along Coulter Street will receive overshadowing from the proposed development between 9am and 12pm only (see Figure 22 above). Adequate solar access is provided to the developments along Coulter Street.

- **Site access:** *Concerns are raised regarding site access for the demolition and construction of the development, particularly in terms of where cranes and site sheds would be located on a small site.*

Comment: Management of construction sites are provided via conditions of consent and as previously discussed road activity permits are required for cranes and/or public areas to be used for construction zones.

- **Excavation and onsite parking:** *Concerns are raised that the basement car parking is excessive in terms of excavation and should be restricted to 3 levels, the structural integrity of the development may be compromised causing damage to nearby properties and the amount of parking onsite is excessive as the Youth Centre could use the public car park.*

Comment: A condition of consent will require geotechnical design, certification and monitoring for the excavation works that will be required for the development together with pre and post construction dilapidation reports.

The residential and Youth Centre parking rates are prescribed under Part 9.3 of Ryde DCP 2014. The development is fully compliant with the required parking rates in accordance with Part 9.3 of DCP 2014.

- **Car park entry/exit:** *Concerns are raised that the location of the car park entry in Coulter Street will increase traffic which will have a detrimental impact to pedestrian safety. The vehicular entry should be relocated to Ross Street.*

Comment: Council's Traffic Engineer has reviewed the parking arrangements for the development and has raised no objection to the location of the car park entry exit. The car park access provides clear sightlines and is unlikely to impact on pedestrian safety.

- **No Green Space:** *Concerns are raised that the proposal does not provide any landscaping or deep soil to provide tree plantings.*

Comment: The Key Site Diagram for the site requires zero setbacks to all three boundaries and does not require any open space to be provided at ground level. The proposal does incorporate communal open space areas and these areas are landscaped to provide landscaped amenity to the residents.

- **Construction Management:** *Issues relating to the construction phase of the development have been raised. Issues in terms of noise, dust and waste management, hazardous material treatment, fencing and hoarding and contacts during construction have been raised. A request for hours of work not being allowed to extend past 6pm on Friday nights due to Church youth activities held on Friday nights has also been made.*

Comment: The issues regarding noise, waste and dust management, hazardous material treatment, provision of fencing and hoarding and contacts during construction will be managed by conditions of consent. These conditions will require the submission to Council Officers and/or the Principle Certifying Authority of waste management plans, demolition and construction traffic management plans, noise assessments, sediment control plans, acoustic reports and other information relating to the demolition and construction of the proposal. Signage is required to be placed at the site providing the name and contact details of the Principle Certifying Authority.

In terms of restricting the hours of demolition and construction work to 6pm on a Friday night, this can be accommodated by amending the hours of work condition from 7am and 7pm Monday to Thursday, 7am to 6pm Friday and 8am to 4pm on Saturdays (see condition 7)

Safety fencing/hoarding is also required via conditions of consent (see condition 8).

- **Property Values:** *Concerns have been raised that the proposed development will have a detrimental impact on the property values in the locality.*

Comment: The applicant has a right under the Environmental & Planning Assessment Act, 1979 to the orderly and economic use and development of the land and possible variation in surrounding property values does not constitute reasonable grounds for refusal of a development application.

Amended Plans dated 6 September 2016

The amended plans were notified in accordance with Part 2.1 of DCP 2014 from 21 October 2016. In response one objector submitted their original submission which has been discussed previously.

12. CONCLUSION

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

The site is zoned B4 Mixed Use under RLEP 2014 and the development results in two variations to the development standards contained in RLEP 2014. The first variation is in respect to the overall height of the building. The non-compliance is due to the lift overrun which is 380mm in breach of the 33m height control. This is a minor breach and Council Officers have allowed similar variations to lift overruns within the area as it will not contribute to further overshadowing to adjoining properties. The second variation is in respect to the floor space ratio. RLEP2014

requires an FSR of 4.3:1 and the application has proposed an FSR of 4.585:1. The breach in the FSR is due to the expansion of the existing Youth Centre which has increased the floor space from 680.97m² to 972.21m². In both instances the applicant has provided a Clause 4.6 variation which can be supported.

The development also results in a minor non-compliance to the storey requirement under the Key Site Diagram of RDCP 2014. The Key Site Diagram requires the development to be 8 storeys along Western Crescent and 6 storeys along Coulter Street. The development has proposed 10 storeys along Western Crescent and 7 storeys along Coulter Street. Despite the non-compliance in the number of storeys the building height is maintained for which 10 and 7 storeys can be accommodated. The height of the building is consistent with the desired future character of the locality and can be supported.

A minor variation has been identified in respect to building separation, deep soil, storage and common circulation under the Apartment Design Guidelines.

The variation to the building separation and deep soil area is acceptable as the DCP provides a Key Site Diagram which identifies how this site and the adjoining sites are to be redeveloped. This development is consistent with the Key Site Diagram which ensures appropriate building separation and deep soil area. The non-compliance with storage has been addressed as a condition of consent. The final non-compliance in respect to communal circulation can be supported on its merits. The non-compliance relates to the Mezzanine level only which does not provide a window. The communal circulation on this level has compensated for the lack of a window by ensuring a wider space than what is required under the ADG.

The issues raised in the submissions have been considered and have been adequately addressed through the assessment process and the recommended conditions of consent. Refusal of the application is not warranted based on the reasons contained in the submissions.

The development is recommended for approval subject to appropriate conditions of consent provided in Attachment 1 of this report.

13. RECOMMENDATIONS

- A. Pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979, the following is recommended:
 - (a) That the Sydney North Planning Panel grant consent to development application LDA2016/0058 at 6 to 8 Western Crescent Gladesville subject to the recommended Conditions of Consent in Attachment 1 of this report.
- B. That those persons whom made submission to this application be advised of the determination.
- C. That a copy of the consent is to be forwarded to the Office of Primary Industries – Water.

Report prepared by:

Natalie Piggott
Senior Town Planner

Report reviewed by:

Sandra Bailey
Senior Coordinator - Major Developments

Report approved by:

Liz Coad
Acting Director City Planning and Development

Attachments:

1. Attachment 1 – Recommended Conditions of Consent
2. Attachment 2 – Clause 4.6 variation in respect to building height
3. Attachment 3 - Clause 4.6 variation in respect to floor space ratio