



Section 4.55 Consent

Applicant: Urban Link
C/- Joseph El Khawaja
L 10 / 11-15 Dean St
BURWOOD NSW 2134

Section 4.55 Consent No: MOD2021/0209

Approval Date: 10 March 2022

Modification of Development Consent No. LDA2016/0341 under Section 4.55 of the Environmental Planning and Assessment Act, 1979

Property: 256-258 Victoria Road Gladesville Lot 69 DP 10598, Lot 68 DP 10598
Development: Demolition and construction of a 7 storey mixed use development comprising of 11 apartments, 2 retail tenancies and 15 car parking spaces.

Section 4.55 Modification:

S4.55(2) modification to LDA2016/0341 including general layout amendments and additional services.

The City of Ryde as the Consent Authority pursuant to Section 4.55 of the Environmental Planning and Assessment Act, 1979 (as amended) hereby consents to the modification of Local Development Application No. LDA2016/0341 dated 7 March 2017 subject to replacement of the following condition(s):

a) Condition Nos. 1, 3, 29, 114, 153 to be **amended** as follows:

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

| Plan Title and Number | Author | Date & Issue |
|---------------------------------|------------|------------------|
| Basement 1 & 2 GAP | Urban Link | S4.55-101, Rev B |
| Lower Ground & Ground Floor GAP | Urban Link | S4.55-102, Rev B |
| Level 1 & 2 GAP | Urban Link | S4.55-103, Rev B |
| Level 3 & 4 GAP | Urban Link | S4.55-104, Rev B |
| Level 5 & Roof GAP | Urban Link | S4.55-105, Rev B |
| North Elevation | Urban Link | S4.55-201, Rev A |
| South Elevation | Urban Link | S4.55-202, Rev A |

| | | |
|---------------------------|------------------------------------|--------------------|
| East & West Elevations | Urban Link | S4.55-203, Rev A |
| Section A-A | Urban Link | S4.55-301, Rev A |
| Section B-B | Urban Link | S4.55-302, Rev A |
| Sections D&E | Urban Link | S4.55-303, Rev A |
| Dwgs C1.00,C2.00 to C2.03 | John Matheson & Associates Pty Ltd | 22/06/16 Rev C & B |
| VG-DA-L1 Landscape Plan | CAB Consulting P/L | June 2018 |

Prior to the issue of a **Construction Certificate**, the following amendments shall be made (as marked in red on the approved plans):

- (a) Basix commitments are to be noted on plans as required under the Basix Commitments.
- (b) The approved Stormwater plans are to be amended as indicated on the approved plans and subject to further conditions of this consent.
- (c) The approved Landscape plan shall be amended to provide full details of the proposed landscaping including, but not limited to, the following:
 - i. All landscape areas and their proposed treatment (mass planting beds, paving, lawn etc), planting arrangement, planting schedule, pot size, planting and staking details;
 - ii. Drainage and waterproofing for any podium planters;
 - iii. Soil type selections for any podium planters;
 - iv. Details of irrigation systems, which are to be supplied to all raised planters located within common areas and communal open spaces to ensure adequate water is available to vegetation. Irrigation systems shall be fully automated and capable of seasonal adjustments.
 - v. Details of the landscaped roof outside Unit 1.01 indicated on Plan Number DA3.25. **NOTE:** Should the landscape roof be a green roof full details are to be provided including details of plantings, soil depths, waterproofing membranes, root barriers, drainage provisions, irrigation systems, maintenance access and maintenance schedules.
 - vi. Details are to be provided for the rooftop terrace including bench seating, planter walls, decking, paving and any lighting.

Details are to be submitted prior to the issue of the Construction Certificate

The Development must be carried out in accordance with the amended plans approved under this condition.

3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 715276M_04, dated 10 March 2022.
29. **Section 7.11** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate**:

| A – Contribution Type | B – Contribution Amount |
|---------------------------------------|--------------------------------|
| Community & Cultural Facilities | \$35,510.87 |
| Open Space & Recreation Facilities | \$73,853.01 |
| Civic & Urban Improvements | \$33,880.11 |
| Roads & Traffic Management Facilities | \$4,661.37 |
| Cycleways | \$2,887.82 |

| | |
|----------------------------------|---------------------|
| Stormwater Management Facilities | \$8,509.06 |
| Plan Administration | \$778.23 |
| Transport and Access | \$39,924.95 |
| The total Contribution is | \$200,005.42 |

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

The contribution must be paid **prior to the issue of any Subdivision Works Certificate**. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

A copy of the Section 7.11 Development Contributions Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

114. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 715276M_04, dated 10 March 2022.
153. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows;

Basement 1

- 4 commercial spaces
- 1 visitor space
- 1 commercial / visitor disabled space (to be utilised by either retail customers or residential visitors)

Basement 2

- 9 residential spaces, with the small space allocated as a second space to the 3 bedroom unit

Small parking spaces shall be clearly signposted and line-marked such there is no misunderstanding related to space dimensions.

You are advised that failure to observe any condition of approval set out in the consent is an offence and Council may institute legal proceedings.

You are advised of your right of appeal to the Land and Environment Court under Section 8.9 of the Environmental Planning & Assessment Act, 1979, and your right to request a review under Section 8.3 within 6 months after you have received the Consent.



Shannon Butler
Senior Town Planner

The fees quoted at the time of issue of this Consent may be subject to variation. Council's annual fees and charges are published in the Management Plan. To confirm fees please contact Customer Service on 9952-8222.