

JRPP PLANNING REPORT

JRPP NO:	2009SYW006
DA NO:	280/2010/JP
APPLICANT:	LIVING CHOICE AUSTRALIA LTD
PROPOSED DEVELOPMENT:	SENIORS LIVING DEVELOPMENT - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF 97 SELF CONTAINED AGED CARE VILLA UNITS
PRPOERTY:	LOT 1 DP 135818 AND LOT 300 DP 1130339 – NO. 93 GLENHAVEN ROAD AND 15 OLD GLENHAVEN ROAD, GLENHAVEN
LODGEMENT DATE:	20 AUGUST 2009
REPORT BY:	ROBERT BUCKHAM - DEVELOPMENT ASSESSMENT CO-ORDINATOR THE HILLS SHIRE COUNCIL
RECOMMENDATION:	APPROVAL

BACKGROUND

MANDATORY REQUIREMENTS

Applicant:	Living Choice Australia	1.	<u>Section 79C (EP&A Act)</u> – Satisfactory.
Owner:	Living Choice Australia and CCR Interiors Pty Ltd.	2.	<u>SEPP Housing for Older People or People with a Disability</u> – Complies.
Zoning:	Rural 1(c)	3.	<u>SEPP Major Development 2005</u> – Satisfactory.
Area:	13.25 hectares	4.	<u>SREP 20 – Hawkesbury Nepean River</u> – Satisfactory
Existing Development:	Existing Seniors Living Development and Vacant Land	5.	<u>LEP 2005</u> – Satisfactory.
Capital Investment Value	\$45 Million (as lodged).	6.	<u>BHDCP, Part C, Section 1 – Rural</u> – Satisfactory.

SUBMISSIONS

REASON FOR REFERRAL TO JRPP

1. Exhibition:	Not Required	1.	Capital Investment Value in excess of \$10 Million pursuant to SEPP (Major Development) 2005.
2. Notice Adj Owners:	Yes, fourteen (14) days.		
3. Number Advised:	Seventy-nine (79).		
4. Submissions	Two (2).		

Received:			
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HISTORY

20/08/2009	Subject Development Application lodged with Council.
28/08/2009	Subject application notified for fourteen (14) days.
14/09/2009	Comments received from NSW Rural Fire Service advising that the application is unsatisfactory.
30/09/2010	Letter sent to the applicant requesting additional information in relation to compliance with the Planning for Bushfire Protection Guidelines, landscaping, arborist report and garbage storage.
13/10/2010	Further letter sent to the applicant requesting details in relation to vehicular access, parking, stormwater and earthworks.
15/10/2009	Briefing provided to the Joint Regional Planning Panel.
02/11/2009	Further letter sent to applicant advising that asset protection zones will not be supported on adjoining properties.
22/02/2010	Confirmation received from RFS that the applicant is undertaking discussions to resolve outstanding issues raised by the RFS.
09/03/2010	Advice submitted to Council by applicant that bushfire matters are being reviewed and amendments to the proposal are being considered.
01/04/2010	Further additional information received from the applicant in response to Council's letters dated 30 September 2009 and 13 October 2009. The amended information identified that the proposal was to be staged.
06/04/2010	Advice received from the NSW RFS that the concerns raised by the RFS remain unresolved.
13/04/2010	Comments received from NSW RFS advising that the application is unsatisfactory.
22/04/2010	Briefing held at Council Administration Building at the request of the JRPP to discuss status of the application.
28/04/2010	Advice sought from applicant seeking to resolve outstanding asset protections zone issues.
30/04/2010	Applicant advised that application cannot be supported in its current form and would need to be withdrawn and re-lodged on the basis of a significant redesign.
04/05/2010	Letter sent by the applicant to Council and JRPP seeking additional time to resolve outstanding issues.
03/06/2010	Advice received from the Rural Fire Service that the application remained unsatisfactory.

10/06/2010	Amended Site Plan deleting eighteen self care units and a residential care facility forwarded to the Rural Fire Service for further consideration.
13/08/2010	General Terms of Approval received from the Rural Fire Service (refer Attachment 7).

PROPOSAL

The proposed development as amended is for the demolition of existing buildings and the erection of 97 villa units for use as serviced self-care Seniors Living Housing with ancillary facilities, car parking and associated infrastructure.

The proposal was originally lodged for 115 self care units and a residential care facility containing 111 units. The applicant amended the proposal by deleting eighteen self care villas and the residential care facility component of the development in order to comply with the required asset protect zones required by the Rural Fire Service.

The proposed development is an extension to the existing and completed Seniors Living village located to the east at No. 15 Old Glenhaven Road, Glenhaven.

The proposed development will provide a mix of 1, 2 and 3 bedroom villas. Freestanding villa units are allocated a mixture of single and double garages.

The application has been referred to the NSW Rural Fire Service (NSWRFS) as it is classified as an "Integrated Development" pursuant to the provisions of Section 91 of the NSW Environmental Planning & Assessment Act, 1979 and the Rural Fires Act 1997.

The application was also referred to the NSW Roads and Traffic Authority pursuant to State Environmental Planning Policy (Infrastructure) 2007 and the NSW Police Force. The comments received are addressed further within this report.

ISSUES FOR CONSIDERATION

1. Compliance with SEPP (Major Development) 2005

Clause 13(1) of SEPP (Major Development) 2005 provides the following referral requirements to a Joint Regional Planning Panel:-

"(1) This Part applies to the following development:

- (a) *development that has a capital investment value of more than \$10 million,*
- (b) *development for any of the following purposes if it has a capital investment value of more than \$5 million:*
 - (i) *affordable housing, air transport facilities, child care centres, community facilities, correctional centres, educational establishments, electricity generating works, electricity transmission or distribution networks, emergency services facilities, health services facilities, group homes, places of public worship, port facilities, public administration buildings, public ferry wharves, rail infrastructure facilities, research stations, road infrastructure facilities, roads, sewerage systems, telecommunications facilities, waste or resource management facilities, water supply systems, wharf or boating facilities,*
- (c) *Crown development that has a capital investment value of more than \$5 million,*

- (d) *Development for the purposes of eco-tourism facilities that has a capital investment value of more than \$5 million,*
- (e) *Designated development,*
- (f) *Subdivision of land into more than 250 lots."*

The proposed development as lodged had a capital investment value of \$45,000,000 thereby requiring referral to, and determination by, a Joint Regional Planning Panel.

2. Compliance with SEPP Housing for Seniors or People with a Disability 2004

The provisions of Chapter 3 of the SEPP state that the objective of this chapter is to *"create opportunities for the development of housing that is located and designed in a manner particularly suited to both those seniors who are independent, mobile and active as well as those who are frail, and other people with a disability regardless of their age"*.

Clause 17(1) of the SEPP restricts development on land that adjoins land zoned primarily for urban purposes unless the proposed development is for the purpose of any of the following:

- (a) a hostel,
- (b) a residential care facility,
- (c) serviced self-care housing.

The applicant seeks approval for a serviced self contained in-fill self-care housing development under the provisions of the SEPP given the site adjoins Residential 2(b) zoned land on the southern side of Old Glenhaven Road.

Serviced self-care housing is defined within Clause 13 as:-

General term: 'serviced self-care housing'

In this Policy, serviced self-care housing is seniors housing that consists of self-contained dwellings where the following services are available on the site: meals, cleaning services, personal care, nursing care.

The proposed dwellings are all self-contained dwellings and have an individual kitchen and laundry provided to each unit. Each resident has access to meals, cleaning services, personal care and nursing care.

As such it is considered that the proposal complies with the requirements of the SEPP in respect to the definition of a residential care facility and serviced self-care housing.

a. Site Compatibility Certificate

Clauses 24 and 25 refer to the requirement for a site compatibility certificate to be obtained for developments which are proposed upon land that adjoins land zoned primarily for urban purposes, land identified as 'special uses' and land that is used for the purposes of an existing registered club. As the subject site comprises land zoned Rural 1(c) a site compatibility certificate is required. Council, as the consent authority, is not able to grant consent for a development unless a site compatibility certificate has been provided. The applicant has provided a Site Compatibility Certificate from the Department of Planning dated 22 October 2009. Accordingly Clauses 24 and 25 have been addressed.

b. Clause 26 - Location and Access to Facilities

The table below provides an assessment of the location and access requirements to facilities for the proposed development. As indicated, the proposal complies.

DEVELOPMENT STANDARD	SEPP SL REQUIRES	PROPOSED DEVELOPMENT	COMPLIANCE
Facilities	(a) Shops, banks and other retail and commercial services (b) Community services and recreational facilities (c) General medical practitioner	Within the locality all facilities and support services are available to residents, with some services available at Glenhaven and a major centre at Castle Hill (Castle Towers).	Yes
Location and access	<p>Access is considered to comply if:</p> <p>(a) the facilities and services listed above are located at a distance of not more than 400m from the site and the overall gradient is no more than 1:14, with alternate acceptable gradients for short distances, or</p> <p>(b) there is a public transport service available to the residents who will occupy the development:</p> <p>(i) that is located at a distance of not more than 400 metres from the site of the development, and</p> <p>(ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the relevant facilities or services, and</p> <p>(iii) that is available both to and from the development during daylight hours at least once between</p>	<p>There are no facilities either existing or proposed within 400m of the site.</p> <p>The closest bus-stop to the site is in front of the existing Seniors Living Development within 400m of the subject development. The applicant has confirmed with Hills Bus that a regular service (603) will be provided to this bus stop which complies with the clause. An alternate stop is located on Glenhaven Road within 400m of the site.</p> <p>There are bus set down areas located within the town centre of Castle Hill. Castle Hill provides all of the facilities listed in this section.</p>	<p>No, however compliance with provision (b) is achieved. See below.</p> <p>Yes</p>

	8am and 12pm and at least once between 12pm and 6pm from Monday – Friday (both days inclusive).	The bus service to Castle Hill will be regularly available during weekdays.	
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c. Clause 27 – Bushfire Prone Land

The subject site is identified as bushfire prone land. The proposal must comply with the provisions of “Planning for Bushfire Protection” and take into consideration entry and exit from the area and other matters relating to fire impact, and consult with the Rural Fire Service.

The applicant has amended the proposal by deleting eighteen self care villas and the residential care facility component of the development in order to comply with the required asset protect zones required by the Rural Fire Service. The RFS have granted General Terms of Approval on 13 August 2010 (Refer Attachment 7).

d. Clause 28 - Water and Sewer Services

The SEPP states that Council must not consent to a Development Application unless the Council is satisfied that the development will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage. In this respect, regard must be given to the suitability of the site and availability of services.

The applicant has submitted a feasibility letter from Sydney Water dated 13 March 2009 regarding the works required to be undertaken for this development in order for the development to receive a Section 73 Certificate from Sydney Water. This letter states that the following works are to be undertaken in regard to sewerage facilities and water provision:

- (i) construction of a drinking water main extension ;
- (ii) construction of a sewer main extension via a private pumping station.

Appropriate conditions of consent will be recommended requiring the submission of a “Notice of Requirements” Certificate from Sydney Water prior to the issue of a Construction Certificate, and the submission of a Section 73 Certificate prior to issue of the Occupation Certificate.

e. Clause 32 – Design of residential development

Clause 32 states that a consent authority must not consent to a Development Application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2 (Clauses 33 - 39), discussed below.

f. Clauses 33 - 39 – Design Principles

Clauses 33 - 39 state that consent must not be granted unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the design of the proposal, taking into consideration matters such as neighbourhood amenity and streetscape, visual and acoustic privacy, solar access and design for climate, stormwater, crime prevention, accessibility and waste management.

The proposed development has been designed having regard to these matters and as such the proposal is considered satisfactory in respect to the provisions of Clauses 33-39.

g. Clause 40 - Development standards—minimum sizes and building height

A consent authority must not consent to a Development Application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause. These provisions relate to site size, frontage and buildings heights. A review of the proposal has confirmed that the development complies with all requirements.

3. Compliance with LEP 2005

The subject site is zoned Rural 1(c). The zone objectives seek to maintain the rural character of the locality, accommodate rural-residential development and ensure that development carried out on the land is compatible with the surrounding area.

The objectives of the Rural 1(c) zone are:

- "(a) to accommodate rural-residential development that is sympathetic to the environment and minimises risks from natural hazards, and*
- (b) to provide for a range of activities that are compatible with the rural-residential character of the locality, and*
- (c) to ensure that development in the area does not unreasonably increase demand for public services and public facilities, and*
- (d) to ensure that development is designed and carried out having regard to adjoining land uses and the natural environment, and*
- (e) to ensure that development is designed and carried out having regard to the rural and heritage character of the surrounding area, and*
- (f) to encourage the preservation of suitable areas for open space purposes."*

The proposal is considered to be consistent with the stated objectives of the zone, in that the proposal does not detrimentally impact adjoining land uses and the natural environment when controlled through conditions of consent. In particular the proposal provides development that provides housing choice for residents.

As such the proposal is considered satisfactory in respect to the LEP objectives.

4. Compliance with BHDCP Part C, Section 1 – Rural

Baulkham Hills Development Control Plan Part C, Section 1 – Rural applies to the proposed development. The DCP has limited applicability given the standards within the SEPP (Housing for Seniors or People with a Disability). Given the site is located on rural land, a site compatibility certificate is required and has been issued by the Department of Planning.

5. Integrated Development – NSW Rural Fire Service

The application is classified as 'integrated development' pursuant to Section 91 of the Environmental Planning and Assessment Act, 1979 as the development requires approval from the Rural Fire Service (RFS).

The original proposal was referred to RFS for assessment who advised that the proposal was unsatisfactory primarily due to the proposed Asset Protection Zones being located on adjoining properties. Discussion with the applicant's town planning consultant has

identified that resolution of the issues by way of an amended proposal. The applicant has amended the proposal by deleting eighteen self care villas and the residential care facility component of the development in order to comply with the required asset protect zones required by the Rural Fire Service. Council's consistent position from lodgement has been that all asset protect zones must be provided within the development site. The Rural Fire Service have granted General Terms of Approval on 13 August 2010 (Refer Attachment 7).

6. Issues Raised in Submissions

The Development Application was placed on public notification for a period of fourteen (14) days. Two (2) submissions were received during the notification period.

While the issues raised are not considered to warrant refusal or amendment of the Development Application, the issues have been addressed within the table below:-

ISSUE	RESPONSE	OUTCOME
The development will increase existing traffic problems in the locality.	Both the NSW Roads and Traffic Authorities Regional Traffic Committee and Council's Traffic Management Section have reviewed the proposal and the proposed development is considered satisfactory.	Issue addressed.
Traffic lights have been erected on Old Northern Road between Gilbert Road and Glenhaven Road solely for a retirement village on the eastern side of Old Northern Road. Accordingly a precedent for traffic lights has been set. The traffic lights could be located to meet at one intersection if Holland Road and Old Glenhaven Road were joined on the vacant land at No. 93 Glenhaven Road.	This seniors living village identified by the objector is located within the Hornsby Local Government Area and has direct access onto Old Northern Road which is a Classified Road. It is considered that traffic lights in the case of the proposed development are not warranted given traffic volumes on the local road network.	Issue addressed.
The documents indicate that there is a 50 km/h signage in Old Glenhaven Rd. This is incorrect and such signage should be installed as soon as possible at both end of the street.	Council's Traffic Section have advised that the existing road infrastructure is adequate to cater for the proposed development.	Issue addressed.
The traffic survey failed to mention that Old Glenhaven Road is used as a by-pass for motorists who are delayed by a build up of traffic caused by the school crossing. During school mornings vehicles can be	Council's Traffic Section have advised that the existing road infrastructure is adequate to cater for the proposed development. Council's Local Traffic Committee monitor the need for improvements to road	Issue addressed.

seen speeding down Old Glenhaven Rd. Consideration must be given to speed reduction signs as well as a traffic slowing device chicane (not a speed bump). This will control the speed and be a great discouragement for motorists taking a short cut.	infrastructure should a need arise in the future.	
The documents submitted with the application indicate that overspill parking from the new estate could park up on Old Glenhaven Rd. We have noted that with the completion of Stage 1 several signs restricting existing residents from parking on the road have appeared. We request that all traffic from the estate be maintained within the boundaries of the estate.	The parking provided for the proposal meets the requirements of the SEPP. Old Glenhaven Road is a public road and parking is permitted in a legal manner.	Issue addressed.
Following the completion of this estate there will be only a small section of Old Glenhaven Road that is without kerb and gutter. This section should be carried out in conjunction with the estate.	The portion of Old Glenhaven Rd (northern side) that would remain without kerb and gutter is adjacent to private property. It is considered unreasonable to request the applicant to provide kerb and gutter in this location as these properties are zoned rural.	Issue addressed.
At the eastern end of Old Glenhaven Rd some time ago Council undertook some engineering on Glenhaven Road and constructed a "Clayton's" pedestrian crossing. We consider that this is the only place that residents can cross Glenhaven Road and with the potential of more aged residents moving into the immediate area this crossing should be updated with the introduction of white lines and appropriate signage.	Council's Traffic Section have advised that the existing road infrastructure is adequate to cater for the proposed development however Council's Local Traffic Committee monitor the need for improvements to road infrastructure should a need arise in the future.	Issue addressed.
Concern raised regarding the impacts on water supply for adjoining residents.	The applicant has submitted a feasibility letter from Sydney Water dated 13	Issues addressed.

	March 2009 regarding the works required to be undertaken for this development in order for the development to receive a Section 73 Certificate from Sydney Water. This letter states that construction of a drinking water main extension is required to service the development.	
Concern raised regarding the adequacy of sewage infrastructure.	The applicant has submitted a feasibility letter from Sydney Water dated 13 March 2009 regarding the works required to be undertaken for this development in order for the development to receive a Section 73 Certificate from Sydney Water. This letter states that the construction of a sewer main extension via a private pumping station is required to service the development.	Issue addressed.
The bulk of the development is excessive and setbacks are inadequate.	The external design and appearance of the development is considered appropriate. A variety of external colours and finishes have been utilised which are in keeping with the future modern character of the area and with the addition of a high quality landscape setting the development will provide a positive contribution to the locality.	Issue addressed
The landscaping proposed is inadequate.	The concept landscape plans submitted identify a landscape outcome similar to the existing stage 1 development which is considered satisfactory. A condition is recommended that requires the submission of a detailed landscape plan to Council prior to the issue of a Construction Certificate.	Issue addressed. Refer Condition No. 11
From the elevations I was unable to determine the extent and concentration of landscaping along Old	The concept landscape plans submitted identify a landscape outcome similar to the existing stage 1	Issue addressed. Refer Condition No. 11

Glenhaven Road. We would appreciate if the existing level and concentration of landscaping constructed on Old Glenhaven Road to stage 1 could be undertaken to this proposal.	development which is considered satisfactory. A condition is recommended that requires the submission of a detailed landscape plan to Council prior to the issue of a Construction Certificate. A high quality landscape design is envisaged.	
We were unable to determine what treatment is proposed to the stand of gums opposite the driveway of 44 Old Glenhaven Rd and the corner parcel of land at the intersection on Old Glenhaven Rd and Glenhaven Rd. The existing gums opposite 44 are well established and should be incorporated into the landscape design. The small parcel of land on the corner affords enhanced vision when making a right turn out of Old Glenhaven Rd. and consideration should be given to low level shrubs that maintain vision as well as making a welcoming statement into Old Glenhaven Rd.	Given the deletion of the residential care facility on this portion of the site the trees identified by the objector are to remain. A condition is recommended that requires the submission of a detailed landscape plan to Council prior to the issue of a Construction Certificate.	Issue addressed. Refer Condition No. 11
There are a number of retirement villages in the area, whereas there would appear to be a shortage of this type of development in nearby urban release areas.	SEPP development is a permissible use within the zone when adjoining land zoned for urban purposes. The applicant has determined that there is a need for the subject proposal.	Issue addressed.
We are unable to determine if the existing above ground cables were to be relocated to underground. This would complement the work undertaken in stage 1.	The applicant is required to consult with service providers prior to development. A condition is recommended to require the undergrounding of power infrastructure where possible.	Issue addressed. Refer Condition No. 64.
The documents state that the shopping Centre has a Real Estate office and a Bakery. This is incorrect.	Adequate services exist for residents and compliance with the access and facilities of the SEPP are achieved. The facilities detailed within the submission are not	Issue addressed.

	specifically required by the SEPP.	
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7. Compliance with Section 79C of the Environmental Planning & Assessment Act, 1979

The proposal has been assessed against Section 79C of the Environmental Planning and Assessment Act 1979 as follows:-

(a) (i) Any environmental planning instrument

Satisfactory as detailed within sections 1-3 of this report above.

(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and

Not applicable – there is no draft planning instrument applicable to the proposed development.

(iii) any development control plan, and

Satisfactory as detailed within section 4 of this report above.

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

Not applicable – there is no planning agreement applicable to the proposed development.

(iv) any matters prescribed by the regulations,

Satisfactory.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

Satisfactory – the proposed works will have a built form that is consistent with the existing Seniors Living development. The subject proposal will not have an adverse impact on the surrounding residential and rural character, nor provide an unsatisfactory social, environmental or economic impacts in the locality.

(c) the suitability of the site for the development,

Satisfactory – the proposal development will have a built form and bulk and scale that is consistent with the existing Seniors Living development. The development is adequately serviced and the recent amendments have provided a development that is acceptable.

(d) any submissions made in accordance with this Act or the regulations,

Two submissions received and addressed within section 6 of this report above.

(e) the public interest.

Satisfactory – The proposed development is not considered to provide unsatisfactory social or environmental impacts within the locality.

WASTE MANAGEMENT COMMENTS

The Development Application was referred to Council's Waste Management Section to review demolition, construction and on going use waste requirements. No objection is raised to the proposed development subject to conditions of consent.

HEALTH & ENVIRONMENTAL PROTECTION COMMENTS

The Development Application was referred to Council's Health and Environmental Sustainability Section to review the environmental impacts of works as well as acoustic implications for the development. No objection is raised to the proposed development subject to conditions of consent.

TREE MANAGEMENT COMMENTS

The Development Application was referred to Council's Tree Management Section to review the proposed landscaping and associated tree removal. No objection is raised to the proposed development subject to conditions of consent including the lodgement of a further detailed landscape plan for the development site.

ENGINEERING COMMENTS

The Development Application was referred to Council's Engineering Section to review the car parking arrangements and proposed stormwater drainage measures associated with the proposal. No objection is raised to the proposed development subject to conditions of consent.

TRAFFIC COMMENTS

The application was referred to Council's Traffic Projects Officer who has made the following comments with respect to the proposed works:-

a) Existing Traffic Environment

This application prior to being amended proposed to construct 115 self care villa units and 111 supported living units as Stage 2 of the previously approved Seniors Living development at 15 Old Glenhaven Road, Glenhaven.

A traffic report prepared by BJ Bradley & Associates has been submitted in support of the application.

The proposed site has two road frontages with the main access to the 115 self care units being provided off Old Glenhaven Road and an additional access for the 111 supported living units off Holland Road.

Holland Road is 5.5m wide two lane local road constructed to a rural standard with 2.0m wide unsealed shoulders providing access to 14 residential properties and Holland Road Reserve. There is no traffic count data for Holland Road provided with the report however it could reasonably be expected that peak hourly volumes would be in the order of less than 20 peak hour trips.

Old Glenhaven Road is also a local access road approximately 800m long forming an eastern and western intersection with Glenhaven Road. The consultant has carried out traffic counts and determined that road sustains approximately 60 peak hour trips.

Proposed Development - Traffic Generation

Using the rates stipulated in the RTA Guide to Traffic Generating developments the consultant has established that both the self care and assisted care units should generate an additional 34 peak hour trips with 11 distributed to Holland Road for the assisted care units and 23 to Old Glenhaven Rd for the self care units.

They have also carried out a detailed SIDRA analysis of the affected intersections with Glenhaven Road and confirmed that the intersections will continue to operate at a very good Level of Service B or better with minimal delays of less than 24 seconds.

b) Access and Sight Distance Requirements

The consultant has also analysed the sight distance requirements of all the intersections in the vicinity and determined that in all instances the available sight distance exceeds the minimum Stopping Sight Distance (SSD) and in all but the western intersection of Glenhaven Road and Old Glenhaven Road also exceed the desirable Safe Intersection Sight Distance (SISD) requirements of AS 2890.1.2004.

c) Traffic Improvements in the Locality

The imposition of conditions requiring the applicant carry out traffic improvements is not justified as the relatively minor expected increases in traffic generation from the proposed development does not substantially negatively impact on the operational efficiency or safety of the surrounding road network.

However in the past following opening of Stage 1 of this development Council received numerous requests from the residents of the centre to provide improved footpath facilities to enable residents to access the local shops and a doctors surgery located at 53 Glenhaven Road.

Accordingly it is suggested that the applicant be requested to provide approx 100m of 1.5m concrete footpath from the eastern boundary of 47 Glenhaven Road to the doctors surgery at 53 Glenhaven Road.

d) Recommendations

Based on the number of previous requests Council has received from the residents of Stage 1 of the development for improved pedestrian facilities the applicant should be requested to provide approx 100m of 1.5m wide concrete footpath on the northern side of Glenhaven Road from the eastern boundary of 47 Glenhaven Road to the full frontage of the doctors surgery at 53 Glenhaven Road. A condition recommended requiring the applicant to Consult with Council's Traffic Section regarding the construction of the footpath (Refer Condition No. 6).

NSW POLICE COMMENTS

The Development Application was referred to the NSW Police Force for comments under Council's adopted "Safer by Design" Protocol.

The Police provided the following comments dated 21 October 2009 (summarised) which where appropriate have been incorporated into a condition of consent. Refer to Condition No. 4

- (i) Lighting is required to meet minimum Australian Standards to ensure safety by improving visibility and detection of offenders. Special attention should be given to lighting for the entry/exit points from the building. Site transition lighting is needed to reduce vision impairment ie: walking from light to dark places.

- (ii) Landscape works are to be maintained at all times to minimise concealment and entrapment opportunities.
- (iii) The site is to be clean and maintained at all times, including repair of vandalism and graffiti, replacement of carpark lighting and general site cleanliness.
- (iv) Many graffiti vandals favour porous building surfaces, as 'tags' are difficult to remove and often a ghost image will remain even after cleaning. Easily damaged building materials may be less expensive to purchase initially, but their susceptibility to vandalism can make them a costly proposition in the long term, particularly in at-risk areas. Playgrounds can also be a target for arson attacks. These matters should be considered when selecting materials for construction of the playground.

NSW ROADS & TRAFFIC AUTHORITY COMMENTS

The Development Application was referred to the NSW RTA for comment pursuant to State Environmental Planning Policy (Infrastructure) 2007. The application was discussed at the Sydney Regional Development Advisory Committee (SRDAC) meeting on the 4 November 2009. The RTA provided the following comments which where appropriate have been incorporated into a condition of consent (Refer Condition No. 3):

- (i) The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths and parking bay dimensions) should be in accordance with the Australian Standards 2890.1-2004.
- (ii) Proposed parking areas and site accessibility requirements should be in accordance with SEPP (Seniors Living) 2004.
- (iii) Council with advice from the Local Traffic Committee should ensure a full time 'No Stopping' zone be installed along the northern side of Glenhaven Road starting from Holland Road to Old Glenhaven Road.
- (iv) The proposed development will generate additional pedestrian movements in the area. Consideration should be given to ensuring pedestrian safety. Pedestrian facilities should be considered on Old Glenhaven Road and Glenhaven Road.
- (v) All vehicles are to enter and leave the site in a forward direction
- (vi) Car parking provision is to be to Council's satisfaction.
- (vii) All works to be at no cost to the RTA.

As a result the proposed car parking provision and comments provided from the NSW RTA are considered to be sufficiently addressed and satisfactory.

CONCLUSION

The proposal has been assessed having regard to the provisions of Section 79C of Environmental Planning and Assessment Act 1979, State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy Housing for Seniors or People with a Disability 2004 and Local Environmental Plan 2005 is considered to be satisfactory.

The proposal complies with the provisions of the Seniors Living SEPP and will provide an additional self-care facility for residents within the Shire. Appropriate access is available for residents to local services such as the shopping centres and other retail and commercial development via bus services. The development is an extension of an existing Seniors Living development that provides services for the needs of residents.

The external design and appearance of the development is consistent with the existing Seniors Living development and considered appropriate. A variety of external colours and finishes have been utilised which are in keeping with the character of the area and with

the addition of a high quality landscape setting the development will provide a positive contribution to the locality.

The application was placed on public exhibition for a period of fourteen (14) days with two (2) submissions received. The issues raised within the received submissions have been addressed within the body of this report and are not considered to warrant amendment or refusal of the application. A number of conditions of consent have been recommended to address the issues raised within the submissions.

As a result the proposed Development Application is considered satisfactory.

RECOMMENDATION

The Development Application be approved subject to the following conditions of consent:

ALL STAGES

GENERAL MATTERS

1. Development in Accordance with Submitted Plans (as amended)

The development being carried out in accordance with the approved plans and details submitted to Council, as amended in red, stamped and returned with this consent. No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required

The amendments in red include: -

- Deletion of Residential Care Facility and Self Care Units as detailed on "Site Plan Stage 2" prepared by CED Building Design numbered C804.4 Sheet 13.02/P1 Revision P5 dated 30/04/2010.

REFERENCED PLANS

DRAWING NO	DESCRIPTION	SHEET	REVISION	DATE
C804.4	Overall Masterplan	1.01	P3	01/04/2010
C804.4	Site Plan Stage 2	13.02	P5	30/04/2010
C804.4	Villa Floor Plans	3.01	-	28/07/2009
C804.4	Villa Elevations	3.02		28/07/2009
C804.4	Villa Floor Plans	4.01		28/07/2009
C804.4	Villa Elevations	4.02		28/07/2009
C804.4	Villa Floor Plans	5.01		28/07/2009
C804.4	Villa Elevations	5.02		28/07/2009
C804.4	Villa Floor Plans	6.01		28/07/2009
C804.4	Villa Elevations	6.02		28/07/2009
C804.4	Villa Floor Plans	7.01		28/07/2009
C804.4	Villa Elevations	7.02		28/07/2009
C804.4	Villa Floor Plans	8.01		28/07/2009
C804.4	Villa Elevations	8.02		28/07/2009
C804.4	Villa Floor Plans	9.01		28/07/2009
C804.4	Villa Elevations	9.02		28/07/2009

C804.4	Villa Floor Plans	10.01		28/07/2009
C804.4	Villa Elevations	10.02		28/07/2009
C804.4	Villa Floor Plans	11.01		28/07/2009
C804.4	Villa Elevations	1.02		28/07/2009

2. SEPP (Housing for Seniors or People with a Disability) 2004

The self-care dwellings shall be restricted to the housing of older people and / or people with a disability in accordance with the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability)2004.

3. Compliance with NSW Rural Fire Service Requirements

Compliance with the requirements of the NSW Rural Fire Service attached as Appendix A to this consent and dated 13 August 2010.

4. NSW Police Comments

The following conditions are required by the NSW Police Service or as otherwise agreed by the NSW Police and Council in writing:

- (i) Lighting is required to meet minimum Australian Standards to ensure safety by improving visibility and detection of offenders. Special attention should be given to lighting for the entry/exit points from the building. Site transition lighting is needed to reduce vision impairment ie: walking from light to dark places.
- (ii) Landscape works are to be maintained at all times to minimise concealment and entrapment opportunities.
- (iii) The site is to be clean and maintained at all times, including repair of vandalism and graffiti, replacement of carpark lighting and general site cleanliness.
- (iv) Many graffiti vandals favour porous building surfaces, as 'tags' are difficult to remove and often a ghost image will remain even after cleaning. Easily damaged building materials may be less expensive to purchase initially, but their susceptibility to vandalism can make them a costly proposition in the long term, particularly in at-risk areas. Playgrounds can also be a target for arson attacks. These matters should be considered when selecting materials for construction of the playground.

5. Road and Traffic Authority matters

The proposed development shall comply with the requirements of the RTA as detailed below:

- (i) The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths and parking bay dimensions) should be in accordance with the Australian Standards 2890.1-2004.
- (ii) Proposed parking areas and site accessibility requirements should be in accordance with SEPP (Seniors Living) 2004.
- (iii) With advice from the Local Traffic Committee the developer should ensure a full time 'No Stopping' zone be installed along the northern side of Glenhaven Road starting from Holland Road to Old Glenhaven Road.
- (iv) All vehicles are to enter and leave the site in a forward direction
- (v) Car parking provision is to be to Council's satisfaction.
- (vi) All works to be at no cost to the RTA.

6. Local Road Works

The applicant is required to provide approx 100m of 1.5m wide concrete footpath on the northern side of Glenhaven Road from the eastern boundary of 47 Glenhaven Road to the full frontage of the doctors surgery at 53 Glenhaven Road to the satisfaction of Council's Traffic Section.

7. Provision of Parking Spaces

The development is required to be provided with 144 off-street car parking spaces. These car parking spaces shall be available for off street parking at all times.

8. External Finishes

External finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent.

9. Protection of Existing Vegetation

Vegetation not authorised for removal by this consent shall be protected during construction to ensure that natural vegetation and topography on the subject site is not unnecessarily disturbed.

Any excavated material not used in the construction of the subject works is to be removed from the site and under no circumstances is to be deposited in bushland areas.

10. Separate application for signs

A separate application being submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures.

11. Landscaping Plan to be Submitted

A detailed Landscape Plan is to be submitted to Council's Manager Development Assessment prior to the issue of a Construction Certificate. The plan is to be prepared by a suitably qualified person and screen the proposal from public places. The plan should include:

- All existing trees clearly marked for retention or removal.
- Location of plant species and quantities clearly shown
- A schedule of proposed planting, including botanic name, common name, size at planting, quantities, staking requirements, expected mature height.
- Details indicating a minimum of 300mm of good quality garden mix to all garden beds
- Details showing good quality topsoil to all lawn areas
- All garden bed areas to be clearly defined by brick edging with its to edge finishing flush with the surface of adjacent grass areas.
- All garden bed areas to have drip irrigation.

12. Planting Requirements

All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size.

13. Adherence to Waste Management Plan

The Waste Management Plan submitted to Council must be adhered to at all stages in the demolition/construction/design of facilities and on-going use phases. All waste material nominated for recycling must be reused or recycled. Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act (1997) and only to a place that can lawfully be used as a waste facility. Dockets/receipts verifying recycling/disposal must be kept and presented to Council when required.

14. Waste Storage and Separation – Construction and Demolition

The reuse and recycling of waste materials must be maximised during construction and demolition. The separation and recycling of the following waste materials is required:

- a) Masonry products (bricks, concrete, concrete roof tiles) to be sent for crushing/recycling;
- b) Timber waste to be separated and sent for recycling;
- c) Metals to be separated and sent for recycling;
- d) Clean waste plasterboard to be returned to the supplier for recycling (excluding plasterboard from demolition); and
- e) Mixed waste (plastic wrapping, cardboard etc) to be sent to a licensed recycling or disposal facility.

This can be achieved by constructing a minimum of five trade waste compounds on-site. Each waste compound must be adequately sized to enclose the waste. Alternatively, mixed waste may be stored in one or more adequately sized waste compounds and sent to a waste contractor/waste facility that will sort the waste on their site for recycling. Waste must be adequately secured and contained within designated waste areas and must not leave the site onto neighbouring public or private properties. Personal waste must not litter the site. Copies of actual weighbridge receipts verifying recycling/disposal must be kept and presented to Council when required.

15. Surplus Excavated Material

The disposal / landfill of surplus excavated material, other than to a DECC licensed facility, is not permitted without formal approval from Council prior to the commencement of works. Any unauthorized disposal of waste, which includes excavated material, is a breach of the *Protection of the Environment Operations Act 1997* and subject to substantial penalties. Unless Council approves an alternate site, then all surplus excavated material must be disposed of at a licensed waste facility. Copies of actual weighbridge receipts verifying recycling/disposal must be kept and presented to Council when required.

16. Imported 'Waste Derived' Fill Material

The only waste derived fill material that may be received at the development site is:

- virgin excavated natural material (within the meaning of the *Protection of the Environment Operations Act 1997*); or
- any other waste-derived material the subject of a resource recovery exemption under clause 51A of the *Protection of the Environment Operations (Waste) Regulation 2005* that is permitted to be used as fill material.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

NOTE: The application of waste-derived material to land is an activity that may require a licence under the *Protection of the Environment Operations Act 1997* (POEO Act). However, a licence is not required by the occupier of the land if the only material applied to land is virgin excavated natural material or waste-derived material that is the subject of a **resource recovery exemption** under clause 51A of the *Protection of the Environment Operations (Waste) Regulation 2005*.

Resource recovery exemptions are available on Department of Environment and Climate Change's website at: <http://www.environment.nsw.gov.au/waste/>

Definition of 'virgin excavated natural material' within the meaning of the POEO Act:

Natural material (such as clay, gravel, sand, soil or rock fines) that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues (as a result of industrial, commercial, mining or agricultural activities), and that does not contain any sulfidic ores or any other waste.

Definition of 'waste' within the meaning of the POEO (Waste) Regulation:

In relation to substances that are applied to land, the application to land by:

- (a) spraying, spreading or depositing on the land, or
 - (i) ploughing, injecting or mixing into the land, or
 - (ii) filling, raising, reclaiming or contouring the land,
- (b) in relation to substances that are used as fuel, all circumstances.

See Clause 3B of the Regulation for exemptions.

17. Domestic Waste Management

Construction of the garbage and recycling bin storage areas is to be in accordance with the "Bin Storage Facility Design Specifications" as attached to this consent. Storage facility is to be provided for a minimum of 1280 litre capacity for bulk garbage bin(s) serviced weekly, and 1280 litre capacity for recycling bins serviced fortnightly for each bin storage area.

18. Medical Waste Storage and Disposal

A separate waste bin is to be provided for the disposal of clinical and sharps waste. Clinical and sharps waste must be collected and disposed of by an authorised contractor in accordance with the Protection of the Environment Operations (Waste) Regulation 2005. Dockets/receipts of hazardous waste disposal must be kept and presented to Council when required.

19. Property Numbering

The responsibility for property numbering is vested solely in Council.

Any additional entry points to this development will require the allocation of individual street numbers to identify the exact location of the access point. The applicant is to contact The Hills Shire Council to discuss the allocation of any street and internal numbering.

Clear and accurate external directional signage is to be erected on site at driveway entry points, internal streets and on buildings.

It is essential that all numbering signage throughout the complex is clear to assist emergency service providers locate a destination with ease and speed, in the event of an emergency.

20. Dust Control

The following measures must be taken to control the emission of dust:

- dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work;
- all dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system;
- all stockpiles of materials that are likely to generate dust must be kept damp or covered.

21. Sound Level Output

The use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to "offensive noise" as defined under the provision of the Protection of the Environment Operation Act 1997. The sound level output shall not exceed 5 dB(A) above the ambient background level at the closest neighbour's boundary.

22. Air Conditioning Units

The air conditioning unit to be installed for any particular dwelling shall comply with the development standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for Air Conditioning Units. Specifically, the location of each Air conditioning Unit must be at least 450mm from the boundary of any adjoining dwelling.

Where the Air Conditioning Unit location cannot meet this standard, a separate Development Application for the proposed installation of the Air Conditioning Unit shall be submitted to Council.

23. Air Conditioning Unit Noise Levels

The noise level of an Air Conditioning Unit at the boundary of neighbouring dwellings is not to exceed more than 5 dB(A) above the ambient background noise level when measured at the boundary between dwellings.

24. Stockpiles

Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water, to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

25. Construction Certificate

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans submitted with the Construction Certificate are to be amended to incorporate the conditions of the Development Consent.

26. Building Work to be in Accordance with BCA

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

27. Supervision of Works

All work in the road reserve shall be supervised by a suitably qualified and experienced Civil Engineer, Registered Surveyor or Civil Engineering Foreman. The supervisor's name, address and contact phone number shall be submitted to Council prior to the commencement of construction in the road reserve.

In this regard a construction programme and anticipated duration of construction for all work in the road reserve shall be submitted in writing to Council prior to the commencement of any works in the road reserve.

28. Public Liability Insurance

All contractors working in the public road shall take out public liability insurance for a minimum amount of \$10 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be submitted to Council prior to the commencement of construction in the road reserve.

29. Protection of Public Infrastructure

Council must be notified of any damage to the public infrastructure such as road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the development.

Adequate protection must be provided for public infrastructure prior to work commencing and during building operations.

Any damage to public infrastructure caused during construction shall be made good prior to the issue of an occupation or subdivision certificate.

30. Separate Development Application for Subdivision

A separate development application must be submitted to Council for any proposed community or strata titled subdivision of the approved development.

31. Vehicular Access and Parking

The formation, surfacing and drainage of all vehicular access and parking areas is required. The design and construction of all vehicular access and parking areas must comply with:

- a) AS/ NZS 2890.1:2004 – Parking facilities – Part 1: Off-street car parking

- b) AS 2890.2:2002 – Parking facilities – Part 2: Off-street commercial vehicle facilities
- c) AS 2890.6:2009 – Parking facilities – Part 6: Off-street parking for people with disabilities
- d) BHDGP Part D Section 1 – Parking

NOTE: Where conflict exists the Australian Standard(s) must be adopted.

The following must be provided:

- i. All internal car parking spaces and access roads must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- ii. All access roads and car parking areas are to be separated from landscaped areas by a concrete kerb or wall.

32. Engineering Works – Detailed Design and Construction Approval – (Development)

The design certification and construction approval of the engineering works nominated later in this consent require separate approval prior to the commencement of any works as follows:

- a) Works on existing public roads or reserves and any land under the care and control of Council require an Engineering Construction Certificate (ECC) in accordance with the Roads Act 1993 and/ or the Local Government Act 1993. This includes the construction of new roads which are to be dedicated as public road.

NOTE: An ECC can only be issued by Council.

- b) All other engineering works associated with the building approval must be approved by either Council or an Accredited Certifier. This certification must be included with the documentation approved as part of any Construction Certificate.

The designer of the engineering works must be qualified, experienced and have speciality knowledge in the relevant field of work.

NOTE: A Design Compliance Certificate (DCC) certifying the detailed design of the OSD system can be issued by Council.

For Council to issue either a ECC and/ or a DCC the following must be provided:

- i. A completed application form;
- ii. Four (4) copies of the design plans and specifications;
- iii. Payment of the appropriate application fee;
- iv. Payment of the appropriate inspection fee(s); and
- v. Payment of a suitable bond for any required security bonds.

33. Compliance with BASIX Certificate

Under clause 97A of the Environmental Planning and Assessment Regulation 2000 it is a condition of this development consent that all commitments listed in BASIX Certificate No. 255345M be complied with.

PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

34. Internal Pavement Structural Design Certification (Waste Services)

A Certified Practicing Engineer (CPEng) must confirm the structural adequacy of the internal pavement design to Council prior to the issue of a Construction Certificate. The proposed pavement design must be adequate to withstand the loads imposed by a loaded waste vehicle (i.e. 28 tonne axle load) from the boundary to the waste collection point including any manoeuvring areas.

35. Landscape Bond

A landscape bond in the amount of \$20,000.00 is to be lodged with Council prior to the issue of the Construction Certificate. It shall be refunded 6 months following the issue of the Occupation Certificate and the submission to Council of certification from a qualified Landscape Architect or Council's Tree Management Team, that the works have been carried out in accordance with the approved landscape plan.

36. Erosion & Sediment Control Plan

Submission of an Erosion and Sediment Control Plan to the Principal Certifying Authority, including details of:

- a) Allotment boundaries
- b) Location of the adjoining roads
- c) Contours
- d) Existing vegetation
- e) Existing site drainage
- f) Critical natural areas
- g) Location of stockpiles
- h) Erosion control practices
- i) Sediment control practices
- j) Outline of a maintenance program for the erosion and sediment controls

(NOTE: For guidance on the preparation of the Plan refer to 'Managing Urban Stormwater Soils & Construction' produced by the NSW Department of Housing).

37. Security Bond – Pavement and Public Asset Protection

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, a security bond to the value of \$130,000 is required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The bond shall be lodged with Council prior to the issue of a Construction Certificate.

NOTE: The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash or an unconditional bank guarantee. The bond is refundable upon written application to Council along with payment of the applicable bond release fee, and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these remaining costs.

38. Bank Guarantee(s)

Should a bank guarantee be the proposed method of submitting a security bond the guarantee is to:

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a suitable cover letter that refers to Development Consent No. DA 280/2010/JP;
- c) Specifically reference the item(s) and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen (14) days prior to such action being taken.

NOTE: No bank guarantee will be accepted that has been issued directly by the applicant.

39. Draft Legal Document(s)

Draft copies of all legal documents (deed of agreement, request documents, etc;) required as part of this consent shall be submitted to Council for checking prior to the issue of a Construction Certificate.

40. Engineering Works and Design (Council Approval Required)

The design and construction of all the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) THSC Design Guidelines Subdivisions/ Developments (January 2010)
- b) THSC Works Specifications Subdivisions/ Developments (January 2010)

Any variation from the above require separate approval from Council.

The works listed below require an Engineering Construction Certificate (ECC) from Council. The following engineering works are required:

i. Medium Duty Crossings

Medium duty gutter and footpath crossings at all points of vehicular access from internal roads to each unit.

41. Engineering Works and Design (Council Approval Required)

The design and construction of all the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) THSC Design Guidelines Subdivisions/ Developments (January 2010)
- b) THSC Works Specifications Subdivisions/ Developments (January 2010)

Any variation from the above require separate approval from Council.

The works listed below require either an Engineering Construction Certificate (ECC) and/ or design certification from either Council or an Accredited Certifier as outlined elsewhere in this consent. The following engineering works are required:

i. Stormwater Drainage – Gross Pollutant Trap(s)

Gross Pollutant Traps (GPT) at the end of all public stormwater drainage outlets. All traps are to be CDS or similar units and appropriately sized for the design discharge.

The engineering drawings must include the location and detail of all traps.

ii. Inter-allotment Stormwater Drainage

Piped inter-allotment drainage designed for a 1 in 10 year ARI storm event catering for the entire area of each lot (with an assumed impervious surface of 80%). Each lot must be uniformly graded to its lowest point where a grated surface inlet pit must be provided. All collected inter-allotment stormwater is to be piped to an approved constructed public drainage system.

iii. Stormwater Management - WSUD Measures

Provision of Water Sensitive Urban Design Elements including Onsite Stormwater Detention facilities, Bio Retention Systems, Rainwater Tanks. in accordance with the 'Concept Civil Design Report' Glenhaven Stage 2 (89022007 Version 1 dated June 2009) and 'Road and Drainage Concept Plan' sheets (1-8) Revision 2 dated 29 March 2010, both prepared by Cardno NSW Pvt Ltd.

NOTE:

1. The Concept Civil Design plan 89022007 (sheets 1-8) is for DA purposes only and is not to be used for construction. Table 1 of the above mentioned is to be referenced in order to achieve the required site storage requirement (SSR) and permissible site discharge (PSD).
2. Comprehensive design plans showing full construction details must be prepared by an accredited engineer along with:
3. The applicant is to utilise latest best practice guidelines in designing Water Quality Control Measures. Such guidelines include but are not limited to:
 - Water Sensitive Urban Design – Technical Guidelines for Western Sydney, 2004, <http://www.wsud.org/tech.htm>; and

- Australian Runoff Quality – A Guide to Water Sensitive Urban Design, 2005, <http://www.ncwe.org.au/arq/>.
- A completed Drainage Design Summary (Calculation) Sheet;
- Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, including catchment plans and areas, times of concentration and estimated peak run-off volumes;
- A completed Detailed Design Checklists;
- A maintenance schedule (prepared by the designer of the OSD & Bio Retention systems).

iv. Maintenance Plan

Submission of a maintenance plan to ensure ongoing maintenance of all the water sensitive urban design elements including silt/oil arrestor, pit inserts, bio-retention pond etc. (to be undertaken by the property owner) prepared in accordance with guidelines provided by the device supplier to ensure its effective future performance in the treatment of stormwater runoff from the site.

Note: All construction materials & techniques are to be suitable for a saline environment.

42. Notice of Requirements

The submission of documentary evidence to the Certifying Authority, including a Notice of Requirements, from Sydney Water Corporation confirming that satisfactory arrangements have been made for the provision of water and sewerage facilities.

Following an application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water / sewer extensions can be time consuming and may impact on other services and building, driveway and landscape design.

43. Works on Adjoining Land

Where the engineering works included in the scope of this consent extend into adjoining land, written consent from all affected adjoining property owners must be obtained and submitted to Council prior to the issue of a Construction Certificate.

PRIOR TO WORK COMMENCING ON THE SITE

44. Discontinuation of Domestic Waste Service(s)

Prior to commencement of any demolition works, Council must be notified to collect any garbage or recycling bins from any dwelling/building that is to be demolished and to discontinue the waste service (where the site ceases to be occupied during works). Construction or demolition workers must not use Council's domestic and garbage and recycling service for the disposal of waste. Please contact Council's Domestic Waste Hotline on 1800 623 895 for the discontinuation of waste services.

45. Demolition Works & Asbestos Removal/Disposal

The demolition of any existing structure is to be carried out in accordance with the *Occupational Health & Safety Regulations 2001 Part 8* and the *Australian Standard AS 2601-1991: The Demolition of Structures*. All vehicles leaving the site carrying demolition materials are to have loads covered and are not to track any soil or waste materials on the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on adjoining public road or reserve, a separate application is to be made to Council to enclose the public place with a hoarding or fence. All demolition waste is to be removed from the site according to the Council's approved waste management plan. – Demolition Waste Section. All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with the Workcover Authority Guidelines and requirements. The asbestos must be removed by a bonded asbestos licensed operator. Supporting documentation (dockets/Receipts), verifying recycling and disposal must be kept, to be checked by Council if required.

46. Erosion and Sedimentation Controls – Major Works

Erosion and sedimentation control devices are to be provided in accordance with Council's "Works Specification - Subdivisions/Developments" (August 1997). All devices are to be established prior to the commencement of engineering works and maintained for a minimum period of six (6) months after the completion of all works. Periodic maintenance of the erosion and sedimentation control devices is to be undertaken to ensure their effectiveness.

On completion of works all land that has been disturbed by earthworks is to be spray grassed or similarly treated to establish a grass cover.

47. Stabilised Access Point

A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

48. Erosion & Sediment Control Plan Kept on Site

A copy of the Erosion and Sediment Control Plan must be kept on site at all times during construction and made available to Council officers on request.

49. Notification of Asbestos Removal

Prior to the commencement of any demolition works involving asbestos or asbestos containing materials, all adjoining and adjacent neighbours and Council must be given a minimum five days written notification of the works.

50. Builder and PCA Details Required

Notification in writing of the builder's name, address, telephone and fax numbers to be submitted to the Principal Certifying Authority prior to work commencing.

Two days before work commences, Council shall be notified of the Principal Certifying Authority in accordance with the Regulations.

51. Management of Building Sites – Builder's Details

The erection of suitable fencing or other measures to restrict public access to the site and building works, materials or equipment when the building work is not in progress or the site is otherwise unoccupied.

The erection of a sign, in a prominent position, stating that unauthorised entry to the site is not permitted and giving an after hours contact name and telephone number. In the case of a privately certified development, the name and contact number of the Principal Certifying Authority.

52. Consultation with Service Authorities

Applicants are advised to consult with Telstra and Australia Post regarding the installation of telephone conduits and letterboxes respectively.

Unimpeded access must be available to the electricity supply authority, during and after building, to the electricity meters and metering equipment.

The building plans must be submitted to the appropriate Sydney Water office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the building plans will be stamped indicating that no further requirements are necessary.

53. Approved Temporary Closet

An approved temporary closet connected to the sewers of Sydney Water, or alternatively an approved chemical closet is to be provided on the land, prior to building operations being commenced.

54. Traffic Control Plan

A Traffic Control Plan (TCP) is required to be prepared and submitted in strict compliance with the requirements of the current Australian Standard 1742.3 (Traffic Control Devices

for Works on Roads) and the current RTA Traffic Control and Work Sites Manual. The persons preparing the TCP must have the relevant RTA accreditation to do so.

NOTE: Where subsequent amendments to the approved TCP are required, a new plan shall be prepared and submitted to Council prior to implementation.

55. Pre-Construction Public Infrastructure Dilapidation Report

Prior to work commencing you are required to submit to Council a public infrastructure inventory report recording the condition of all public assets in the direct vicinity of the development site. The report shall include:

Designated construction access and delivery routes; and

Photographic evidence of the condition of all public assets. The report shall clearly identify the date of recording.

DURING CONSTRUCTION

56. Documentation On Site

A copy of the development consent and stamped plans together with the following documents shall be kept during construction.

- Arborist Report
- Waste Management Plan
- Erosion and Sedimentation Control Plan
- Traffic Control Plan

57. Hours of Work

Work on the project to be limited to the following hours: -

Monday to Saturday - 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays.

The builder/contractor shall be responsible to instruct and control sub-contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act, in the event that the building operations cause noise to emanate from the property on Sunday or Public Holidays or otherwise than between the hours detailed above.

58. Compliance with Critical Stage Inspections and Other Inspections Nominated by the Principal Certifying Authority

Section 109E(d) of the Act requires certain specific inspections (prescribed by Clause 162A of the Regulations) and known as "Critical Stage Inspections" to be carried out for building work. Prior to permitting commencement of the work, your Principal Certifying Authority is required to give notice of these inspections pursuant to Clause 103A of the Regulations.

N.B. An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

NOTE: You are advised that inspections may only be carried out by the PCA unless by prior agreement of the PCA and subject to that person being an accredited certifier.

59. Stormwater Management

All existing stormwater pits to the site will be covered with geofabric sediment fencing to prevent sediment runoff into the stormwater system. To prevent sediment contamination the filters will be regularly inspected and replaced during the duration of the works.

60. Standard of Works

All work shall be completed in accordance with the development consent and THSC Works Specification for Subdivisions/ Developments and must include any necessary works required to make the construction effective. All works and public utility relocation shall incur no cost to Council.

PRIOR TO ISSUE OF A OCCUPATION CERTIFICATE

61. Compliance with NSW Rural Fire Service Requirements

The submission of documentary evidence from the NSW Rural Fire Service that all requirements have been satisfied, prior to the issue of the Occupation Certificate.

62. Landscaping Prior to Issue of Occupation Certificate

The landscaping of the site being carried out prior to issue of the Occupation Certificate (within each stage if applicable) in accordance with the approved plan. All landscaping is to be maintained at all times in accordance with BHDGP Part D, Section 3 – Landscaping.

63. Section 73 Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Development and Plumbing section of the web site www.sydneywater.com.au and then refer to Water Servicing Co-ordinator under "Developing Your Land" or telephone 13 20 92 for assistance.

64. Provision of Electricity Services

Submission of a compliance certificate from the relevant provider confirming satisfactory arrangements have been made for the provision of electricity services (including undergrounding of services where appropriate).

65. Provision of Telecommunications Services

The submission of a compliance certificate from the relevant telecommunications provider, authorised under the Telecommunications Act confirming satisfactory arrangements have been made for the provision of, or relocation of, telecommunication services including telecommunications cables and associated infrastructure. This includes undergrounding of aerial telecommunications lines and cables where required by the relevant telecommunications carrier.

66. Access and Useability

Prior to the issue of the Occupation Certificate, a report prepared by an Independent Assessor shall be submitted to Council or the Certifying Authority demonstrating the developments compliance with the provisions of relevant provisions of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 on development standards concerning access and useability.

67. Occupational Hygienist Report for Asbestos Removal

On completion of the asbestos removal works an Occupational Hygienist shall provide an asbestos clearance for the works.

68. Post-Construction Public Infrastructure Dilapidation Report

Prior to the issue of an Occupation and/ or Subdivision Certificate you are required to submit to Council an updated public infrastructure inventory report identifying any damage to such and means of rectification for the approval of Council.

69. Works As Executed (WAE) Plans

Works As Executed (WAE) plans prepared by a suitably accredited engineer or registered surveyor must be submitted to Council when the engineering works are complete. All WAE plans must be prepared in accordance with BHSC Design Guidelines for Subdivisions/ Developments (January 2010) on a copy of the approved engineering plans.

An electronic copy of the WAE plans (in AutoCAD “.DWG” format) must also be submitted along with pavement density results, pavement certification, concrete core test results and site fill results (where applicable).

70. WSUD Elements Certification

Water Sensitive Urban Design Elements (WSUD) must be completed to the satisfaction of the Principal Certifying Authority (PCA) prior to the issuing of an Occupation Certificate.

The following documentation is required to be prepared and submitted upon completion of the above works and prior to a final inspection:

- a) Works As Executed (WAE) plans prepared on a copy of the approved plans;
- b) A certificate from a suitably accredited engineer verifying that the WSUD system (as constructed) will function to achieve the design targets;
- c) A certificate from a suitably accredited engineer verifying that the structures associated with the WSUD system (as constructed) are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime (a certificate of structural adequacy).

NOTE: Where Council is not the PCA for the development a copy of the above documentation must be submitted to Council.

71. Creation and Registration of Restrictions and Positive Covenants

a) Creation of Restrictions and Positive Covenants

The submission to Council for endorsement of all necessary documentation together with the relevant endorsement fee prescribed in Council’s Schedule of Fees and Charges for the creation of the following over the title of the property:

i. Restriction – Water Quality Control Measures

A restriction as to user restricting development over or the varying of the finished levels and layout of the Water Quality Control Measures and associated components as constructed.

ii. Restriction – Occupation of Seniors Living

A restriction as to user restricting the use or occupation of any dwellings for housing for older people with a disability as per the definition of such included in SEPP Housing for Seniors or People with a Disability (2004).

iii. Positive Covenant – Water Quality Control Measures Maintenance

A positive covenant to ensure the on-going maintenance of the Water Quality Control Measures and associated components as constructed by the property owner, in order to ensure effective future performance in the treatment of stormwater runoff from the site, in line with best practice guidelines such as:

- o Water Sensitive Urban Design – Technical Guidelines for Western Sydney, 2004, <http://www.wsud.org/tech.htm>; and
- o Australian Runoff Quality – A Guide to Water Sensitive Urban Design, 2005, <http://www.ncwe.org.au/arq/>.

b) Registration of Request Documents

The endorsed request documents must be lodged with the NSW Department of Lands and a copy of the registered documents submitted to Council.

NOTE: An updated title search document will NOT suffice. A copy of the actual endorsed document(s) must be submitted to satisfy this requirement.

72. Public Asset Creation Summary

The submission of the following information is required:

- a) The length and tendered cost of all constructed road works (public roads);

- b) The land area dedicated as public road;
- c) The length and cost of all constructed drainage works (excluding common or inter-allotment drainage lines);
- d) The length, width and cost of constructed concrete foot-paving;
- e) The length, width and cost of constructed cycleway;

NOTE: This information must be tabulated and sorted by street name (all works) and pipe size (for drainage works).

THE USE OF THE SITE

73. Waste Storage and Collection

To ensure the adequate storage and collection of waste from the occupation or use of the premises, all garbage and recyclables emanating from the premises must be stored in the designated waste storage area. Arrangement must be in place in all areas of the development for the separation of recyclable materials from general waste.

74. Servicing of Bins

Council contracted or private garbage/recycling collection vehicles servicing the development are not permitted to reverse in or out of the site. Collection vehicles must be travelling in a forward direction at all times to service bins.

75. Lighting

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the *Australian Standard AS 4282:1997 The Control of Obtrusive Effects of Outdoor Lighting*.

76. Offensive Noise - Acoustic Report

The proposed use of the premises and/or machinery equipment installed must not create offensive noise so as to interfere with the amenity of the neighbouring properties. Should an offensive noise complaint be received and verified by Council an acoustic assessment is to be undertaken (by an accredited Acoustic Engineer), and an acoustic report is to be submitted to Council for review of the reports recommendations. Any noise attenuation recommendations must be implemented.

STAGE 2.1

PRIOR TO ISSUE OF A OCCUPATION CERTIFICATE

77. Consolidation of Allotments

All allotments included in this consent must be consolidated into a single property title prior to the issue of an Occupation Certificate. A copy of the registered plan must be submitted to Council as evidence of consolidation upon registration.

STAGE 2.2

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

78. Security Bond – External Works

In accordance with Section 80A(6)(b) of the Environmental Planning and Assessment Act 1979, a security bond to the value of 150% of the external construction is required to be submitted to Council to guarantee the construction, completion and subsequent performance of all works external to the site. The above amount is 150% of the total value of providing all such works, or \$10,000.00 (whichever is the greater).

The bond shall be lodged with Council prior to the issue of a Construction Certificate.

NOTE: The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash or an unconditional bank guarantee. The bond is refundable upon

written application to Council along with payment of the applicable bond release fee, and is subject to all work being completed to Council's satisfaction.

79. Engineering Works and Design (Council Approval Required)

The design and construction of all the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) THSC Design Guidelines Subdivisions/ Developments (January 2010)
- b) THSC Works Specifications Subdivisions/ Developments (January 2010)

Any variation from the above require separate approval from Council.

The works listed below require an Engineering Construction Certificate (ECC) from Council. The following engineering works are required:

i. Road Shoulder and Kerb and Gutter Construction

Road shoulder and associated drainage, kerb and gutter, concrete footpath paving and footpath formation along the Old Glenhaven Road & Holland Road frontage of the development site. These works shall include any necessary service adjustments and ancillary work required to make the construction effective.

The construction shall ensure a total carriageway width to be consistent with the frontage of Stage 1 (approximately 9.5m) and a design traffic loading of 1×10^6 .

ii. Intersection Treatment – Old Glenhaven Road & Glenhaven Road (Western End)

Intersection treatment at the western intersection of Old Glenhaven Road & Glenhaven Road to Council's requirements.

iii. Painted Centreline Relocation – Old Glenhaven Road

The relocation of the existing painted centreline on Old Glenhaven Road to ensure it is appropriately located following completion of the road works outlined above. The centreline in its new location shall be transitioned into the existing adjacent pavement markings.

iv. Concrete Footpath – 1.5m wide

Concrete footpath 1.5m wide across the Old Glenhaven Road & Holland Road frontage of the site.

v. Footpath Verge Formation

The grading, trimming, topsoiling and turfing of the Old Glenhaven Road & Holland Road footpath verge fronting the development site to ensure a gradient between 2% and 4% (falling from the boundary to the top of kerb) is provided. This work must include:

- The construction of any retaining walls necessary to ensure complying grades within the footpath verge area. All retaining walls and associated footings must be contained wholly within the subject site;
- Any necessary adjustment or relocation of services to the requirements of the relevant service authority. All service pits and lids must match the finished surface level.

vi. Gutter Removal

The removal of all disused layback and footpath crossings and their replacement with full kerb and gutter together with the restoration and turfing of the adjoining footpath verge area.

vii. Stormwater Drainage – Pipe Extension

Provision of minimum of 375mm diameter stormwater pipe extensions (connections) from **all** outlet pits from the development to existing downstream

drainage pipes across **Old Glenhaven Road & Holland Road** frontages of the site. Such work shall include:

- New kerb inlet pits or equivalent (if it encroaches driveways) fronting the site;
- The alignment of the pipe underneath the existing kerb requiring the removal and reconstruction of the kerb and gutter and road shoulder.

Bends approaching ninety degrees in pipelines to be dedicated to Council are to be avoided wherever possible.

Note: All construction materials & techniques are to be suitable for a saline environment.

PRIOR TO WORKS COMMENCING ON THE SITE

80. Engineering Construction Inspection(s)

Construction inspections are required for the engineering works included in this consent at the completion of the following inspection stages (where relevant) from Council's Works Specifications Subdivisions/ Developments:

- a) Prior to commencement of work;
- b) Traffic control to AS 1742-3;
- c) Bedding of pipes in trenches;
- d) Trench backfill within roads;
- e) Formwork for concrete structures;
- f) Sub-grade proof roller test;
- g) Proof roller test for kerb;
- h) Sub-base course proof roller test;
- i) Base course proof roller test;
- j) Prior to placing of fill;
- k) Final Inspection; and
- l) Asphaltic concrete surfacing.

NOTE: The inspection of works approved by Council can only be carried out by Council's Subdivision Construction Engineer(s). An initial site inspection is required prior to commencement of works. 24 hours notice must be given for all inspections.

PRIOR TO ISSUE OF A OCCUPATION CERTIFICATE

81. Performance/ Maintenance Security Bond

The submission of a performance/ maintenance bond of 5% of the total cost of the subdivision/ engineering works (minimum \$5,000.00). The bond shall be held for a defect liability period of no less than one (1) year to guarantee the performance of the works. This period may be extended to allow for the completion of necessary maintenance or in the case of outstanding works.

NOTE: The release of the maintenance bond shall be subject to a written application and a satisfactory final inspection.

STAGE 2.8

GENERAL MATTERS

82. Gutter & Footpath Crossing Application

The submission to Council of an application for gutter and footpath crossings, accompanied by the current fee as prescribed in Council's Schedule of Fees and Charges.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

83. Engineering Works and Design (Council Approval Required)

The design and construction of all the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) THSC Design Guidelines Subdivisions/ Developments (January 2010)
- b) THSC Works Specifications Subdivisions/ Developments (January 2010)

Any variation from the above require separate approval from Council.

The works listed below require an Engineering Construction Certificate (ECC) from Council. The following engineering works are required:

i. Heavy Duty Crossings

Heavy duty gutter and footpath crossings at all points of vehicular access from Public Roads.

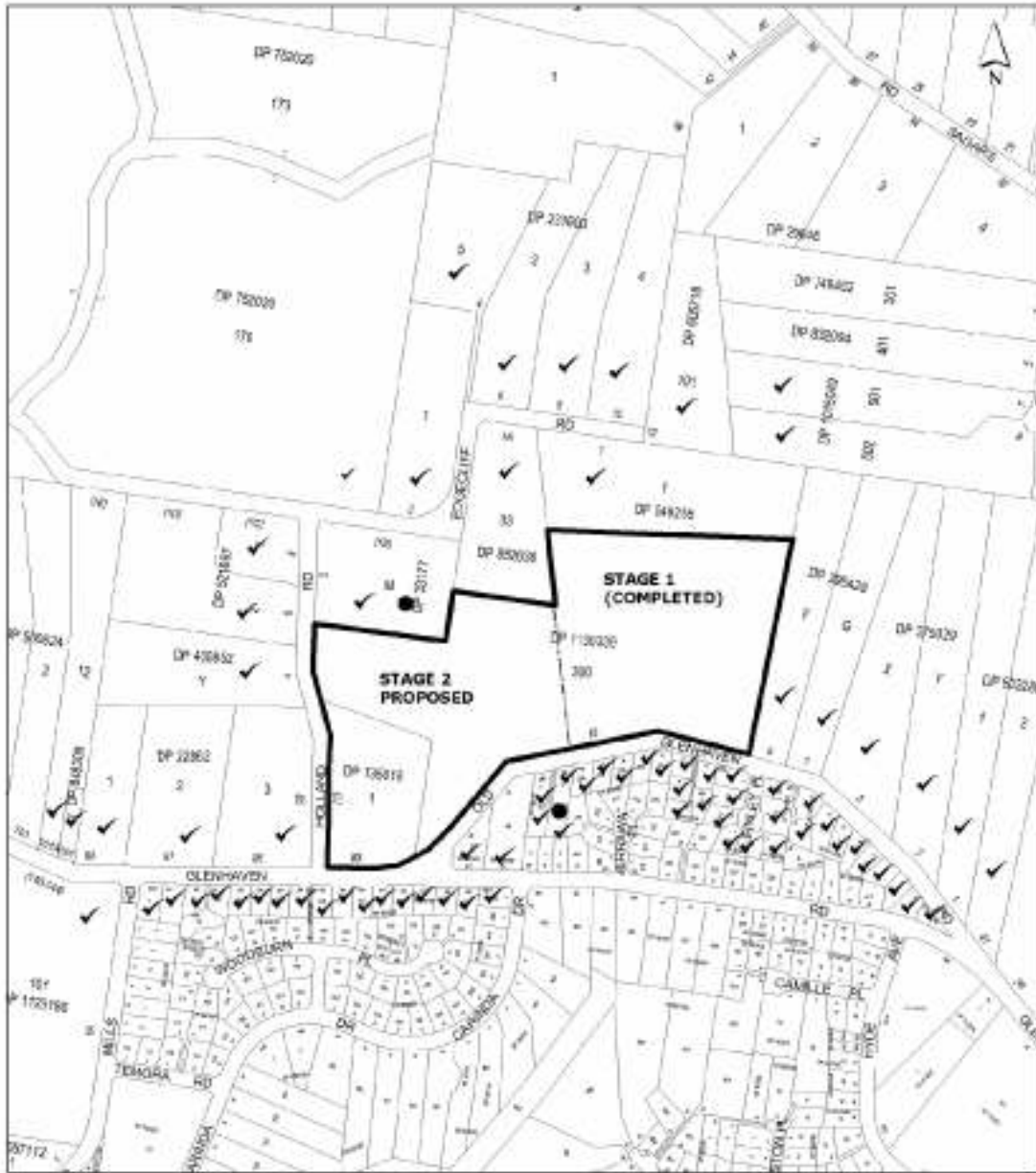
The footpath crossing shall be a minimum of 6m wide at the boundary splayed to a minimum of 8m wide at the kerb.

Note: All construction materials & techniques are to be suitable for a saline environment.

ATTACHMENTS

- 1. Locality Plan
- 2. Aerial Photograph
- 3. Site Plan (as amended)
- 4. Original Site Plan
- 5. Typical Dwelling Floor Plans
- 6. Typical Dwelling Elevations
- 7. General Terms of Approval - RFS

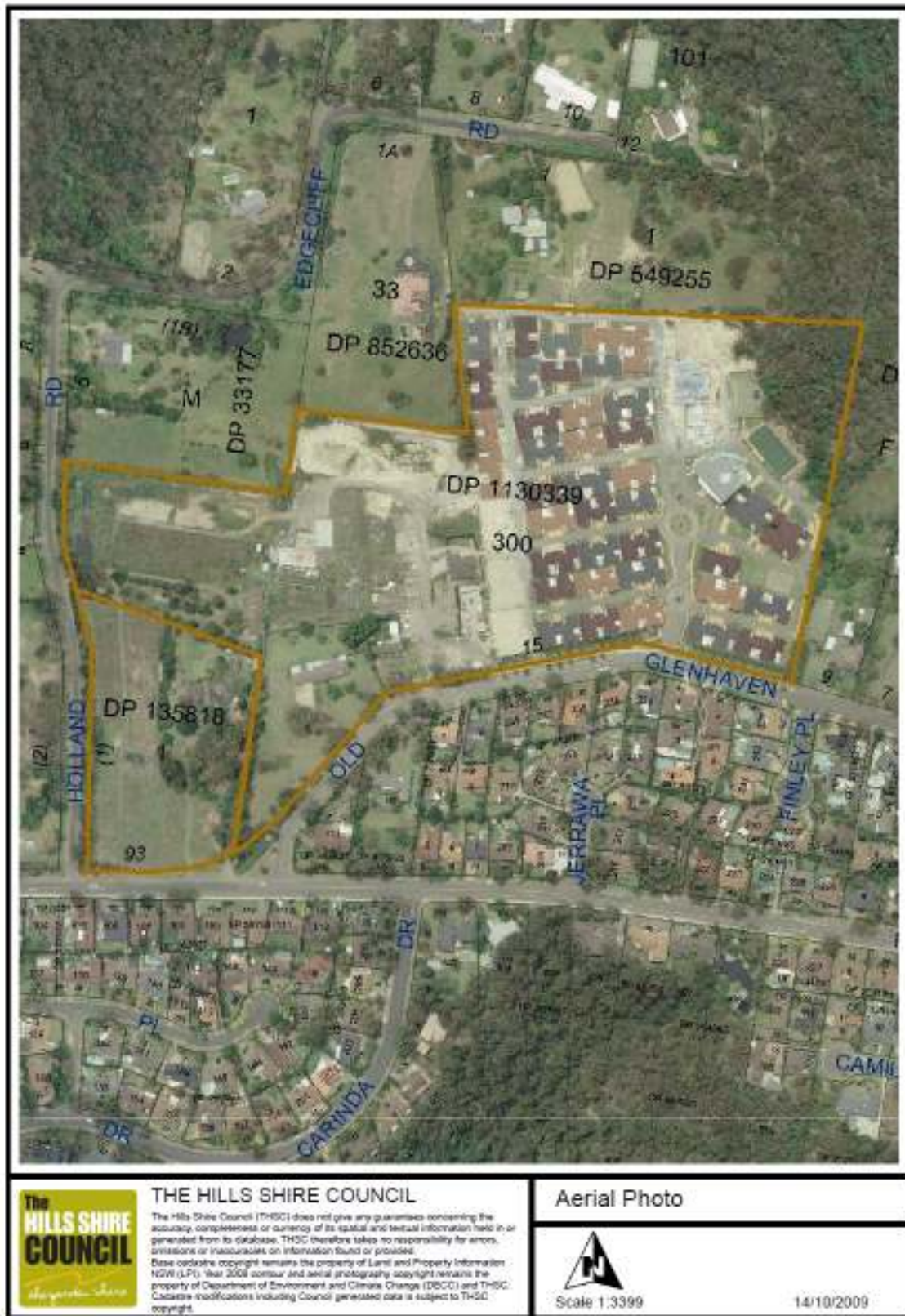
ATTACHMENT 1 – LOCALITY PLAN



- ☐ SUBJECT SITE
- ☒ PROPERTIES NOTIFIED
- ☐ OBJECTIONS RECEIVED

NOTE: GLENHAVEN RESIDENCE ASSOCIATION ALSO NOTIFIED

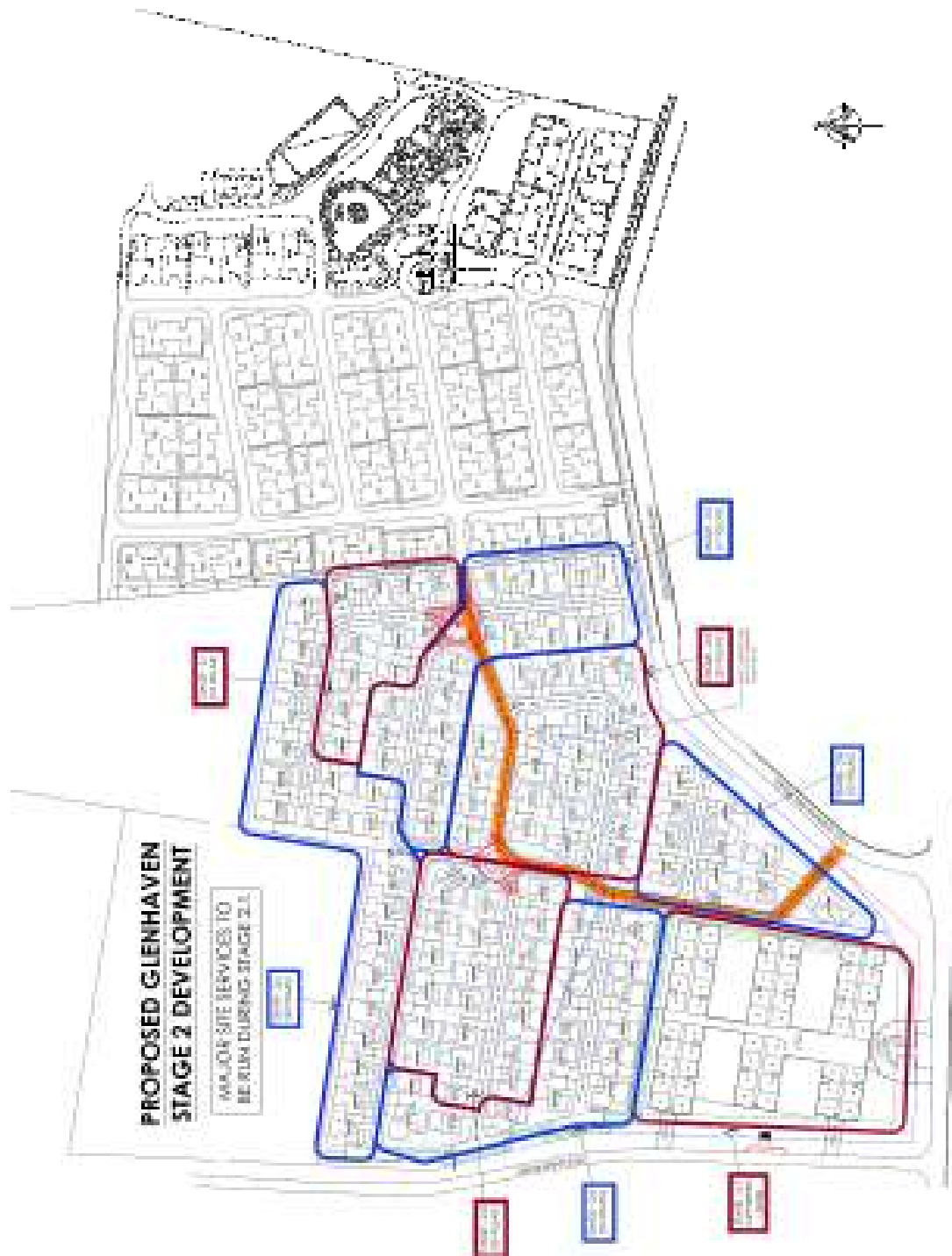
ATTACHMENT 2 - AERIAL PHOTOGRAPH



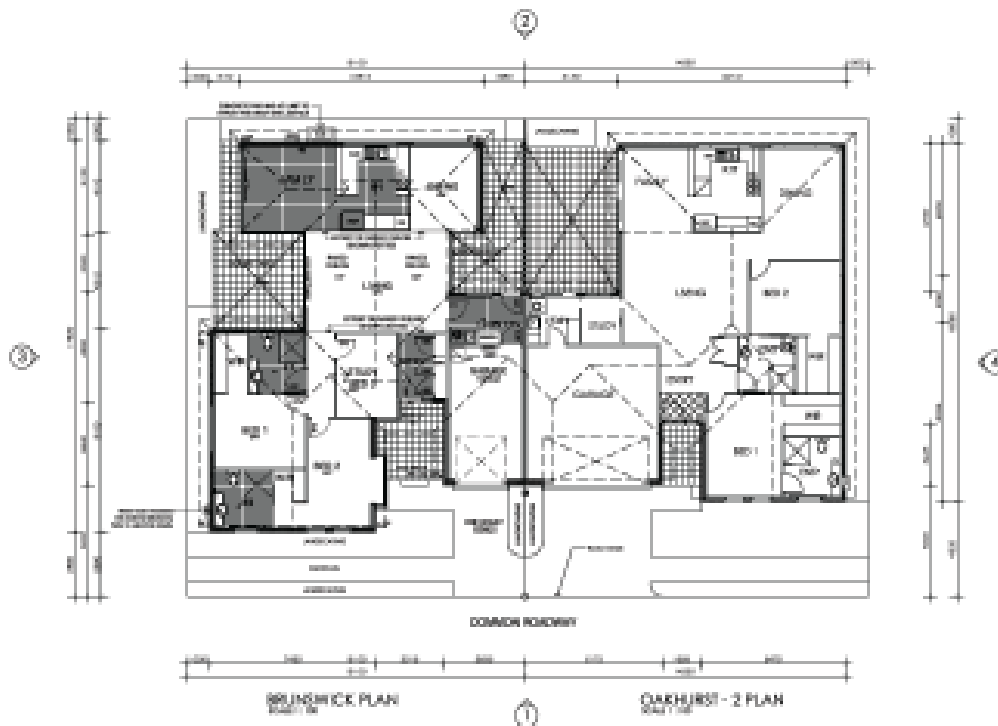
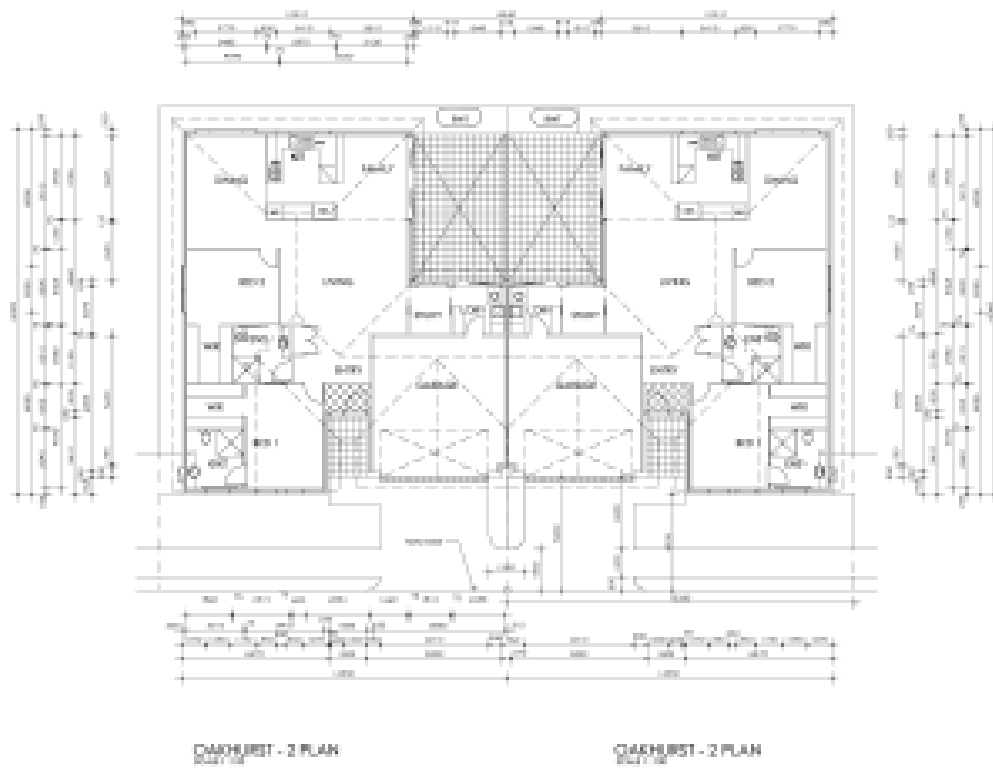
ATTACHMENT 3 – SITE PLAN AS AMENDED



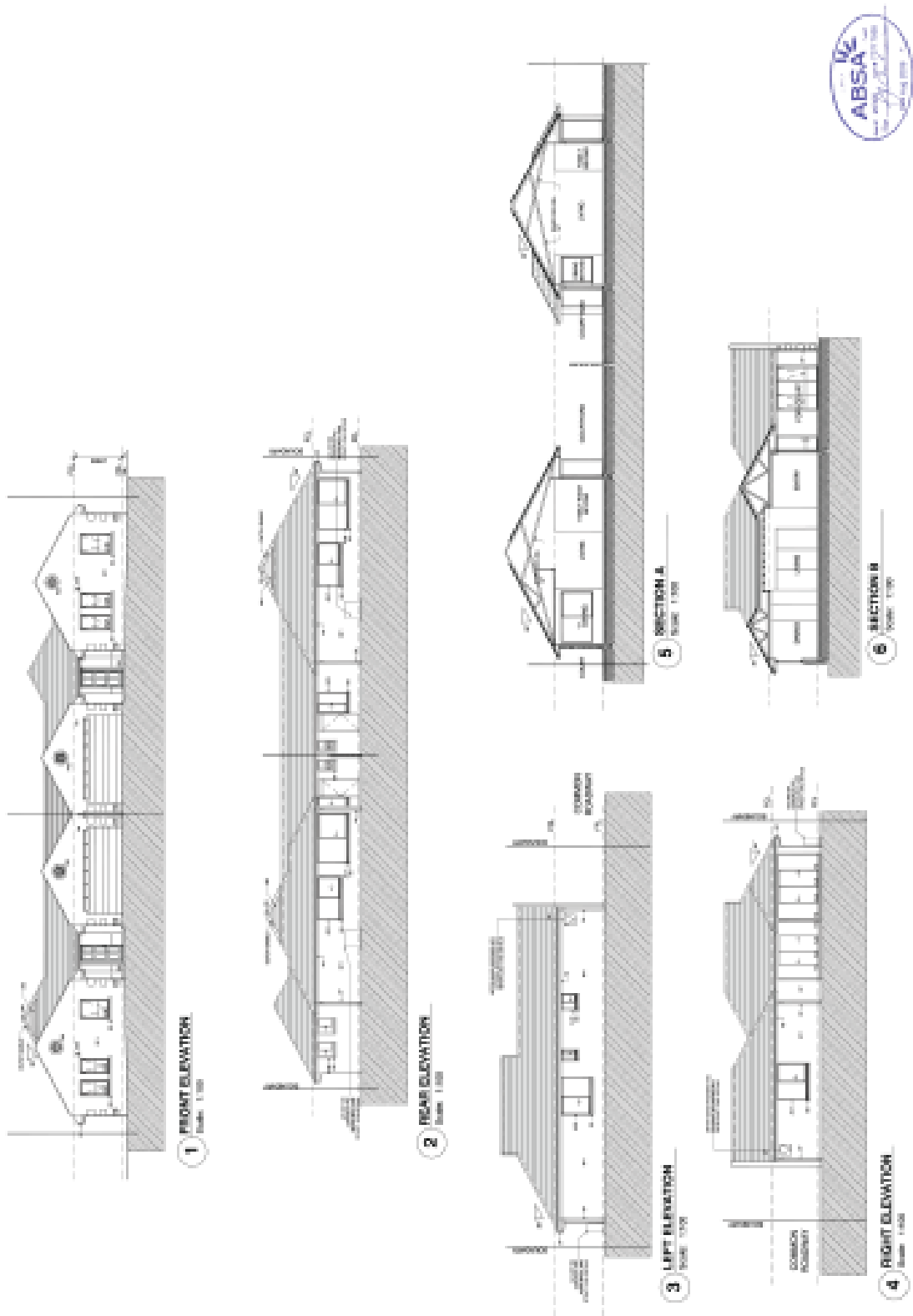
ATTACHMENT 4 – ORIGINAL SITE PLAN



ATTACHMENT 5 – TYPICAL DWELLING FLOOR PLANS



ATTACHMENT 6 – TYPICAL DWELLING ELEVATIONS AND SECTIONS



ATTACHMENT 7 – GENERAL TERMS OF APPROVAL - RFS

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Headquarters
Locked Bag 17
Granville NSW 2142

Telephone: 8741 5175

Facsimile: 8741 5433

e-mail: development.assessment@rfs.nsw.gov.au



The General Manager
The Hills Shire Council
PO Box 75
Castle Hill NSW 1765

Your Ref: 280/2010/JP
Our Ref: D09/1393
DA09082762689 BH

ATTENTION: Robert Buckham

13 August 2010

Dear Mr Buckham

Integrated Development for Lot 300 DP 1130339 & Lot 1 DP 135818 Glenhaven Estate Retirement Village

I refer to your letter dated 24 August 2009 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

General Conditions

1. The development proposal is to comply with the subdivision layout for stages 2.1 to 2.5 and 2.8, identified on the drawing prepared by CED Building Design project number C804.4 engineers job no. 8902/20.07 Sheet 13.02/P1, dated 30/04/2010 except as amended by condition number 5 of this BFSA requiring access to Holland Road.

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.

2. At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

3. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
 - Fire hydrant spacing, sizing and pressures shall comply with Australian Standard AS 2419.1- 2005 'Fire Hydrant Installations'.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.

4. Internal roads shall comply with following requirements of section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
 - Internal roads are two-wheel drive, sealed, all-weather roads and in accordance with the plans provided shall be a minimum of 5.5m wide.
 - Dead end roads, incorporate a minimum 12 metres outer radius turning circle, and are clearly signposted as a dead end.
 - Traffic management devices are constructed to facilitate access by emergency services vehicles.
 - A minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches, is provided.
 - Curves have a minimum inner radius of 6 metres and are minimal in number to allow for rapid access and egress.
 - Maximum grades do not exceed 15 degrees and average grades are not more than 10 degrees.
 - Crossfall of the pavement is not more than 10 degrees.
 - Roads are clearly signposted and bridges clearly indicate load ratings.
 - The internal road surfaces and bridges have a capacity to carry fully loaded fire fighting vehicles (15 tonnes).
5. Access shall be provided to Holland Road as shown on "Site Plan Stage 2" by CED Building Design numbered C804.4 sheet 1.01 dated 04/12/2008 (excluding the since deleted supported living residential care component).

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments.

6. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack.

7. No brushwood fencing shall be used.
8. New construction shall comply with section 5 (BAL 12.5) Australian Standard AS3959-2009 "Construction of buildings in bush fire-prone areas" and section A3.7 Addendum Appendix 3 of "Planning For Bush fire Protection".
9. All new fencing on the northern boundary and adjoining Holland Road shall be non-combustible.

Landscaping

10. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

General Advice – consent authority to note

This approval applies to Stages 2.1 to 2.5 and 2.8 of the proposed development as shown on the plan by CED Building Design Project Number C804.4 Engineers Job No. 8902/20.07 Sheet no. 13.02/P1 dated 30/04/2010 only. Any further stages to the development will require an amended bush fire safety authority which will only be provided where demonstrated compliance with appropriate asset protection zones is attained on site or secured by an easement under section 88B of the Conveyancing Act 1919.

For any queries regarding this correspondence please contact Bruce Hansen on 8741 5175.

Yours sincerely



Nika Fomin
Team Leader Development Assessment & Planning

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.