

Myra Malek

From: Sandra Bailey <SBailey@ryde.nsw.gov.au>
Sent: Wednesday, 8 May 2019 8:58 AM
To: 'Michael Hanisch'
Subject: RE: 159-161 Epping Road, Macquarie Park (LDA18/171)

Thanks Michael for sending this information to me.

I have reviewed the changes to the draft conditions and I accept all of the amendments with the exception of deferred commencement condition 1 and part 2 condition 2.

In respect of the deferred commencement condition Council does not support the additional wording. I believe that this matter has already been discussed with Elias.

I am of the view that condition 2 needs to remain. This condition was imposed to address visual as well as acoustic privacy.

Ideally, what I would like to a statement from you that you accept the draft conditions of consent.

Regards

From: Michael Hanisch [mailto:mhanisch@mecone.com.au]
Sent: Wednesday, 8 May 2019 8:07 AM
To: Sandra Bailey
Subject: FW: 159-161 Epping Road, Macquarie Park (LDA18/171)

Hi Sandra,

As discussed, please see the attached letter requesting and justifying the proposed changes to conditions.

Regards,



Michael Hanisch
Level 12, 179 Elizabeth St
Sydney NSW 2000
T:02 8667 8668

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From: Michael Hanisch <mhanisch@mecone.com.au>
Date: Tuesday, 30 April 2019 at 3:17 pm
To: Natalie Camilleri <NCamilleri@ryde.nsw.gov.au>
Subject: Re: 159-161 Epping Road, Macquarie Park (LDA18/171)

Hi Natalie,

Thank you for providing the draft conditions of consent for our review. We generally agree with the proposed conditions, however I have attached some suggested amendments for your consideration. The amendments either reflect previous conversations (with regards to the Deferred Commencement condition) or are minor administrative changes.

Feel free to give me a call to discuss.

Regards



Michael Hanisch
Level 12, 179 Elizabeth St
Sydney NSW 2000
T:02 8667 8668

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From: Natalie Camilleri <NCamilleri@ryde.nsw.gov.au>
Date: Friday, 26 April 2019 at 7:33 am
To: Michael Hanisch <mhanisch@mecone.com.au>
Subject: 159-161 Epping Road, Macquarie Park (LDA18/171)

Hi Michael

Please find attached the draft conditions of consent in this matter for your review and comment.

You are required to provide a response no later than Tuesdays 30 April 2019. Please note that your advice agreeing to the draft conditions will form part of the attachments to the SNPP report.

Regards

Natalie

Natalie Camilleri

| Condition | Applicant's comments | Council's response | | | | | | | | | | | | | | | | | | |
|--|---|-------------------------|------|-------------------|--------------------|----------|-------------------------|------------|----------|-------------------------|------------|----------|-------------------------|--------------|----------|-------------------------|---------|----------|-------------------------|--------|
| Part 1 Condition 1 – Deferred Commencement | | | | | | | | | | | | | | | | | | | | |
| | <p>We would request that an additional condition be placed in Part 1 as follows:</p> <p><i>“2. Engineered Solution to Council’s satisfaction. Despite Condition 1 above, an alternative engineered solution may be provided to the satisfaction of Council that demonstrates no overland flow would be received by any adjoining private properties in the event that the proposed on-site stormwater management system becomes overwhelmed. Should an engineered solution be provided to the satisfaction of Council, there is no requirement for an Easement for the Drainage of Stormwater or a Restrictive Covenant (as described in Condition 1 above) to be obtained.”</i></p> | Not agreed. | | | | | | | | | | | | | | | | | | |
| Part 2 Condition 1 – Approved Plans/Documents | | | | | | | | | | | | | | | | | | | | |
| | <p>Architectural Plans are required to be updated to match the revised OSD location. As such the following plans have been updated and attached that represent the revised stormwater plans and OSD location;</p> <table border="1"> <thead> <tr> <th>Document Description</th><th>Date</th><th>Plan no/Reference</th></tr> </thead> <tbody> <tr> <td>Proposed Site Plan</td><td>18.04.19</td><td>A-DA 01.201, Revision E</td></tr> <tr> <td>Basement 2</td><td>18.04.19</td><td>A-DA 10.001, Revision F</td></tr> <tr> <td>Basement 1</td><td>18.04.19</td><td>A-DA 10.002, Revision F</td></tr> <tr> <td>Ground Level</td><td>18.04.19</td><td>A-DA 10.003, Revision H</td></tr> <tr> <td>Level 1</td><td>26.02.19</td><td>A-DA 10.004, Revision F</td></tr> </tbody> </table> <p>We request that the table in Part 2 Condition 1 be updated to reference the attached plans as detailed above.</p> | Document Description | Date | Plan no/Reference | Proposed Site Plan | 18.04.19 | A-DA 01.201, Revision E | Basement 2 | 18.04.19 | A-DA 10.001, Revision F | Basement 1 | 18.04.19 | A-DA 10.002, Revision F | Ground Level | 18.04.19 | A-DA 10.003, Revision H | Level 1 | 26.02.19 | A-DA 10.004, Revision F | Agreed |
| Document Description | Date | Plan no/Reference | | | | | | | | | | | | | | | | | | |
| Proposed Site Plan | 18.04.19 | A-DA 01.201, Revision E | | | | | | | | | | | | | | | | | | |
| Basement 2 | 18.04.19 | A-DA 10.001, Revision F | | | | | | | | | | | | | | | | | | |
| Basement 1 | 18.04.19 | A-DA 10.002, Revision F | | | | | | | | | | | | | | | | | | |
| Ground Level | 18.04.19 | A-DA 10.003, Revision H | | | | | | | | | | | | | | | | | | |
| Level 1 | 26.02.19 | A-DA 10.004, Revision F | | | | | | | | | | | | | | | | | | |
| Part 2 Condition 2 - Amendments | | | | | | | | | | | | | | | | | | | | |
| | <p>We request the Council reconsider the amendments to the following apartments;</p> <ul style="list-style-type: none"> - Apartment N3-02 – there is no window on the west side, this is just a screen on a solid wall to correspond with the windows on the levels above. | Agreed | | | | | | | | | | | | | | | | | | |
| | <ul style="list-style-type: none"> - Apartments S4-01, S5-01, S6-01, S7-01, S8-01, S9-01, S10-01, S11,01, S12-01 – the proposed windows to be deleted are between the balcony and bedroom of the same apartment. There will be no visual or audible impact on amenity between apartments as a result of deleting this window. | Not agreed. | | | | | | | | | | | | | | | | | | |
| | <ul style="list-style-type: none"> - All other windows are screened as demonstrated in drawing A-DA 31.101 (see detail in Figure 1 below) and ensure that they are operable windows without impacting on the visual or audible amenity of the occupants. | Not agreed. | | | | | | | | | | | | | | | | | | |

| Condition | Applicant's comments | Council's response |
|---|---|--------------------|
| | <ul style="list-style-type: none"> - Apartments N3-13, S3-13, N4-13, S4-13, N5-13, S5-13, N6-13, S6-13, N7-12, N8-12, S8-12, N9-12, S9-13, N10-12, S9-13, N10-12, S10-13, N11-12, S11-13, N12-10, S12-10, N13-05, S13-05 – the proposed windows are all identified as high level translucent glass. | Not agreed. |
| Part 2 Condition 27 – Tree retention | | |
| | <p>It is noted that the Travers Bushfire and Ecology Report dated 19 December 2018 identifies Tree 41 for removal.</p> <p>Despite the applicant having 2 x arborists reports that supported measures proposed to retain Trees 47-51, the applicant also obtained land owners consent from the adjoining land owner as requested by Council (provided to Council in correspondence dated 11 February 2019). It is acknowledged that the applicant will do all in its power to try and retain Trees 47-51, however based on Council's comments in correspondence on 11 January 2019 it is unreasonable for the condition to require their retention.</p> <p>It is requested that Part 2 Condition 27 be amended to remove references to Trees 41 and 47 – 51.</p> | |
| Part 2 Condition 30 – Demolition and Traffic Management Plan | | |
| | <p>The restriction during major commuter peak times (8am - 9am and 4:30pm – 6pm) does not specifically exclude weekends. Therefore it is requested that the condition should include wording:</p> <p><i>“... during major commuter peak times being 8:00am – 9:30am and 4:30pm – 6:00pm on weekdays”</i></p> <p>It is also requested that part i of this condition be revised so that the Builder is responsible for the engagement with nearby construction sites, as the DTMP will be prepared before works begins it is difficult to know what other works will occur concurrently with the development once demolition works begins.</p> | |
| Part 2 Condition 63 – Construction Traffic Management Plan | | |
| | <p>As indicated in the above Part 2 Condition 30 – it is requested that restriction during major commuter peak times includes the wording “on weekdays only”, so as not to unreasonably restrict works on weekends.</p> <p>Part i requires consideration of Station Link</p> | |

| Condition | Applicant's comments | Council's response |
|--|---|--------------------|
| | <p>services (replacement bus for the Epping to Chatswood rail link while the Sydney Metro is being constructed) in the CTMP.</p> <p>However, Condition 112 only requires consideration of Station Link service if construction is to begin prior to May 2019. It is expected that construction will not occur until after the Metro is operational and the Station Link services end.</p> <p>Therefore, it is request that Part i of the condition be deleted.</p> <p>Part ix requires the consultant preparing the CTMP to engage and consult directly with developers of major works within 250m of the site. It is requested that the condition be revised so that the Builder is responsible for the engagement with nearby construction sites, as the CTMP will be prepared before works begin it is difficult to know what other works will occur concurrently with this development once construction works begin.</p> | |
| Part 2 Condition 78 – Stormwater management | | |
| | <p>The condition outlines that “there is potential to locate the storage tank below the vehicular entry (however must be clear of the tree protection zone)”. The tree protection zone in question is relevant to the previously mentioned Trees 47-51. As previously outlined, Council has already indicated in correspondence dated 11 January 2019 that these trees are of low value and recommends their removal.</p> <p>Accordingly the applicant has obtained adjoining land owners consent for their removal if required.</p> <p>Should Council's preferred location for the OSD tank be under the driveway and within the tree protection zone of Tree 47-51 it is unreasonable to require these trees to be retained.</p> <p>We request the condition be amended to remove the wording <i>“however must be clear of the tree protection zone”</i>.</p> | |
| Part 2 Condition 196 – Car share parking | | |
| | <p>It is recognised that the proposed development will need to provide car share spaces – however the requirement for the spaces to be accessible by the public 24/7 conflicts with the requirements under condition 179, which requires the basement car parking area to be secure. We request the condition be amended to read as follows;</p> <ul style="list-style-type: none"> o All car share spaces must be accessible by residents 7 days of the week, 24 hours or the day. | <p>Agreed.</p> |

