



ORDER OF BUSINESS

- Attendance, Apologies,
 Declarations of Interests
- 1 Confirmation of Minutes
- 2 General Business
- 3 Development Applications

HUNTER'S HILL COUNCIL LOCAL PLANNING PANEL 23 May 2024

INDEX

1 – CONFIRMATION OF MINUTES

- 1 Confirmation of Minutes of Local Planning Panel 2 held 28 March 2024
- 2 GENERAL BUSINESS
- 3 DEVELOPMENT APPLICATIONS
 - 3.1 7-11 Ryde Road, Hunters Hill

1

tem Page 3

COMMENCEMENT

The meeting opened at 11.10am.

IN ATTENDANCE

Peter Tomasetti SC Chairperson
John McInerney Expert Member
Eugene Sarich Expert Member

Barry Buffier Community Representative

ALSO PRESENT

Steve Kourepis Director, Town Planning

Michael Brewer Town Planner
Kieran Metcalfe Strategic Planner

Sarah Jenkins Town Planning Coordinator

APOLOGIES

No apologies were received.

DECLARATIONS OF INTEREST

The Chair called for Declarations of Interest without response.

CONFIRMATION OF MINUTES

004/24 RESOLVED on the MOTION of Peter Tomasetti SC, seconded Mr Buffier

That the Minutes of Local Planning Panel of previous Meeting held on 28/02/2024 be adopted.

GENERAL BUSINESS

2.1 REVIEW OF HUNTERS HILL LOCAL ENVIRONMENTAL PLAN 2012

PROCEEDINGS IN BRIEF

Ross Williams addressed the meeting and outlined his concerns regarding whether the proposal is more than just housekeeping, lack of incorporation of community concerns, garden area and tree canopy, tree protection and conservation areas. The inclusion of FSR is a positive.

Jim Sanderson addressed the meeting and is generally supportive of the

Jim Sanderson addressed the meeting and is generally supportive of the amendments. However Mr Sanderson stated that more work is required particularly on excavation and the landscaped area definition.

005/24 RESOLVED on the MOTION of Peter Tomasetti SC, seconded Mr McInerney
The Panel resolved that:

1. The LPP advises Council that it supports the attached Planning Proposal being referred to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979.

RECORD OF VOTING		
For	Against	
Chairperson Mr Peter Tomasetti SC	Mr Barry Buffier	
Mr Eugene Sarich		
Mr John McInerney		

DEVELOPMENT APPLICATIONS

3.1 LOT 2, NATIONAL PARK, OFF VICTORIA ROAD, GLADESVILLE

PROCEEDINGS IN BRIEF

Mr Phillip Bradley addressed the meeting and outlined his support for a swimming area but objects to the current proposal due to lack of consultation and the remediation aspects. Mr Bradley also provided some draft recommended conditions to the Panel. Mr Chris Mutton addressed the meeting and is supportive of a swim site. However, he outlined his concerns with the lack of community consultation and the resulting disadvantage in the design to users of the site. Mr Mutton also highlighted the heritage significance of the site. Mr Mutton requested the Panel to impose additional conditions which he provided in writing.

RECOMMENDATION

That:

Development Application No. 20230141 for the construction of a swim site at Lot 2 in DP 877893 and part of the bed of the Parramatta River abutting Lot 2 DP 877893, off Victoria Road, Gladesville be determined by the grant of development consent, subject to the following conditions:

Standard Conditions

GEN 0

GEN1

GEN3:

Drawing	Date	Drawn By	Title
Number/			
Revision			

S00 Issue F	230328	Land and Marine	General Notes and
		Engineering Consulting	Specification
S01 Issue F	230328	Land and Marine	Specification
		Engineering Consulting	
S02 Issue F	230328	Land and Marine	Existing Site and
		Engineering Consulting	Demolition Plan
S03 Issue F	230328	Land and Marine	General
		Engineering Consulting	Arrangement
S20 Issue F	230328	Land and Marine	Sections
		Engineering Consulting	
S30 Issue F	230328	Land and Marine	Sections and
		Engineering Consulting	Elevations
S90 Issue F	230328	Land and Marine	Seawall Plan and
		Engineering Consulting	Details
S91 Issue F	230328	Land and Marine	Seawall Temporary
		Engineering Consulting	Works

Document	Prepared By	Dated
Statement of Environmental Effects, Version 4	Eco-Logical Australia	10 February 2024
Marine Habitat Assessment, April 2023	Sea Dragon Diving Co.	April 2023
Bedlam Bay Swimming Enclosure Statement of Heritage Impact	Eco-Logical Australia	9 February 2024
Bedlam Bay Aboriginal Heritage Due Diligence Assessment	Eco-Logical Australia	9 February 2024
Bedlam Bay Swimming Enclosure Biodiversity Assessment Report	Eco-Logical Australia	7 November 2023
Human Health Risk Assessment: Bedlam Bay Ref: SW/22/BBR001-A	En Risks	29 March 2022

GEN 5,6, 7

PCC0, 1 (\$ 1250.00)

PCC7, 15, 20, 21, 32, 67

PCW0, 1, 2, 3, 4, 5, 6

CON0, 1, 2, 4, 5, 11,70, 71,

POC0, 1, 2, 22, 24

Other specific conditions:

Vegetation Management Plan

Prior to the issue of a Construction Certificate, a Vegetation Management Plan shall be prepared by a suitably qualified professional for the development site. This plan should address weed control and landscape revegetation. Further local indigenous plantings are recommended to improve habitat connectivity as well as using a staged approach to weed removal to protect weed habitat used by small passerine birds.

Aboriginal Objects- general measures and unexpected finds

Aboriginal objects are protected under the NPW Act regardless if they are registered on AHIMS or not. If suspected Aboriginal objects, such as stone artefacts are located during future works, works must cease in the affected area and an archaeologist called in to assess the finds. If the finds are found to be Aboriginal objects, Heritage NSW must be notified under section 89A of the NPW Act. Appropriate management and avoidance or approval under a section 90 AHIP should then be sought if Aboriginal objects are to be moved or harmed.

In the extremely unlikely event that human remains are found, works should immediately cease, and the NSW Police should be contacted. If the remains are suspected to be Aboriginal, Heritage NSW may also be contacted at this time to assist in determining appropriate management.

European Cultural Heritage

- Contractors working on the site should be given a brief heritage induction and be made aware of their obligations in regard to the statutory requirement for the work in compliance with the Bedlam Bay Archaeological and Cultural Landscape Management Plan.
- Historical materials recovered should be reused where possible.
- The sandstone retaining wall should be stabilised/ or reconstructed to ensure suitable location for fastening the swimming net and as recommended by the Bedlam Bay Archaeological and Cultural Landscape Management Plan.

Unexpected finds procedure

An 'unexpected heritage find' can be defined as any unanticipated archaeological discovery, that has not been previously assessed or is not covered by an existing approval under the Heritage Act 1977 not been previously assessed or is not covered by an existing approval under the Heritage Act 1977 (Heritage Act) or National Parks and Wildlife Act 1974 (NPW Act). These discoveries are categorised as either:

- Aboriginal objects (archaeological remains i.e.: stone tools),
- Historic (non-Aboriginal) heritage items (archaeological remains (i.e. artefacts) or movable objects),
- Human skeletal remains.

Should any unexpected historical archaeology be uncovered during any future excavation works, the following procedure must be adhered to:

- Stop all work in the immediate area of the item and notify the Project Manager.
- Establish a 'no-go zone' around the item. Use high visibility fencing, where

practical. Inform all site personnel about the no-go zone.

- No work is to be undertaken within this zone until further investigations are completed.
- Engage a suitably qualified and experienced Archaeologist to assess the finds.
- The Heritage Council must be notified if the finds are of local or state significance. Additional approvals will be required before works can recommence on site.
- If the item is assessed as not a 'relic', a 'heritage item' or an 'Aboriginal object' by the Archaeologist, work can proceed with advice provided in writing.

General Safeguards

The General Safeguards identified in Section 4 of the Statement of Environmental Effects shall be incorporated into any documentation required by this consent (such as a plan of management) where they do not conflict with any other statutory requirement or condition of this consent. Prior to the issue of a construction certificate, the applicant shall provide the PCA with a document demonstrating how these measures have been incorporated.

The following specific Conditions imposed by the National Parks and Wildlife Services:

- No access, construction or ancillary works are permitted to land reserved under the NSW National Parks and Wildlife Act 1974 as the Parramatta River Regional Park (as Lot 2 DP877893 or Lot 876 DP811359) under this consent.
- Access to Parramatta River Regional Park is only permitted where it is authorised by, or under the NSW National Parks and Wildlife Act 1974. The applicant is to request access via the NPWS Manager, North Western Sydney Area via npws.northwesternsydney@environment.nsw.gov.au.
- No works to the sandstone seawall (retaining wall), stone steps and any ancillary construction (including demolition) is permitted under this consent if those works will directly, or indirectly affect elements on the Parramatta River Regional Park above the mean high water mark. These works can only commence once the Review of Environmental Factors: Bedlam Bay Swimming Enclosure, prepared by Ecological Australia Pty Ltd has been finalised, determined and authorised under the NSW National Parks and Wildlife Act 1974.
- A site-specific Construction Environment Management Plan (CEMP) must be prepared and approved prior to commencing construction works. The CEMP is to ensure sufficient environmental safeguards and measures are in place to avoid access, or damage to the Parramatta River Regional Park, ensuring the project interface is adequately managed. Consultation with the NSW National Parks and Wildlife Service is mandatory during the preparation of the CEMP as the adjoining land manager, refer to the NPWS Manager, North Western Sydney Area via npws.northwesternsydney@environment.nsw.gov.au.
- The CEMP shall cover, but is not limited to:
 - a. application of hygiene protocols to minimise, and limit risk of propagule and pathogen dispersal in accordance with the Saving our Species 'Hygiene Guidelines for Wildlife' (as https://www.environment.nsw.gov.au/research-

and-publications/publications%20search/hygiene-guidelines.

- b. ensure clear demarcation of the regional park gazetted boundary is in place at all times, during demolition, construction or any other works to limit the risk of encroachment, unless permitted or authorised by, or under the NSW National Parks and Wildlife Act 1974.
- c. regional park interface protection with the application of the Australian Standard 4970-2009 Protection of trees on development sites and the establishment of Tree Protection Zones (TPZ) to conserve native vegetation1 on the Parramatta River Regional Park, above the mean high tide mark. No clearing2 is permitted on the regional park under this consent.
- d. adequate erosion and sediment controls are to be in place for works posed in the intertidal zone on the interface with the regional park, to prevent damage during access to, demolition of and construction.
- e. clear protocols are to be provided in the event of unexpected finds involving Aboriginal objects, and heritage items (and relics) which includes notification to Enviroline 131555, includes steps covering the immediate cessation of all works and securing of the site. Steps and triggers alerting Heritage NSW and any other relevant agencies (with provision of contact details), including the **NPWS** Manager, North Western Sydney Area npws.northwesternsydney@environment.nsw.gov.au if objects, heritage items are unearthed on the interface of the regional park, or are objects or items form a continuation of values which extend onto the Parramatta River Regional Park.
- f. clear protocols around the archiving, management, recording (including data storage) reuse or relocation of heritage values (items and relics) proposed to be modified, or those extracted, or unearthed during construction or cleaning of the river or seafloor. The protocols are to cover seawall reconstruction, and any sandstone blocks, shelter or wooden elements forming part of the former bathing precinct. As the bathing precinct (above mean high water mark) and evidence of the 1860s bathing structures retains a high significance under the Parramatta River Regional Park Plan of Management3 (NPWS 2015).
- A site-specific Foreshore Operational Management Plan (FOMP) is to be prepared with NSW National Parks and Wildlife Service as a key stakeholder, refer to the NPWS Manager, North Western Sydney Area via npws.northwesternsydney@environment.nsw.gov.au.
- The FOMP shall cover, but is not limited to:
 - a. foreshore management protocols, between NSW National Parks and Wildlife Service, Hunters Hill Council and Transport for NSW (Maritime) around the maintenance, monitoring, cleaning, and clearing of rubbish and marine debris to ensure appropriate management of the enclosure and its immediate surrounds occurs.
 - b. monitoring framework around visitor use, including access and parking, post installation of the swimming enclosure to ensure the activation of the site as a recreational opportunity is managed and localised issues, constraints or any

damage to or degradation of regional park values are managed.

- c. signage installation (location, design, content etc) and its management in accordance with actions stated in the SEE, include authorisation requirements under the NSW National Parks and Wildlife Act 1974 or Regulation.
- d. heritage management protocols associated with the heritage items removed during construction and seafloor cleaning and their reuse, cultural landscape enhancement and interpretation. Include consultation with NSW National Parks and Wildlife Service and authorisation requirements under the NSW National Parks and Wildlife Act 1974 or Regulation if these are to be established on the Parramatta River Regional Park.

The following General Terms of Approval to be imposed by DPI Fisheries, pursuant to s.4.47(3) of the Environmental Planning and Assessment Act 1979:

- 1. Environmental safeguards (silt curtains, booms etc.) are to be used during construction to ensure that there is no escape of turbid plumes into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms;
- 2. The proponent must apply for and obtain a Part 7 permit for harm marine vegetation under the FM Act from DPI Fisheries prior to any works on site. Permit application forms are available from the DPI Fisheries website at: https://www.dpi.nsw.gov.au/fishing/habitat/help/permit; and
- 3. Prior to works commencing, the proponent must prepare a comprehensive monitoring program for assessing the health of the seagrass bed in relation to potential ongoing impacts. The monitoring program must be agreed to by DPI Fisheries and include negotiated mitigation measures and offset strategies in the event that any damage to the seagrass beds can be attributed to the ongoing activities. "

A MOTION was moved by Mr John McInerney seconded by Mr Barry Buffier that:

The matter be deferred for further Council consideration of the location of the net in the western end of the sector. In addition, a risk assessment is to be undertaken of the project.

RECORD OF VOTING		
For Against		
Mr John McInerney Mr Peter Tomasetti SC		
Mr Barry Buffier Mr Eugene Sarich		

Mr Tomasetti SC applied his casting vote as chairperson.

The MOTION was NOT CARRIED.

An AMENDMENT was moved by Mr Eugene Sarich that:

An additional condition be added to the recommendation in the report, being:

That provision be made for a historic interpretation sign for the public understanding of the heritage significance of the site.

RECORD OF VOTING		
For Against		
Mr Peter Tomasetti SC Mr John McInerney		
Mr Eugene Sarich	Mr Barry Buffier	

Mr Tomasetti SC applied his casting vote as chairperson.

The AMENDMENT was CARRIED.

006/24 RESOLVED on the MOTION of Mr Tomasetti SC, seconded Mr Sarich

That:

Development Application No. 20230141 for the construction of a swim site at Lot 2 in DP 877893 and part of the bed of the Parramatta River abutting Lot 2 DP 877893, off Victoria Road, Gladesville be determined by the grant of development consent, subject to the following conditions:

Standard Conditions

GEN 0

GEN1

GEN3:

Drawing Number/	Date	Drawn By	Title
Revision			
S00 Issue F	230328	Land and Marine	General Notes and
		Engineering Consulting	Specification
S01 Issue F	230328	Land and Marine	Specification
		Engineering Consulting	
S02 Issue F	230328	Land and Marine	Existing Site and
		Engineering Consulting	Demolition Plan
S10 Issue F	230328	Land and Marine	General
		Engineering Consulting	Arrangement
S20 Issue F	230328	Land and Marine	Sections
		Engineering Consulting	
S30 Issue F	230328	Land and Marine	Sections and
		Engineering Consulting	Elevations
S90 Issue F	230328	Land and Marine	Seawall Plan and
		Engineering Consulting	Details
S91 Issue F	230328	Land and Marine	Seawall Temporary

Document	Prepared By	Dated
Statement of Environmental Effects, Version 4	Eco-Logical Australia	10 February 2024
Marine Habitat Assessment, April 2023	Sea Dragon Diving Co.	April 2023
Bedlam Bay Swimming Enclosure Statement of Heritage Impact	Eco-Logical Australia	9 February 2024
Bedlam Bay Aboriginal Heritage Due Diligence Assessment	Eco-Logical Australia	9 February 2024
Bedlam Bay Swimming Enclosure Biodiversity Assessment Report	Eco-Logical Australia	7 November 2023
Human Health Risk Assessment: Bedlam Bay Ref: SW/22/BBR001-A	En Risks	29 March 2022

GEN 5,6,7

PCC0, 1 (\$ 1250.00)

PCC7, 15, 20, 21, 32, 67

PCW0, 1, 2, 3, 4, 5, 6

CON0, 1, 2, 4, 5, 11,70, 71,

POC0, 1, 2, 22, 24

Other specific conditions:

Vegetation Management Plan

Prior to the issue of a Construction Certificate, a Vegetation Management Plan shall be prepared by a suitably qualified professional for the development site. This plan should address weed control and landscape revegetation. Further local indigenous plantings are recommended to improve habitat connectivity as well as using a staged approach to weed removal to protect weed habitat used by small passerine birds.

Aboriginal Objects- general measures and unexpected finds

Aboriginal objects are protected under the NPW Act regardless if they are registered on AHIMS or not. If suspected Aboriginal objects, such as stone artefacts are located during future works, works must cease in the affected area and an archaeologist called in to assess the finds. If the finds are found to be Aboriginal objects, Heritage NSW must be notified under section 89A of the NPW Act. Appropriate management and avoidance or approval under a section 90 AHIP should then be sought if Aboriginal objects are to be moved or harmed.

In the extremely unlikely event that human remains are found, works should immediately cease, and the NSW Police should be contacted. If the remains are suspected to be Aboriginal, Heritage NSW may also be contacted at this time to assist in determining appropriate management.

European Cultural Heritage

- Contractors working on the site should be given a brief heritage induction and be made aware of their obligations in regard to the statutory requirement for the work in compliance with the Bedlam Bay Archaeological and Cultural Landscape Management Plan.
- Historical materials recovered should be reused where possible.
- The sandstone retaining wall should be stabilised/ or reconstructed to ensure suitable location for fastening the swimming net and as recommended by the Bedlam Bay Archaeological and Cultural Landscape Management Plan.

Unexpected finds procedure

An 'unexpected heritage find' can be defined as any unanticipated archaeological discovery, that has not been previously assessed or is not covered by an existing approval under the Heritage Act 1977 not been previously assessed or is not covered by an existing approval under the Heritage Act 1977 (Heritage Act) or National Parks and Wildlife Act 1974 (NPW Act). These discoveries are categorised as either:

- Aboriginal objects (archaeological remains i.e.: stone tools),
- Historic (non-Aboriginal) heritage items (archaeological remains (i.e. artefacts) or movable objects),
- Human skeletal remains.

Should any unexpected historical archaeology be uncovered during any future excavation works, the following procedure must be adhered to:

- Stop all work in the immediate area of the item and notify the Project Manager.
- Establish a 'no-go zone' around the item. Use high visibility fencing, where practical. Inform all site personnel about the no-go zone.
- No work is to be undertaken within this zone until further investigations are completed.
- Engage a suitably qualified and experienced Archaeologist to assess the finds.
- The Heritage Council must be notified if the finds are of local or state significance. Additional approvals will be required before works can recommence on site.
- If the item is assessed as not a 'relic', a 'heritage item' or an 'Aboriginal object' by the Archaeologist, work can proceed with advice provided in writing.

General Safeguards

The General Safeguards identified in Section 4 of the Statement of Environmental Effects shall be incorporated into any documentation required by this consent (such as a plan of management) where they do not conflict with any other

statutory requirement or condition of this consent. Prior to the issue of a construction certificate, the applicant shall provide the PCA with a document demonstrating how these measures have been incorporated.

The following specific Conditions imposed by the National Parks and Wildlife Services:

- No access, construction or ancillary works are permitted to land reserved under the NSW National Parks and Wildlife Act 1974 as the Parramatta River Regional Park (as Lot 2 DP877893 or Lot 876 DP811359) under this consent.
- Access to Parramatta River Regional Park is only permitted where it is authorised by, or under the NSW National Parks and Wildlife Act 1974. The applicant is to request access via the NPWS Manager, North Western Sydney Area via npws.northwesternsydney@environment.nsw.gov.au.
- No works to the sandstone seawall (retaining wall), stone steps and any ancillary construction (including demolition) is permitted under this consent if those works will directly, or indirectly affect elements on the Parramatta River Regional Park above the mean high water mark. These works can only commence once the Review of Environmental Factors: Bedlam Bay Swimming Enclosure, prepared by Ecological Australia Pty Ltd has been finalised, determined and authorised under the NSW National Parks and Wildlife Act 1974.
- A site-specific Construction Environment Management Plan (CEMP) must be prepared and approved prior to commencing construction works. The CEMP is to ensure sufficient environmental safeguards and measures are in place to avoid access, or damage to the Parramatta River Regional Park, ensuring the project interface is adequately managed. Consultation with the NSW National Parks and Wildlife Service is mandatory during the preparation of the CEMP as the adjoining land manager, refer to the NPWS Manager, North Western Sydney Area via npws.northwesternsydney@environment.nsw.gov.au.
- The CEMP shall cover, but is not limited to:
 - a. application of hygiene protocols to minimise, and limit risk of propagule and pathogen dispersal in accordance with the Saving our Species 'Hygiene Guidelines for Wildlife' (as https://www.environment.nsw.gov.au/research-and-publications/publications%20search/hygiene-guidelines.
 - b. ensure clear demarcation of the regional park gazetted boundary is in place at all times, during demolition, construction or any other works to limit the risk of encroachment, unless permitted or authorised by, or under the NSW National Parks and Wildlife Act 1974.
 - c. regional park interface protection with the application of the Australian Standard 4970-2009 Protection of trees on development sites and the establishment of Tree Protection Zones (TPZ) to conserve native vegetation1 on the Parramatta River Regional Park, above the mean high tide mark. No clearing2 is permitted on the regional park under this consent.
 - d. adequate erosion and sediment controls are to be in place for works posed in the intertidal zone on the interface with the regional park, to prevent damage during access to, demolition of and construction.

- e. clear protocols are to be provided in the event of unexpected finds involving Aboriginal objects, and heritage items (and relics) which includes notification to Enviroline 131555, includes steps covering the immediate cessation of all works and securing of the site. Steps and triggers alerting Heritage NSW and any other relevant agencies (with provision of contact details), including the **NPWS** Manager, North Western Sydney Area via npws.northwesternsydney@environment.nsw.gov.au if the Aboriginal objects, heritage items are unearthed on the interface of the regional park, or are objects or items form a continuation of values which extend onto the Parramatta River Regional Park.
- f. clear protocols around the archiving, management, recording (including data storage) reuse or relocation of heritage values (items and relics) proposed to be modified, or those extracted, or unearthed during construction or cleaning of the river or seafloor. The protocols are to cover seawall reconstruction, and any sandstone blocks, shelter or wooden elements forming part of the former bathing precinct. As the bathing precinct (above mean high water mark) and evidence of the 1860s bathing structures retains a high significance under the Parramatta River Regional Park Plan of Management3 (NPWS 2015).
- A site-specific Foreshore Operational Management Plan (FOMP) is to be prepared with NSW National Parks and Wildlife Service as a key stakeholder, refer to the NPWS Manager, North Western Sydney Area via npws.northwesternsydney@environment.nsw.gov.au.
- The FOMP shall cover, but is not limited to:
 - a. foreshore management protocols, between NSW National Parks and Wildlife Service, Hunters Hill Council and Transport for NSW (Maritime) around the maintenance, monitoring, cleaning, and clearing of rubbish and marine debris to ensure appropriate management of the enclosure and its immediate surrounds occurs.
 - b. monitoring framework around visitor use, including access and parking, post installation of the swimming enclosure to ensure the activation of the site as a recreational opportunity is managed and localised issues, constraints or any damage to or degradation of regional park values are managed.
 - c. signage installation (location, design, content etc) and its management in accordance with actions stated in the SEE, include authorisation requirements under the NSW National Parks and Wildlife Act 1974 or Regulation.
 - d. heritage management protocols associated with the heritage items removed during construction and seafloor cleaning and their reuse, cultural landscape enhancement and interpretation. Include consultation with NSW National Parks and Wildlife Service and authorisation requirements under the NSW National Parks and Wildlife Act 1974 or Regulation if these are to be established on the Parramatta River Regional Park.

The following General Terms of Approval to be imposed by DPI Fisheries, pursuant to s.4.47(3) of the Environmental Planning and Assessment Act 1979:

1. Environmental safeguards (silt curtains, booms etc.) are to be used during construction to ensure that there is no escape of turbid plumes into the

- aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms;
- 2. The proponent must apply for and obtain a Part 7 permit for harm marine vegetation under the FM Act from DPI Fisheries prior to any works on site. Permit application forms are available from the DPI Fisheries website at: https://www.dpi.nsw.gov.au/fishing/habitat/help/permit; and
- 3. Prior to works commencing, the proponent must prepare a comprehensive monitoring program for assessing the health of the seagrass bed in relation to potential ongoing impacts. The monitoring program must be agreed to by DPI Fisheries and include negotiated mitigation measures and offset strategies in the event that any damage to the seagrass beds can be attributed to the ongoing activities. "

Additional Condition imposed by LPP

That provision be made for a historic interpretation sign for the public understanding of the heritage significance of the site.

RECORD OF VOTING		
For Against		
Mr Peter Tomasetti SC Mr John McInerney		
Mr Eugene Sarich Mr Barry Buffier		

Mr Tomasetti SC applied his casting vote as chairperson.

The MOTION was CARRIED.

The meeting closed at 1.10pm.

ITEM NO : 3.1

SUBJECT : 7-11 RYDE ROAD, HUNTERS HILL

STRATEGIC OUTCOME : DEVELOPMENT APPLICATION, REGULATION AND

MONITORING SERVICES ARE STREAMLINED

ACTION : DEVELOPMENT APPLICATIONS (DAS) ARE PROCESSED IN

ACCORDANCE WITH SERVICE STANDARDS

REPORTING OFFICER : MICHAEL BREWER

DEVELOPMENT APPLICATION NO

20230164

PROPOSAL DEMOLITION OF EXISTING STRUCTURES AND

CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT COMPRISING OF A RESIDENTIAL FLAT BUILDING

CONTAINING 8 UNITS AND MULTI-DWELLING HOUSING PROVIDING 5 TOWNHOUSE DWELLINGS ERECTED OVER SINGLE LEVEL BASEMENT PARKING UPON LAND AT 7-11

RYDE ROAD, HUNTERS HILL. THE PROPOSAL ALSO INCLUDES THE CONSOLIDATION OF THE SUBJECT ALLOTMENTS INTO A SINGLE DEVELOPMENT SITE.

APPLICANT ANNABEL TURNER, MINTO PLANNING

OWNER TOMMADO INVESTMENTS PTY LTD & JWR818 PTY LTD &

JMJ CO INVEST PTY LTD & GANAPATHY PTY LTD

DATE LODGED 8 JANUARY 2024

Ref:702105

1. SUMMARY

Reason for Report

The application is reported to the Local Planning Panel as a result of the number of submissions received by Council to the proposal.

Key Issues

The assessment of the proposal has identified these potential impacts as being grouped generally into the following:

- Impacts on the Heritage Conservation Area.
- Bulk, scale and external appearance as well as compatibility with the streetscape.

Impacts on residential amenity.

Submissions

A total of ten (10) submissions were received in response to the public notification of the proposal. Key issues raised in the submissions relate to:

- Inadequate Site Analysis and consideration of the location of open spaces and living areas on adjoining properties.
- Non-compliances with HHLEP 2012: aims, height, FSR and interpretation of Clause
 4.4A.
- Non-compliances with HHDCP 2013: objectives, controls for the Ryde Road Precinct, landscaped area, built form and facades, general character, rear boundary setbacks.
- Excessive height, bulk and scale, inadequate setbacks and incompatibility with existing streetscape and garden character.
- Lack of adequate landscaping and failure to provide sufficient detail in the drawings.
- Traffic and parking: insufficient parking, impact on morning peak hour, impacts on traffic flows during construction.
- Noise generated by the proposal and associated traffic.
- Potential for damage to adjoining properties during demolition and construction.
- Loss of vegetation and mature tree canopies.
- Loss of privacy with the rear townhouses having a direct view into the bedroom, living areas and garden of No. 17 Ryde Road and properties in Avenue Road adjoining the Site.
- Overshadowing of adjoining properties, including the living areas and garden of No. 17
 Rvde Road.
- Management of asbestos during demolition.
- The proposal does not provide for a future right of way for the intended redevelopment of No. 5 Ryde Road, which was included in the consent for the previous residential development over 7-9 Ryde Road.
- Lack of adequate information regarding contamination, compliance with SEPP Housing 2021, waste management.

Comments from Council's internal departments and the Conservation Advisory Panel are as follows:

Tree and Landscape Consultant: Raises concerns regarding the adequacy and size/volume
of the proposed landscaping beds, the impact of the proposed works on a significant Hills

Weeping Fig and overall adequacy of the submitted landscape plans.

• Conservation Advisory Panel: The proposal shows similar flaws to a previous development with respect to the compatibility with the streetscape, impact on adjoining properties, inadequate setbacks to provide significant plantings, potential impact on a significant Blue Gum tree which has landmark significance, lack of detail in the external materials and colours, unacceptable impact in terms of the external appearance and location of private open spaces along Ryde Road, with likely treatments affecting the streetscape.

- Heritage Advisor: No specific objections raised to the proposal, however notes that the original windows, doors, fireplaces/surrounds/mantles within the three dwellings to be demolished must be salvaged. Additionally, it has been noted that the present planning controls provide for the irrevocable change to the character of this part of the conservation area through the replacement of the existing low scale housing with higher density development. Furthermore, it was noted that the impact on the heritage items located to the rear of the subject site would be acceptable on the basis that the rear setback was sufficient to provide space for large trees to the satisfaction of Council's landscape architects.
- Development Engineer: Raises a number of concerns, noting that the stormwater concept plan is missing consistent/ complete information relating to the BASIX commitments, rainwater reuse (schematics), collection and storage details, access to the OSD tank, connection and drainage of the basement; the proposal will result in unacceptable and continuous sub-surface seepage onto the public road drainage system; vehicular egress from the Site and provision of a median to prevent right turns; adequacy of the size of parking spaces and compliance with AS/NZS 2890.1:2004; use of stacked car parking; lack of dedicated disabled parking spaces; and the provision of an inter-allotment drainage easement to facilitate the future drainage needs of the properties behind the Site.
- Sustainability and Waste Coordinator: Raises a number of concerns regarding the internal layout of the development with respect to the Basement Bin storage area, ground floor temporary Bin Holding Area, bulky waste storage area and the bin carting path.

Recommendation

The application is recommended for refusal.

2. DESCRIPTION OF SITE AND LOCALITY

The proposal relates to land legally described as Lots 2, 3 and 4 in DP 7691 and known as Nos. 7, 9 and 11 Ryde Road, respectively.

The combined site has a total site area of 1,963.55m² with a total frontage of 36.57m to Ryde Road and a depth of approximately 54m. This is comprised as follows:

• 7 Ryde Road: has a site area of 663.9m² with a maximum width of approximately

12.19m and a maximum depth of 55.49m.

• 9 Ryde Road: has a site area of 651.3m² with a maximum width of approximately 12.19m and a maximum depth of 54.38m.

• 11 Ryde Road: has a site area of 630.6m² with a maximum width of approximately 12.192m and a maximum depth of 53.25m.

The Site lies within a band of land zoned R3 – Medium Density Residential which sits to the west of Fig Tree Park and the Hunters Hill town centre. Buildings on the northern side of this section of Ryde Road are generally detached dwellings of one and two storeys in height. The Hunters Hill town centre, which is zoned E1 – Local Centre contains buildings that are generally 2-3 storeys in height. The land to the rear of the site is zoned R2 – Low Density Residential and supports detached dwelling houses.

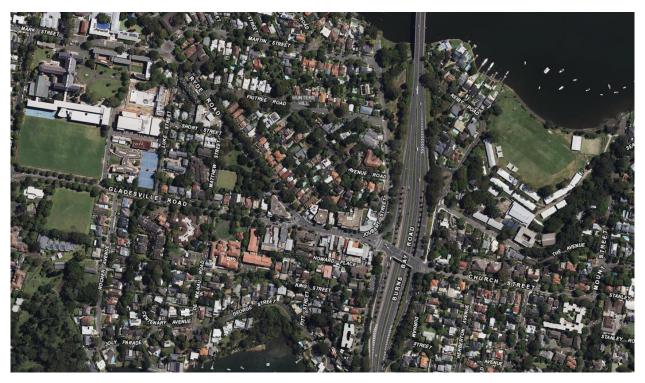
FIGURE 1 - SITE PLAN



(SOURCE: SIX MAPS 2024)

DEVELOPMENT APPLICATIONS 23 May 2024

FIGURE 2 – LOCALITY PLAN



(SOURCE: SIX MAPS 2024)

3. DESCRIPTION OF PROPOSAL

The application proposes to undertake the following:

- Demolish all existing structures on the three allotments.
- Construction of a residential development comprising of a residential flat building containing 8 units and multi-dwelling housing providing for 5 townhouse dwellings erected over single level of basement parking.
- Consolidation of the allotments.

Further details of the proposal are as follows:

BASEMENT:

The proposed basement is to be accessed from Ryde Road via a double width driveway, which narrows down to a single width entry point into the basement. This configuration on the architectural drawings however differs to the Landscape Concept Plan, which shows a separate in and out crossing, with a waiting bay located in the entry lane to provide priority for existing vehicles. The plans also indicate a roller shutter is to be installed across the car park entry point for security purposes although no intercom/ entry fob has been detailed. The basement configuration includes the following:

 A services room, accessible toilet bike rack and hydrant room with stair access to ground level above.

- A bulk waste storage room and waste storage room.
- A passenger lift to the ground floor above.
- A second pedestrian staircase to the ground floor above.
- An access corridor leading to a second services room.
- Three (3) visitor car parking spaces
- Eight (8) open resident parking spaces in a tandem arrangement with resident storage area.
- Six (6) small areas designated as "B.Store" (assuming these are storage areas for bulky items).
- Five (5) enclosures containing a car parking space, small passenger lift to the ground and first floor of a townhouse above, additional small areas designated as "B.Store" and a sink. Each of these enclosures appear to provide access via a door and a roller shutter, however this is not adequately documented.
- A row of seven (7) resident and one (1) visitor parking spaces lie in from of the five enclosures, serving as de facto "tandem" parking spaces.

Access from the basement also appears to be controlled via a system of traffic lights. The original basement plans included a notation that a future connection was anticipated with the adjoining No. 5 Ryde Road, however an amended basement plan received by Council on xxx May 2024 indicates that this is no longer anticipated.

ABOVE GROUND:

Above ground, the development is essentially comprised of two buildings – a three storey building containing five (5) townhouses (multi-dwelling housing) at the rear of the property, with a three storey residential flat building containing eight (8) apartments occupying the front of the Site. Each of the townhouses and the ground floor units are provided with individual courtyards with the central communal area providing pedestrian access to each building.

Pedestrian access around the Site includes two pathways comprised of spaced stepping stones/ pavers (according to the architectural drawings) or decorative crushed granite according to the landscape plans on either side of the property, a central staircase from the basement connected to a large central paved area and main lobby adjacent to the basement driveway. A roofed temporary bin store is also located centrally within the communal area.

According to the landscape concept plan, the communal area will largely be comprised of a series of planter boxes (which also act as the OSD) and pots. Four recycled brick benches are located within the communal area, however there are no other communal facilities or spaces to allow residents to congregate and socialize.

THE RESIDENTIAL FLAT BUILDING:

This building sits astride the basement carpark driveway with the main pedestrian lobby and lift and a two bedroom apartment (G08) on the ground floor with apartments G06 and G07, both containing two bedrooms located on the northwestern side of the central stairwell. The apartments range in size from 76m² (G07) to 86m² (G08). Each apartment has access to a ground level courtyard on either side of the units.

The first floor consists of apartments 101 (2 bedrooms), 102 (1 bedroom) and 114 (3 bedroom), which range in size from 79m², 61m² and 114m², respectively. All apartments are connected to the central stairwell and lift via an unenclosed walkway.

The second floor contains two x 3 bedroom apartments (201) and 202), which have a floor area of $136m^2$ and $114m^2$, respectively. All apartments above ground level are provided with balconies to both front and rear elevations.

THE MULTIDWELLING HOUSING:

Unlike the apartments in the residential flat building, the multi-dwelling housing contains five (5) dwellings described as "2 bedrooms +flex", split across three levels. The layout of each dwelling is as follows:

Ground:

- Entry, toilet and storage cupboards.
- Stairs and elevator to upper levels.
- Kitchen and combined laundry/ pantry.
- Living/ dining room
- Ground floor rear courtyard.

First Floor:

- Bedroom 2 and storage cupboard.
- Stairs to upper and lower levels and elevator to lower levels.
- Bathroom.
- "Flexible room" depicted as a lounge room and study area with internal void to floor below.

Second Floor:

- Master Bedroom with ensuite and WIR.
- Stairs to lower levels.
- Balcony.

Refer to submitted plans in Attachment 3.

FIGURE 3 – SITE PLAN

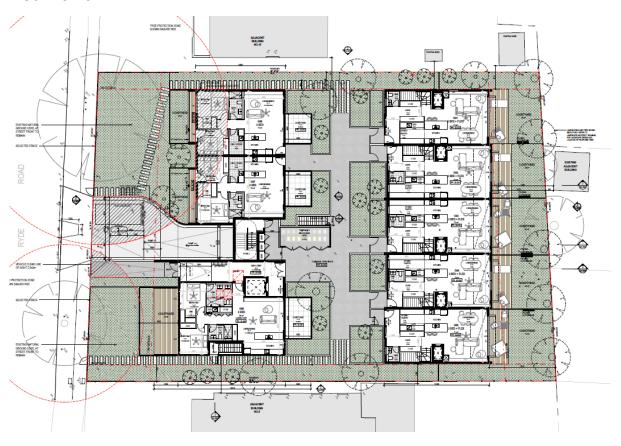


FIGURE 4 - LANDSCAPE CONCEPT

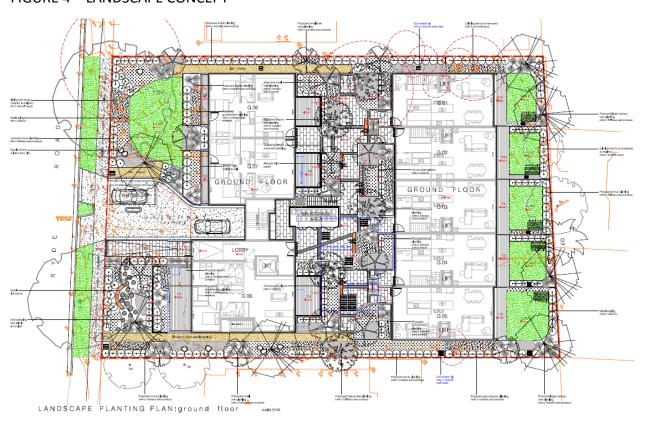


FIGURE 5 – BASEMENT (AMENDED)

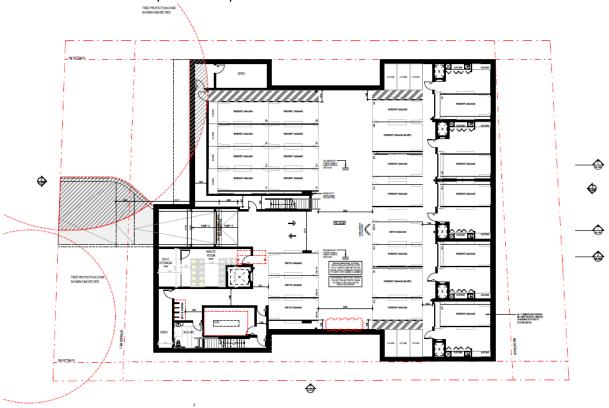
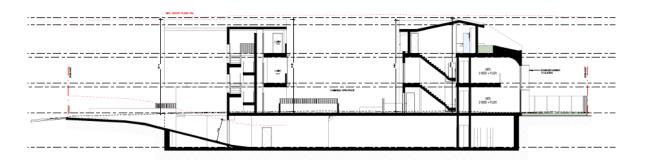


FIGURE 6 – SECTIONS





4. RELEVANT BACKGROUND

On 26 February 2018, Council approved DA 2017/1109 to demolish the existing dwellings on Nos. 7 and 9 Ryde Road and to construct a residential flat building with nine (9) units over two storeys plus attic and 1 ½ levels of basement parking as a 'deferred commencement'.

A section 4.55 modification to delete one condition and reposition the Schedule 1 conditions was approved to form an 'outright' consent on 24 October 2018 by the DCU. A Construction Certificate has never been issued for this particular development however.

Subsequently, Council approved DA2019-1043 for a medium density development containing nine (9) dwellings with basement car park over Nos. 7 and 9 Ryde Road. Originally a Deferred Commencement Consent was issued on 6 May 2020 with a fully operational consent duly granted on 13 April 2021.

The subject DA was lodged on 2 January 2023 with public notification occurring in accordance with Council's policy for a period of 30 days, between 17 January and 16 February 2024.

The author of this report has inspected the site and surrounds and declares that there is no conflict of interest in assessing this application.

5. STATUTORY CONTROLS

Relevant Statutory Instruments

Environmental Planning and Assessment Act, 1979

Hunters Hill LEP 2012 Zone: R3 – Medium Density Residential

SEPP (Biodiversity and Conservation) 2021: Yes

SEPP (Resilience and Hazards) 2021: Yes

Conservation Area: Yes

River Front Area: No

Foreshore building line/area: No

Listed Heritage Item: No

Contributory Building: No

Vicinity of Heritage Item: Yes

Other Relevant Statutory Provisions

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) No

Matters of National Environmental Significance present
 No

Referral to DCCEEW

DEVELOPMENT APPLICATIONS		23 May 2024
NSW Biodiversity Conservation Act 2016 (BC Act)	No	
High Biodiversity Values	No	
Plant Community Types present	No	
Threatened Species Habitat impacted	No	

6. POLICY CONTROLS

Hunters Hill Consolidated Development Control Plan 2013

7. REFERRALS

7.1 Internal Referrals

Tree and Landscape Consultant:

Council's Tree and Landscape Consultant has reviewed the proposal and raises several concerns with respect to:

- The impact of the proposed palisade fence along the street frontage on Tree 18 (*Ficus microcarpa var. hillii* (Hills Weeping Fig)), as well as the metal landscape edging, which is excluded from consideration by the submitted arboricultural impact assessment.
- Tree 18 is currently under assessment by Council's consultants for inclusion on Council's Significant Tree Register.
- The submitted Landscape Plan is only indicative and lacks specific details detail regarding species location, plant size, soil volume and depth (particularly over the basement structure), nor does it demonstrate that the minimum standards for on-structure planting contained in the Apartment Design Guide have been achieved.

Heritage Advisor:

Council's Heritage Advisor has reviewed the proposal and provided the following comments:

Heritage Status

In relation to Hunters Hill Local Environmental Plan 2012 the subject site is:

- not a heritage item
- within a heritage conservation area Hunters Hill HCA C1 ("The Peninsula")
- within the immediate vicinity of several heritage items
 - o 3 Ryde Road House, item no. 1475
 - o 12 Avenue Road House, item no. 165
 - o 20 Avenue Road House "Cressy", formerly "Lennah", item no. 166

•••

Comments

Demolition of the existing houses at 7 and 9 Ryde Road has been previously approved (DA2019-1043). The HIS submitted provides an assessment of significance for 11 Ryde Road and notes its lack of integrity, as well as the lack of significant landscape elements. The HIS states: No. 11 Ryde Road makes some contribution to the Conservation Area because it was erected during the Federation period, one of the key periods of development in Hunters Hill. Its contribution to the Conservation Area has, however, been considerably diminished by the alterations that have been made to the front elevation, which is also partially concealed by a carport. These changes include the enclosure of the front verandah, the painting of the once face brickwork and the replacement of the original roof covering with cement tiles. The contribution that this dwelling once made to the streetscape has been further diminished by the changes made to dwellings within its immediate setting and by the existing approval for the demolition of Nos. 7 and 9 Ryde Road. This assessment is accepted and no objection is raised to the demolition of the existing structures subject to a condition requiring the salvage of original windows, doors, fireplaces/surrounds/mantles and the offer of these to an architectural salvage company.

The proposed new development responds to planning controls that provide for existing low scale housing to be replaced with higher density development in recognition of the location of the site within Hunters Hill village. These planning controls provide for the irrevocable change to the character of this part of the conservation area and the proposal is in keeping with the character of nearby new development approved under the controls. This makes the impact on the setting of the heritage item at 3 Ryde Road acceptable subject to the new development satisfying Council's development controls for the area. (As these controls establish the desired future character.)

The impact of the proposal on the heritage items located to the rear of the subject site is acceptable subject to the rear setback being sufficient to provide space for large trees, the canopies of which will soften the built form as they grow. Council's landscape architects must recommend and condition a tree species as this is not specifically stated on the landscape plan.

The existing large tree in the front garden is noted as to be "protected and retained" on the landscape drawings. This is supported. A condition requiring the protection of the street tree is recommended.

Conservation Advisory Panel:

The Conservation Advisory Panel considered the proposal at its meeting on 21 February 2024. The Panel Minutes recorded the following comments:

- The proposal is similar to the previous and therefore the Panel has similar concerns to those raised previously.
- The proposal does not match the rhythm of the street or fit in with the

streetscape.

• The asymmetrical gables don't fit in. A more visually sedate façade design is recommended.

- Impact on neighbours behind is a concern due to the lack of rear setback. More large trees should be planted in the deep soil area at the rear.
- There is a grave concern about the impact on the Blue gum, a landmark tree important to the area and potentially older than the Fig tree. More information is required in the arborist's report. The borer infestation could be treated. The tree deserves a better classification.
- The proposed materials to be used is not clear. Are solid bricks proposed or brick slips/tiles proposed. This needs to be clarified as solid bricks must be used rather than brick slips/tiles as tiles would result in walls having a character not compatible with the area.
- Private open space located between the proposed building and Ryde Road is likely to result in high hedges or walls that could impact the streetscape. This should be considered.
- The strange diagonal stairs on the rake will be visually obtrusive.
- The gable screen beings set at a different pitch to the roof above is visually awkward.
- Extensive use of cfc sheeting is not in keeping with the solid masonry character of the conservation area.
- There appear to be some odd details eg guttering at the corner.
- The previous comments made by CAP in relation to the proposed development remain relevant.
- The proposal is not supported by CAP.

RECOMMENDATION

That the Panel advise its comments to the Director Town Planning for consideration in the assessment of the development application.

Development Engineer:

Council's Consultant Development Engineer has reviewed the proposal and raises the following concerns:

Stormwater Management

"...

6. There is a BASIX Certificate, submitted with the Application, which requires a central

DEVELOPMENT APPLICATIONS 23 May 2024

- rainwater tank of minimum 6,000L to be collected from a roof area of 343sqm.
- 7. There is a Stormwater Concept Plan, prepared by Telford Civil, submitted in support of this Application.
- 8. Regarding the Stormwater Concept Plan (SCP), the following advice is provided:
 - The BASIX Certificate requires minimum 6,000L of rainwater for re-use. The SCP does not include any rainwater facility for re-use.
 - Therefore a minimum 6,000L rainwater system is to be provided for the site in accordance with BASIX Certificate requirements.
 - A schematic diagram showing the rainwater re-use is to be added to the SCP.
 The schematic is to include the following:-
 - The net storage volume in the tank (excluding the 'sludge' volume)
 - First flush device/s on all inlets going into the rainwater tank.
 - The inlet and outlet pipes feeding into the rainwater re-use system
 - Connections from roof areas only
 - Diversion switch or 'top-up' from the potable mains water supply
 - Signage noting "rainwater not for human consumption"
 - Connection to washing machine/s, toilet/s, and/or external tap/s, etc., as per BASIX Certificate requirements.
 - Please confirm that all access points into the On-site Stormwater Detention (OSD) system are located in common areas and not in private courtyards and are externally accessible outside of buildings and obstructions.
 - Access into the OSD tank must be unimpeded for external personnel to carry out routine inspections and maintenance. This includes for Council officers.
 - Rising main from sump and pump-out pit in the basement is not shown to be drained into the OSD tank. Rising main from the basement pit must go into the OSD tank.
 - The basement area is quite large and it is possible that there will be substantial subsurface water which will be collected by the basement holding sump. The collected seepage water will be discharged to the kerb in Ryde Road which will result in the constant flow of seepage water in the road shoulders. As there is also no concrete gutter, the asphalt pavement will be degraded by the constant flow of seepage water. Therefore, seepage water collected by the basement sump must be taken to an underground public stormwater drainage system to avoid the constant flow of seepage water degrading the road pavement. The seepage water from the basement must be piped to the

nearest underground drainage system in Ryde Road. Alternatively, the seepage water is to go to an absorption system and captured/disposed of on the site. It is noted that there is a property further downstream (No. 58 Gladesville Road) which has a basement carpark and there is seepage water that is frequently pumped to the kerb, with the stormwater pit is approximately 5m from the driveway. Constant flow of seepage water over a long distance in the gutter before it is captured by a drainage pit would not be acceptable.

Traffic/Parking/Access

- 1. ...
- 2. The proposed development will only permit 'left in/left out' given the potential traffic encountered and conflict on Ryde Road, right turning movements are not encouraged. The proposed signage to prevent such movements is not adequate. To ensure compliance with this manoeuvring, the Traffic Report is to be revised to show how right turn movements can be affectively and physically be prevented. It may be necessary to install a concrete median island on Ryde Road to prevent vehicles making right turn movements. Detailed design of this median is to be provided to show that this can be constructed to prevent such right turn movements.
- 3. It is noted that the minimum parking dimensions are 2.4m wide x 5.4m long. These dimensions are for unobstructed parking spaces. Please confirm compliance with AS/NZS 2890.:2004 Section 5.2, Figure 5.1 distance away from columns and Figure 5.2 minimum widths of bays in proximity to obstructions.
- 4. Stacked parking arrangements are not encouraged. The Traffic Report is to be revised to include more information regarding the allocation of parking spaces to each unit or townhouse to ensure that stacked parking spaces are allocated only to the same unit or townhouse. The allocation of stacked parking spaces to separate property owners will not be acceptable.
- 5. Wheel stops will need to be installed on the visitor parking bays and on some resident parking bays adjacent to entry points and near pedestrian paths to prevent vehicles parking outside of the designated parking bay and obstructing access paths and doorways.
- 6. Amend the drawings to read "All parking bays are compliant with AS/NZS 2890.1:2004". The Traffic Engineer shall provide certification as such.
- 7. The proposed carpark does not fully comply with AS/NZS 2890.6, as stated on the plan. Although the proposed height clearance is 2.3, there are no dedicated parking spaces for persons with a disability.

Consolidation of Land

•••

4. The properties behind the existing allotments all fall towards Ryde Road.

Consideration shall be made for the creation of formal drainage easements to allow the properties behind No 7 – 11 Ryde Road opportunity to drain their site in the future. Stormwater inter-allotment drainage easements are to be considered on the consolidated lot.

RECOMMENDATIONS:

The issuing of a development consent is not recommended until the matters as raised above in Stormwater Management, Traffic/Parking/Access and Consolidation of Land has been satisfactory addressed.

Waste and Sustainability Officer:

Council's Waste and Sustainability Officer has reviewed the proposal and raises the following concerns:

- The proposed location of the basement bin storage area is (on average) 20m from the kerbside.
- The bin room is to be redesigned to show:
 - Aisles between bins need to be not less than 1700mm wide
 - Clearance of 300mm between bins
 - All doorways at least 1700mm wide
 - Location of tap and drain
- The Temporary Bin Holding Area (ground floor) is not required and should be removed.
- The doorway of the bulky waste storage areas needs to be widened to a minimum of 1700mm and the room should be redesigned to move the doorway to the wall leading to the driveway to enable more convenient transfer of materials to the kerbside by the Caretaker. Sliding doors would make this layout more practical and safer for any passing vehicles.
- The 1:4 and 1:8 ramp gradients on the driveway designated as the bin carting path are too steep for bin carting. Maximum gradient should be 1:14 for safe carting of bins.

8. ENVIRONMENTAL ASSESSMENT UNDER \$4.15

The relevant matters for consideration under section 4.15 of the *Environmental Planning and Assessment Act 1979* are assessed under the following headings. Where a provision is not relevant to the proposal, it has been omitted from this report.

9. STATE INSTRUMENTS / LEGISLATION

9.1 State Environmental Planning Policies (SEPPs)

The following SEPPs are relevant to this development and apply to the proposal:

SEPP (Biodiversity and Conservation) 2021

The SEPP applies however the submitted Statement of Environmental Effects omits any assessment of the proposal against the provisions.

On 21 November 2022, Chapters 7-12 of the SEPP were repealed, leaving only Chapter 2 - Vegetation in Non-rural Areas and Chapter 6 – Water Catchments, relevant to the proposal. The following assessment is provided in Table 1 below:

TABLE 1 – SEPP (Biodiversity and Conservation) 2021 Assessment:

SEPP (Biodiversity and Conservation) 2021 (BC SEPP)			
RELEVANT PROVISION	COMMENT:	COMPLIANCE:	
	ration in Non-Rural Areas		
Section 2.6	Applies – 19 existing trees affected by the proposal, including those on adjoining properties and within the road reserve. The proposal has not adequately demonstrated that there is sufficient merit to remove the nominated trees. Refer to comments from: Council's Tree and Landscape Consultant. The Conservation Advisory Panel.	YES □ NO ☒	
	oment in Regulated Catchments		
Division 2 – Controls on Development Generally	The Site is located within the Sydney Harbour Catchment. The applicant has failed to demonstrate that the proposal is satisfactory having regard to the relevant matters, as discussed in Tables 2-4 below.	YES □ NO ⊠	

Division 3 –	Land Within 100m of Natural Waterbody	YES 🗆
Controls on Development In	The Site is not within 100m of the nearest waterbody,	NO 🗆
Specific Areas	this being the Lane Cove River	NA 🗵
	Riverine Scenic Areas	YES 🗆
	The Site is not within a designated Riverine Scenic Area.	NO 🗆
		N/A ⊠

TABLE 2 – Clause 6.6 – Water Quality

Criteria		Comment
(1)) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following:	
(a)	whether the development will have a neutral or beneficial effect on the quality of water entering a waterway.	The proposal has not demonstrated this can be achieved.
(b)	whether the development will have an adverse impact on water flow in a natural waterbody.	Although unlikely, given the distance from a water body, the proposal has not demonstrated that it will not adversely affect flows within the Lane Cove River or Sydney Harbour.
(c)	whether the development will increase the amount of stormwater run-off from a site.	The proposal will result in an increase in impervious areas. Council's Development Engineer has raised concerns regarding the submitted stormwater drainage details, noting that there would be a constant discharge of subsurface water from the basement level to the kerb, which is not acceptable.
(d)	whether the development will incorporate on-site stormwater retention, infiltration or reuse	Council's Development Engineer has raised concerns regarding the submitted stormwater drainage details.
(e)	the impact of the development on the level and quality of the water table	The proposal has not provided any assessment in this regard.

Criteria		Comment
(f)	the cumulative environmental impact of the development on the regulated catchment	The proposal has not provided any assessment in this regard.
(g)	whether the development makes adequate provision to protect the quality and quantity of ground water	The proposal has not provided any assessment in this regard.
(2)	Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures:	
(a)	the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial	Council's Development Engineer has raised concerns regarding the submitted stormwater drainage details and the application has not adequately demonstrated the matters in the assessment above have been considered. The Panel cannot be satisfied that water quality and flows are acceptable.
(b)	the impact on water flow in a natural waterbody will be minimised	As above.

TABLE 3 – Clause 6.7 – Aquatic Ecology

Criteria		Comment
(1)	1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following:	
(a)	whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation	Council's Tree and Landscape Consultant has raised several concerns with respect to Tree 18, which is pending inclusion on Council's Significant Tree Register.
(b)	whether the development involves the clearing of riparian vegetation	No riparian vegetation is to be cleared as part of the proposal.

Criteria		Comment
	and, if so, whether the development will require—	
(i)	a controlled activity approval under the Water Management Act 2000, or	
(ii)	a permit under the Fisheries Management Act 1994	
(c)	whether the development will minimise or avoid—	Erosion control measures can be implemented by way of conditions of approval to minimise any
(i)	the erosion of land abutting a natural waterbody, or	potential impacts.
(ii)	the sedimentation of a natural waterbody	
(d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area		No wetlands present.
(e)	whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology	Adequate measures can be implemented by way of conditions of approval to minimise any potential impacts.
(f)	if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.	The Site does not adjoin a natural waterbody.
(2)	(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following:	
(a)	the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or	The CAP have noted that the retention of a significant Blue Gum tree has not been adequately addressed from a heritage context.

	Criteria	Comment
	vegetation will be kept to the minimum necessary for the carrying out of the development	
(b)	the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves	The proposal is not anticipated to affect any aquatic reserves, however the application and it's supporting documentation do not demonstrate this.
(c)	if a controlled activity approval under the Water Management Act 2000 or a permit under the Fisheries Management Act 1994 is required in relation to the clearing of riparian vegetation—the approval or permit has been obtained	N/A – A Controlled Activity Approval is not required.
(d)	the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised	N/A
(e)	the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised	N/A

TABLE 4 – Clause 6.9 – Recreation and Public Access

Criteria		Comment
(1)	In deciding whether to grant deve regulated catchment, the consent	elopment consent to development on land in a a authority must consider:
(a)	the likely impact of the development on recreational land uses in the regulated catchment	The proposal will not affect any recreational landuses.

	Criteria	Comment
(b)	whether the development will maintain or improve public access to and around foreshores without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation.	N/A – the Site does not adjoin the foreshore.
(2)		e granted to development on land in a regulated hority is satisfied of the following:
(a)	the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing, swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation	The proposal does not prevent access to any waterway.
(b)	new or existing points of public access between natural waterbodies and the site of the development will be stable and safe	N/A
(c)	if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership—public access to and use of the land will be safeguarded.	N/A

SEPP (Resilience and Hazards) 2021 (R & H SEPP)

Chapter 4 – Remediation of land

Chapter 4 – Remediation of Land under the provisions of State Environmental Planning Policy (Resilience and Hazards) 2021 aims to provide a State-wide planning approach for the remediation of contaminated land.

Clause 4.6(1) of the R&H SEPP states that a consent authority must not grant consent unless it has considered whether the land is contaminated and if so, that the land is suitable for its intended use (or will be suitable following remediation).

Clause 4.6(2) of the R&H SEPP states that a consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned in accordance with the contaminated land guidelines. The applicant has not submitted any such assessment and given the age of the existing dwellings and outbuildings, there is a high likelihood of both lead-based paint being used (and degrading onto the soil from weathering), soil-based lead from vehicle emissions (being adjacent a busy road) and asbestos-containing materials within the structures.

Accordingly, the Panel cannot be certain that the proposal satisfies the requirements of the SEPP. In the event that these substances are found to be present on the Site (and in the soil) remediation may require the excavation of soil, which could jeopardise the health of the retained trees.

SEPP (Sustainable Buildings) 2021 (SB SEPP)

On 1 October 2023, SEPP BASIX was repealed by State Environmental Planning Policy (Sustainable Buildings) 2022 (SB SEPP). The SEPP applies and the proposal is deemed to be BASIX Development as defined in Schedule 7. The submitted Statement of Environmental Effects omits any assessment of the proposal against the relevant provisions, although it is acknowledged that the SEE addresses the relevant provisions of the former SEPP.

Chapter 2 and Schedule 1 provide the energy and water consumption and thermal performance standards to be achieved for residential development. A BASIX Certificate has not been provided for the proposal, demonstrating that the requisite standards have been met.

SEPP (Housing) 2021 (The Housing SEPP)

On 14 December 2023, State Environmental Planning Policy No 65 — Design Quality of Residential Apartment Development (SEPP 65) was repealed with a new Chapter 4 inserted into the Housing SEPP. Subsequent amendments to the SEPP meant that any Development Application lodged after 14 December 2023 must address Chapter 4 of the Housing SEPP, which includes addressing the design quality principles in Schedule 9 of the SEPP.

The submitted Statement of Environmental Effects omits any assessment of the proposal against the relevant provisions, instead referring to a Design Verification Statement provided under separate cover. The SEE submits that the Design Verification Statement indicates compliance and therefore, in the opinion of the author, the proposal complied with the

Apartment Design Guideline and thus satisfied the (repealed) SEPP.

Notwithstanding this, the relevant provisions of the Housing SEPP are addressed below.

Chapter 4 – Design of Residential Apartment Development

Clause 144 states that the SEPP applies to both Residential Flat Buildings but also other residential accommodation types (including multi-dwelling housing) where:

- (a) the development consists of any of the following—
 - (i) the erection of a new building,
 - (ii) the substantial redevelopment or the substantial refurbishment of an existing building,
 - (iii) the conversion of an existing building, and
- (b) the building concerned is at least 3 or more storeys (not including underground car parking storeys) and
- (c) the building concerned contains at least 4 or more dwellings.

The proposal is for the erection of building containing a mixed use development with a residential component consisting of at least 3 storeys above existing ground level and more than four dwellings and accordingly, the provisions apply.

Design Review:

Hunters Hill does not have any applicable design review panel and accordingly, referral is not required under Clause 145. Clause 147 does however require the Consent Authority to consider:

- (a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,
- (b) the Apartment Design Guide

Consideration of these matters is provided in Table 5 and 6 below. Note is made that the Design Verification Statement does not confirm how the development addresses the objectives in Parts 3 and 4 of the Apartment Design Guide, as required by Clause 29(2)(ii) of the Environmental Planning and Assessment Regulation 2021. It also fails to address a large number of the Design Principles, largely because it responded to the former SEPP 65 provisions, which had been repealed before the DA was lodged.

TABLE 5 – DESIGN PRINCIPLES REVIEW

1 Context and neighbourho	od character	
(1) Good design responds and contributes to its context, which is the key natural and built features of an area, their relationship and the character they create when combined and also includes social, economic, health and environmental conditions.	No	No - refers to planning controls and not the surrounding context.
(2) Responding to context involves identifying the desirable elements of an area's existing or future character.	No	No – simply refers to planning controls and the area as "undergoing transformation".
(3) Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.	No	Does not identify any qualities or identity of the area.
(4) Consideration of local context is important for all sites, including sites in the following areas—	No	No – no discussion.
(a) established areas,		
(b) areas undergoing change,		
(c) areas identified for change.		
2 Built form and scale		
(1) Good design achieves a scale, bulk and height	Partly	No – vague and unsubstantiated statements.

	exist futu stree	ropriate to the ting or desired re character of the et and surrounding dings.		
(2)	achion built the lin te	d design also eves an appropriate form for a site and building's purpose rms of the bwing—	No	No -no discussion.
	(a)	building alignments and proportions,		
	(b)	building type,		
	(c)	building articulation,		
	(d)	the manipulation of building elements.		
(3)	App	ropriate built 1—	No	No -no discussion.
	(a)	defines the public domain, and		
	(b)	contributes to the character of streetscapes and parks, including their views and vistas, and		
	(c)	provides internal amenity and outlook.		
3	Dens	sity		
(1)	high for r	d design achieves a level of amenity esidents and each tment, resulting in	No	No - simply refers to proximity to the town centre

		<u> </u>	Г
	a density appropriate to the site and its context.		
(2)	Appropriate densities are consistent with the area's existing or projected population.	No	No -no discussion.
(3)	Appropriate densities are sustained by the following—	No	No -no discussion.
	(a) existing or proposed infrastructure,		
	(b) public transport,		
	(c) access to jobs,		
	(d) community facilities,		
	(e) the environment.		
4	Sustainability		
(1)	Good design combines positive environmental, social and economic outcomes.	No	No -no discussion.
(2)	Good sustainable design includes—	Yes	Yes
	(a) use of natural cross ventilation and sunlight for the amenity and liveability of residents, and		
	(b) passive thermal design for ventilation, heating and cooling, which reduces reliance		

			T
	on technology and operation costs.		
(3)	Good sustainable design also includes the following—	No	No -no discussion.
	(a) recycling and reuse of materials and waste,		
	(b) use of sustainable materials,		
	(c) deep soil zones for groundwater recharge and vegetation.		
5	Landscape		
(1)	Good design recognises that landscape and buildings operate together as an integrated and sustainable system, resulting in development with good amenity.	No	No -no discussion. Refers to plants being selected for windy coastal locations, which the Site is not.
(2)	A positive image and contextual fit of well designed development is achieved by contributing to the landscape character of the streetscape and neighbourhood.	No	No -no discussion.
(3)	Good landscape design enhances the development's environmental performance by retaining positive natural features that	No	No -no discussion.

Ji	contribute to the following—		
	(a) the local context,		
	(b) co-ordinating water and soil management,		
	(c) solar access,		
	(d) micro-climate,		
	(e) tree canopy,		
	(f) habitat values,		
	(g) preserving green networks.		
(4)	Good landscape design optimises the following—	No	No -no discussion.
	(a) usability,		
	(b) privacy and opportunities for social interaction,		
	(c) equitable access,		
	(d) respect for neighbours' amenity.		
(5)	Good landscape design provides for practical establishment and long term management.	No	No -no discussion.
6	Amenity		
(1)	Good design positively influences internal and external amenity for residents and neighbours.	Partly	No
(2)	Good amenity contributes to positive	No	No -no discussion.

			
com	bines the	Partly	No
(a)	appropriate room dimensions and shapes,		
(b)	access to sunlight,		
(c)	natural ventilation,		
(d)	outlook,		
(e)	visual and acoustic privacy,		
(f)	storage,		
(g)	indoor and outdoor space,		
(h)	efficient layouts and service areas,		
(i)	ease of access for all age groups and degrees of mobility.		
Safe	ty		
safe with	ty and security in the development	No	No – not based on the outcome of a CPTED assessment
for operiors of the control of the c	puality public and ate spaces that are rly defined and fit he intended	Partly	No – plans are inconsistent regarding side access paths.
	Good com follo (a) (b) (c) (d) (e) (f) (g) (h) (i) Safe with and Good for control of the fort	dimensions and shapes, (b) access to sunlight, (c) natural ventilation, (d) outlook, (e) visual and acoustic privacy, (f) storage, (g) indoor and outdoor space, (h) efficient layouts and service areas, (i) ease of access for all age groups and degrees of	Good amenity combines the following— (a) appropriate room dimensions and shapes, (b) access to sunlight, (c) natural ventilation, (d) outlook, (e) visual and acoustic privacy, (f) storage, (g) indoor and outdoor space, (h) efficient layouts and service areas, (i) ease of access for all age groups and degrees of mobility. Safety Good design optimises safety and security within the development and the public domain. Good design provides for quality public and private spaces that are clearly defined and fit for the intended

(3)	Opportunities to maximise passive surveillance of public and communal areas promote safety.	Partly	No – Ground floor bedrooms overlook entrances and the street, not habitable rooms.
(4)	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.	Partly	No – unsubstantiated statements.
8	Housing diversity and soc	ial interaction	
(1)	Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.	Partly	No – unsubstantiated statements.
(2)	Well designed residential apartment development responds to social context by providing housing and facilities to suit the existing and future social mix.	No	No -no discussion.
(3)	Good design involves practical and flexible features, including— (a) different types of communal spaces for a broad range of people, and	No	No -no discussion.

·	(b) opportunities for social interaction among residents.		
9	Aesthetics		
(1)	Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure.	No	No -no discussion.
(2)	Good design uses a variety of materials, colours and textures.	Yes	Yes but no specific details
(3)	The visual appearance of well designed residential apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	No	No -no discussion.

TABLE 6: ADG COMPLIANCE

PART 2 – DEVELOPING	PART 2 – DEVELOPING THE CONTROLS					
2C - Building Height	10m	9.8m	Yes – Not addressed by the applicant's submission. Addressed in the			

			LEP assessment above.
2D - FSR	0.8:1 maximum	0.792:1 – however not all GFA has been accounted for so likely non-compliance.	No – Not addressed by the applicant's submission. Addressed in the LEP assessment above.
2E - Building depth	12m – 18m	>12m	Yes – Not addressed by the applicant's submission.
2F - Building Separation	Up to 4 Storeys: 6-12m: • 12m between habitable rooms/balconies • 9m between habitable and non- habitable rooms • 6m between non- habitable rooms	Various	No. Distances between habitable rooms/ balconies Unit 103 and G05 for example are 11.8m and G08 and Ground floor G05 approximately 8.7m.
PART 3 – SITING THE	DEVELOPMENT		
3A-1 – Site Analysis	Prepared as per Site Analysis Checklist	Site analysis performed	No demonstration that the checklist has ever been addressed.
3D1 - Communal open space	25% (490.89m²) of the Site area, Minimum dimension of 3m 1,963.55m²	Application states 696m² provided however majority of this is the front setback, side setback of the front building and the planter boxes in between the two	No. Numerical criteria met however the space is poorly designed in terms of CPTED and only provides 4 bench seats. Minimum

		buildings. No accessible large areas allowing for passive/active recreation or people to congregate.	dimension not adhered to. No other facilities or large, open areas in a centralized and private area. Space consists of planter boxes or paving or the front setback.
3D1 - Solar access to Communal open space	50% direct sunlight to the principle useable part of the communal open space for at least 2 hours between 9am and 3pm on June 21	Less than 2 hours generally. Front setback is inappropriate as the principle useable open space.	No.
3E - Deep soil zones	7% (137.45m²) of Site area with minimum dimensions of 6m. Minimum soil volumes as per Table 2 and dimensions for sites over 1500m² as per Fig. 3E.2	803m ² Minimum dimensions not achieved.	No. Calculation includes planter boxes and paved areas as well as spaces with dimensions less than 6m. Consolidated area does not demonstrate minimum dimensions. not demonstrate a Although Deep Soil Zones are identified, all fail to achieve the minimum dimensions and some are encumbered by stormwater drainage infrastructure and/or retaining walls.

3F – Visual Privacy	Separation Distances - Up to 4 Storeys: 6m – Habitable rooms and balconies 3m – Non-habitable rooms	Minimum 11m.	Yes
3J – Bicycle and Car Parking	Design Criteria does not apply – HHDCP applies as the default: Residential Flat Buildings/ Shop Top Housing: 1 space per 1 BR 1.2 spaces per 2 BR 1.6 spaces per 3+BR 1 x Visitor/ 4 units (rounded to nearest whole space)	Refer to discussion re parking. Complies.	Yes

PART 4 – DESIGNING THE BUILDING

4A - Solar access	>2 hours to living areas and private open space of 70% dwellings between 9:00am – 3:00pm on 21 June	70% (9 units) receive >2 hours of solar access	Yes
	A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter	Only 2 apartments have no direct solar access.	Yes
4B - Natural ventilation	>60% of apartments Unit Depth does not exceed 18m	All except one unit is cross-ventilated All units comply	Yes Yes

4C – Ceiling Heights	Habitable rooms – 2.7m min. Non-habitable rooms – 2.4m min.	All units comply	Yes but no specific dimensions provided allowing for false ceilings
4D - Min. apartment size	1 bed $\geq 50\text{m}^2$ 2 bed $\geq 70\text{m}^2$ 3 bed $\geq 90\text{m}^2$	All units comply	Yes
	Habitable rooms to have windows with min. area of 10% of floor area	All units comply	Yes
	Habitable room depths are 2.5 x ceiling height	All units comply	Yes
	Open plan layouts – Kitchen max. 8m from window	All units comply	Yes
	Minimum bedroom and living room dimensions as per 4D- 3	All units comply	Yes
4E -Min. private open space (POS)	1 bed $\ge 8m^2$ 2 bed $\ge 10m^2$ 3 bed $\ge 12m^2$ Min. depth 2m	All units comply	Yes
4F - Common circulation and spaces	Maximum of 8 units off a circulation core on a single level.	Max. 3 units off a circulation core	Yes
4G - Storage	1 bed ≥ 6m³ 2 bed ≥ 8m³	All apartments contain the required amount of storage	Yes

3 bed ≥ 10m³	

Part 4 – Application of Design Principles

Hunters Hill does not have any applicable design review panel. Notwithstanding this, the proposal is still subject to evaluation against the design quality principles provided in Schedule 1 of the SEPP, as demonstrated in the assessment contained in this report.

Clause 148 also stipulates that with respect to design criteria, where a development satisfies the following matters, consent must not be refused because of those matters:

- (a) Car parking for the building that is equal to or greater than the quantum specified in Part 3J of the Apartment Design Guide.
- (b) The internal area of each apartment is equal to or greater than the minimum specified in Part 4D of the Apartment Design Guide.
- (c) The ceiling heights are equal to or greater than the minimum specified in Part 4C of the Apartment Design Guide.
 - Having regard to these matters, in summary, the proposal:
- (a) Provides sufficient car parking in accordance with Part 3J of the Apartment Design Guide, which in this instance defers to the applicable DCP controls.
- (b) The internal area of each apartment satisfies Part 4D of the Apartment Design Guide.
- (c) The ceiling heights satisfies Part 4C of the Apartment Design Guide.

Clause 149 of the SEPP provides that with respect to the objectives, design criteria and design guidance set out in Parts 3 and 4 of the Apartment Design Guide, the following matters prevail over any controls in the applicable DCP:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation,
- (h) storage

9.2 Other Legislation

Not Applicable.

9.3 HUNTERS HILL LOCAL ENVIRONMENTAL PLAN 2012 (HHLEP)

Clause 1.2 – Aims of Plan

Having regard to the particular aims of the HHLEP, the proposal as amended is considered to be inconsistent with the following:

(a) to maintain and enhance the character and identity of established neighbourhoods in Hunters Hill by regulating the use and development of land.

Comment:

The proposal does not result in an acceptable streetscape and the loss of significant vegetation, coupled with a poorly detailed landscape proposal and inadequate setbacks do not promote, maintain or enhance the character and identity of Hunters Hill. The proposal lacks adequate visual permeability and communal open space and pedestrian access and exhibits a scale and massing that does not transition well to the adjoining low density housing. The proposal also fails to demonstrate appropriate landscaping can be provided.

(c) to conserve Aboriginal heritage and European heritage that influence the character and identity of the municipality.

Comment:

Council's Heritage Advisor has not raised any objections to the impact on the setting of the heritage item at 3 Ryde Road, subject to satisfying the applicable development controls for the area. Likewise, Council's Heritage Advisor has not raised any objections to the impact of the proposal on the heritage items located to the rear of the Site, subject to the rear setback being sufficient to provide space for large trees. As noted above, Council's Tree and Landscape Advisor has raised concerns with the proposed landscaping. Furthermore, this assessment demonstrates that the proposal does not satisfy the applicable planning controls.

Additionally, the Conservation Advisory Panel has raised concerns relating to the compatibility with the streetscape, the asymmetrical roof form, impacts on adjoining properties due to non-compliant/ inadequate setbacks, lack of clarity in the proposed materials and colour schemes and the relationship between the street and front setback.

(d) to accommodate a range of housing that will maintain the garden suburb character of the municipality, while responding to the needs of a growing population and changing demographics.

Comment:

The proposal results in a form of residential accommodation that while permissible, is not an appropriate design outcome for the Site, it's context or constraints.

(i) to promote high standards of urban and architectural design quality.

Comment:

The proposal is not considered to achieve this objective given the failure to adhere to the required setbacks, provide functional communal open space and provide an acceptable landscaped setting.

Clause 1.4 - Definitions

The proposal involves the demolition of existing structures and construction of a mixed use development containing a residential flat building and multi-dwelling housing, connected by a basement garage. The residential components are defined as follows:

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling, co-living housing or multi dwelling housing.

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Clause 2.2 - Zoning of land

The subject site is zoned E1 Local Centre according to the Hunters Hill Local Environmental Plan 2012 (HHLEP) – Refer to **Figure 8** below.

FIGURE 8 - ZONING MAP EXTRACT



With respect to the objectives of the R3 Medium Density Residential zone, the proposal is inconsistent with the following:

- To provide for the housing needs of the community within a medium density residential environment.
- To ensure that development is compatible with the character and heritage of the locality.
- To provide for levels of amenity that are reasonable for a medium density residential environment.

Statutory Compliance Table

Table 8 illustrates whether or not the proposed development complies with the relevant statutory controls of Hunters Hill Local Environmental Plan No.2012.

TABLE 8: LEP COMPLIANCE

COMPLIANCE WITH CURRENT STATUTORY CONTROLS	CONTROL	PROPOSED	COMPLIANCE
MINIMUM LOT SIZE: - RESIDENTIAL FLAT BUILDING - MULTIDWELLING HOUSING (Min. 1800m² combined)	900 m ² 900 m ² (1,800 m ²)	1,963.55 m ² by calculation 1,945.8 m ² by dedication	Yes
HEIGHT (See Figure 9)	10 m	9.8 m	Yes
FLOOR SPACE RATIO (See Figure 10) AREA 2 (Allows up to 0.8:1 where the site area for a residential flat building exceeds1000m²)	0.6:1	0.792:1	Yes
STREET FRONTAGE	18 m	36.572 m	Yes

FIGURE 9 - HEIGHT MAP



Clause 4.3 – Height of Buildings

The Site is mapped as having a maximum height of buildings of 10m. The proposal indicates a maximum height of 9.8m. Council's records indicate that DA2019-1043 for the 3 storey townhouses on Nos. 7-9 Ryde Road was approved with a maximum building height of 9.8m 14m.

Notwithstanding that, Subclause (1) (b) states that an objective of the Height of Buildings Control is to maintain the character and identity of Hunters Hill by limiting the scale of buildings to a maximum of two storeys in heritage conservation areas. Both proposed buildings are proposed to be three storeys. The SEE contends that because the proposal satisfies the numerical control and the two storey limit is an objective, not a development standard, it ought not be given any weight. Further, the SEE argues that there are already other examples within the streetscape at 61 and 71 Ryde Road (some 380m and 490m to the northwest).

The arguments submitted by the applicant are not deemed to have sufficient weight to warrant relaxing this control, at least for the majority. Potentially, a section of the southeastern corner of the development could support a third storey to help transition from the height of the town centre along Ryde Road. Maintaining the number of storeys at two however is not inconsistent

with seeking to ensure development respects the character of the area and achieves appropriate amenity outcomes for adjoining low density development. Furthermore, the developments cited as justification for the departure are not within a Heritage Conservation Zone, where a more careful approach to built form is necessary, even though they are on land zoned R3 Medium Density.

Clause 4.4 – Floor Space Ratio

The Site prescribed FSR for the Site is 0.6:1, however Clause 4.4A(2) of the HHLEP states that the maximum FSR for a residential flat building within "Area 2" is 0.8:1.

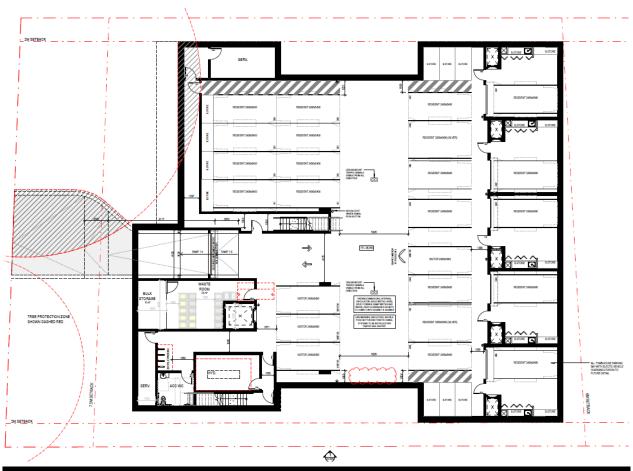
The application states that the proposal results in an FSR of 0.792:1, however upon review of the FSR calculations and drawings it is evident that some areas have been omitted from the calculations. These include:

- Areas within the basement that fall outside the definition of gross floor area (see blue shaded areas on Figure 11 below).
- The basement toilet.
- Motor bike parking spaces.
- Car parking spaces over and above the number required to be provided (equates to 8 car parking spaces).
- The ground floor of the Stair 3 within the Residential Flat Building.
- The ground floor lift well of all six elevators.
- A small space adjacent to the ensuite and bedroom one of unit 201 that is not denoted as a service duct or space.

FIGURE 10 - FSR MAP



FIGURE 11 – AREAS OMITTED FROM BASEMENT FSR CALCULATIONS



Further, it appears that the FSR has been derived from an assumed Site Area of 1,963.55m² (based on calculations and not by a registered Survey), which is slightly larger than the Site Area of 1,945.8 m² legally dedicated on the Title of the land. By applying the dedicated Site Area, the maximum FSR of 0.8:1 would translate into a GFA of 1541.1m², as opposed to 1,945.8 m². Refer to Table 9 below.

TABLE 9 - GFA DISCREPANCY

	By Dedication	By Calculation
Site Area	1,945.8 m ²	1,963.55m ²
Max. FSR 0.8:1 = GFA	1,556.64 m ²	1,570.84 m ²
Proposed FSR 0.792:1 = GFA	1,541.07 m ²	1,555.14 m ²
Difference	15.57m ²	15.7m ²

Although the difference between the figures is only a matter of some 15m², given the extensive areas in the basement that have not been accurately captured, the cumulative impact has not been addressed. The lack of adequate dimensions on the architectural plans mean that an accurate calculation of these areas cannot be provided, however, given the proposed GFA is almost at the maximum, it is highly likely that the development standard has been exceeded. Given the applicant has not provided a Clause 4.6 submission, the Panel does not have the ability to grant approval to the application.

Clause 5.10 - Heritage

As noted previously, the Site is not a Heritage Item but it is located in close proximity to several Items of local heritage significance and is within the Hunters Hill Conservation Area No. 2- The Peninsula and the Fig Tree Subdivision Landscape Conservation Area.

Council's Heritage Advisor has noted that no objections are raised to the proposal on the basis that the proposal satisfies the applicable planning controls. As demonstrated in this assessment, the proposal fails to satisfy a number of key planning requirements and in the context of the advisor's comments, it could not be considered to have a satisfactory outcome in terms of meeting the objectives of the HHLEP with respect to conserving the European heritage values that influence the character and identity of the municipality.

Clause 6.1 – Acid Sulfate Soils

While the Site is within Class 5 Soils, it is approximately 325m to land within Class 2 – quite contrary to the statement made in the SEE. Pursuant to Clause 6.1(2), where works are within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on

adjacent Class 1, 2, 3 or 4 land, consent must not be granted unless an acid sulfate soils management plan has been prepared in accordance with the Acid Sulfate Soils Manual and submitted. The application is not supported by any level of assessment to establish if the excavation of the basement is likely to affect the watertable or require an acid sulfate soils management plan. Accordingly, the Panel does not have the ability to approve the proposal.

Clause 6.2 – Earthworks

Subclause (3) requires the consent authority to consider the following matters with respect to earthworks:

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the quality of the fill or the soil to be excavated, or both,
- (d) the effect of the development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The submitted geotechnical assessment does not address all of the matters above and the SEE fails to provide any quantification of the proposal. Accordingly, the Panel cannot be satisfied that Clause 6.2 has been adequately addressed. This is particularly in terms of construction management, the movement and use of heavy rock-breaking equipment and the potential impacts on the locality during construction, which have not been taken into account.

10. DRAFT AMENDMENTS TO STATUTORY CONTROLS

No relevant draft amendments pertaining to this application.

11. HUNTERS HILL CONSOLIDATED DEVELOPMENT CONTROL PLAN 2013 (HHDCP)

The Hunters Hill Consolidated Development Control Plan 2013 (HHDCP) provides discrete and relevant controls for both residential flat buildings and multi-dwelling hosuing. The provisions are tempered somewhat by the relevant provisions of the Housing SEPP and the ADG. The assessment below only addresses those provisions within the HHDCP that are not superseded by a higher order planning Instrument.

TABLE 8: HHDCP NUMERICAL CONTROL SUMMARY (INCLUDES RYDE ROAD CONTROLS)

Item	Control	Proposed	Compliance
Building Height	10m maximum	9.8m	See LEP Assessment above
Setbacks: Front (Ryde Road) – Ground Floor	Average of adjoining development – increased to 6.5m for Ryde Road Precinct	7.5m	Yes
Side – Multi- dwelling housing:	1.5m or 1/3 rd wall height	2m both sides,	No - NE side of townhouses fails to achieve the required setback of 3.22m while the NW side of townhouse fails to comply with the 2.89m setback.
Side – RFB:	1.5m or ½ wall height (4.55m both sides,	2m both sides	No - The proposal fails to achieve the required 4.55m side setbacks.
Rear Setback: Ground Floor	Minimum of 6m	Generally 6m but several sunshades encroach	Generally yes.
Rear Setback: First Floor and above	Minimum of 10m	Min. 6m	No
Landscaped Area	40% of Site area, Min. dimension 2m	Has not been quantified by the applicant.	No – unable to quantify compliance.
Built Form and Facades – facing rear boundary	Buildings should step in height as per the setback controls.	3 storeys – no stepped appearance.	No – as per previous discussion.

Item	Control	Proposed	Compliance
	No building plane to		Each plane or
	exceed 9m in width.		module does not
	Should not have		exceed 6.44m.
	windows/ balconies/		Upper level
	terraces that		contained bedrooms
	overlook properties		with 2.5m deep
	in Avenue Road.		balconies within the
	Utilise devices for		10m setback.
	visual interest.		Devices for visual
			interest not
			employed.

The remaining provisions of the HHDCP are addressed in Table 9 below:

TABLE 9: HHDCP RESIDENTIAL AMENITY

3.5 – Residential Amenity	 3.5.2 - Solar Access: Reasonable solar access – at least 3 hours Midwinter to lower ground floor habitable rooms on subject site – satisfies ADG requirements. Reasonable solar access – at least 3 hours Midwinter 50% POS on subject site – satisfies ADG requirements. Reasonable solar access – 3 hours Midwinter 50% POS and living rooms of neighbours. Adjoining properties to NW and NE are not 	YES ⊠ NO □ N/A □
	affected by overshadowing. 3.5.3 – Privacy: Adequate? YES □ NO ☒ Upper levels of rear townhouses encroach the rear setback and have potential for overlooking. Can elements be conditioned?	YES □ NO ☒ N/A □

S 🗆	
0 🗵	
/A □	
ES 🗵	
ES 🗵	

12. OTHER DCPS, CODES AND POLICIES

Not applicable.

13. THE LIKELY IMPACTS OF THE DEVELOPMENT

The proposal has been assessed against the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, the Hunters Hill Local Environmental Plan 2012, Hunters Hill Consolidated Development Control Plan 2013 and applicable State Environmental Planning Policies and associated guidelines.

As demonstrated in this assessment, the proposal's core failure lies in the inability meet the relevant building envelope controls or provide sufficient information to demonstrate compliance. The proposal fails to satisfy the Design Quality Principles and provisions of the relevant SEPPs. The proposal also fails to respond the surrounding built environment or the significance of its location within a Heritage Conservation Area.

Having regard to the detailed assessment provided above, it is not necessary again retrace the proposal's non-compliances in order to demonstrate the adverse impacts such a substandard development will have on the natural and built environments. On the basis of this assessment, the Panel as the Consent Authority cannot be satisfied that the proposal would achieve any sound planning outcomes, or meet its statutory obligations.

14. SUBMISSIONS

The proposed development was notified in accordance with Council's Consolidated Development Control Plan 2013 for a period of thirty (30) days, between 17 January and 16 February 2024. Ten (10) submission were received by Council (refer to submissions in Attachment 2). Key issues

raised in the submissions relate to the following matters with relevant responses provided in the table below:

TABLE 10 - SUBMISSIONS

ISSUE	RESPONSE:
Inadequate Site Analysis and consideration of the location of open spaces and living areas on adjoining properties.	The Siting of the development, the proposed setbacks and failure to address a number of statutory provisions indicates that the proposal did not understand the surrounding context.
Non-compliances with HHLEP 2012: aims, height, FSR and interpretation of Clause 4.4A.	Refer to discussion above.
Non-compliances with HHDCP 2013: objectives, controls for the Ryde Road Precinct, landscaped area, built form and facades, general character, rear boundary setbacks.	Refer to discussion above.
Excessive height, bulk and scale, inadequate setbacks and incompatibility with existing streetscape and garden character.	Refer to discussion above.
Lack of adequate landscaping and failure to provide sufficient detail in the drawings.	Refer to discussion above.
Traffic and parking: insufficient parking, impact on morning peak hour, impacts on traffic flows during construction.	Refer to discussion above. Council's Development Engineer has raised concerns regarding the adequacy of the car park and the application is not supported by a Construction Management plan.
Noise generated by the proposal and associated traffic.	The proposal is not anticipated to generate significant noise beyond what would be anticipated in a location such as this.
Potential for damage to adjoining properties during demolition and construction.	In the event that the application is approved, Council's standard conditions requiring a dilapidation Report can be included.
Loss of vegetation and mature tree canopies.	Refer to discussion above.

ISSUE	RESPONSE:
Loss of privacy with the rear townhouses having a direct view into the bedroom, living areas and garden of No. 17 Ryde Road and properties in Avenue Road adjoining the Site.	Refer to discussion above.
Overshadowing of adjoining properties, including the living areas and garden of No. 17 Ryde Road.	The proposal will not overshadow 17 Ryde Road or properties in The Avenue Road, as these properties are generally to the north of the Site.
Management of asbestos during demolition.	In the event that the application is approved, the management of asbestos-containing materials can be dealt with via Council's standard conditions.
The proposal does not provide for a future right of way for the intended redevelopment of No. 5 Ryde Road, which was included in the consent for the previous residential development over 7-9 Ryde Road.	This issue was bought up in relation to DA2019/1043 where Council determined that No. 5 Ryde Road would become an isolated site. In the event that the Panel is of a mind to approve the development a similar ROW would need to be implemented.
Lack of adequate information regarding contamination, compliance with SEPP Housing 2021, waste management.	Refer to discussion above.

15. SUITABILITY OF THE SITE (S. 4.15(1)(C))

The proposal has not demonstrated the Site and its surrounding context and constraints have been adequately taken into account and therefore suitable for the proposed development. Multiple non-compliances, amenity impacts and lack of adequate information mean that the proposal is considered to have adverse impacts on the Site and its surrounds, leading to an adverse impact on the existing and desired future character of the immediate locality.

16. FINANCIAL IMPACT ASSESSMENT

There is a risk that the applicant may choose to exercise their right to appeal any decision of Council in the NSW Land and Environment Court. Consequently, Council would be required to defend its decision in Court, should this situation arise, resulting the need to potentially funding such a defense. In any event, Council's operating budget provides some allowance for legal activities in the course of exercising its statutory functions.

17. ENVIRONMENTAL IMPACT ASSESSMENT

There is no direct environmental impact on Council arising from Council's consideration of this matter.

18. SOCIAL IMPACT ASSESSMENT

There is no direct social impact on Council arising from Council's consideration of this matter.

19. RISK ASSESSMENT

There are no direct or indirect risks impacting on Council arising from Council's consideration of this matter.

CONCLUSION

The proposal has been assessed in terms of the public interest and having regard to the relevant development standards and objectives in the applicable State Environmental Planning Policies and is deemed to be unsatisfactory. The proposal fails to provide significant information and fails to actually demonstrate compliance with a range of statutory and design-related criteria.

The proposal will cause significant adverse impacts on the character, streetscape and amenity of the surrounding area and is inconsistent with the values of the Heritage Conservation Area.

Approval is not recommended.

RECOMMENDATION

That Development Application No. 20230164 for the demolition of existing structures and construction of a residential development comprising of a residential flat building containing 8 units and multi-dwelling housing providing 5 townhouse dwellings erected over single level basement parking at 7-11 Ryde Road Hunters Hill be refused for the following reasons.

- 1. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it does not satisfy the applicable provisions of Chapter 2 Vegetation in Non-rural Areas of State Environmental Planning Policy (Biodiversity and Conservation) 2021 in that it does not:
 - (a) protect the biodiversity values of trees and other vegetation in non-rural areas of the State.
 - (b) preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.
- 2. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it does not satisfy the applicable provisions of Chapter 6 Water Catchments of State Environmental Planning Policy (Biodiversity and Conservation) 2021 in that it does not demonstrate the proposal will satisfy the relevant provisions relating to development in a regulated catchment having regard to the matters to be considered and satisfied in Part 6.2, Sections 6.6 and 6.7.
- 3. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the

Environmental Planning and Assessment Act 1979 as it does not satisfy the applicable provisions of Chapter 4- Remediation of Land of State Environmental Planning Policy (Resilience and Hazards.) 2021 in that it does not demonstrate whether the Site is contaminated or suitable for its intended use.

- 4. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it does not satisfy the applicable provisions of Chapter 2- Standards for Residential Development of State Environmental Planning Policy (Sustainable Buildings.) 2022.
- 5. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it does not satisfy the applicable provisions of Cl. 4 Design of Residential Apartment Development of State Environmental Planning Policy (Housing) 2021 in that it does not adequately demonstrate the proposal achieves the design quality principles contained in Schedule 9 or satisfies the Apartment Design Guide.
- 6. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it is incompatible with the general character and amenity of the surrounding locality, which does not satisfy the following specific aims of the Hunters Hill Local Environmental Plan 2012:
 - (a) to maintain and enhance the character and identity of established neighbourhoods in Hunters Hill by regulating the use and development of land,
 - (c) to conserve Aboriginal heritage and European heritage that influence the character and identity of the municipality,
 - (d) to accommodate a range of housing that will maintain the garden suburb character of the municipality, while responding to the needs of a growing population and changing demographics.
 - (i) to promote high standards of urban and architectural design quality.
- 7. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it is inconsistent with the following objectives for the R3 Medium Density Zone:
 - To provide for the housing needs of the community within a medium density residential environment.
 - To ensure that development is compatible with the character and heritage of the locality.
 - To provide for levels of amenity that are reasonable for a medium density residential environment.
- 8. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it fails to demonstrate compliance

- with Hunters Hill Local Environmental Plan 2012 with respect to Clause 5.10 Heritage Conservation as the proposal will have an unacceptable adverse impact on the surrounding Heritage Items and the character of the surrounding Heritage Conservation Area.
- 9. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it fails to demonstrate compliance with Hunters Hill Local Environmental Plan 2012 with respect to Clause 6.1 Acid Sulfate Soils in that it fails to provide an acid sulfate soils management plan.
- 10. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it fails to demonstrate compliance with Hunters Hill Local Environmental Plan 2012 with respect to Clause 6.2 Earthworks in that it fails to provide sufficient information in order for the Consent Authority to be satisfied that the proposal will not have an adverse effect on the soils and groundwater flows of the surrounding area.
- 11. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as it fails to demonstrate the following strategic objectives of the Hunters Hill Development Control Plan 2013 will be achieved:
 - To maintain and enhance the character and identity of established neighbourhoods in the Hunters Hill Municipality.
 - To maintain and enhance biodiversity values by conserving natural features and scenic qualities that distinguish this Municipality.
 - To conserve identified heritage values that influence the character and identity of this Municipality.
 - To specify services that are necessary for each development, which include car parking and water cycle management.
- 12. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as it fails to demonstrate compliance with the provisions of the Hunters Hill Development Control Plan 2013 with respect to the following matters:
 - Section 2.2.2 Aims and Objectives insofar as the proposal having an unsatisfactory outcome on the character and amenity of the heritage conservation area.
 - Section 2.2.3 Existing Character insofar as the proposal having an unsatisfactory outcome on the existing character and amenity of the heritage conservation area.
 - Section 2.2.4 Desired Character insofar as the proposal having an unsatisfactory outcome on the desired future character and amenity of the heritage conservation area.
 - Section 3.4 Multi-Unit Residential insofar as the proposal does not comply with the relevant side and rear setbacks, landscaped area or number of storeys.
 - Section 3.5 Residential Amenity insofar as the proposal does not ensure adequate privacy to adjoining properties.

- 13. The proposed development does not satisfy the provisions of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as it fails to demonstrate the relevant provisions of the Hunters Hill Consolidated Development Control Plan will be achieved, having regard to Development within the Ryde Road Precinct.
- 14. The proposed development does not satisfy the provisions of Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 as the impacts on the values of the adjacent heritage items and conservation areas have not been adequately addressed in the design of the proposal, particularly relating to height, bulk, scale, setbacks, landscaping and separation distances.
- 15. The proposed development does not satisfy the provisions of Section 4.15(1)(c) in that the supporting documentation has not demonstrated the site is suitable the intended development given the failure to address and comply with the applicable statutory and policy controls intended to ensure development is designed, located and operated in a manner that does not adversely affect the amenity of the surrounding residential environment.
- 16. The proposed development does not satisfy the provisions of Section 4.15(1)(e) approval of a development that does not achieve good planning outcomes is contrary to the public interest, given the circumstances of the case.

ATTACHMENTS

- Map <u>↓</u>
- 2. Submissions \downarrow
- 3. Plans ↓



Item 3.1 Attachment 1 Page 55



Unit 5 25-27 Ryde Road Hunters Hill. 2110

15 February 2024

Hunters Hill Council 22 Alexandra Street Hunters Hill. 2110

Dear Sir/Madam

Development Application No. DA20230164

We wish to lodge our submission objecting to this development at 7-11 Ryde Road, Hunters Hill.

Firstly, it is hard to believe that there are only three trees "worthy of preservation and should be retained as a priority" on these properties, and on the pedestrian verge.

The car parking arrangement for this development seems inadequate and will lead to more on-street parking. Also, the egress from the site will be problematic during morning peak hours.

In the reports provided to Council there is no mention of ingress or egress during the demolition and construction period. We trust Council will police the heavy vehicle activity to the site, particularly during the morning peak period.

Finally, during the demolition of the three houses there is no mention of special arrangements for safe removal and disposal of **asbestos**, which undoubtedly is present in buildings of this vintage.

Yours faithfully

Jan and Peter Kadar

Item 3.1 Attachment 2 Page 56

Sarah Jenkins

From: Nirmal Taluja

Sent: Tuesday, 6 February 2024 3:55 PM

To: Customer Service

Subject: OBJECTION SUBMISSION OF FA20230164

I strongly object this DA provided there is a right of way for me to have the construction of

three SENIORS units and storage for my place at 5 RYDE RD HUNTERS HILL

I need right of way to be able to do my construction in future

Please see the previous DA and standing orders from the council that 7-11 Ryde Rd

Hunters hill would be required to give RIGHT OF WAY FOR OUR DEVELOPMENT IN FUTURE

Please I reserve my rights and need your support to do a Icon development of 5 Ryde Rd

Hunters Hill

Please let me know if I can meet you or discuss

Thanks a lot

Dr n TALUJA

DIRECTOR OF VISION MEDICAL AND HEALTH PTY LTD

OWNER OF 5 RYDE RD HUNTERS HILL

PHONE ME

Sarah Jenkins

From: Maureen Flowers

Sent: Saturday, 17 February 2024 8:51 AM

To: Customer Service

Subject: DA20230164 7-11 Ryde Road

Dear Council

I am writing to confirm my objection to the oversized development at 7-11 Ryde Road. This development does not appear to be in accordance with the standards in the Local Environment Plan, in terms of height and floor space ratio and particularly in the under allocation of the correct percentage for landscaping. It is also completely unacceptable for 2 huge mature trees to be felled, in addition to others being removed. Planting new saplings does not make up for the loss of mature tree canopy and this is outrageous when Hunters Hill has been identified as one of the main councils guilty of allowing the removal of trees, mostly in individual gardens. The design needs to be modified and reduced in bulk and size.

Thank you Maureen Flowers Hunters Hill

Hunters Hill Council

DA20230164 7-11 Ryde Road Hunters Hill

I wish to express my concerns with the development of 7-11 Ryde Road Hunters Hill.

The artist impression doesn't truly reflect the architectural drawings. The size and bulk are of particular concern to me. The floor space ratio does not appear to have been adhered to and these large boxes overwhelm the site. If the top level of the town houses were set back or perhaps there were only 4 instead of 5 spread over the 3 blocks with only 2 levels, the development would be more acceptable and have more street appeal. The whole complex is very crowded and overpowering.

The LEP landscaping rule for 50% green landscaping has not been adhered to and it's also tragic that the native large Eucalyptus and Liquid Amber trees will be removed. As Hunters Hill has now lost 3.29% of our mature tree canopy over the last 4 years and experts are telling us that the felling of trees in private garden is the main cause, this is a community loss and should not be approved. So valuable to our environment and vital to combating the extra pollution from cars and heat that this new development will add to our suburb.

Louise & James Simpson 25 Ryde Road Hunters Hill

Vinay Ranjan and Sania Singh Owners of 17 Ryde Road, Hunters Hill 2110 NSW

Re: Objection to Proposed Development Application DA20230164

To whom it may concern,

We are the current owner-occupiers at 17 Ryde Road, Hunters Hill a neighbouring single-storey dwelling to the proposed development at 7-11 Ryde Road and are writing to express our concerns. While we understand the housing needs of the community, we have concerns about the development in its current form and the impact it will have on our property and quality of life.

We specifically wish to raise two objections:

1) Privacy: The proposed building height of 9.725m will encroach upon our privacy and the privacy of other adjacent single-story residential dwellings. Based on the diagrams provided, we believe the rear townhouses will have an unobstructed view directly into our main bedroom, living space and garden (as highlighted in the floorplan below). This intrusion on our privacy raises concerns about our security and comfort within our own home.

We recommend altering the layout such that the rear townhouses do not have a view into neighbouring properties and retaining additional tree canopy on the western boundary of the property (i.e. the boundary between 11 and 15 Ryde Road 15 Ryde Road) to provide additional privacy. The current proposal sees the removal of trees T9, T10, T11, T12, T13, T14, T15 all of which provide privacy for residential properties to the west of the development (i.e 15, 17, 19 Ryde Road).



Image 1: 17 Ryde Road Floor Plan

OFFICIAL



Image 2 - 17 Ryde Road, Hunters Hill, 2110

2) Sunlight blockage and shadows: The development in its current form will result in the obstruction of sunlight to our property and other neighbouring properties. We dispute the shadow diagrams provided in the Development Application as they do not adequately depict how the height of the buildings will impact neighbouring properties including 17 Ryde Road. Most of the neighbouring properties have been cut off from the shadow diagram. Our living, dining and bedroom 1 shown in the floor plan all have floor to ceiling glass windows facing towards the North East capturing morning and daytime sun. The natural light that currently illuminates our living spaces is vital to our daily activities and overall enjoyment, and any reduction would be detrimental to our physical wellbeing and the value of our home.

We strongly urge you to reconsider the proposed development plans and take measures to address the concerns raised. It is crucial that any development in our neighbourhood respects the rights and well-being of existing homeowners and maintains the character of the community.

I appreciate your attention to this matter and look forward to a resolution that addresses our concerns satisfactorily. Please feel free to contact me if you require any further information or clarification regarding my objections. Thank you for your time and consideration.

Sincerely,

Vinay Ranjan and Sania Singh

OFFICIAL

Grahame and Deborah Anschau 20 Avenue Road Hunters Hill NSW 2110

Hunter's Hill Council

22 Alexandra St

Hunter's Hill

Mr Steve Kourepis

Re: DA20230164 - Submission for proposed development at 7 - 11 Ryde Rd, Hunter's Hill

Dear Mr Kourepis,

We are writing to you regarding the proposed development of this site which will adversely affect our home. The development application is for a multi flat / townhouse development which is of a scale completely unsuitable to this area. We will be severely impacted and would like to voice our concerns as follows.

Loss of Privacy

This development will be up to 10 metres high which will tower above the individual, mostly single level homes on Avenue Rd. The North and North Eastern windows of the proposed development will provide uninterrupted views into our now private backyard and swimming pool area where our daughters regularly swim and sunbathe. Additionally, anybody on the first or second floor of these proposed flats and townhouses will be able to look directly into the living rooms at the rear of our home.

Loss of Amenity

If this development is approved then we will suffer a major loss of amenity due to multiple overlooking flats and townhouses. As these flats and townhouses are not adequately set back from the boundary with Avenue Rd properties there will be a significant increase in noise and lights at night time. We will also lose a significant feeling of space when we look from the rear of our home in the direction of Figtree Park.

Our understanding is that Council has an obligation to maintain our amenity as described in the Hunter's Hill Local Environment Plan ensuring that new buildings are compatible with the garden suburb character and heritage values that distinguish the low – density localities. We would strongly disagree that this proposed development achieves the above in any way, shape or form. Surely Council is required to maintain the existing properties amenity!

To summarise our concerns we are disappointed that such a high development so close to our rear boundary is proposed which will be detrimental to our home in regard to loss of our rear private space and pool area , increased noise , reduced outlook and the negative impact on our current property value.

Grahame and Deborah Anschau 20 Avenue Road Hunters Hill NSW 2110

What is proposed will lead to a loss of enjoyment of our property.

Excavation and Potential Pool Damage

The rear area directly behind our house contains a concrete pool and paved areas which we are concerned could be damaged during the excavation process. Therefore we see it as essential that Council insist that the Developer carry out a "dilapidation report" prior to commencement of any excavation and again at completion of civil works . Any damage sustained during this process would have to be rectified by the developer.

Setbacks

Looking at the plans it does not appear that sufficient Setback have been allowed for a development of this massive scale. Where R3 meets R2 properties sufficient Setback is essential to protect the amenity of current dwellings.

Size and Bulk of proposed Development

Generally, the size and bulk of the proposed development is not consistent with the character and heritage values of the adjacent residential properties, being mostly single level dwellings. What is proposed will dominate the Streetscape and is completely out of step with what is the oldest Garden Suburb in Australia.

Congestion on Ryde Rd and Lack of Parking

As you are aware Ryde Rd is already overused and very congested particularly during peak hour traffic periods. The addition of this very large number of flats and townhouses and their cars will simply add to the congestion, lack of parking, noise and traffic.

Please confirm receipt of the Letter of Objection and keep us updated on the proposed development.

Regards,

Grahame and Deborah Anschau

Sarah Jenkins

From: Bruce Threlfo

Wednesday, 14 February 2024 12:48 PM Sent:

Customer Service To:

DA 2023/164 for 7-11 Ryde Rd Subject:

Dear Council

This is a submission on behalf of Dr Nirmal Taluga.

She is the director of VISION MEDICAL AND HEALTH PTY LTD, the owner of the property at 5 RYDE RD HUNTERS HILL. In 2020, Council granted a deferred consent to DA/2019/1043 for a residential flat development at 7-9 Ryde Rd. The consent included the condition below.

Part A No.12.

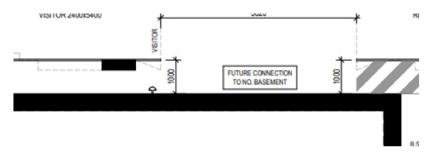
An appropriate easement or right-of-carriageway of a certain form and up to a given ceiling height being created through the basement car park of the subject site to give the owners of No.5 Ryde Road the legal right to provide vehicular access from a future basement carpark on that site through to Ryde Road via the subject site. A strip of land 1 metre wide adjacent to the eastern boundary of the subject site is to be created by subdivision and transferred to Council free of charge to enable vehicular access from No.5 Ryde Road through the basement and driveway of Nos.7-9 Ryde Road and to burden successors in Title of the subject land. The creation of this form of legal document is to be lodged with the Land Titles Office prior to the release of an 'outright' consent and stamped approved plans. The cost of such survey and legal work is to be carried by the applicant in this case.

On her behalf I request that a similar condition be included in any consent for DA 2023/164. I note that the Traffic Report by Stanbury Traffic Planning includes the following under taking.

The development is proposed to be serviced by a single level of basement parking containing 24 car spaces and four bicycle spaces.

Further to the above, future vehicular connectivity is proposed to be facilitated to the adjacent 5 Ryde Road via the basement parking area, should that site be redeveloped in the future.

There is also a notation on the basement plan, but the number 5 is omotted.



Bruce Threlfo

6 Porter Ave

1

Attachment 2

Marrickville 2024 TOWN PLANNING CONSULTANT

2

Mrs Linda Jones 16 Avenue Rd Hunters Hill NSW 2110. 16th February 2024

RE: SUBMISSION PROPOSED DEVELOPMENT AT 7 RYDE RD HUNTERS HILL NSW 2110.

RE: DA20230164 - 7 RYDE ROAD, HUNTERS HILL 2110

To: Council Submissions

I'm writing to you regarding the proposed development, being the owner of one of the directly affected properties of this development application. Our rear property boundary adjoins this development.

In reviewing the submission, I found;

- Insufficient information has been provided in the submission to determine and appreciate the impact on our property ie;
 - Total lot size of the development and therefore what setbacks are required under R3 zonings and local council LEP's.
 - o Gross floor plan area of the development
 - o Built-upon areas
 - o Landscaping area at the rear of the building agistment.
 - o Drainage plans
- The landscape plans that have been provided do not include detail along the rear boundary of the proposal. There is no detail regarding the proposed planting along this boundary.
- Note that our existing rear boundary fencing makes up part of our current compliant swimming pool installation and this fence will need to be maintained during the construction and complete of any works.
- Generally, the size and bulk of the proposed development is not consistent with the character and heritage values of the adjacent and surrounding residential properties, being mostly single level, some with second story additions placed forward on their lots providing rear private open spaces.

- Noting that this development is located in an R3 zoning with a maximum height of 10m the development proposed contravenes/exceeds' the current R3 zonings requirement for two story developments.
- With the proposal including 5 units within close '6m' proximity to our existing rear boundary and private space it is expected that at times we will experience a significant increase in noise both from the inhabitants and reflected noise from overflying aircraft reflecting off the rear face of the proposal.
- The development doesn't seem to comply with the R3 zoning requirements, minimums rear boundary offsets for height.

>1,500m2 0m-4.5m 10m rear offset >1.500m2 >4.5m 15m rear offset

Privacy and Amenity

- o The proposed setback does not seem to be compliant with R3 zoning for lots > 1500m
- Currently the proposed development would result in a significant loss of privacy to our primary private outdoor space.
- We have a large terrace area and concrete swimming pool installation adjoining the northern boundary of this proposal. We feel that the current proposed setback at ground level of 6m is inadequate and will significantly reduce our current privacy in this space. This situation would be similar if not identical for my adjoining neighbouring properties.
- The rear 6m offset with the inclusion of a 2m garden along the back boundary provides only 4m of private space of the units which would not be in keeping the current amenity of the area and that the current 10m offset should be maintained under R3 zoning.
- As the rear units are proposed as 3 bedroom dwellings so it can be assumed that these five units
 will likely be families living in these adjacent to our rear boundary and therefore we will
 experience a significant increase in noise and activity very close to our private outdoor space.
 Currently this space is not overshadowed by any dwellings, the nearest being some 30m from
 this space.

2

Additional Notes

- 1. The proposed development will involve significant excavation of the car parking area into the local sandstone strata as per the geo report provided. Our concern during this process is that our existing assets on the boundary of this development proposal could be adversely affected. These include our pool cabana, in ground concrete swimming pool and tiled surrounds, pool filter equipment and other infrastructure including electrical supplies and gas lines. Therefore, we would like council to stipulate in the Development Application that a 'dilapidation report' be undertaken by the developer prior to the commencement of construction and again at completion of civil works. Any damage sustained during this process needs to be rectified by the developer.
- 2. As our properties rear boundary lies on the demarcation between R2 and R3 zonings we believe this development as currently proposed could cause a significant detrimental impact on the bordering properties zoned R2 in regard to maintaining the identity of Hunters Hill. Council being required to ensure that any new buildings are compatible with the garden suburb character and heritage values that distinguish the surrounding low density localities and ensure a high level of amenity are maintained.
- 3. To this end with such future development's council should consider a more substantial boundary requirement when managing the interface between two different 'Land Use Zonings'. Solid double brick or concrete boundary fences would alleviate some future concerns regarding privacy and noise related problems for the existing residents whose properties will be adversely affected by any multi story proposal.

As more information becomes available on the development we assume that we will be able to provide more detailed submissions to council that would be considered when council reviews and determines on the proposed development.

SINCERELY,

LINDA JONES 16 AVENUE RD HUNTERS HILL

3



14 February 2024

General Manager Hunters Hill Council PO Box 21 Hunters Hills NSW 2110

council@huntershills.nsw.gov.au

RE: Objection to Development Application 2023/0164, 7-11 Ryde Road, Hunters Hill

On behalf of the owners of No 14 Avenue Road, Hunters Hill we wish to lodge an objection to DA 2023/0164. The DA lodged with Council on 8 January 2024, seeks approval for the:

demolition of existing structures and construction of residential development comprising of a residential flat building containing 8 units and multi-dwelling housing providing 5 townhouse dwellings erected over single level basement parking upon land at 7-11 Ryde Road, Hunters Hill. The proposal also includes the consolidation of the subject allotments into a single development site.

Our clients object to the design and layout of the rear townhouses, particularly the rear areas which face the Avenue Road properties. The proposal fails to satisfy the HHDCP objective and controls for development in the Ryde Road Precinct.

The proposal is unacceptable given that the rear upper-level balconies are within 10m of the rear boundary; the balconies are unscreened; there is a lack of adequate rear fencing for privacy (visual and acoustic); and other more generalised issues with the DA application details. Each matter/concern is outlined below.

The environmental planning issues raised in this objection create an unacceptable environmental impact on our clients' properties in a form that could be addressed via the submission of revised plans. This applies to the amenity related matters. The broader development design issues, particularly the landscaped area, are significant and may be resolved by improved site planning /landscape augmentation. In the event suitable revised plans are not forthcoming (which are to be renotified) then the application should be refused as the impacts are excessive and arise from poor design. Approval of the current proposal would set an undesirable precedence for future similar development.

Given that the issues raised impact directly on our client's property we request that any revised proposal or amendments to the current proposal be notified to our clients for further review and comment.

Andrew Martin Planning Pty Ltd - Town | Urban | Environmental

ABN 71 101 798 001

t. 02 9518 4120 m. 0405 449 150 e. amartin@amplanning.com.au p. PO Box 601 Pyrmont NSW 2009 www.amplanning.com.au



The primary concerns are summarised as:

- DA Plan set does not include existing building structures and location of private open space (POS) of 14 Avenue Road – there are amenity impacts on POS that will impact the enjoyment of our client's property;
- S3.4.7 HHDCP 2013 does not achieve the objective requiring minimisation of amenity impacts upon adjoining properties in relation to overlooking and visual impact:
- Opaque glass as privacy measure
- · Rear Setbacks and resultant adverse amenity impacts
- Rear dividing fence height and construction
- Rear Landscaping species, function and amenity
- Landscaped Area Calculation erroneous, inconsistent and inadequate
- DCP non-compliance Built Forms and Facades
- Excessive overshadowing review and landscaping
- Floor Space Ratio compliance clause 4.4A interpretation
- Insufficient DA Information

We now deal with each of the objections/concerns as raised:

1. DA Plan set

The DA Plan set fails to include the buildings, structures, swimming pool and private open spaces of No. 14 Avenue Road. Photos below show those areas of the property that should be acknowledged and amenity impacts addressed by the application. The site analysis plan does not achieve the minimum requirement for a site analysis plan and therefore the assessment that followed is flawed.

Of note is that the current dividing fence is colorbond, 1.8m high backing onto an exisiting single storey brick building. The development removes the brick building, opening up the whole of the back yard of No. 14 to significant loss of privacy and amenity compared to the current situation. Our clients accept the medium density zoning of the Ryde Road precinct and acknowedge the precincts eventual development However, the amenity impacts can be addressed in more detail than currently proposed in the DA plan set and certain measures can be put in place in any development approval that will ensure the general enjoyment of our client's property will continue, largely undisturbed over time. Our clients site is in the Conservation Area and a more sensitive and measured proposal is required to deal with this sensitive interface.

Andrew Martin Planning Pty Ltd - Town | Urban | Environmental

ABN 71 101 798 001

t. 02 9518 4120 m. 0405 449 150 e. amartin@amplanning.com.au p. P0 Box 601 Pyrmont NSW 2009
www.amplanning.com.au





Figure 1:

Site Analysis Plan – extract showing structures, Pos and swimming pool not considered by the proposal (not to scale)



Figure 2:

Guest accommodation at rear of No. 14 Avenue Road with subject development site behind.



Figure 3:

Rear fence and brick outbuilding immediately behind fence – at least 3m high – provides privacy to rear of No 14.



Figure 4:

Marked up photo showing existing rear fence is only 1.8m high, colorbond. It will not provide ongoing privacy (visual or acoustic) to either townhouse occupants or rear yard of No. 14.

A colorbond fence is not an attractive backdrop for the courtyards, add no benefit to the residents of either property.

A 2.1m min, masonry fence would minimise amenity issues.

3 | P a g e



2. Section 3.4.7 Hunters Hill DCP 2013

S3.4.7 applies specifically to the R3 zone along Ryde Road, north of the Hunters Hill Village. The strategic objectives for the development of this area include:

- "(d) Minimise amenity impacts upon adjoining properties, particularly in relation to overlooking and visual privacy.
- (e) Provide satisfactory landscaping as an element of each development."

These objectives are repeated in the Setbacks and Landscaped Areas subsections.

The proposal fails to satisfy these objectives and the related controls in this section of the DCP. The reasons are discussed below.

3. First floor level opaque glass

It is acknowledged that the opaque glass shown on the photomontages and other images in the DA plan set will serve to provide a level of privacy to the rear while providing for sunlight penetration into the townhouses. If Council is of a mind to approve the development the installation of the opaque glass to minimise amenity impacts needs to be reinforced via conditions of consent. This will ensure they are included in any Construction Certificate documentation, inspected and certified prior to occupation.

4. Rear setbacks

The DCP rear setback controls require a minimum 6m ground floor level and a minimum 10m first floor (second storey) setback.

The proposal does not comply with the 10m first floor control and combined with unscreened upper level balconies, the proposal fails to achieve the amenity objectives specified for this precinct.

The rear setback of the external walls of the upper floor levels of the five townhouses vary from 6.0m (north) to 7.8m (south). All are non-compliant. Each townhouse has an upper level balcony facing the rear boundary – towards the POS area of our client's property. These are not POS balconies off primary living areas and should be removed from the plans. Elevated balconies in Hunters Hill LGA are not characteristic of the area and all POS is typically gained at ground level particularly where the sites are level like the subject site. The balconies provide little functionality to the internal rooms at that level and yet, if used by occupants will adversley impact on the privacy of the Avenue Road properties. The offending balconies are within the 10m DCP control, close to the rear boundary and elevated to the extent that they overlook the rear yard and into the swimming pool and play areas of our client's property.

If Council is not of a mind to require removed of the balconies, an alternative would be to require, the installation of screens on the outer edges of the balconies (to a height of 1.8m off the balcony floor level). This would minimise overlooking and ensure privacy for future occupants and Avenue Road residents while not totally blocking sun penetration to those habitable rooms.

4 | Page



The current upper level setback and balconies will allow direct overlooking into No. 14 Avenue Road where the primary open space is location at the rear of the property. Our client has young children that play outdoors in that area and they should be able to enjoy their home without the imposition of overlooking and loss of privacy from multiple neighbouring dwellings.

5. Rear Dividing Fence

The proposal also provides for a 1.8m rear dividing fence. Given the only POS areas (courtyards) for each townhouse backs directly onto the Avenue Road properties, the rear boundary fences should be at least 2.1m high and constructed of solid masonry materials (brick or similar). Such a fence would benefit the outdoor design of the townhouse courtyards by providing a solid backdrop to decorate or plant out while increasing visual and acoustic privacy to the POS area of the Avenue Road properties. Some examples include:







6. Rear Landscaping

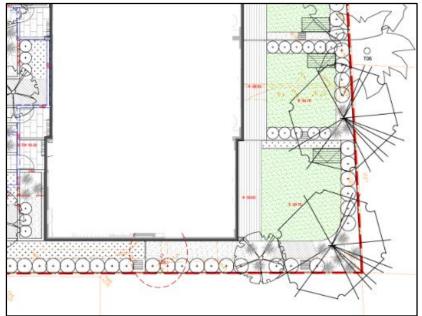
The DA plan set and images also indicate and show a number of trees that are proposed to be planted within the rear setback of the townhouses. However, apart from the images, and a general schedule of trees to choose from, the planting scheme and schedule lacks detail to be assured that the chosen trees will be appropriate for the site, not impose over the rear boundary, provide amenity for future occupants and Avenue Road residents and comply with Council's desired plant list for Hunters Hill. Again, the level of detail provided is insufficient for the DA. Council should require advanced plantings with any consent condition and require a bond to ensure trees reach maturity. Being located in POS, not communal areas it is questionable that future occupants will keep the initial plants.

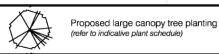


5 | Page









6 | P a g e



PROPOSED IND	ICATIVE PLANT SC	HEDULE	
BOTANICAL NAME	COMMON NAME	POT SIZE	MATURE HEIGHT
TREES			
Acmena smithii	Lillypilly	75L	12m
Angophora costata	Smooth-barked Apple	75L	15m
Brachychiton acerifolius	Illawarra Flame Tree	75L	15m
Eucalyptus haemastoma	Scribbly Gum	75L	15m
Eucalyptus tereticomis	Forest Red Gum	75L	18m
Fraxinus 'Raywood'	Claret Ash	75L	7m
Hymenosporum flavum	Native Frangipani	75L	6m
Jacaranda mimosifolia	Jacaranda	75L	12m
Lagerstroemia indica	Crepe Myrtle	75L	6m
Pyrus calleryana 'Chanticleer'	Calleryana Pear	75L	12m
Tristaniopsis laurina	Water Gum	75L	8m

Landscape Areas: Control (d) states that:

"(d) Rear setbacks should incorporate evergreen screen plantings that can reach a minimum mature height of 8 metres in order to protect the privacy of residential properties which are located immediately to the north of this precinct."

The only trees listed that fits the images provided needs to be less than 10m high (ie the height of the roof), straight trunk, narrow canopy with non-invasive roots. There are only or two species that may fit that specification.

As outlined previously the DA plan images, the landscape plans and the plant schedue do not provide sufficient information regarding the trees or indeed the shrubs proposed to be used within the courtyards. Compliance cannot therefore be established and satisfaction of the intent and objectives of the DCP provisions is questionable given the lack of information in the application.

Amended plans should be requested by Council and provided to adjoining property owners to review and comment.

7. Landscaped Area Calculation

The DCP requires developments in the Ryde Road Precinct to provide a minimum of 40% of the site area as landscaped area. The DCP states:

(b) Calculation of *landscaped area* should not include any land that has a length or a width less than 2 metres.

And,

Note.Landscaped area is defined by the Hunters Hill LEP 2012, and does not include any planted area which is constructed above a basement or a storey below.

7 | Page



The HHLEP 2012 dictionary definition is:

<u>landscaped area</u> means a part of a site used for growing plants, grasses and trees, but does **not include any building, structure or hard paved area** <our emphasis in bold>.

Combined with the Note above, all pathways, terraces, paved areas and areas over the basement are to be excluded from the landscaped area calculation. Only soft landscaped areas (larger than 2m x 2m are included).

The DCP control equates to:

Site area: 1963.55m2

40% equates to 785.42m² (to be provided as per HHLEP landscaped area definition)

The SEE (page 13) and Landscape Area Calculation plan (sheet 30 of 31) state:

SEE total landscaped area: 803m² or 40.9%

Landscaped Area Calculation plan: 806.76m² or 41.1% (based on a breakdown of hard and soft landscaped areas), as below:

PROPOSED LANDSCAPE AREA C	ALCULATION	
Total Site Area	1,963.55m2	
	reg/min/max	proposed
Landscape area	785.42m2/40% min.	806.76m2/41.1%
Soft landscape area	523.61m2/26.7%/min	634.14m2/32.3%
Hard (cl 6.9(4) HHELP)	261.81m2/13.3%/max	172.80m2/8.8%
Soft landscdape area over basement car park		121.43m2/6.2%

The two documents are inconsistent.

The landscaped calculation plan (sheet 30) breaks up the total landscaped area into soft and hard landscaped areas by adopting clause 6.9(4) of the HHLEP. However, this clause of the LEP (a statutory planning instrument) only applies to dwelling houses and secondary dwellings, not this development category. It is not available for the proposed residential flat building and multi dwelling housing development. It is not applicable.

On this basis, only the soft landscape area listed on Sheet 30 can be adopted, and only where those areas have a width <u>and</u> length of at least 2m.

The maximum landscaped area provided is therefore only 634.14m² or 32.3%.

That is a non-compliance of $151.28m^2$ (and likely to increase once areas not meeting the $2m \times 2m$ criteria are excluded).

8 | Page



Either way, this is a large breach of the DCP control and one that is not addressed by or justified by the development. Even if additional justification is provided by the applicant we ask that council refuse the development on this basis alone. As mentioend the site has a sensitve interface with the heritage conservaiton area and regardless the character of Hunters Hill relies on dense front, side and rear landscaping where buildings sit within a garden setting.

8. DCP - Built Form & Facades

The DCP states:

- "(e) Facades that face a rear boundary:
 - (iii) Should not incorporate windows, balconies or terraces that would directly overlook existing residential properties in Avenue Road.
 - (iv) Should incorporate details that provide visual interest, such as sun shades and some degree of variation for materials and finishes."

All five of the rear townhouses have habitable rooms on each level that have large window openings and courtyards and balconies that face Avenue Road properties. Our clients directly adjoin two of the townhouses and will be overlooked by at least one other dwelling. As stated in point 1.1 above, the balconies are unscreened, the opaque glass treatment needs to be conditioned in any development consent issued to ensure they are installed and the rear boundary fence should be of solid masonry construction, 2.1m high. In combination these measures go to addressing overlooking, visual and acoustic privacy concerns for our clients however we request that Council require deletion of the upper level baconies.

The amenity, safety and enjoyment of their rear POS area and swimming pool is of paramount importance to our client. They are longstanding residents of the area, with young children, and they should be able to be able to feel safe and secure in their own home. Likewise future occupants of the townhouse should also be able to enjoy their courtyard space as it is the only POS area available to them. The DCP explicitly discourages such impacts on properties along the Avenue so there is an expectation that Council will adhere to the precinct objectives and controls in relation to amenity and privacy.

9. Overshadowing - review and landscaping

We request Council review the diagrams submitted and ensure that the proposed development complies.

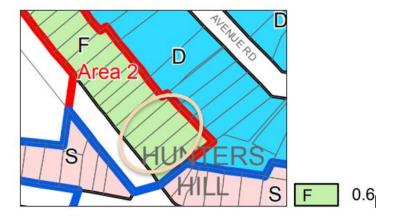
While shadow diagrams are not required to account for proposed large canopy trees as part of future shadows being cast over the rear boundary, we request that consideration be given to the plant/tree selection such that all trees are deciduous to provide ample sunlight mid-winter but not sprawling canopies that will overhang the rear boundary at maturity. Our clients rear POS area immediately adjacent the dividing boundary is a turfed area that is used by their children as a play area. If in constant shadow, turf will not grow or thrive and be a constant issue ongoing issue.

10. Floor Space Ratio – clause 4.4A interpretation

9 | Page



A question is raised as to the compliance of the floor space ratio of the proposed development. The site is mapped in an area where the FSR is 0.6:1. It is also mapped in "Area 2" where clause 4.4A of the HHLEP applies.



Clause 4.4A, in relation to Area 2 states:

4.4A Exception to floor space ratios for certain land in the Hunters Hill Village

(2) The maximum floor space ratio for a <u>residential flat building</u> on land identified as "Area 2" on the Floor Space Ratio Map that has a site area of 1,000 square metres or more is 0.8:1.

The development comprises a combination of a residential flat building and multidwelling housing on one block of land. The applicable FSR is therefore a combination of 0.8:1 and 0.6:1.

The SEE (page 13) states that the FSR is 0.792:1, assuming that the applicable FSR is 0.8:1 and the development is fully compliant.

We request that Council fully review the interpretation of this development standard as it applies to this proposal and should it be found that the FSR exceeds the relevant FSR for the site then refuse the DA based on the FSR breach. Again the issue of precedent in this matter is very strong as any approval would be seen as setting a new standard for the LGA and probably degrading Council's current standards and policies.

11. Insufficient DA Information

10 | P a g e



- The SEE addresses site contamination. No preliminary site investigation (contamination) report is submitted citing that it is 'unlikely' to be contaminated. Given the proposed excavation of the basement level there is no evidence submitted that Council can rely on to approve the DA.
- The SEE cites SEPP 65 and a Design Verification Statement. At the time the DA
 was lodged with Council (January 2024), this is now SEPP Housing 2021. No
 report has not been made publicly available. Compliance with Chapter 4 Design
 of Residential apartment development cannot be reviewed.
- The full suite of DA plans and reports (the DA package as uploaded to the Planning Portal) should be made publicly available for comment.
- 4. The publicly available information does not include the waste management plan yet the SEE states that Council will be engaged to collect waste from the site. With 13 residential dwellings, how is this to be achieved? Kerbside pickup?
- 5. Stormwater drainage plans are not available for review. Antidotal local knowledge of the area reports that overland flow in high rain episodes results in stormwater flows from the existing properties into the rear of properties on Avenue Road due to the slope across the length of the site. Will site works seek to build up the rear of the development site to drain to Ryde Road. No plans are publicly available to review this matter.
- No dilapidation report is available for review. It is understood that the precinct is underlain by rock. With extensive excavation required for the basement level, what measures are to be adopted to ensure the integrity of structures near the rear boundary of our client's property.

Summary

The subject application comprises a large infill development over three residential properties, within a R3 zone. The application is for the construction of 13 dwellings (residential flat building and five townhouses (multi-dwelling housing).

Notwithstanding the design and layout of the rear townhouses, as submitted, will result in significant adverse impacts on our client's property. The matters in relation to amenity could be addressed by amendments to the DA plan set, however other broader matters raised are more complex for the overall development.

We request that, on behalf of our clients, that the application be amended to remove the rear balconies as they give rise to adverse impacts; are surplus to the needs of the development; and are out of character in Hunters Hill. Should Council not support their removal, then we request that they be screened, with suitable privacy screens installed to maximise privacy and amenity between properties, thereby addressing the environmental planning issues of residential amenity that the DCP requires to be addressed by development in this precinct.

11 | Page



We also request that should amended plans be submitted that our client be given the opportunity to review and comment should the applicant seek to modify the application. All correspondence to be issued to No 14 Avenue Road, Hunters Hill.

Deb McKenzie Planning Consultant Andrew Martin Planning

12 | Page

Lauree Simmons

18 Avenue Rd

Hunters Hill NSW 2110.

RE: DA20230164 - 7 RYDE ROAD, HUNTERS HILL 2110

To whom it may concern

Regards

We have owned 18 Avenue Rd for some 38 years now, well before anyone thought that the houses behind us could be rezoned to accommodate medium density housing and thus accordingly, we find this proposal to be completely out of character with our surrounding Hunters Hill neighborhood. This proposed development adjoins our rear property boundary.

We have reviewed the submission and found that the proposed building is extremely close to our rear fence and the plans supplied indicate the proposed building to be up to a height of 10m in some places and only 6m from our rear boundary. This will impact our property greatly as far as our views across the neighborhood, the lovely neighbouring trees and sunlight during the summer afternoons and evenings.

Our backyard and the rear of our house is quite open so therefore anyone on the first or second level of these units will have a full uninterrupted view into our backyard and living areas. This rear area directly behind our house includes a pool and surrounding paved area which we are also concerned that it may be damaged by the developer during construction. Please also note that our rear boundary fence currently servers as a pool fence and makes up part of our pool fencing structure.

Our understanding is that council are under an obligation to maintain our amenity as described in the Hunters Hill Local Environmental Plan ensuring that new buildings are compatible with the garden suburb character and heritage values that distinguish the low-density localities. We would strongly disagree that this proposed development achieves the above in any way shape or form. Surely council are required to maintain the existing properties amenity!

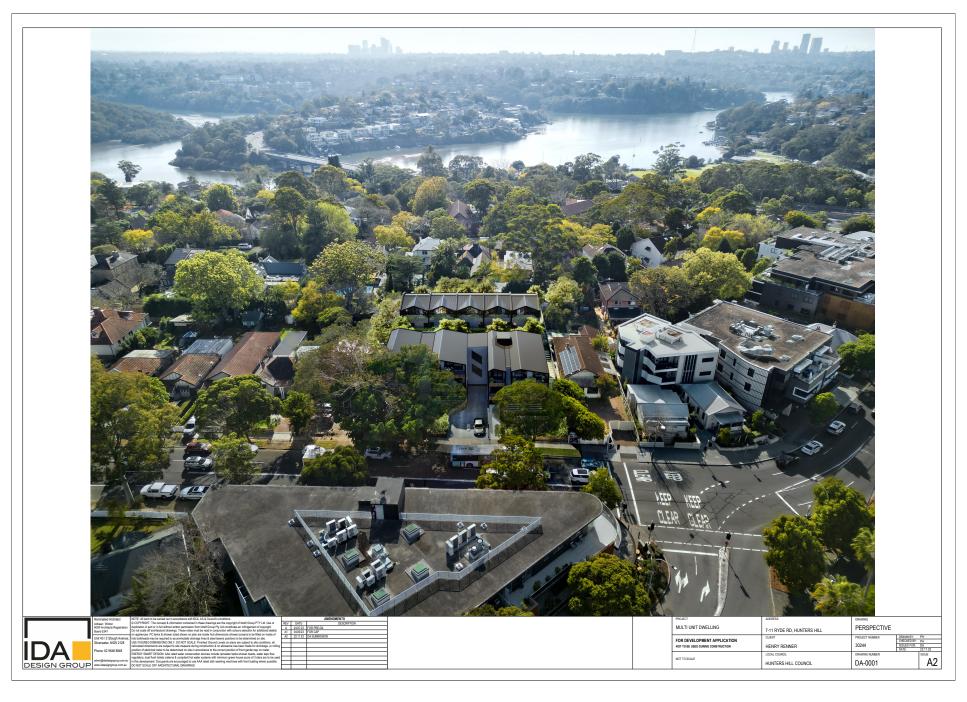
To summaries our concerns we are disappointed that such a high building so close to our boundary with rear facing windows could be built so close to our property boundary which would be so detrimental to our current property in regard to the loss of our rear private space, increased noise, reduced outlook and the impact on current property value.

We look forward to additional information as the development progresses through council.

Laureee Simmons Date:



Item 3.1 Attachment 3





IDA

DESIGN GROUP was do

mental Ashabita | SOTT, 18 cm b to two manufact and manufact and MA County modelling | SOTT, 18 cm b to two manufact and m

| ANDOMOTS | CO.SCH. | CO.

PROJECT	ADDRESS	DRAWNG		
MULTI UNIT DWELLING	7-11 RYDE RD, HUNTERS HILL	PERSPECTIVE		
FOR DEVELOPMENT APPLICATION	CUENT		DRAWN BY: CHECKED BY:	PH
NOT TO BE USED DURING CONSTRUCTION	HENRY RENNER	30244	ISSUED FOR	DA
				22.11.23
	LOCAL COUNCIL	DRAWING NUMBER		ISSUE
NOT TO SCALE	HUNTERS HILL COUNCIL	DA-0002		A2





CALCULATIONS

SITE DETAILS

Lot 2 DP7691 Lot 3 DP7691

SITE AREA 1963.55m² by calculatio

COMPLIANCE

CATEGORY REQUIREMENT

Zoning R3 Medium Density Residential

 Max Height
 10m

 Communal Open Space (ADG)
 491 m²
 25%

 Landscaping (DCP)
 785 m²
 40%

Deep Soil (ADG)
Parking Rates

Natural Ventilation

ng Rates
Apartments & One bedroom 1.0 per dwelling (1)
Townhouse Two bedroom 1.2 per dwelling (10.8)
Three plus bedroom 1.6 per dwelling (4

ADG 60% of units, 8 Units

 Vizilors
 0.25 per dwelling (REQ, 3.25 Total)

 Bicycle (resident)
 0.2-0.3 space per unit

 Bicycle (visilors)
 0.05-0.1 space per unit

 Solar Access
 ADG 70% of units, 8 Units

| OROSS FLOOR AREA | LOCATION | L

UN	IT BREAKDOWN	
UNIT TYPE	QTY	COMMENT
1 BED	1	RFB
2 BED	4	RFB
2 BED + FLEX	5	TOWNHOUSE
3 BED	3	RFB

PRIVATE OPEN SPACE			
LOCATION	UNIT TYPE	AREA	
101	2 BED	13 m²	
102	1 BED	13 m²	
103	3 BED	30 m²	
201	3 BED	41 m ³	
202	3 BED	30 m²	
G01	2 BED + FLEX	71 m ³	
G02	2 BED + FLEX	48 m²	
G03	2 BED + FLEX	52 m²	
G04	2 BED + FLEX	52 m²	
G05	2 BED + FLEX	85 m ²	
G06	2 BED	28 m²	
G07	2 BED	30 m²	
G08	2 BED	48 m²	

PROPOSAL

3 Storeys 696 m² 35.4% 803 m² 40.9%

lotal 24 Spaces provided 10 spaces for apartment 10 spaces for townhouse 4 spaces provided 4 bicycle parking

75%, 6 of 8 RFB Units 87%, 7 of 8 RFB Units

OA DRAWIN	G LIST	
RAWING No.	DRAWING NAME	REV. No.
A-0000	COVER PAGE	A2
A-0001	PERSPECTIVE	A2
A-0002	PERSPECTIVE	A2
A-0003	PERSPECTIVE	A2
A-0004	PERSPECTIVE	A2
A-0010	CALCULATIONS	A2
A-0011	DEMOLITION PLAN	A2
A-0020	SITE ANALYSIS	A2
A-0021	SITE ANALYSIS	A2
A-0022	SITE ANALYSIS	A2
A-0023	STREETSCAPE ANALYSIS	A2
A-0024	STREETSCAPE ANALYSIS	A2
A-0031	LANDSCAPE ZONES	A2
A-0050	BASIX COMMITMENTS	A2
A-0100	SITE PLAN	A2
A-0999	BASEMENT FLOOR PLAN	A2
A-1000	GROUND FLOOR PLAN	A2
A-1001	LEVEL 1 - FLOOR PLAN	A2
A-1002	LEVEL 2 - FLOOR PLAN	A2
A-1003	ROOF PLAN	A2
A-2001	ELEVATIONS - SHEET 1	A2
A-2002	ELEVATIONS - SHEET 2	A2
A-2003	ELEVATIONS - SHEET 3	A2
A-3001	SECTIONS	A2
A-3002	SECTIONS	A2
A-4030	MAX. HEIGHT PLANE	A2
A-4050	MATERIAL SCHEDULE	A2
A-4051	STREETSCAPE & MATERIAL SCHEDULE SHEET 1	A2
A-4052	STREETSCAPE & MATERIAL SCHEDULE SHEET 2	A2
A-4053	STREETSCAPE & MATERIAL SCHEDULE SHEET 3	A2
A-4901	DOOR/WINDOW SCHEDULE	A2
A-5001	SHADOW DIAGRAMS-WINTER SOLSTICE	A2
A-5002	SHADOW DIAGRAMS-WINTER SOLSTICE	A2
A-5010	SOLAR ACCESS DIAGRAMS	A2
A-5011	SOLAR ACCESS DIAGRAMS	A2

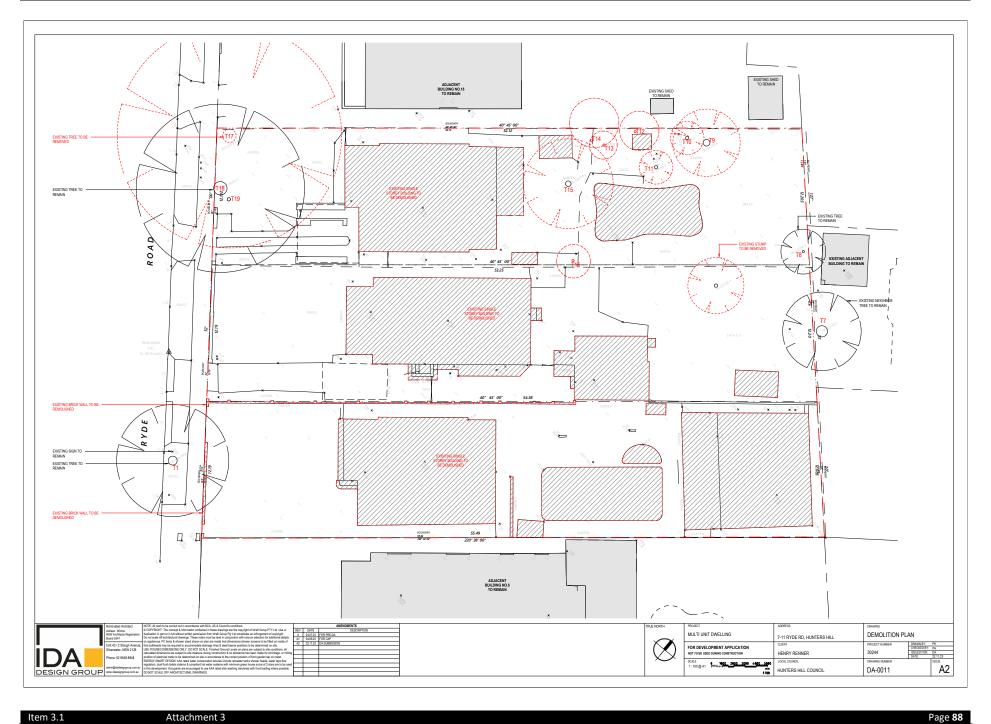
IDA PROUP

Adriaan Winton
NSW Architects Registration
Board S37 .
Unit 43 / 2 Slough Avenue,
Silvenwater, NSW 2128
Phone: 02 9648 8848
EN

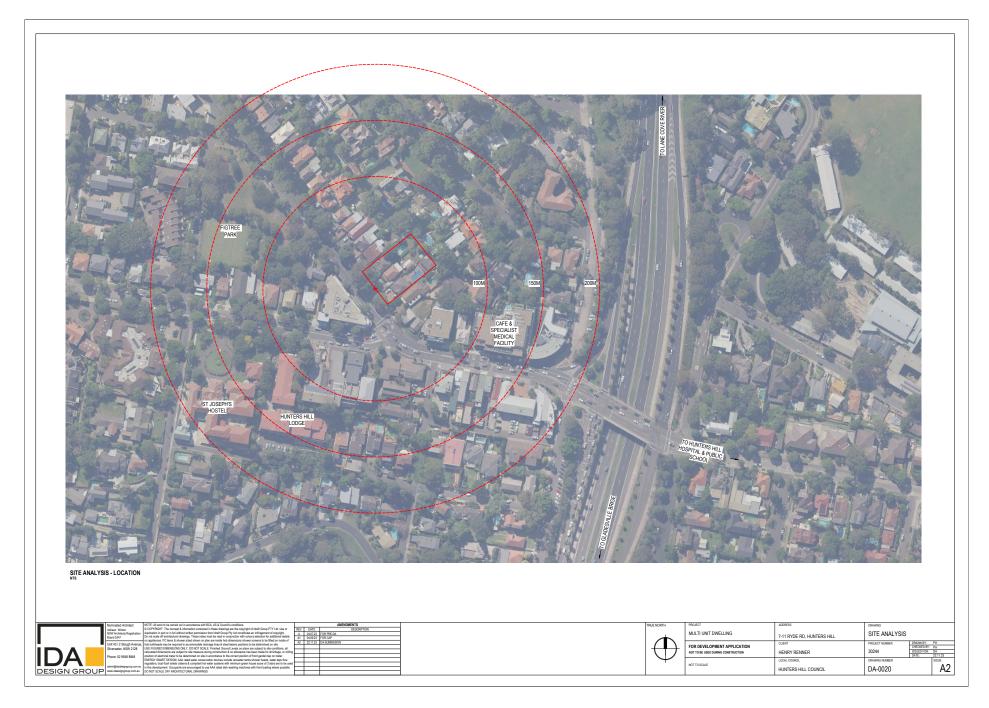
when the second contract of a member on the CAS (CAS) and CAS (CAS) and

DAVE DESCRIPTION DESCRIPTION 244721 FOR REGA SAMPSION 221122 DA SEBMISSION

PROJECT
MULTI UNIT OWNELING
7-11 RYDE RD, HUNTERS HILL
CALCULATIONS
FOR DEVELOPMENT APPLICATION
NOT TO 86 WIND DUMBNO CONSTRUCTION
HENRY RENNER
1004. COUNCIL
HUNTERS HILL COUNCIL
DUMBNO MARKER
1005.
DUMBNO MARKER
1006.
DA-0010
DA-0010
DA-0010



Attachment 3 Item 3.1





SITE ANALYSIS - CONTEXTUAL



SITE ANALYSIS - ZONING

		NOTE: All work to be carried out in accordance with BCA, AS & Council's conditions.			AMENDMENTS
			REV	DATE	DESCRIPTION
		duplication in part or in full without written permission from Idraft Group Pty Ltd constitutes an infringement of copyright. Do not scale off architectural drawinos. These notes must be read in conjunction with colours selection for additional details.	A		FOR PRE-DA
	Board 5347	Do not scale off architectural drawings. These notes must be read in conjunction with colours selection for additional details on appliances. PC items & shower sized shown on plan are inside hob dimensions shower screens to be fitted on inside of	A1	04.09.23	
	Hait 49 / 9 Clough Avenue	hob bulkheads may be required to accommodate drainage lines & steel beams positions to be determined on site.	A2	22.11.23	DA SUBMISSION
		USE FIGURED DIMENSIONS ONLY, DO NOT SCALE; Finished Ground Levels on plans are subject to site conditions, all			
		calculated dimensions are subject to site measure during construction & no allowance has been made for shrinkage, or milling			
		position of electrical meter to be determined on site in accordance to the correct position of front garden tap on meter.			
		ENERGY SMART DESIGN: AAA rated water conservation devices include rainwater tanks shower heads, water tops flow			
		regulators, dual flush tollets cistems & compliant hot water systems with minimum green house score of 3 stars are to be used in this development. Occupants are encouraged to use AAA rated dish washing machines with front loading where possible.			
ESIGN GROUP	www.idaesinnnnun.com.au	DO NOT SCALE OFF ARCHITECTURAL DRAWINGS			

88	DISTRICT VIEWS
~~~~	NOSE SOURCE
\Leftrightarrow	PREVALING WARM EASTERLY WINDS IN SPRINGSLIMMER
\sim	PREVALING WARM WESTERLY WINDS IN SPRINGSLAMER
\longleftrightarrow	DISTANCE TO PUBLIC TRANSPORT
Û Û	ENTRY - (P) PEDESTRIAN (V) VEHICLE
0-0	EXISTING BUILDING - No. OF STOREYS
	PROPOSED DEVELOPMENT SITE
	EXISTING BUILDING
LEGEND - LAND ZO	
LEGEND - LAND 20	
LEGEND - LAND 20	NING LOW DENSITY
LEGEND - LAND ZO	NING LOW DENSITY ZONE - R2 MEDIAN DENSITY
LEGEND - LAND 20	NING LOW DENSITY ZONE - R2 MEDIAN DENSITY ZONE - R3 HIGH DENSITY
LEGEND - LAND 20	MNO LOW DEMBITY ZUNE - R2 MEDILAN DEMBITY ZUNE - R4 MEDILAN DEMBITY ZUNE - R4 FUNE - R4

SITE ANALYSIS

DA-0021

7-11 RYDE RD, HUNTERS HILL

HENRY RENNER

HUNTERS HILL COUNCIL

MULTI UNIT DWELLING

FOR DEVELOPMENT APPLICATION NOT TO BE USED DURING CONSTRUCTION

A2



DEVELOPMENT APPLICATIONS 23 May 2024

STREETSCAPE ANALYSIS VIEW ALONG RYDE ROAD OF SUBJECT SITE 58-60 Gladesville Road 3 storey residential flat building Brick finish facade Dark colour roof Hip roof form Balustrade to soffit glazing Exposed garge to street front 3 storey residential flat building Brick finish facade Dark colour roof Hip roof form Glass balustrade Balustrade to soffit glazing Exposed garge to street front Brick finish facade Dark colour roof Hip roof form Glass balustrade Balustrade to soffit glazing Exposed garge to street front Single storey dwelling Earth colour brick finish facade Dark colour roof Pitch roof form Bay window to street front Recessive driveway Single storey dwelling Earth colour brick finish facade Dark colour roof Pitch roof form porch to street front Recessive driveway Single storey dwelling Light colour brick finish facade Dark colour roof Hip roof form Glass balustrade Balustrade to soffit glazing Exposed garge to street front Single storey dwelling Brick finish facade Dark colour roof pitch roof form Glass balustrade Balustrade to soffit glazing Exposed garge to street front Single storey dwelling Rendered brick finish facade Dark colour roof pitch roof form Porch to street front Balustrade to soffit glazing Recessive driveway 3 storey mixed used Brick and cladding finish facade Fiat roof form Full height glazing on ground Recessive driveway entrance 2 storey residential flat building Brick finish facade Dark colour roof Hip roof form Floor to soffit windows Recessive driveway entrance Brick and cladding finish facade Dark colour roof pitch roof form Timber look pallsade fence Floor to soffit glazing Recessive driveway entrance MULTI UNIT DWELLING STREETSCAPE ANALYSIS 7-11 RYDE RD, HUNTERS HILL FOR DEVELOPMENT APPLICATION NOT TO BE USED DURING CONSTRUCTION 30244 HENRY RENNER NOT TO SCALE A2 HUNTERS HILL COUNCIL DA-0023

STREETSCAPE ANALYSIS

VIEW ALONG RYDE ROAD OPPOSITE OF SUBJECT SITE









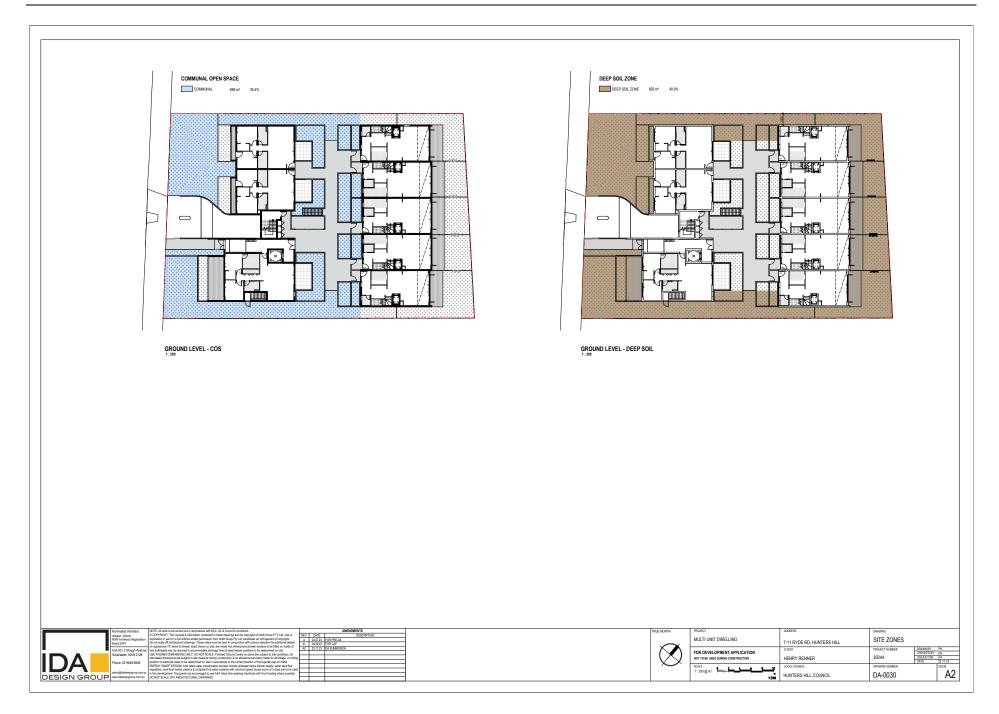
- 3 storey commercial building
 Terracotta tiles
 Flat roof form
 Full height glazing on ground
 Recessive driveway entrance

- 2 storey townhouse
 Brick and Render finish
 Gable roof
 Dark colour roof

- Brick face finish
 Pitch roof
 Dark colour roof
 Porch to street front
 Bay windows to street front

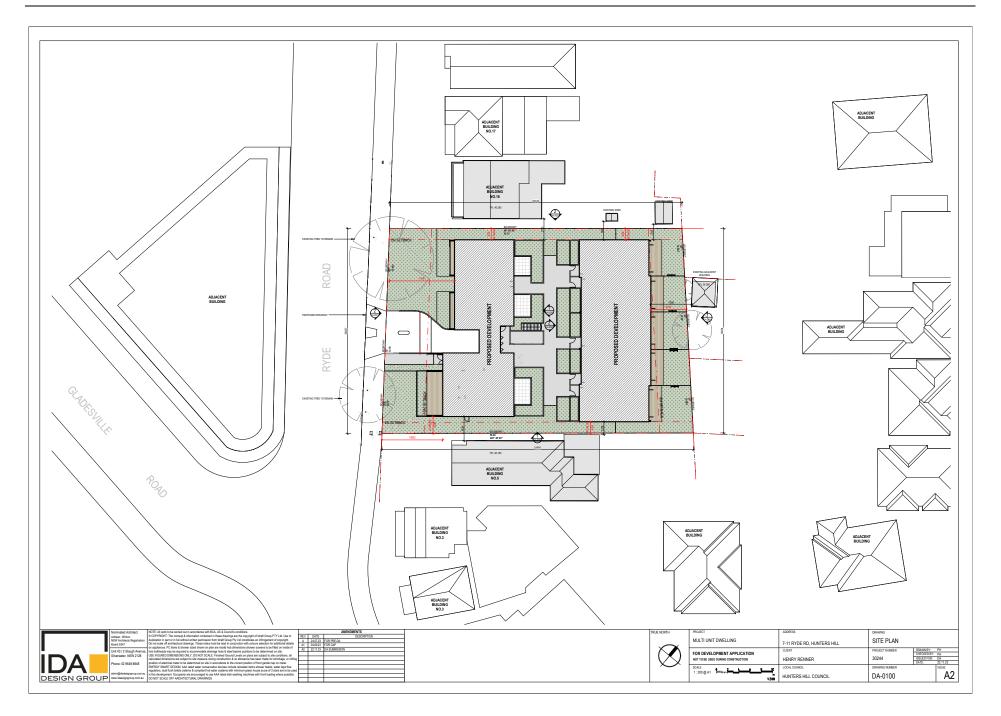


STREETSCAPE ANALYSIS MULTI UNIT DWELLING 7-11 RYDE RD, HUNTERS HILL FOR DEVELOPMENT APPLICATION NOT TO BE USED DURING CONSTRUCTION HENRY RENNER 30244 NOT TO SCALE A2 HUNTERS HILL COUNCIL DA-0024

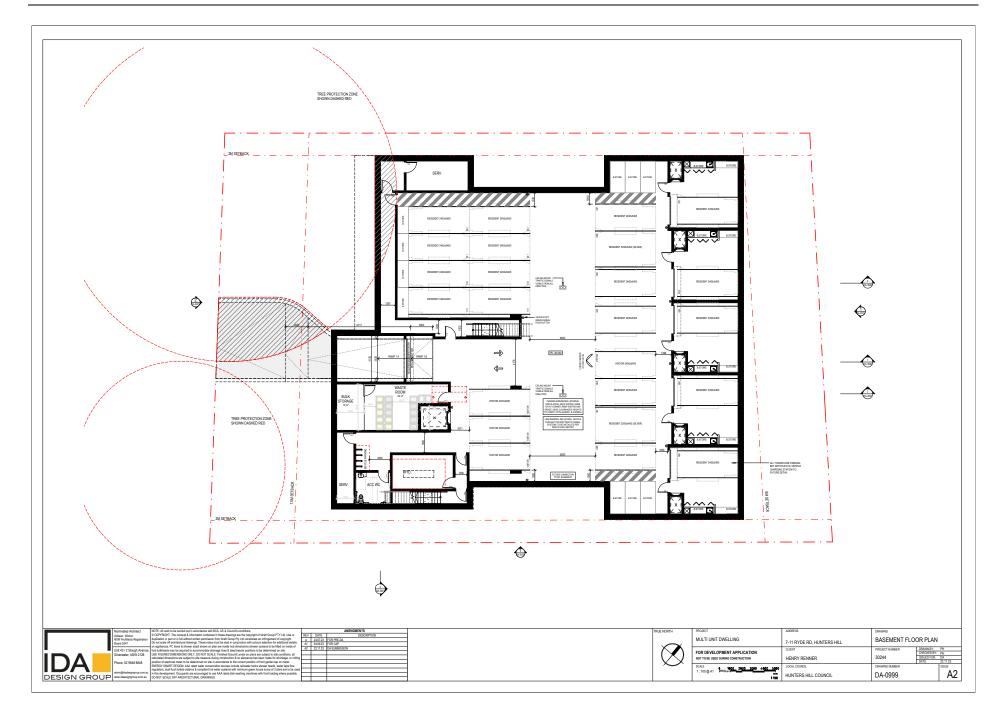




Schedule of BASIX commitments The sensembers are of white required to the prevent development in the commitment and sensember development or the prevent development in the commitment of an individual commitment of the commitment of an individual commitment of the commitment of an individual commitment of the commitme	District of Information Confidence and Confidence	On Toward The Continue of	Before the company of the development in the appearant results of construction. Market but or of the exaction of the construction is the first but of the construction of the constructio
The Section of the Control of the Co	Commence content and content of the content of th	certificate which were used to calculate those specifications.	(ii) The qualited near counted for express an extract leaf to Cours may any sunny of such and having how the counted of the co
Section to Management of the Control	2. Commitments for multi-destina broasing (c) Destinate (c) Desti	Bit Section of Performance	Notice 1. Since conclusions. Signification of a series of property of the control of the contro
(I) Foreign	Section 5 to Secti	"Prames" and 'Charing' laties in permitted.	October 1
Notice laborated Archited Acceptance of the Control	AMDOMENTS GESCHIPPION GE	FG	DECT ADDRESS TO SERVE DE LINI UNIT DIVELLING 7-11 RYDE RD, HUNTERS HILL BASIX COMMITMENTS PRODUCTOMENT APPLICATION 10-10 HEIGHT APPLICATION HEIGHT APPLICATION 10-10 HEIGHT APPLICATION



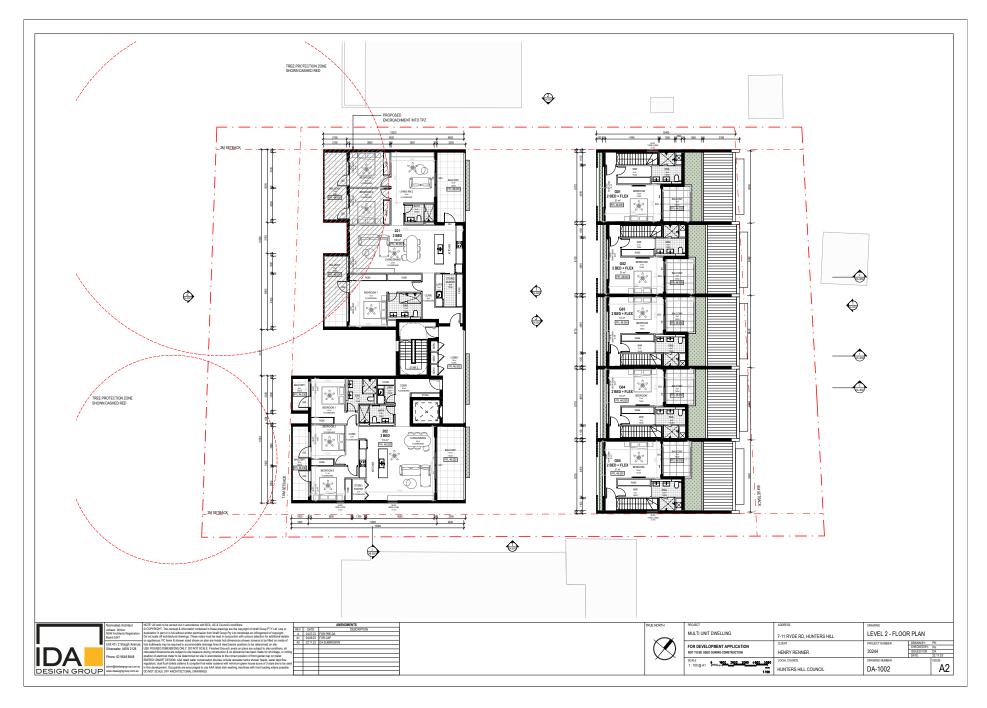
Item 3.1 Attachment 3

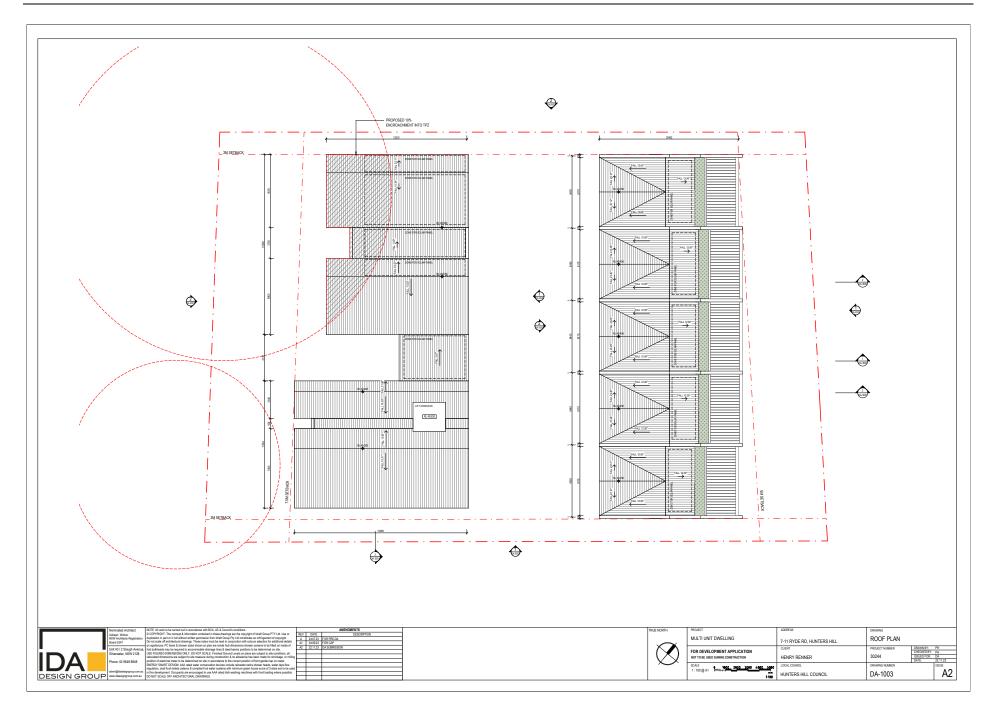


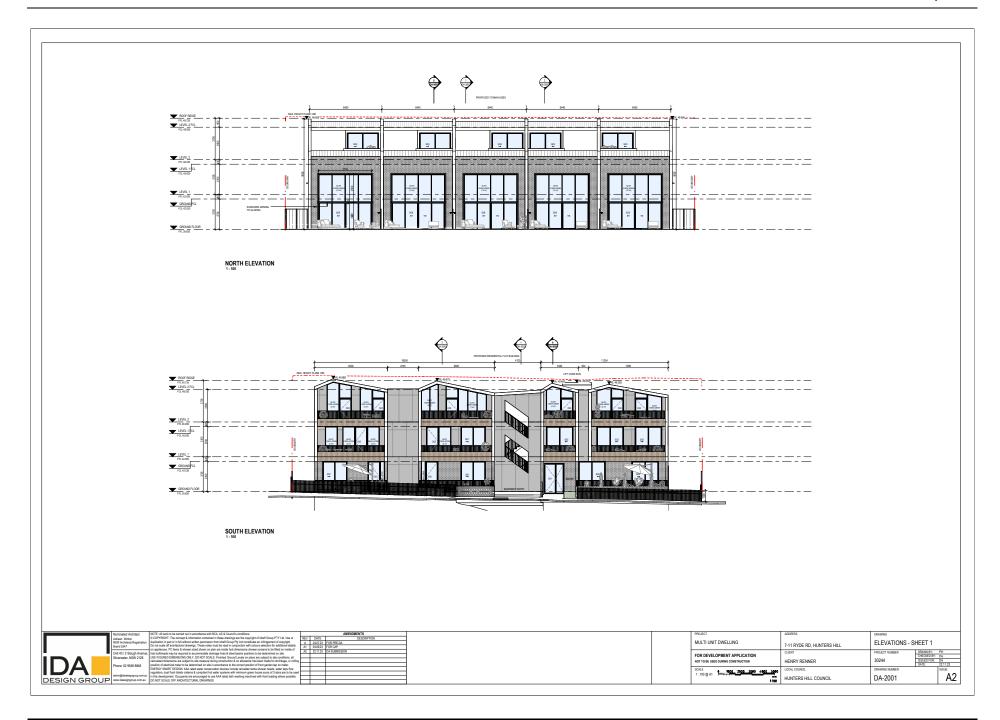


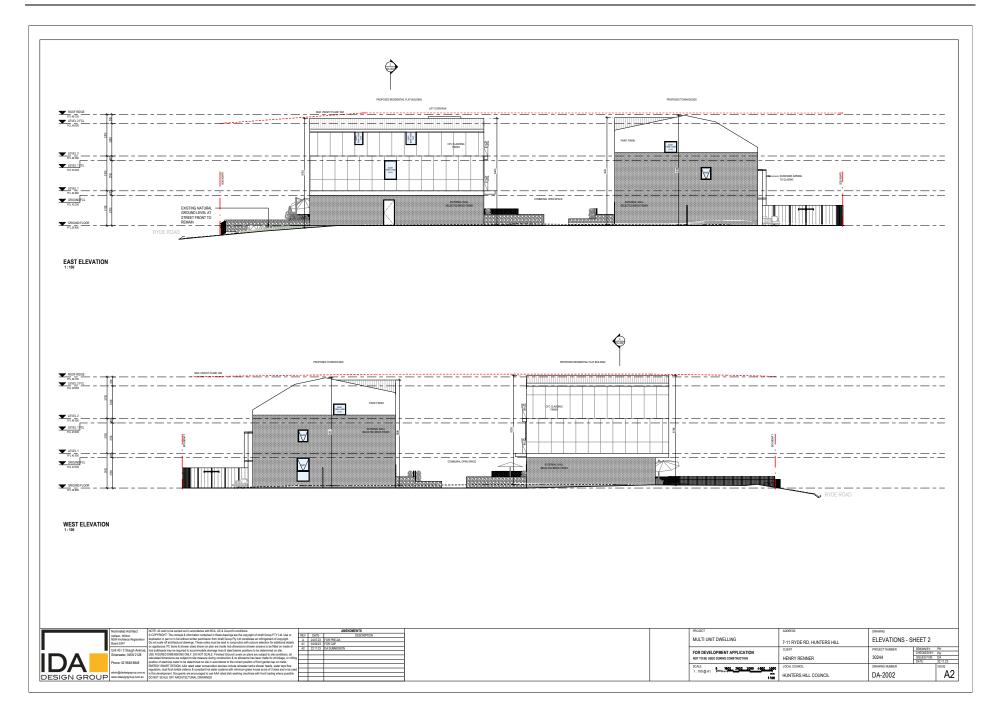
Page 99

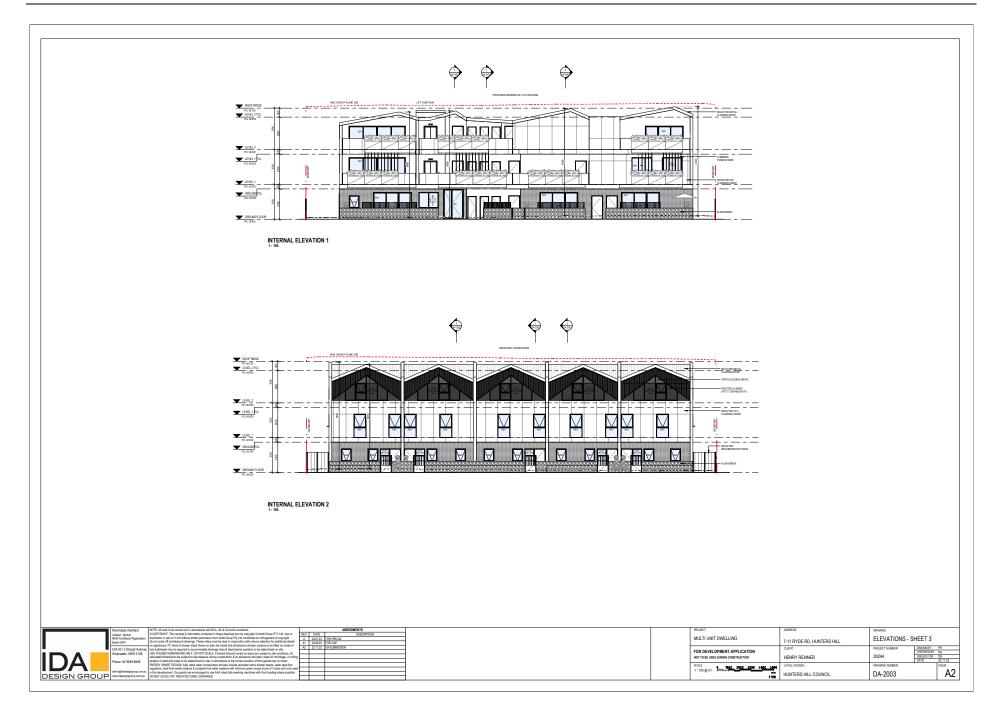


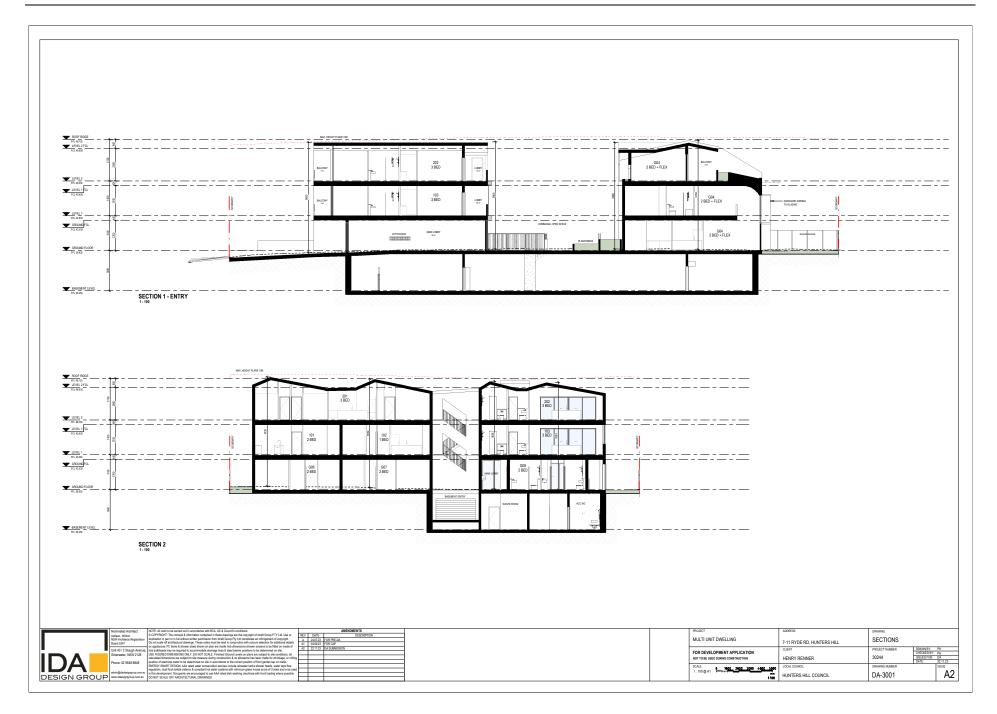


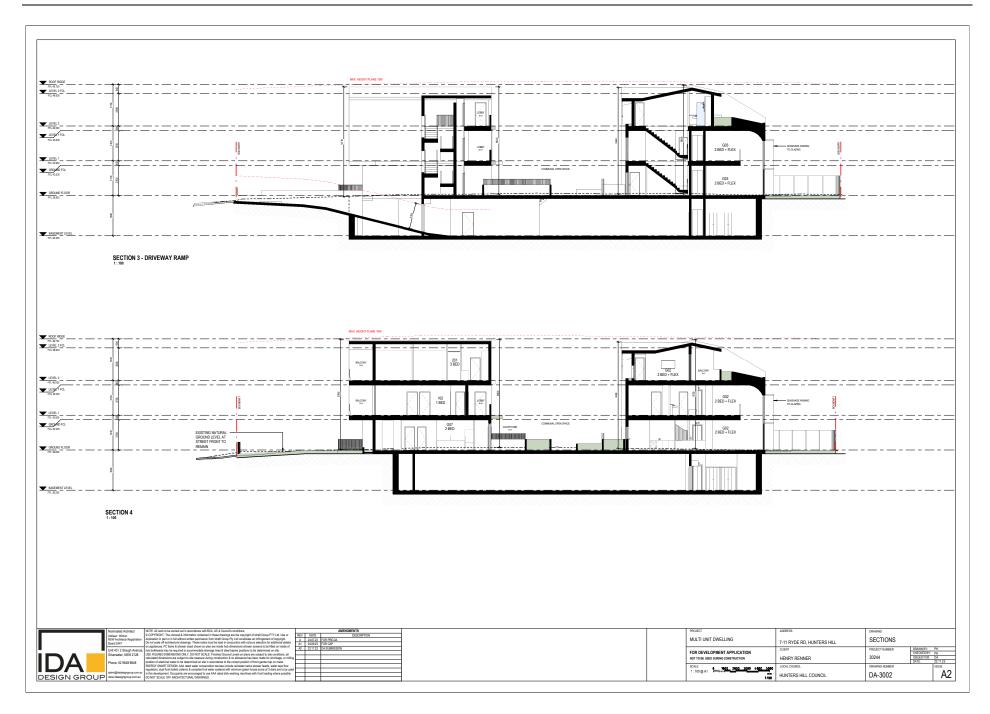


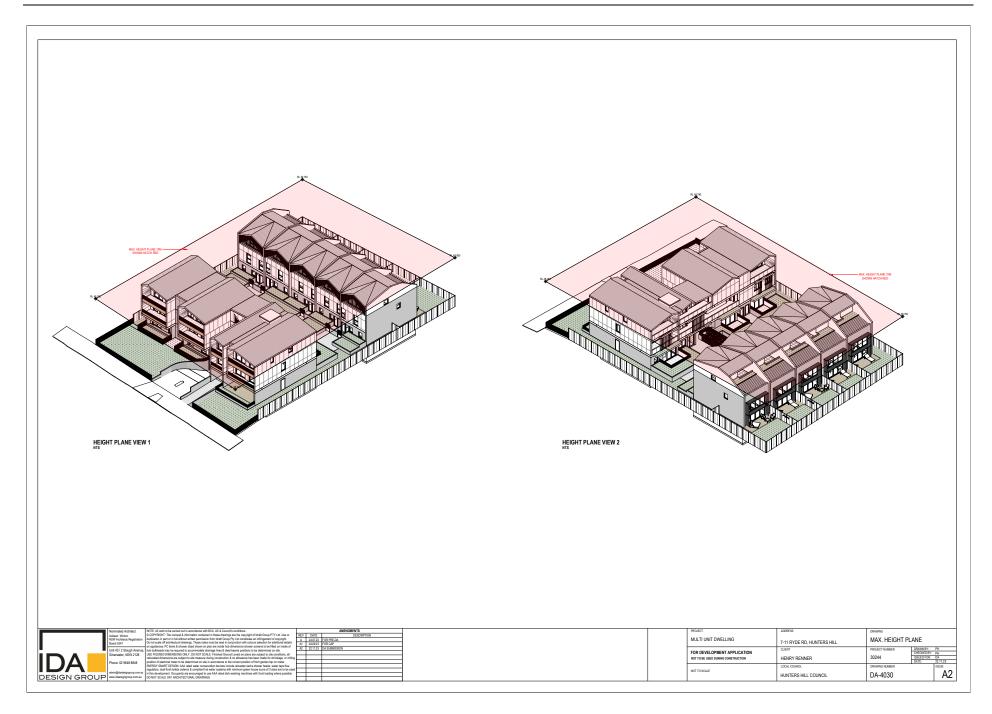


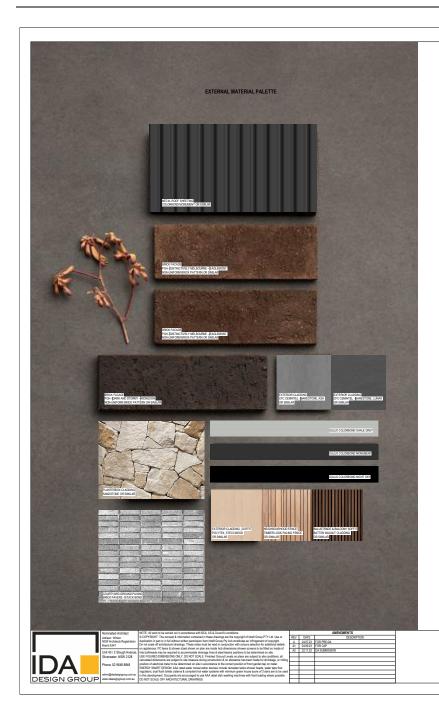


















FENCING - COURTYARD FENCING, PLANTERBOX WALL WITH ALUMNUM BALUSTRADE OR SIMILAR





CONCEPT IMAGES





WALL FINISH - OFC PANEL



FROMEN	ADDITION	DISARRING		
MULTI UNIT DWELLING	7-11 RYDE RD, HUNTERS HILL	MATERIAL SCHE		
FOR DEVELOPMENT APPLICATION	CLIENT		DRAWN BY: CHECKED BY:	PH
NOT TO BE USED DURING CONSTRUCTION	HENRY RENNER			PH DA
NOT TO BE USED DURING CONSTRUCTION	HENRY RENNER			22.11.23
	LOCAL COUNCIL	DRAWING NUMBER		ISSUE
NOT TO SCALE	HUNTERS HILL COUNCIL	DA-4050		A2

Page **109** Item 3.1 Attachment 3







INTERNAL ELEVATION - TOWN HOUSE



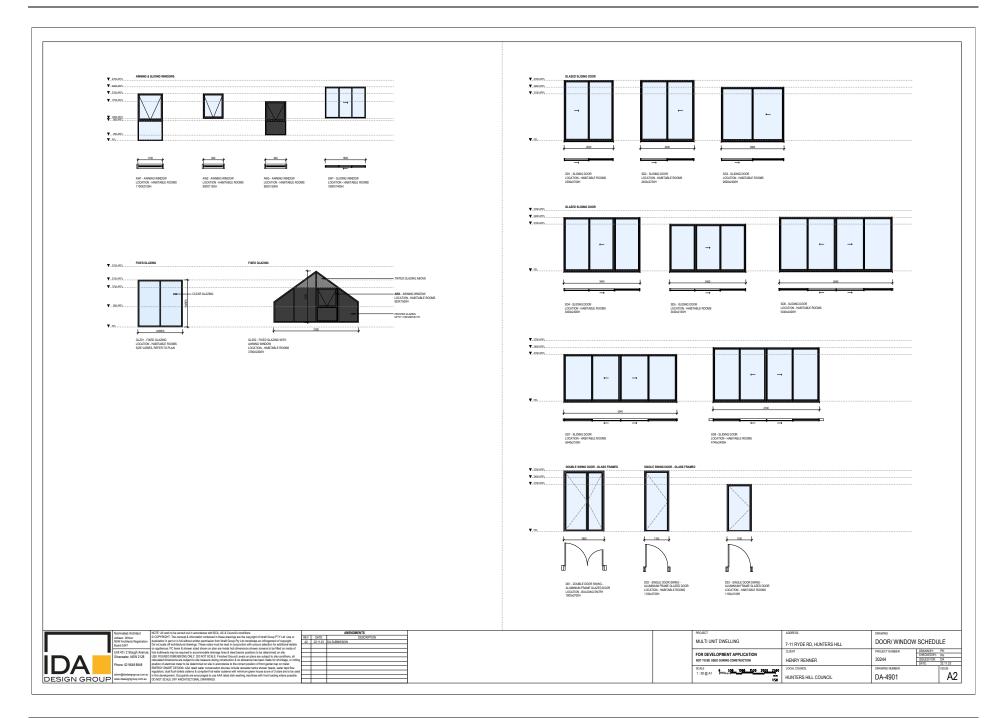
INTERNAL ELEVATION 1 - RFB

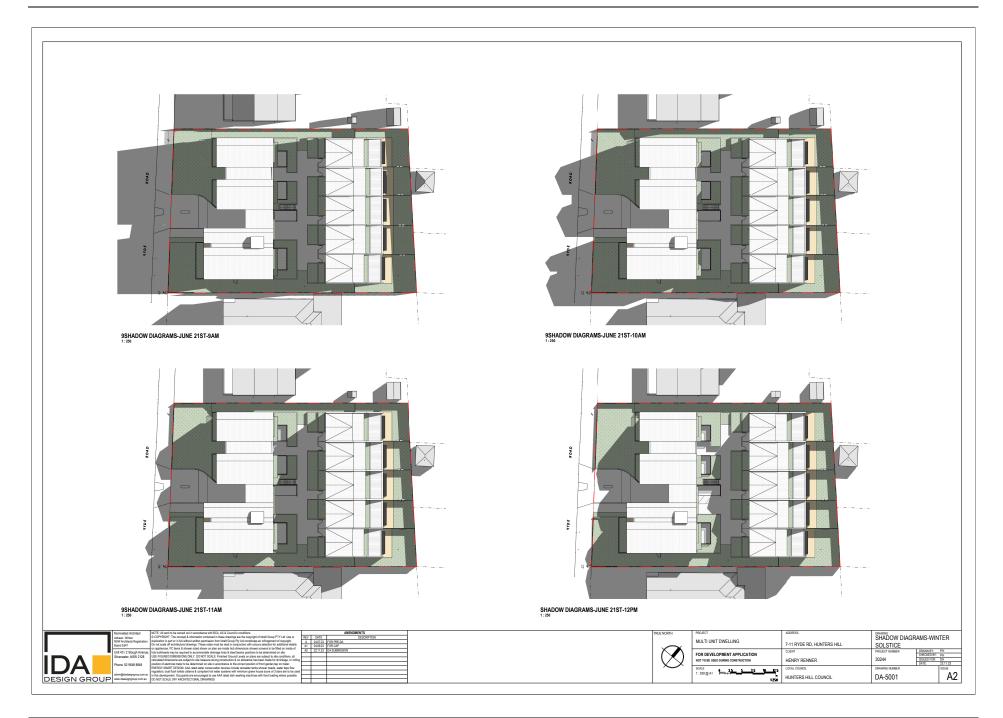


Internal Architects (1975). We see his to use of an invention on this CA, In Count's numbers on the CA, In Count's numbers of the CA, In Count's numbers of

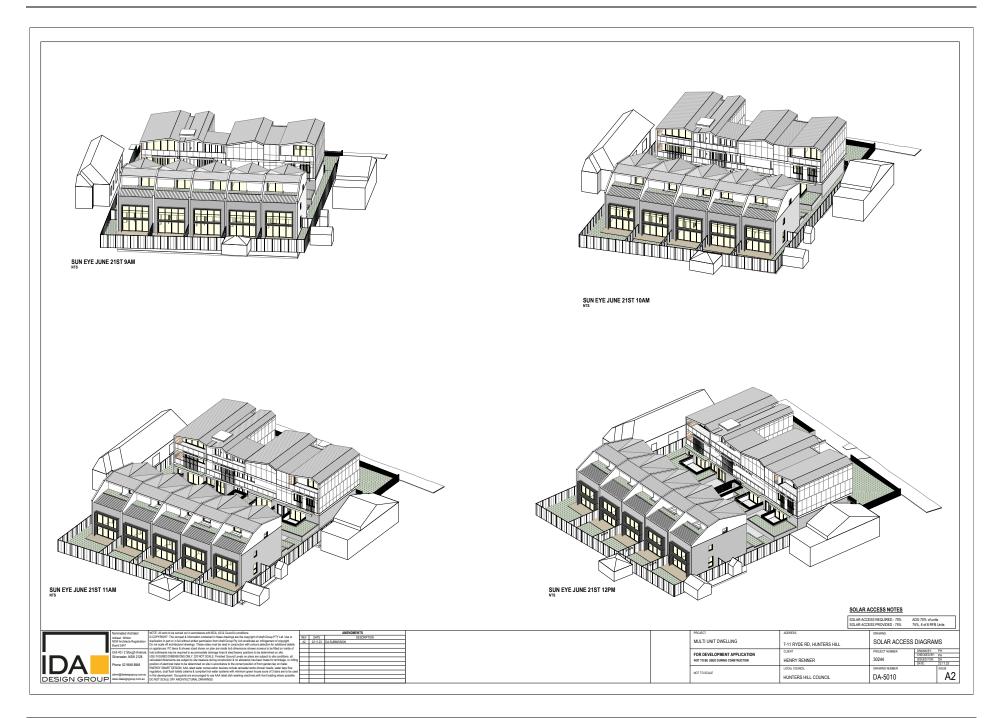
AMENDMENTS			
REV	DATE	DESCRIPTION	
A	24.07.23	FOR PRE-DA	
A1		FOR CAP	
A2	22.11.23	DA SUBMISSION	

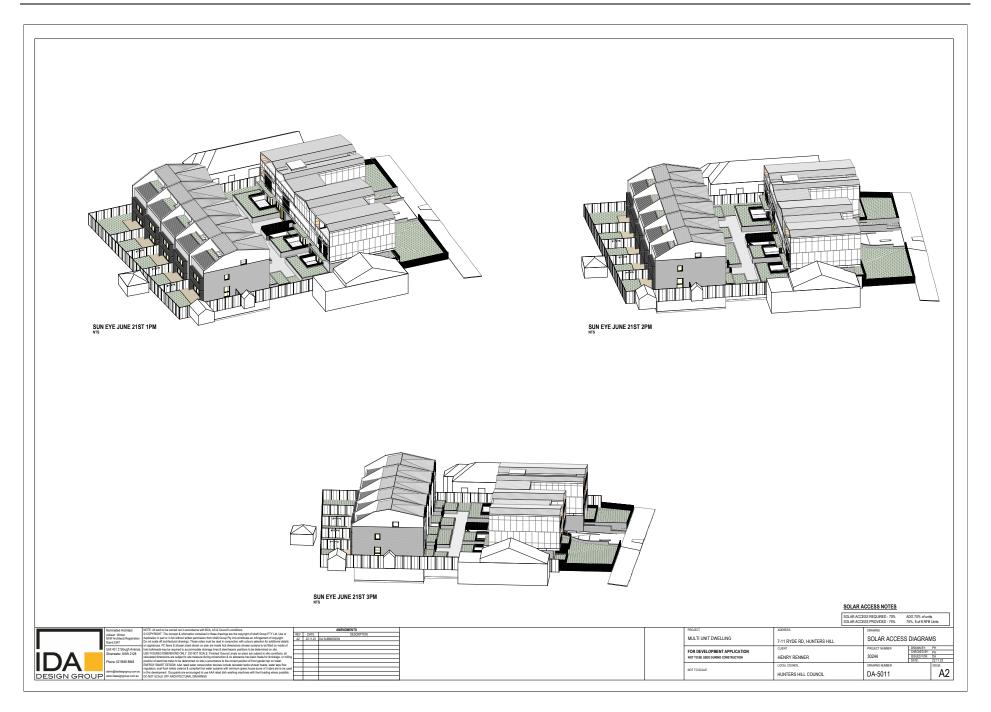
PROJECT	ADDRESS	STREETSCAPE & MATER	MAI
MULTI UNIT DWELLING			CIAL
MOETI OTTI BITELLITO	7-11 RYDE RD, HUNTERS HILL	SCHEDULE SHEET 3	
FOR DEVELOPMENT APPLICATION	CLIENT	PROJECT NUMBER DRAWN BY:	PH
		30244 CHECKED BY	PH DA
NOT TO BE USED DURING CONSTRUCTION	HENRY RENNER	30244 ISSUED FOR	22 11 23
	LOCAL COUNCIL	DRAWING NUMBER	ISSUE
NOT TO SCALE	HUNTERS HILL COUNCIL	DA-4053	A2



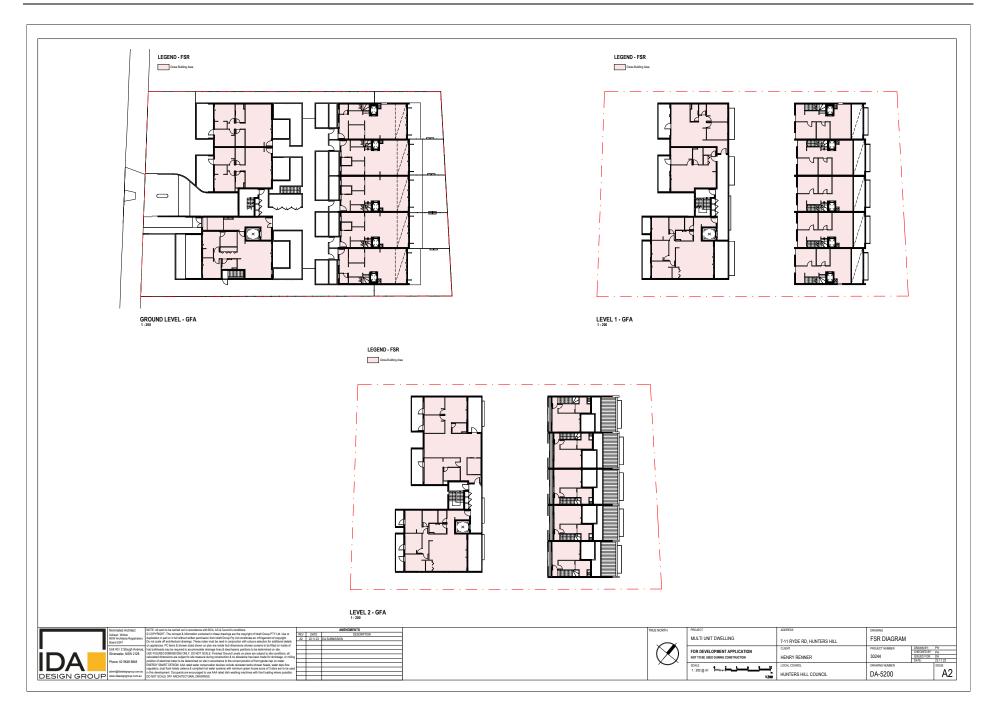


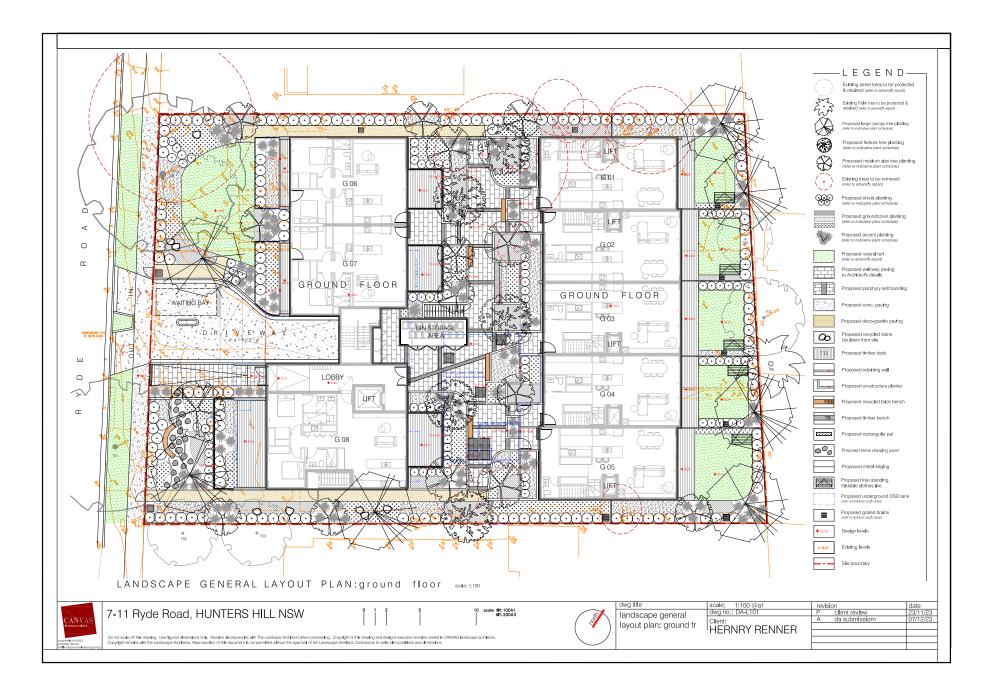


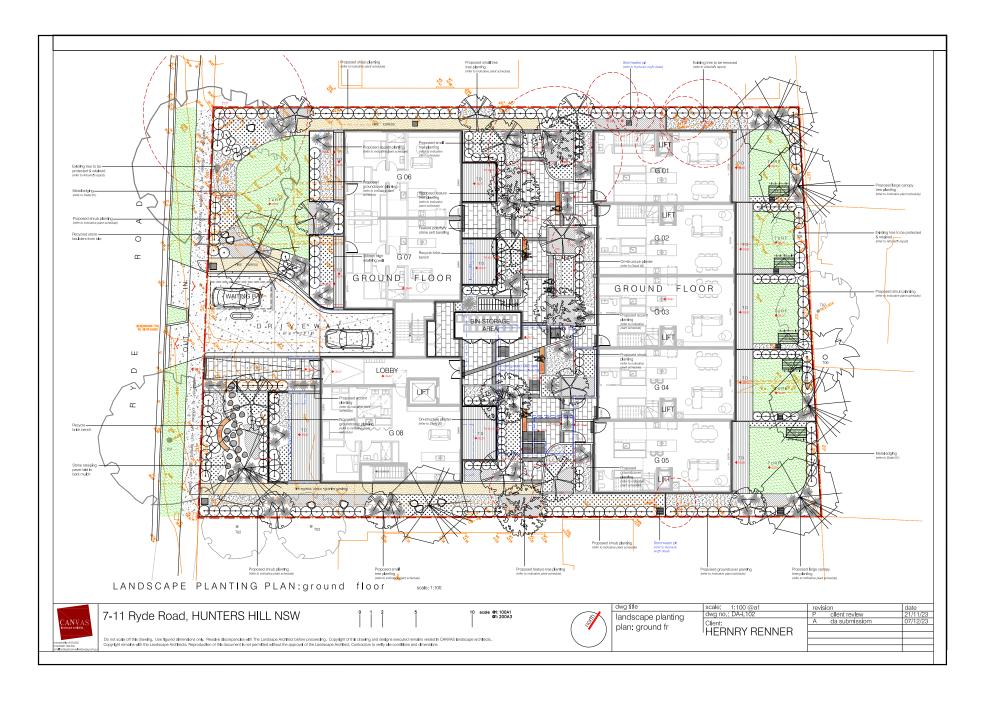


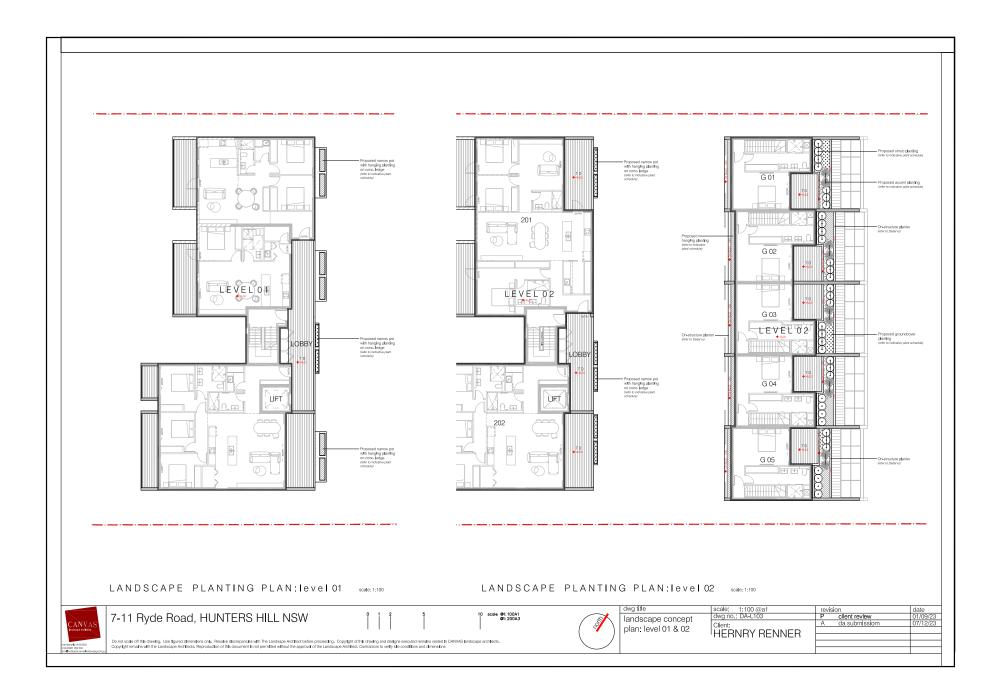


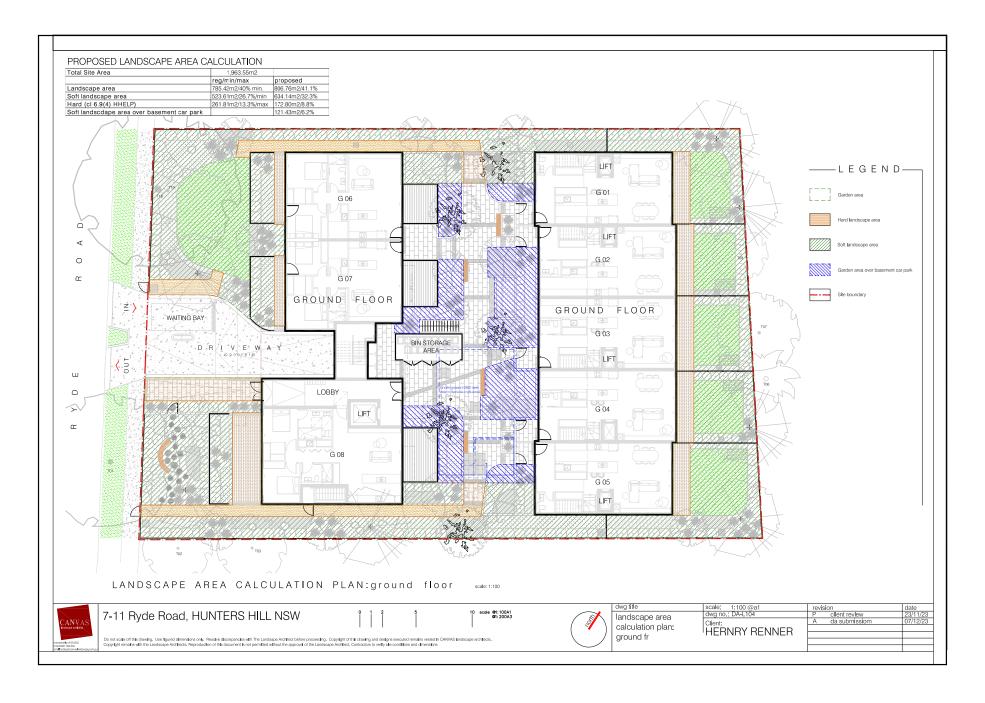


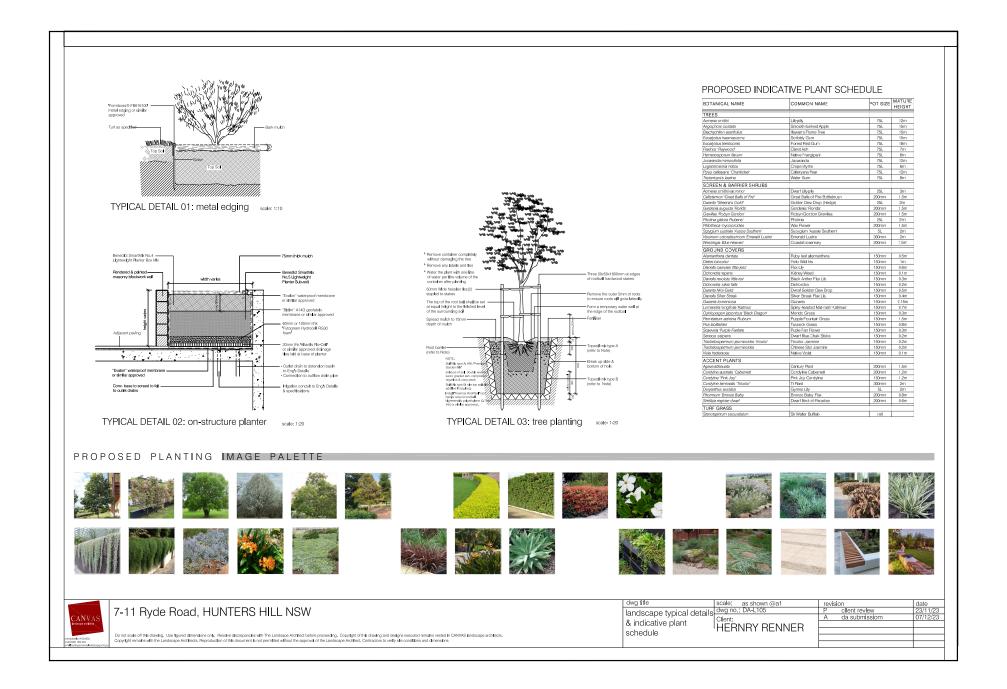


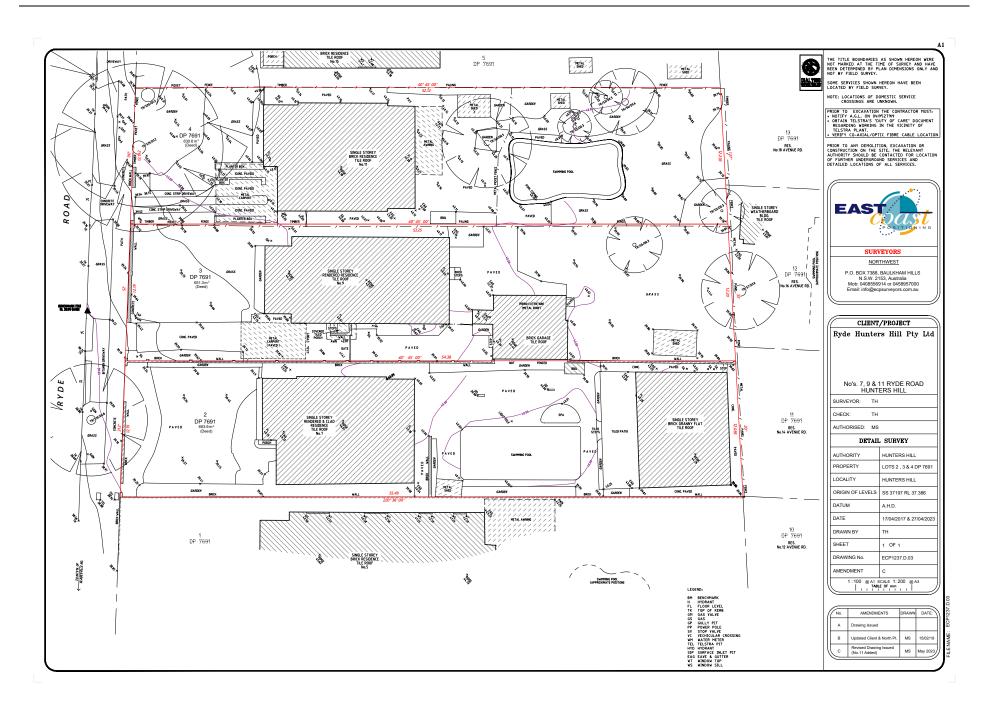












7-11 RYDE ROAD, HUNTERS HILL PROPOSED MULTI UNIT DEVELOPMENT

STORMWATER CONCEPT PLANS



	DRAWING INDEX
Drawing No.	DESCRIPTION
000	COVER SHEET PLAN
101	STORWMATER CONCEPT PLAN BASEMENT FLOOR SHEET 1 OF 2
102	STORWMATER CONCEPT PLAN BASEMENT FLOOR SHEET 2 OF 2
103	STORWMATER CONCEPT PLAN GROUND FLOOR
104	ON-SITE DETENTION DETAILS AND CALCULATIONS SHEET 1 OF 2
105	ON-SITE DETENTION DETAILS AND CALCULATIONS SHEET 2 OF 2
106	CATCHMENT PLAN AND MUSIC RESULTS
107	SEDIMENT AND EROSION CONTROL PLAN
108	MISCELLANEOUS DETAILS SHEET

GENERAL NOTES

- ALL LINES ARE TO BE 090 uPVC 1.0% GRADE
 UNLESS NOTED OTHERWISE. CHARGED LINES TO
 BE SEWERGRADE & SEALED.
 EXISTING SERVICES LOCATIONS SHOWN
- INDICATIVE ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE & LEVEL ALL EXISTING SERVICES PRIOR TO THE
- EXISTING SERVICES PRIOR TO THE
 COMMENCEMENT OF ANY EARTHWORKS.

 3. ALL PIPES TO HAVE MIN 150mm COVER IF
 LOCATED WITHIN PROPERTY.

 4. ALL PITS IN DRIVEWAYS TO BE 450x450
 CONCRETE AND ALL PITS IN LANDSCAPED AREAS
- TO BE 450x50 PLASTIC.

 5. PITS LESS THAN 600mm DEEP MAY BE BRICK, PRECAST OR CONCRETE.

 ALL BALCONIES AND ROOFS TO BE DRAINED AND TO HAVE SAFETY OVERFLOWS IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS.
- ALL EXTERNAL SLABS TO BE WATERPROOFED. 8 ALL GRATES TO HAVE CHILD PROOF LOCKS
- ALL GRAINES TO HAVE CHILD PROOF LOCKS.
 ALL DRAINAGE WORKS TO AVOID TREE ROOTS.
 ALL DRAINAGE WORKS TO AVOID TREE ROOTS.
 ALL LEXISTING LEVELS TO BE CONFIRMED BY BUILDER PRIOR TO CONSTRUCTION.
 ALL WORK WITHIN COUNCIL RESERVE TO BE
- INSPECTED BY COUNCIL PRIOR TO CONSTRUCTION.
- CONSTRUCTION.

 13. COUNCIL'S ISSUED FOOTWAY DESIGN LEVELS TO
 BE INCORPORATED INTO THE FINISHED LEVELS
 ONCE ISSUED BY COUNCIL.

 14. ALL WORK SHALL BE IN ACCORDANCE WITH
- B.C.A. AND A.S.3500.3.
- 15 REFER TO LANDSCAPE ARCHITECT'S DRAWINGS
- 15. KEPER TO LANDSCAPE, ARCHITECT'S DIAAWINGS FOR LANDSCAPING. 16. CARE TO BE TAKEN AROUND EXISTING SEWER. STRUCTURAL ADVICE IS REQUIRED FOR SEWER PROTECTION AGAINST ADDITIONAL LOADING FROM NEW PITS, PIPES, RETAINING WALLS AND

OSD BASIN WATER LEVELS.

- OSD BASIN WATER LEVELS.

 T. ALL PIPES IN BALCONIES TO BE 065 UPVC CAST IN CONCRETE SLAB. CONTRACTOR TO PROVIDE A BREAK! O'DEN VOID IN BALL JEAL BATTADE FOR STORMWATER EMERGENCY OVERFLOW. ALL ENCLOSED AREASIPLANTER BOXES TO BE FITTED WITH FLOOR WASTES & DRAINED TO OSD DOWNPIPES TO BE CHECKED BY ARCHITECT &
- 18 THE OSD BASIN / TANK IS TO BE BUILT TO THE 8. THE OSD BASIN / TANK IS TO BE BUILT TO THE CORRECT LEVELS & SIZE AS PER THIS DESIGN. ANY VARIATIONS ARE TO BE DONE UNDER CONSULTATION FROM OUR OFFICE ONLY. ANY AMENDMENTS WITHOUT OUR APPROVAL WOULD RESULT IN ADDITIONAL FEES FOR REDESIGN AT OC STAGE OR IF A SOLUTION CANNOT BE FOUND RECONSTRUCTION IS REQUIRED UNDER THE CONTRACTOR'S EXPENSES

NOT FOR CONSTRUCTION

IDA DESIGN GROUP Unit 43 / 2 Slough Avenue, Silverwater, NSW 2128

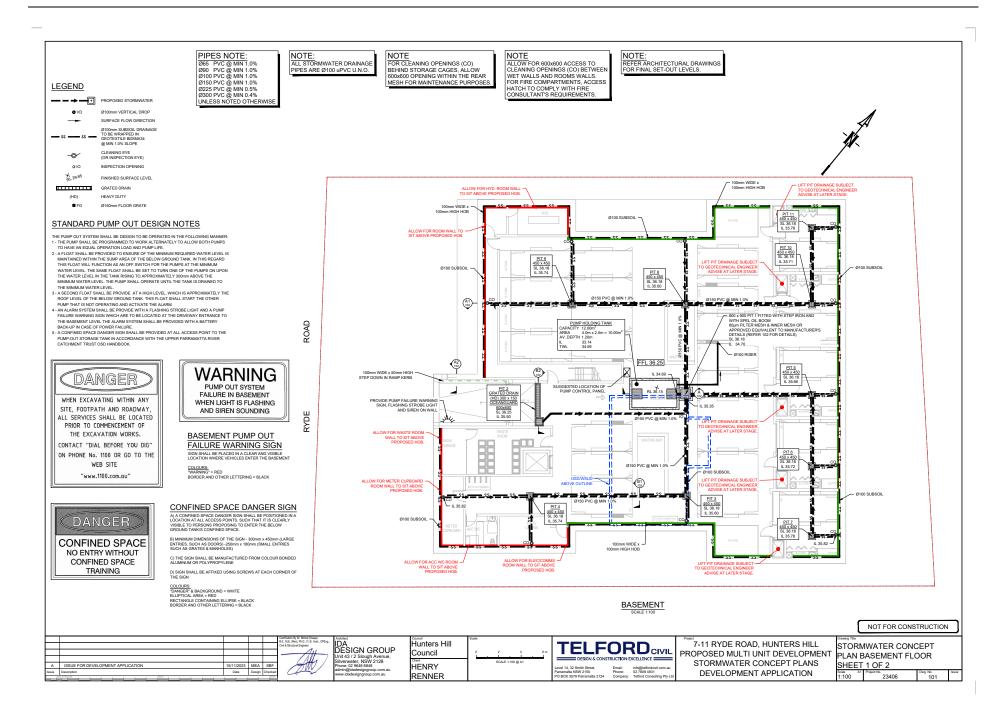
Hunters Hill Council HENRY RENNER

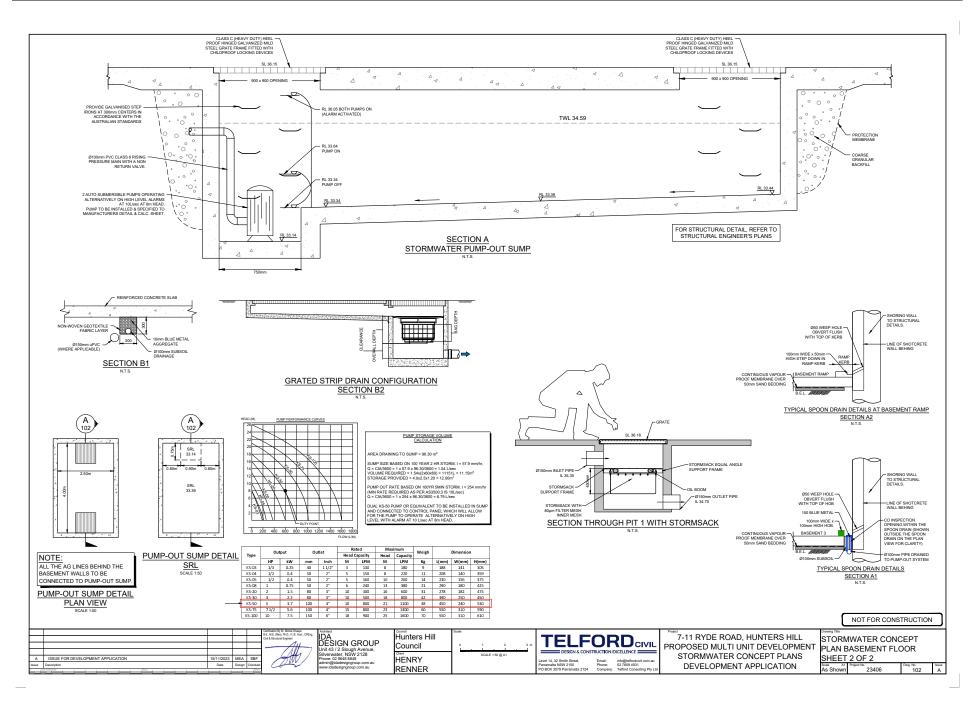
TELFORDCIVIL

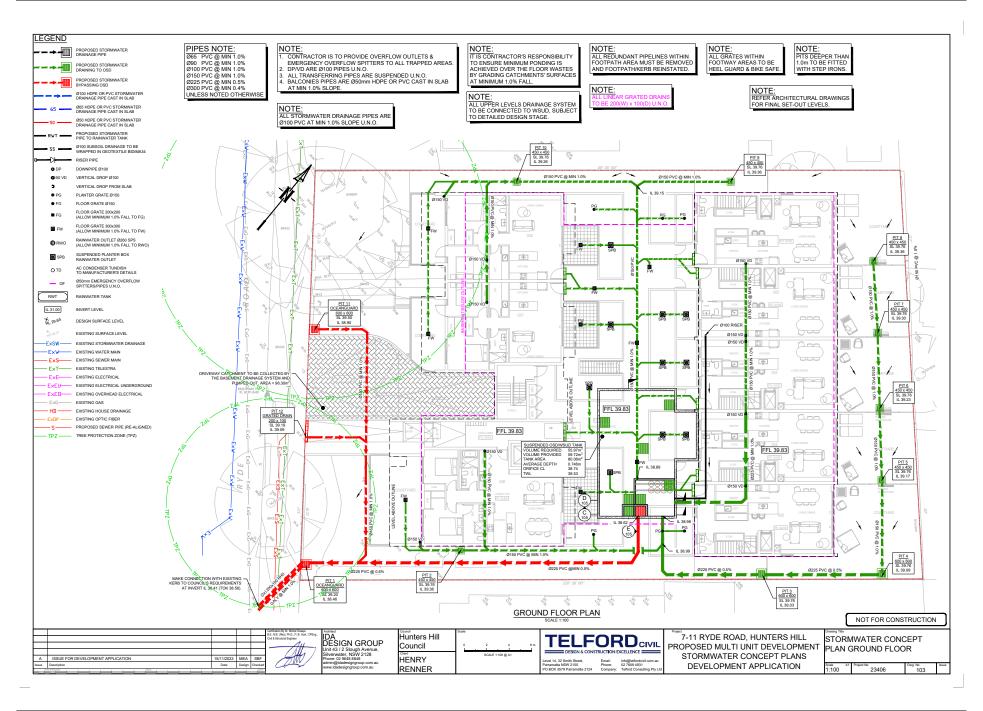
7-11 RYDE ROAD. HUNTERS HILL PROPOSED MULTI UNIT DEVELOPMENT STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION

COVER SHEET PLAN 000

Attachment 3







ZONE 1 OSD CALCULATIONS:

TOTAL IMPERMEABLE AREA = 1232.13m²

FLOOD CONTROL DETENTION = 1232.13 x 3.04/100 = 37.45m³

EROSION CONTROL DETENTION = 1232.13 > 1 2/100 = 14 78m³

TOTAL OSD VOLUME = 37.45 x 1.1 + 14.78 = 55.97m³

TOTAL VOLUME PROVIDED = 59.72m3

ZONE 1 PSD CALCULATIONS:

FLOOD CONTROL PSD = 1232.13 X 1.8/100 = 22.17 L/s

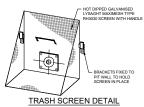
EROSION CONTROL PSD = 1232.13 X 0.41/100 = 5.05 L/s



DETAIL

Ø10mm x 100mm 'DYNAROLTS'

- Ø150mm DISCHARGE LINE



FLOOD CONTROL ORIFICE CALCULATIONS:

THE IMPERVIOUS POST-DEVELOPMENT FLOWS Q₁₀₀ BYPASSING THE OSD ARE:

THEREFORE, THE PERMITTED OSD DISCHARGE IS:

Q = 22.17 - 1.08 = 21.09 l/s

Q = C x A x (2 x g x h)^{0.5}

SO: A = Q / (C x sqrt(2 x g x h))

= 0.02109 / (0.61 x sqrt(2 x 9.8 x 0.79)) = 0.00878m²

THEREFORE:

= sqrt(4 x A / pi)

= sqrt(4 x 0.00881 / 3.14159)

= 105.7mm

EROSION CONTROL ORIFICE CALCULATIONS:

 $Q = C \times A \times (2 \times g \times h)^{0.5}$

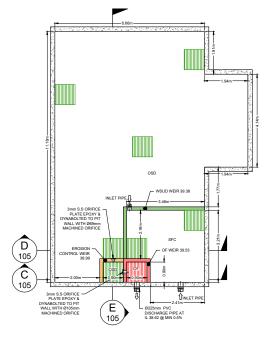
SO: A = Q / (C x sqrt(2 x g x h)) = 0.00505 / (0.61 x sqrt(2 x 9.8 x 0.25))

= 0.003037 (c

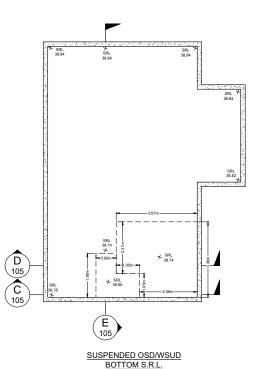
THEREFORE:

= sqrt(4 x A / pi) = sqrt(4 x 0 00374 / 3 14150

= sqrt(4 x 0.00374 / 3.14159) = 69mm







NOT FOR CONSTRUCTION

A ISSUE FOR DEVELOPMENT APPLICATION 1511/2023 MEA SSF
took Occupation Date Occupation

den hyb. The Aut. (Piles, Den Hart List, Aut. (Piles, Den Hart List, Aut. (Piles, Den Hart List, Aut. (Piles, Den Hart List) (Piles, Den

| Council | Coun

TELFORD CIVIL

DESIGN & CONSTRUCTION EXCELENCE

Level 14, 32 Sept. 1 (a) Email: Info@telefocted of com au
Phone: 02 7500 4901 (b) 1461 (b) 1461 (c) 1461 (c)

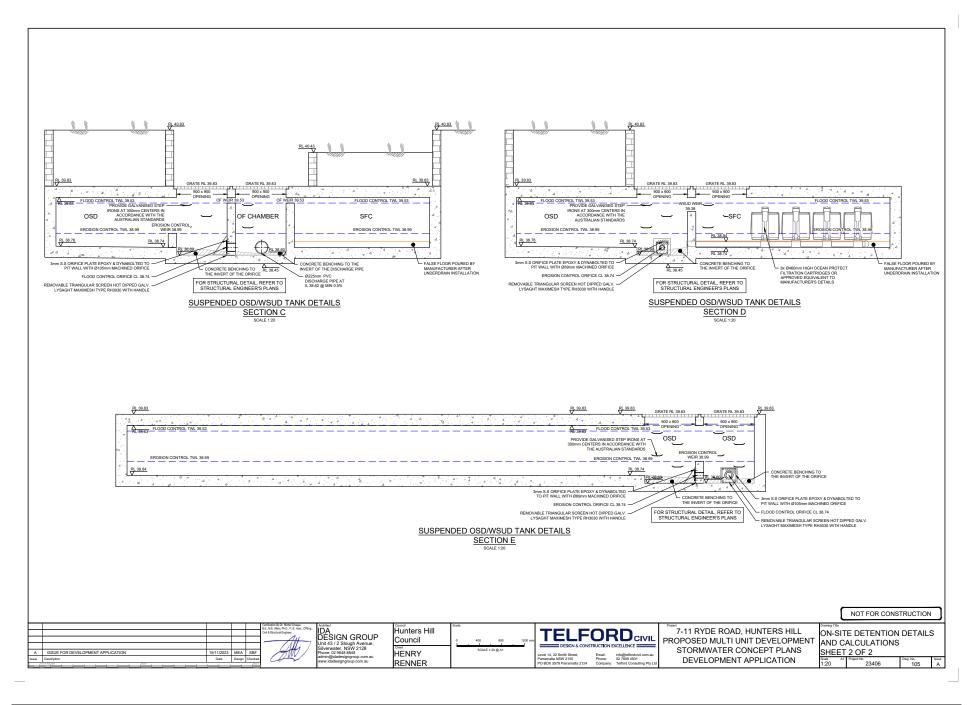
7-11 RYDE ROAD, HUNTERS HILL PROPOSED MULTI UNIT DEVELOPMENT STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION

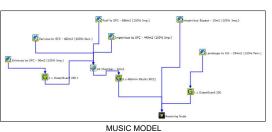
| County Tax | Cou

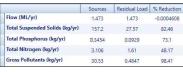
Item 3.1

Attachment 3

Page **130**



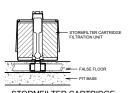




Facility Component Expected Facility Performance After INSPECTION/MINOR MAJOR When Maintenance Activity Is Required Requiring MAINTENANCE MAINTENANCE (TIMES/YEAR) (TIMES/YEAR) Maintenance Maintaining Floatable objects or other trash is Trash and Debris 2 (and after major present in the filter. Remove to avoid Permanent removal 1 (except in case StormFilter® Removal hindrance of filtration and eliminate from storm system. of a spill) Cartridges and unsightly debris and trash. Containment . Media has been contaminated by Structure Replacement and Sediment Removal high levels of pollutants, such as to effectively treat after a spill. stormwater. Drainage system is obstructed by debris or sediment. Outflow is not restricted. Drainage System Flushing With Piping

MUSIC RESULTS

FILTRATION UNIT MAINTENANCE SCHEDULE



STORMFILTER CARTRIDGE DETAIL

GENERAL NOTES:

- 1. INLET AND OUTLET PIPES TO BE IN ACCORDANCE WITH
- INLET AND OUTLET PIPES TO BE IN ALCORDANCE WITH APPROVED PLANS.
 A HIGH FLOW BYPASS ARRANGEMENT OR DISSIPATION STRUCTURE MAY BE REQUIRED TO MINIMISE RE-SUSPENSION OF SOLIDS OR ANY SIGNIFICANT INERTIAL FORCES ON THE
- OF SOLIDS OR ANY SIGNIFICANT INSERTIAL FORCES ON THE CARTRIDGES.

 3. ALL WATER QUALITY TREATMENT DEVICES REQUIRE PERIODIC MAINTENANCE. REFER TO OPERATION AND MAINTENANCE MANUAL FOR GUIDELINES AND ACCESS REQUIREMENTS.

 4. SITE SPECIFIC PRODUCTION DRAWING WILL BE PROVIDED ON
- SI ILE SYPLICIFIC PRODUCTION DRAWING WILL BE PROVIDED ON PLACEMENT OF ORDER.
 THE INVERT LEVEL OF THE INLET PIPE MUST BE GREATER THAN THE RL OF THE FALSE FLOOR WITHIN THE CARTRIDGE CHAMBER.
- CHAMBER.

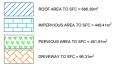
 C CONCRETE STRUCTURE AND ACCESS COVERS DESIGNED AND PROVIDED BY OTHERS, ACCESS COVERS TO BE A MINIMUM 900 x 900 ABOVE CHARTBIGGES. OTHERS TO BE A MINIMUM 900 to 900 ABOVE CHARTBIGGES. OTHERS TEACHERS AND TANK ACCESS TO BE ASSESSED BY OTHERS ON SITE.

 THE STRUCTURE THICKNESSES SHOWN ARE FOR REPRESENTATIONAL PURPOSES.

 B. DHAWINGS NOTTO SCALE.

CATCHMENT LEGEND

TOTAL SITE AREA = 1963.33m²



TOTAL AREA TO SFC = 1694.02m2 (86.28% OF TOTAL SITE AREA)



TOTAL BYPASS AREA = 269.31m2 (5.7% IMPERVIOUS)

	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~		
	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	~~~~~~~~ ~~~~~~~~~~~~~~~~~~~~~~~~~~~~
```````		<i>{////////////////////////////////////</i>	**********
*************************************	//		
***************************************	/// ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬ ¬	///////////////////////////////////////	
**************************************		V/////////////////////////////////////	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
***************************************			~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
XXXXXXXXXXXXXXXXXIII //////////////////		<i>\////////////////////////////////////</i>	
/////////////////////////// 	<i>╱╱</i> ╫ ┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸ ┯┸┯┸	<i>{////////////////////////////</i> / / /⊤	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~			~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
XXXXXXXXXXXXXXXX I,,,1,,1///////////////////////////////	///	V/////////////////////////////////////	
>>>>>>	<i>╱╱</i> ⋒┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰ ┸┰ ┸	<i>V////////////////////////////////////</i>	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
		Y////////////////////////////	
××××××××××××××××××××××××××××××××××××××	///	<i>(////////////////////////////////////</i>	
>>>>>	╱╱ ╟┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸	V/////////////////////////////////////	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
***********************************		<i>/////////////////////////////////////</i>	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX (/////////	<i>//</i> / 	<i>{////////////////////////////////////</i>	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
*************************************	<i>//</i> / //**************************	<i>{////////////////////////////////////</i>	
`````````````		<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>	A A A A A A A A A A A A A A A A A A A
*************************************	///	V/////////////////////////////////////	
/////////////////////////////////////	╱╱╱ ╗┍╘╒╘╘╒╒╘╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒╒	<i>\////////////////////////////////////</i>	
``````````````		Y/////////////////////////////////////	
*************************************	<i>╱╱</i> ╟┯┖┯┖┯┖┯┖┯┖┯┖┯┖┯┖┯┖┯┖┯┖ ┯┖┯	<i>\\\\\\\\\\\</i>	
**************	<i>////////////////////////////////////</i>	<i>\////////////////////////////////////</i>	'''''''''' '
*************************************		V/////////////////////////////////////	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	<i>╱</i> ╱ ╠╤┸╤┸╤┸╤┸╤┸╤┸╤┸╤┸╤┸╤┸╤┸╤┸╤┸╤	<i>\////////////////////////////////////</i>	
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	<i>//</i> / -^	<i>{////////////////////////////////////</i>	'''''''''''''''''''''''''''''''''''''
		<i>{////////////////////////////////////</i>	V V V V V V V V V V V V V V V V V V V
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	///	V/////////////////////////////////////	, , , , , , , , , , , , , , , , , , ,
	<i>///</i> 	V/////////////////////////////////////	
		<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>	A A A A A A A A A A A A A A A A A A A
	<i>╱╱</i> ╫ ┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰	<i>{////////////////////////////////////</i>	
	// //		
· · · · · · · · · · · · · · · · · · ·		V/////////////////////////////////////	
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	<i>╱</i> ╱ ╟┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰ ┸┰ ┸	<i>\////////////////////////////////////</i>	
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		<i>Y////////////////////////////////////</i>	
	//		
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	<i>//</i> //////////////////////////////////	V/////////////////////////////////////	//////
××××××××××××××××××××××××××××××××××××××		<i>/////////////////////////////////////</i>	
(4) (4) (4) (4) (4) (4) (4) (4) (4) (4)	///	<i>{////////////////////////////////////</i>	V V V V V V V V V V V V V V V V V V V
· 中国的国际,	<i>////</i>	<i>{////////////////////////////////////</i>	
	╱╱╫┵┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸┯┸	V/////////////////////////////////////	
>>>>>>	╱╱<mark>╟╌┸┰┸┰┸┰┸┰┸┰┸┰┸┰</mark> ┼┰┸┰┸┰┸┰┸┰┸┰┸┰	<i>\////////////////////////////////////</i>	V V V V V V V V V V V V V V V V V V V
>>>>>>		<i>{////////////////////////////////////</i>	* V V V V V V V V V V V V V V V V V V V
×××××××××××× <i>×//////////////////////</i>	<i>//</i> //////////////////////////////////	<i>(////////////////////////////////////</i>	000000000000000000000000000000000000000
^^^ //////////////////////////////////	<i>///</i> / 	V/////////////////////////////////////	V V V V V V V V V V V V V V V V V V V
(XXXXXXXXXXXX X////////////////////////		V/////////////////////////////////////	*************
\XXXXXXXXXXXXX {////////////////////////	<i>╱╱</i> ╠ ┵┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖┰┖ ┯┺┯┺	<i>\////////////////////////////////////</i>	
xxxxxxxxxxxxxx ///////////////////////	////	<i>\////////////////////////////////////</i>	**************************************
:::::::::::::::::::::::::::::::::::::		//////////////////////////////////////	
<u> </u>	╱╱╱╫┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸┰┸	<i>V////////////////////////////////////</i>	
xxxxxxxxxxxx (/////////////////////////	/// 	Y/////////////////////////////////////	V A A A A A A A A A A A A A A
XXXXXXXXXXXX /////////////////////////	///	Y/////////////////////////////////////	V V V V V V V V V V V V V V V V V V V
^ /^//////////////////////////////////	<i>╱╱</i> ╫ ┖╤┖╤┖╤┖╤┖╤┖╤┖╤┖╤┖╤┖╤┖╤┖╤┖ ╤┖	<i>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</i>	
xxxxxxxxxxxxx ////////////////////////		V/////////////////////////////	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
 		V/////////////////////////////////////	
^^^ ///// / //////////////////////////		<i>Y////////////////////////////////////</i>	
XXXXXXXXXXXX [/////////////////////////	//	<i>{////////////////////////////////////</i>	7000000000000
<i>XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX</i>	~~~ ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	<i>\\\\\\\\\\\\</i> ¤	
<u> </u>	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	V/////////////////////////////////////	
	·	0000000000000000000	
	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~		
	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	·	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

CATCHMENT PLAN

NOT FOR CONSTRUCTION

					B.E
					Civ
					١.
A	ISSUE FOR DEVELOPMENT APPLICATION	15/11/2023	MEA	SBF	
bsue	Description	Date	Design	Checked	

	Certification By Dr. Michel Chaaya R.E. M.E. (Res), Ph.D. E.L.E. Aust. CPEnn
	B.E., M.E. (Res), Ph.D., F.I.E. Aust., CPEng Civil & Structural Engineer
	111
	Alla 7
	18W /
1	Com
į	

Archited IDA DESIGN GROUP Unit 43 / 2 Slough Avenue, Silvenwater, NSW 2128 Phone: 02 9648 8849 admin@ldadesigngroup.com.au www.idadesigngroup.com.au

Hunters Hill Council HENRY RENNER

TELFORDCIVIL

7-11 RYDE ROAD, HUNTERS HILL PROPOSED MULTI UNIT DEVELOPMENT STORMWATER CONCEPT PLANS DEVELOPMENT APPLICATION

CATCHMENT PLAN AND MUSIC RESULTS 106

