

ATTACHMENT 1

That development consent LDA2015/0018 be modified as follows:

A) That condition 1, 4, 24, 30, 40, 42, 44, 101, 106, 118, 124 be amended to read as follows:

1. **Approved Plans** – Development is to be carried out in accordance with the following plans and supporting documentation as submitted to Council, except where amended by these conditions of consent:

Document	Author	No and Revision	Date
Title Sheet	Turner	DA-001-001 S3	24/03/17
Site Plan	Turner	DA-100-001 S3	24/03/17
Lower Basement Floor Plan	Turner	DA-110-000 S5	24/03/17
Basement Floor Plan	Turner	DA-110-001 S5	24/03/17
Upper Floor Basement Plan	Turner	DA-110-002 S5	24/03/17
Lower Ground Floor Plan	Turner	DA-110-003 S5	24/03/17
Ground Floor Plan	Turner	DA-110-004 S6	24/03/17
Level 01 Floor Plan	Turner	DA-110-005 S4	24/03/17
Level 02 Floor Plan	Turner	DA-110-006 S4	24/03/17
Level 03 Floor Plan	Turner	DA-110-007 S5	24/03/17
Level 04 Floor Plan	Turner	DA-110-008 S5	24/03/17
Level 05 Floor Plan	Turner	DA-110-009 S4	24/03/17
Level 06 Floor Plan	Turner	DA-110-010 S4	24/03/17
Level 07 Floor Plan	Turner	DA-110-011 S4	24/03/17
Level 08 Floor Plan	Turner	DA-110-012 S4	24/03/17
Level 09 Floor Plan	Turner	DA-110-013 S4	24/03/17
Level 10 Floor Plan	Turner	DA-110-014 S4	24/03/17
Level 11 Floor Plan	Turner	DA-110-015 S4	24/03/17
Roof Plan	Turner	DA-110-016 S4	24/03/17
North Elevation Stage 2 & 3	Turner	DA-210-001 S3	24/03/17
East Elevations Stage 2	Turner	DA-210-002 S3	24/03/17
East Elevations Stage 3	Turner	DA-210-003 S3	24/03/17
South Elevation	Turner	DA-210-004 S4	24/03/17
West Elevation Stage 3	Turner	DA-210-005 S4	24/03/17
West Elevation Stage 2	Turner	DA-210-006 S3	24/03/17
Sections Stage 2 & 3	Turner	DA-310-001 S3	24/03/17
Stage 2 Section A & B	Turner	DA-310-002 S4	24/03/17
Stage 2 Sections C	Turner	DA-310-003 S3	24/03/17
Stage 3 Section D & E	Turner	DA-310-004 S3	24/03/17
Stage 3 Section F	Turner	DA-310-005 S3	24/03/17
Landscape Cover Sheet	Black Beetle	LA LP 001/B	03/03/17
Landscape Plan -	Black Beetle	LA LP 001/B	03/03/17

Sheet 001			
Landscape Plan - Sheet 002	Black Beetle	LA LP 002/B	03/03/17
Landscape Plan - Sheet 003	Black Beetle	LA LP 003/B	03/03/17
Landscape Plan - Sheet 004	Black Beetle	LA LP 004/B	03/03/17
Landscape Plan - Sheet 005	Black Beetle	LA LP 005/B	03/03/17
Landscape Plan - Sheet 006	Black Beetle	LA LP 006/B	03/03/17
Landscape Sections – Sheet 01	Black Beetle	LA LP 101/B	03/03/17
Landscape Sections – Sheet 02	Black Beetle	LA LP 102/B	03/03/17
Landscape Plan – Plant Palette	Black Beetle	LA LP 201/B	03/03/17
Materials Palette	Black Beetle	LA LP 202/B	03/03/17

4. Compliance with BASIX. The development is to be carried out in compliance with BASIX Certificate No. 581855M_03 dated 6 March 2017.

24. Deleted.

30. Vehicle Access & Parking. All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

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

- a) To facilitate vehicle access and sight distance at the corner located on Basement Level adjoining a waste bin room (opposite the Fire Sprinkler Room), a convex mirror shall be installed diagonally opposite the bin room and centreline marking on both approach directions to the corner, to ensure there is separation of conflicting vehicle flows.
- b) All retail and visitor parking aisles greater than 6 bays long and with no through access (dead end) must provide vehicle turning bay at the end of the aisle to enable vehicles to turn around should every space in the aisle be occupied. Vehicle turning bays may have the same dimensions as a single parking space and be sufficiently marked to clearly indicate the space is intended for use as a vehicle turning bay.
- c) The visitor spaces located in the same parking aisle as the car share spaces must be relocated to adjoin the main vehicle access aisle. This is to prevent the need for a turning bay at the end of this aisle.
- d) Should the pedestrian access from the retail floor area to the basement garage be open to the public, a linemarked pedestrian path of travel must be implemented to the first parking module. The linemarking is to ensure there is a clear demarcation between vehicle and pedestrians in the vicinity of the base of the ramp.

- e) With reference to the condition "*Parking Allocation*", the Basement Level parking area is to reconfigure the boom gate access so as to accommodate the reallocation of parking.

These amendment(s) must be clearly marked on the plans submitted with the application for the relevant Construction Certificate.

40. Landscape Plans. The Landscape Plans prepared by Black Beetle are to include the following details, prior to the issue of the relevant Construction Certificate.

a) Proposed trees

All proposed trees are to be located a minimum of 3m from the site boundary and installed clear of underground services.

b) Podium Planting

Landscape details for the podium landscaping are to be provided to Council or the Accredited Certifier for review prior to the issue of the relevant Construction Certificate. Details are to include dimensions relating to adequate soil depths, irrigation and drainage to ensure their successful establishment and are to include:

- Soil depth of 1,000mm for trees, 500-600mm for shrubs, 300-450mm for ground covers and 200mm for turf.

c) Street trees

- Street tree planting along Nancarrow Avenue is to be installed at a semi advanced pot size (i.e. minimum 100 Litre pot size) and the planting configuration is to comply with the street scape layout nominated in the plan of section 5.2.2 of the City of Ryde Public Domain Technical Manual. Trees are to be located with structural soil / tree vaults to ensure their successful establishment.
- Street tree planting along Rothesay Avenue is to be installed at a super advanced pot size (i.e minimum 400 Litre pot size) and the planting configuration is to comply with the streetscape layout nominated in the plan of section 5.2.2 of the City of Ryde Council Public Domain Technical Manual. Trees are to be located within structural soil / tree vaults to ensure their successful establishment.
- Location of underground services and lightpoles are to be coordinate between the consultant team as part of the Council's Public Domain Department prior to the issue of a Construction Certificate. Trees are to be located a minimum of 4m from light poles and service pits.

d) Water Sensitive Urban Design

The landscape plans are to incorporate the recommendations of the WSUD strategy developed for the Shepherds Bay Master plan. Details are to be provided in the amended documents.

- 42. Adaptable Units.** A total of 49 adaptable units are to be provided within Stages 2 and 3. These apartments are to comply with all of the spatial requirements as outlined in AS4299. Details demonstrating compliance is to be provided on the relevant Construction Certificate, a suitably qualified access consultant is to certify that the development achieves the spatial requirements of A54299.
- 44. Acoustic Assessment Report.** The development is to incorporate all the recommendations contained in the Acoustic Report prepared by DK Acoustics dated 8 March 2017 “External Noise Assessment and Environmental Noise Impact Assessment – Proposed Residential Development Stages 2 & 3 – Shepherds Bay 6 – 48 Nancarrow Avenue, Meadowbank.” Details of measures to be undertaken as recommended in the Acoustic Report are to be submitted to the Principal Certifying Authority prior to the release of the relevant Construction Certificate for the residential component of the development.
- 101. Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Occupation Certificate:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$1,276,636.52
Open Space & Recreation Facilities	\$3,113,254.02
Civic & Urban Improvements	\$1,077,964.36
Roads & Traffic Management Facilities	\$149,815.96
Cycleways	\$91,852.36
Stormwater Management Facilities	\$294,208.76
Plan Administration	\$24,765.08
The total contribution is	\$6,028,497.06

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 Interim Update (2014), effective from 10 December 2014. The components of the s94 levy that fall both within the category of ‘civic and urban improvements’ and form part of the works required by Condition 36, may be offset by works-in-kind in accordance with Section 2.9 of the Ryde Section 94 Contribution Plan.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are

applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

106. BASIX. The submission of documentary evidence of compliance with all commitments listed in BASIX certificate No. 581855M_03 dated 6 March 2017.
NOTE: Certificates from suitably qualified persons are to be submitted to the Principal Certifying Authority (if Council is the PCA) verifying that all BASIX commitments listed have been fulfilled in accordance with the BASIX Certificate.

118. Waste Service Collection. Suitable arrangements must be made with the City of Ryde Council for the provision of garbage services to the premises prior to the issue of any Occupation Certificate. Where it is necessary for waste collection vehicles to enter the property to service the waste containers, the property owner must indemnify Council and its contractors in writing against claims for damage to the driveways and manoeuvring areas. This indemnity must be submitted to the City of Ryde Council prior to the issue of any Occupation Certificate.

124. Parking Allocation. Subject to condition 30 (note condition 29 deleted), the development must maintain and provide the following parking allocations, listed as follows:

- A maximum of 543 residential spaces (Note: A single row of tandem parking are to be allocated to a single unit only.)
- A minimum of 72 visitor spaces
- A minimum of 7 car share spaces
- A minimum of 8 car spaces to service the café component of the development.
- A minimum of 8 car spaces to service the retail component of the development.
- A minimum of 2 car spaces to service the parking demand of the community centre.

B) The addition of the following condition:

122A. Community Facility. The community facility and the 2 car parking spaces associated with the community facility are to be dedicated to Council prior to the issue of any Occupation Certificate.

- 139.** Staff or contractors must be employed to take the waste containers from the garbage and recycling chute rooms to the bin collection room for servicing and to return the containers to the chute room after servicing. Staff or contractors are to also take all material in the two bulky items / hard waste storage rooms to the main bulky waste room for collection.
- 140.** The gym is only to be used by the residents of all stages within the Shepherds Bay development. No loud or amplified music is to be played within the gym. The gym is not to be operated by a commercial operator.