JRPP PLANNING REPORT

JRPP No:	2012SYW020
DA Number:	776/2012/JP
Local Government Area:	**THE HILLS SHIRE COUNCIL**
Proposed Development:	**CONSTRUCTION OF SEVEN APARTMENT BUILDINGS CONTAINING 101 UNITS, COMPRISING 36 X 1 AND 65 X 2 BEDROOM UNITS**
Street Address:	**LOT 2 DP 1158967, LOT 101 DP 617754, LOT 2 DP 721567, LOTS 2-3 DP 22931, LOT 1 DP 127003 – 27-33 NORTH ROCKS ROAD, NORTH ROCKS**
Applicant/Owner:	**AUSTCORP NO 603 PTY LTD**
Number of Submissions:	THREE
Recommendation:	APPROVAL
Report by:	SHANNON BUTLER SENIOR TOWN PLANNER

BACKGROUND

Owner:	Austcorp No. 603 P/L
Zoning:	R4 High Density Residential
Area:	13,195m²
Existing Development:	Part vacant lot and two single storey dwellings on north-eastern portion of the site.

MANDATORY REQUIREMENTS

1.	LEP 2012 – Satisfactory.
2.	SEPP No. 65 – Design Quality of Residential Flat Development – Complies.
3.	DCP 2012 Part B Section 5- Residential Flat Buildings – Variations proposed, see report.
4.	DCP 2012 Part D Section 1- 27-33 North Rocks Road, North Rocks – Complies.
5.	DCP 2012 Part C Section 1- Parking – Complies.
6.	DCP 2012 Part C Section 3- Landscaping – Complies.
7.	Section 79C (EP&A Act) – Satisfactory.
8.	Section 94 Contribution - $185,238.50

SUBMISSIONS

1. Exhibition:	Yes, 30 days.
2. Notice Adj Owners:	Yes, 30 days.
3. Number Advised:	86
4. Submissions Received:	Three

REASONS FOR REFERRAL TO JRPP

1.	Capital Investment Value in excess of $20 Million.

HISTORY

08/03/2005	Deferred commencement consent granted for the construction of an apartment development comprising 100 units (comprising 28x1 bedroom units and 72x2 bedroom units) on the subject site (DA 933/2004/HC).
22/02/2010	Class 1 appeal upheld by NSW Land and Environment Court deleting the deferred commencement conditions and inserting those conditions into the operative conditions of consent.
06/06/2011	Development Application No. 1689/2010/HC approved for the construction of an access road from North Rocks Road to permit access for No. 25 North Rocks Road. The subject development is proposed to gain access from this road also.
02/12/2011	Pre-lodgement meeting held to discuss the proposal.
23/01/2012	Subject Development Application lodged with Council.
10/02/2012	Planning Proposal No. 5/2012/PLP lodged by the applicant seeking to increase the maximum allowable height on the subject site to 27 metres and a proposed site specific Development Control Plan (DCP).
09/02/2012	Letter sent to the applicant seeking an updated contamination assessment and additional information in relation to tree management/retention.
29/02/2012	Further letter sent to the applicant seeking additional information required by the NSW Office of Water and further information in relation to contamination.
20/03/2012	Further letter sent to the applicant advising that the increased building height proposed in the application cannot be supported until the Planning Proposal has been determined. The letter also requested additional information in relation to unit floor areas, engineering issues and consultation with the owners of the Hunter Pipeline (Caltex Australia) which traverses the site.
05/10/2012	Local Environmental Plan 2012 gazetted.
09/10/2012	Email sent to the applicant requesting that the subject Development Application be withdrawn given the likely delays associated with the Planning Proposal.
16/04/2013	Amended plans and additional information submitted by the applicant addressing Council's letters. The amended plans provided reduced building heights (to be more consistent with the current height limit) and modified the building footprints and positions to reduce the impacts of the decreased building separation.
06/05/2013	Letter sent to the applicant seeking additional information in relation to waste management access, common/private open space, engineering issues and property numbering.
11/06/2013	Council considered a report on the Planning Proposal at its

Ordinary Meeting of 11/06/2013 and resolved that:

1. *The planning proposal be forwarded to the Department of Planning and Infrastructure for a Gateway Determination to amend the Height of Buildings Map for the site from 16m to 30m as detailed in Attachment 1.*

2. *Draft Part D Section – 27-33 North Rocks Road of The Hills Development Control Plan 2012 be exhibited concurrently with the planning proposal.*

24/06/2013 Planning Proposal and supporting material forwarded to the Department of Planning and Infrastructure for Gateway Determination.

23/07/2013 Email sent to the applicant requesting that the additional information be submitted within 14 days otherwise the application would be determined in its current form.

05/08/2013 Additional information and amended plans submitted by the applicant in response to Council's letter.

06/08/2013 Gateway Determination for the planning proposal issued.

05/09/2013 Letter sent to the applicant seeking additional information in relation to site drainage.

24/09/2013 Additional information submitted by the applicant in relation to site drainage as requested in Council's letter.

21/10/2013 Email sent to the applicant requesting a written agreement from the owner of 25 North Rocks Road in relation to the joint use of the access road from North Rocks Road and agreement from the adjoining owner in relation to the proposed location of the on-site detention system under the access road.

24/10/2013 Amended on-site detention plans submitted by the applicant with an agreement letter from the adjoining owners in relation to the joint use of the access road.

12/11/2013 Post exhibition report for Planning Proposal considered at an Ordinary Meeting of Council. The report recommended that the Planning Proposal proceed to finalisation in accordance with the General Manager's delegation to make Local Environmental Plans under Section 59 of the Environmental Planning and Assessment Act 1979. The recommendation was put and lost.

SUBJECT SITE

The subject site has a total area of 13,195.8 square metres, is located on the western side of North Rocks Road and comprises five (5) allotments. It is irregular in shape and has a frontage of approximately 99.6m to North Rocks Road to the south-east and 148.3m to James Ruse Drive to the south. The north-eastern boundary is 46.3m in length and adjoins a residential property fronting North Rocks Road. Darling Mills Creek forms the northern and western boundaries of the site.

The site has a natural fall of approximately 15 metres from the south-eastern corner of North Rocks Road to the western boundary. The eastern part of the site has previously

been excavated for development. The majority of the site was previously used for industrial purposes and is currently vacant. The north-eastern portion of the site contains two single storey dwellings which are proposed to be demolished.

PROPOSAL

The proposed development includes the demolition of two single storey dwellings and the construction of seven apartment buildings containing 101 units comprising 36 one bedroom units and 65 two bedroom units. Basement car parking is proposed over three levels, with a total of 207 spaces provided. The proposed buildings are up to 17.6 metres in height or five storeys.

The proposal includes works within 40 metres of Darling Mills Creek and requires the concurrence of the NSW Office of Water as Integrated Development under the provisions of Section 91 of the Environmental Planning and Assessment Act 1979.

Vehicular access is proposed via a private access road off North Rocks Road, located parallel to James Ruse Drive. Therefore all vehicular access will be via North Rocks Road. The private road and associated bridge over Darling Mills Creek has been granted development consent via DA 1689/2010/HC. A Right of Carriageway has been created over the subject site and adjoining site (23 North Rocks Road) in favor of 25 North Rocks Road via order under Section 40 of the Land and Environment Court Act 1979 to allow for the construction of the private road traversing these allotments.

The subject site has been identified as a 'Target Site' as part of the Residential Housing Strategy. This strategy was prepared to satisfy the requirements of SEPP No. 53-Metropolitan Residential Development. The Residential Housing Strategy requires a site-specific development plan to be prepared for any development sites prior to any redevelopment. This has been conducted and finalised as a separate process to the subject application.

The subject Development Application was lodged prior to the gazettal of Local Environmental Plan 2012.

PLANNING PROPOSAL

A current Planning Proposal is under consideration for the site which seeks to amend The Hills Local Environmental Plan 2012 to increase the height of buildings from 16m to 30m and is accompanied by a site specific Development Control Plan which will guide the future development of the site.

Gateway Determination for the planning proposal was received on 6 August 2013. The planning proposal and proposed amendments to the development control plan were exhibited for a minimum of 28 days from 20 August 2013 to 20 September 2013. Consultation was also undertaken with the Roads and Maritime Services and the NSW Rural Fire Service.

A report was considered by Council's Ordinary Meeting on 12 November 2013, recommending that the Planning Proposal proceed to finalisation in accordance with the General Manager's delegation to make Local Environmental Plans under Section 59 of the Environmental Planning and Assessment Act 1979. The recommendation was put to the Council and lost.

ISSUES FOR CONSIDERATION

1. Compliance with Baulkham Hills Local Environmental Plan 2005

The site was zoned Residential 2(a1) under the provisions of the Baulkham Hills Local Environmental Plan (BHLEP) 2005 when the subject Development Application was lodged. Clause 1.8A of LEP 2012 provides a savings provision requiring any Development Application lodged before the commencement of LEP 2012 to be assessed as though LEP

2012 has not commenced. As a result, the proposed development and its associated permissibility on the site is required to be considered under the provisions of the preceding LEP 2005 and not under the current LEP 2012.

It is noted that building heights, floor space ratios and minimum site areas were not contained in BHLEP 2005 and that they were outlined within the relevant Development Control Plans. It should be noted that a maximum building height of 17.6 metres is proposed, which exceeds the maximum building height of 16 metres prescribed in LEP 2012. The proposal is permissible under the provisions of the previous BHLEP 2005.

2. Compliance with Local Environmental Plan 2012

Notwithstanding Clause 1.8A of the LEP 2012, the proposal has also been considered against the permissibility requirements of LEP 2012. The subject site is zoned R4 High Density Residential under the provisions of LEP 2012. Development for the purpose of Residential Flat Buildings is permissible with consent in the R4 High Density Residential zone.

It is noted that the proposal exceeds the maximum LEP 2012 building height of 16 metres by 1.6 metres. At the time of lodgement, BHLEP 2005 was in force, which did not specify a maximum building height. The proposal is considered satisfactory with regard to LEP 2012.

3. Compliance with DCP 2012 Part B Section 5- Residential Flat Buildings

The proposed development has been assessed against the relevant development standards and objectives of The Hills Development Control Plan and the following variations have been identified.

DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
Building heights	No building shall contain more than four storeys or 16 metres above natural ground level.	The buildings are proposed to contain five storeys above natural ground level with a maximum height of 17.6 metres.	No, however, the variation is considered satisfactory in the context of the site and considering future surrounding development and the expected built form in the locality.
Building separation	The minimum separation between buildings is 12 metres.	The minimum proposed separation between buildings is nine metres.	No, however, the variation is considered satisfactory. The buildings are offset from each other by nine metres and the areas of non-compliance would be best described as 'point encroachments'.
Unit layout and design	The minimum internal floor area for each unit, excluding common passageways, car parking	The one bedroom units are proposed to have an internal floor area of 64m² to 65m².	No, however, the applicant has demonstrated compliance with the apartment types and their

DEVELOPMENT STANDARD	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
	spaces and balconies shall not be less than the following: One bedroom unit: 75m² Two bedroom unit: 110m² Three bedroom unit: 135m²	The two bedroom units are proposed to range in size from 85m² to 105m². No three bedroom units are proposed. The proposed unit mix is: • 36x1 bedroom units (35%). • 65x2 bedroom units (65%).	required floor space areas outlined on Page No. 69 of the Residential Flat Design Code of SEPP 65.
Open space	For dwellings with ground level access private open space shall be provided with a minimum width of 4 metres and depth of 3 metres.	The private open space areas of the ground floor units range in size from 10m² to 14m².	No, however, the extent of common open space is considerable and compensates for reduced private open space. In addition, it achieves compliance with the Residential Flat Design Code.

a) Building Height

Part 3.4 of DCP 2012 Part B Section 5- Residential Flat Buildings stipulates the following in relation to building height:

"(e) No building shall contain more than 4 storeys above natural ground level."

The maximum proposed building height is five storeys or 17.6 metres from natural ground level. The maximum building height permitted for the site under LEP 2012 is 16 metres which equates to four storeys. It should be noted that the application was lodged under the provisions of BHLEP 2005 which does not contain any building height provisions. Under the Planning Proposal being considered for the site, the proposed maximum permissible building height is 30 metres. Any further increase in height from the proposed 17.6 metres will be subject to a separate Development Application.

Part 3.4 of DCP 2012 is based on the following objectives:

"(i) To ensure that buildings reflect the existing landform of the neighbourhood, including ridgelines and drainage depressions.

(ii) To protect privacy and amenity of surrounding allotments and residential development in accordance with Council's ESD objective 7.

(iii) To minimise overshadowing of adjoining properties."

Comment:

The proposed building height variation is considered satisfactory for the following reasons:

- Given the orientation of the site and the surrounding open space and creek, the proposed building height will not result in a significant impact on the solar access of any of the adjoining or adjacent properties.

- The proposed building heights respond to the fall of the site from east to west.

- The adjoining approved residential flat building development at 25 North Rocks Road (currently under construction) is ten storeys in height. The proposed height will act as a transition between the adjoining residential flat building development and the existing single residential dwellings to the north east of the site.

The proposed building height is considered satisfactory.

b) Building Separation

Part 3.5 of DCP 2012 Part B Section 5- Residential Flat Buildings stipulates the following in relation to building separation:

"(a) The minimum separation between buildings is 12 metres."

The building separation is proposed to range from 9 metres to 12 metres.

Part 3.5 of DCP 2012 Part B Section 5- Residential Flat Buildings is based on the following objectives:

"(i) To ensure privacy within buildings.

(ii) To avoid overlooking of living spaces and private open space.

(iii) To minimise the visual impact of residential flat building developments by minimising the bulk and scale of residential flat buildings and promoting suitable landscaping between buildings."

Comment:

The proposed building separation variation is considered satisfactory for the following reasons:

- The buildings are not aligned with each other and are sufficiently offset to prevent the appearance of attachment. The separation of the proposed built forms of the development limits the appearance of excessive bulk and scale.

- There is satisfactory landscaping proposed between the buildings to break up the built form and add visual interest to the development.

- The buildings are considerably narrow, having a maximum depth of 7.95 metres. This reduces any impacts caused by the reduced separation and ensures that bulk and scale are limited.

Accordingly, the proposed extent of building separation is considered satisfactory.

c) Unit Layout and Design

Part 3.11 of DCP 2012 Part B Section 5- Residential Flat Buildings stipulates the following in relation to unit floor areas:

"(a) The minimum internal floor area for each unit, excluding common passageways, car parking spaces and balconies shall not be less than the following:

1 bedroom unit	*75m²*
2 bedroom unit	*110m²*
3 bedroom unit	*135m²*

The one bedroom units are proposed to have an internal floor area of 64m² to 65m² and the two bedroom units are proposed to range in size from 85m² to 105m².

Part 3.11 of DCP 2012 Part B Section 5- Residential Flat Buildings is based on the following objectives:

"(i) To ensure that individual units are of a size suitable to meet the needs of residents.

(ii) To ensure the layout of units is efficient and units achieve a high level of residential amenity.

(iii) To ensure designs utilise passive solar efficient layouts and maximise natural ventilation."

The applicant has provided the following justification for the unit floor area variation:

"As demonstrated, the proposed development completely complies with the Residential Flat Design Code (RFDC) 'rules of thumb' for the unit sizes as well as the example of unit typologies table in Part 3, page 69 of the RFDC. We understand that the proposal does not comply with The Hills Development Control Plan 2012 (THDCP 2012), under Part B, Section 5 – Residential Flat Buildings, Section 3.11 – Units Layout and Design requirements for unit sizes. Notwithstanding this, we believe that the proposal offers a high quality design outcome and achieves a high degree of residential amenity for future residents including a high degree of solar access and natural ventilation.

All the unit layouts are an efficient and contemporary design; they provide a well balanced distribution of internal space and face in a northerly direct to a large open space. Importantly, we believe that the proposed unit sizes are acceptable for the site and for The Hills Shire Council (Council) area as they provide housing products that:

a) Encourage more efficient use of space; and

b) Encourage new home owners into the property market by providing a product that would be more affordable rather than units of Council's minimum size requirements.

Given that the Sydney Metropolitan area is significantly suffering from a housing shortage, we believe that a development of this high design calibre that completely complies with SEPP 65 and the RFDC should be treated as a model example of the type of development that Council should be encouraging in The Hills Shire Local Government Area.

Furthermore, I turn your attention to the Clause 30A of SEPP 65, which states:

*"**30A Standards that cannot be used as grounds to refuse development consent for residential flat buildings***
(1) A consent authority must not refuse consent to a development application for the carrying out of residential flat development on any of the following grounds:
*… **(b) apartment area:** if the proposed area for each apartment is equal to, or greater than, the recommended internal area and external area for the relevant apartment type set out in Part 3 of the Residential Flat Design Code."*

The RFDC does not provide a rule-of-thumb relating to minimum unit sizes for the entirety of a development. It does set out as a Rule-of-Thumb relating to minimum unit sizes for affordable housing. The rule of thumb states:

> *If council chooses to standardise apartment sizes, a range of sizes that do not exclude affordable housing should be used. As a guide, the Affordable Housing Service suggest the following minimum apartment sizes, which can contribute to housing affordability: (apartment size is only one factor influencing affordability)*
>
> *- 1 bedroom apartment 50m²*
> *- 2 bedroom apartment 70m²*
> *- 3 bedroom apartment 95m²*

The minimum unit sizes set out by Council are significantly larger than those advocated for in the RFDC Rule of Thumb.

Comparison Table RFDC Page 69
The table on Page 69 is not a rule-of-thumb, nor is it a comprehensive schedule of minimum unit sizes for different unit types.

Compliance Table – Residential Flat Design Code Page 69

Apartment Type	Area	m²
03.01 Studio	Internal Area	38.5m²
	External Area	6m²
03.02 One bedroom,	Internal Area	50m²
cross through	External Area	8m²
03.03 One bedroom	Internal Area	62m²
masionette/loft	External Area	9.4m²
03.04 One bedroom	Internal Area	63.4m²
single aspect	External Area	10m²
03.05 Two bedroom	Internal Area	80m²
corner	External Area	11m²
03.06 Two bedroom	Internal Area	89m²
cross through	External Area	21m²
03.07 Two bedroom	Internal Area	90m²
cross-over	External Area	16m²
03.08 Two bedroom	Internal Area	121m²
corner with study	External Area	33m²
03.09 Three bedroom	Internal Area	124m²
	External Area	24m²

This table and the accompanying illustrations provide information on a variety of unit types. Dimensions, areas and furniture layouts are included. These examples are a comparative tool for recognising well-organised, funtional, and high quality apartment layouts.

Given that the proposal completely complies with the SEPP 65 and RFDC we request that Council progress the assessment of the development application."

The applicant has provided a table addressing the compliance of the proposal with the RFDC and DCP 2012 (see attachment No. 9).

Comment:
The proposed unit floor area variation is considered satisfactory for the following reasons:

- The applicant has provided a table addressing the unit floor area requirements on Page No. 69 of the Residential Flat Design Code (RFDC) (see attachment No. 9). The proposed unit floor areas achieve compliance with the requirements of the RFDC.

- The units are of a sufficient size to meet the needs of residents and will provide a functional and well organised living space.

- Given the orientation of the site, the units will have satisfactory solar access with effective natural ventilation.

- The proposal satisfies sub-clause (2) of Clause 30A of SEPP No. 65.

Accordingly, the proposed unit floor areas are considered satisfactory.

d) Open Space
Part 3.13 of DCP 2012 Part B Section 7- Residential Flat Buildings stipulates the following in relation to private open space:

"(b) For dwellings with ground level access private open space shall be provided with a minimum width of 4 metres and depth of 3 metres."

The private open space areas of the ground floor units range in size from 10m² to 14m².

Part 3.13 of DCP 2012 Part B Section 7- Residential Flat Buildings is based on the following objectives:

"(i) To provide private outdoor living space that is an extension of the dwelling for the enjoyment of residents.

(ii) To provide private outdoor living space that receives a reasonable quantity of sunshine during all months of the year."

Comment:
The proposed private open space areas are considered satisfactory for the following reasons:

- There is a total of 2020m² of common open space provided outside of the riparian corridor. The common open space compensates for the reduced private open space given its isolated nature adjoining Darling Mills Creek and the size of the adjacent riparian corridor.

- Given the orientation of the site and proposed buildings, the private open space areas will receive a considerable amount of solar access during all months of the year.

- The proposed private open space areas act as an extension of the internal areas of the units and are directly accessible from the primary living areas.

Accordingly, the proposed sizes of the private open space areas are considered satisfactory.

4. Compliance with DCP 2012 Part D Section 1- 27-33 North Rocks Road, North Rocks and Draft Site Specific Development Control Plan

The proposal has been assessed against the requirements of Development Control Plan (DCP) 2012 Part D Section 1- 27-33 North Rocks Road, North Rocks and achieves compliance. It should be noted that this chapter of DCP 2012 was proposed to be superseded by a Draft site specific DCP chapter to increase building height. This went before Council on 12 November 2013 with the Planning Proposal. The recommendation to amend the DCP was put and lost.

5. Compliance with SEPP No. 65- Design Quality of Residential Flat Development and Residential Flat Design Code

The application has been assessed having regard to the design quality principles outlined in SEPP 65 and Urban Design Guidelines adopted by Council on 4 September 2001. The merits of the application in terms of urban design and the relationship to the site constraints are:

i) Principle 1: Context

Good design responds to and contributes to its context. Context can be defined as the key natural and built features of an area.

Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

Comment:

The subject site is located in an area zoned R4 to facilitate high density residential flat buildings. The proposed residential flat buildings will integrate with the 'desired future character' of the area that is responding to the growing need for high density residential dwellings in proximity to major centres. The site is in close proximity to major roads including James Ruse Drive and Windsor Road.

The *'desired future character'* of the site is defined by the site specific in-force and draft DCP chapters. The proposed development will integrate with the *'desired future character'* of the area that is responding to the growing need for higher density residential development in this part of the Shire.

The scale and height of the proposed development is appropriate within the context of the *'desired future character'* of the area. The draft development controls for the area indicate building heights of 30 metres. The proposed height of the building maintains a transition in built form generally and will not cause significant adverse impacts onto adjoining properties in terms of overshadowing and view loss.

The proposed development provides setbacks to the street, to the rear and to the side appropriate to its context. The site is adjacent to a public open space and Darling Mills Creek which allows the development to respond to this setting and create a built form which addresses the park and creek and creates visual interest.

Adequate solar access is available in mid-winter which provides a high level of amenity for all the units.

A large portion of the site is common open space (30%) and the majority of the site will be soft landscaped. The proposed landscape plan includes a significant number of trees

(62 in total) which will grow to maturity. The development does not affect any tree on any adjoining property.

ii) Principle 2: Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

Comment:
The scale and height of the proposed development is appropriate within the context of the *'desired future character'* of the area. The proposed heights of the buildings maintain a transition in built form from the adjoining single dwellings (9 metres) to the approved residential flat building development at 25 North Rocks Road (10 storeys or 33 metres).

The heights of the buildings are appropriate to the width of the street and landscaping is proposed within the front setback to soften the impacts of bulk and scale on the streetscape.

The proposal is well set back from the street frontage which provides satisfactory visual and acoustic privacy for future occupants. There is a clear delineation between the public and private domain. The setback allows for the landscape to complement the existing streetscape which helps to minimise the appearance of building mass when viewed from the street.

The buildings have been orientated towards Darling Mills Creek to contribute positively to the desired high density streetscape character and provide casual surveillance opportunities. Articulated facades break up the apparent mass of the façade and create an interesting streetscape presentation.

The proposed deep-soil planting zone and provision of landscape throughout the site will help reduce the scale of the proposed building and integrate the proposed development with the surrounding environment.

iii) Principle 3 - Built Form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Comment:
The proposed built form is broken into seven separate buildings with adequate building separation. Setbacks to the boundaries are maintained to achieve a satisfactory building separation with surrounding residential development.

The proposed setbacks are appropriate given the proximity of the site to James Ruse Drive and North Rocks Road.

The proposed built form is of a mass and scale which maintains considerable solar access to the proposed common open space, ground floor private open space and adjoining properties.

The buildings are well articulated and achieve a high level of natural ventilation, optimise solar access and provide opportunities for casual surveillance of common open spaces as well as the street.

The side and rear setbacks provide sufficient open space for the retention of vegetation and deep soil zones around the periphery.

The orientation of layout of the built form maximises solar access and eliminates any south facing single aspect units.

Shadow diagrams indicate that the designated common open space would receive more than 4 hours of sunlight during mid-winter.

The proposal includes soft landscaping and deep soil to allow for sufficient planting to enhance the visual amenity of the development.

iv) Principle 4 - Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

Comment:
The site is located in a high density residential zone and is located adjacent to a site which enjoys a notable higher density than allowed on the subject site (No. 25 North Rocks Road). The proposal meets the required area of common open space at ground level. It also satisfies the Residential Flat Design Code standards.

The density is suitable for the site given its accessibility, its access to common and public open space, the immediate built form context of the site and the high amenity achieved for every unit in the development. The proposed density is 138.91 persons per hectare and is well under the maximum permissible density of 175 persons per hectare in the current DCP.

v) Principle 5 - Resource, Energy and Water Efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

Comment:
The Development Application is accompanied by a BASIX Certificate. The proposed development provides adequate solar access to the units with 90% of units receiving 4 hours of sunlight into the living room and 90% of the private open spaces receiving 4 hours sunlight during mid-winter.

There are no single aspect units facing south. All single aspect units have a generous northern aspect and are very wide apartments with excellent daylight penetration.

A waste management plan has been prepared and submitted with the development application and is considered satisfactory.

Triple A fixtures are proposed for bathroom, kitchen laundry, urinals, showerheads, dishwashers and toilet cisterns. Appropriate landscaping has been provided to reduce the quantity of urban stormwater runoff. Rainwater tanks are proposed.

vi) Principle 6 - Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

Comment:
The buildings are oriented to the proposed central common open space with the main entrances to each building fronting this common open space. Deep soil planting is provided at the periphery of the site to accommodate suitable screen planting. Combinations of deep soil planting and impervious areas are proposed at the ground floor level to allow for a good landscape outcome and usable private spaces. Proposed fencing has been carefully designed to create a satisfactory interface with the public domain.

The buildings have been stepped to reduce cut and fill on the site. While the majority of common open space is above the basement, sufficient soil depth is proposed to provide satisfactory landscaping.

vii) Principle 7 - Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

Comment:
The proposed apartment layout demonstrates satisfactory spatial arrangement of rooms, circulation between rooms and the degrees of privacy of each room that will allow for good amenity for all the units in the development. The articulation of the building and provision of open space will ensure a maximum standard of residential amenity.

As stated above, the solar access for the development is considered satisfactory. There are no single aspect apartments facing south. The development also achieves a high degree of cross-ventilation.

Units are provided with good solar penetration and ventilation and with sizes consistent with the Residential Flat Design Code.

The location of the site maximises the use of public transport given the close proximity to bus services. The proposed garbage room is also centrally located and easy to access.

viii) Principle 8 - Safety and Security

Good design optimises safety and security, both internal to the development and for the public domain.

This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

Comment:
The following security measures are included in the design of the development:

- The entrances are clearly identified from the street and clear sightlines are established from the front entry to the street. A secure gate is provided near the boundary which provides access to the common open space. From the common open space each building has secure lobby entrances;
- There is casual surveillance of the communal open spaces on the site, including the main entrances, from the units. Corner balconies/windows and balconies provide a wider degree of casual surveillance along the street;
- The design has aimed to avoid dark alcoves and provide well-lit routes through the development (especially at main entrances and in common areas). Lighting details will be furnished in accordance with Australian Standards;
- Intercom systems are provided for the pedestrian entrances of each building and the main entrances and lift alcoves in the basement.

ix) Principle 9 - Social Dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.

Comment:
The proposal includes a mix of one and two bedroom units which will accommodate a range of different ages and professions from single professionals requiring single bedrooms, young families that only require two bedroom units and mature couples without children that may require one or two bedroom units.

The applicant has indicated that the proposed unit mix also meets the needs of the future demographic profile where household sizes are getting smaller and the demand for 1 and 2 bedroom units increases. The ABS population projection in 2010 showed an unexpected increase in population and the Department of Planning in their discussion paper *"Towards 2036"* called for increases in the numbers of small units (1 and 2 bedroom) to meet the metropolitan area's future needs. In this regard, the proposed smaller units would help with housing affordability. At the same time, the proposed unit sizes are consistent with the Residential Flat Design Code standards.

The proposed development is designed to maximise the accessibility for disabled persons. Sufficient disabled car parking spaces are provided and located near the main access and lift of the building. Passenger lifts provide easy access to all levels of the building.

The proposal includes a usable outdoor common open space with areas of direct solar access and areas of shade. The provision of common open space is greater than what is set out in the Residential Flat Design Code. Combined pervious and impervious areas are proposed to create a usable setting which can accommodate a range of activities.

In summary, the proposed development provides good residential amenity, is close to employment, public transport and services and offers units which meet the needs of the metropolitan area's demographic profile.

x) Principle 10 - Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

Comment:
The character and aesthetics of the new buildings is sympathetic to the adjacent built environment. It is modern in style and form and utilises a combination of materials.

The landscape treatment seeks to soften the built form and integrate with the development and the site's context. Deep root planting zones provide the opportunity to have denser and taller trees that partially screen the proposed building from the road.

The material, colours and textures of the proposed development will integrate with the desired character of the locality. This includes the use of a variety of cladding and painted render of varying colours.

The breaking of the development into seven buildings reduces the impact of bulk and scale and allows the green space to flow through the site.

SEPP 65 - Residential Flat Design Code Compliance Table

ITEM	GUIDELINE	COMMENT	COMPLIES
Part1 Local Context			
Context	**Local Context** - • Undertake a local context analysis.	Depicted in the drawings and addressed in the Statement of Environmental Effects submitted with the Development Application.	Yes
	Residential Flat Building Types - • Tower apartments are best used where higher densities are desired; provide for strong urban forms and precincts; and mixed uses at lower levels.	There are no tower elements proposed with the current Development Application.	N/A
	Building Height - • Test height controls	The proposed building height is addressed in	Yes

	against the FSR and the proposed number of storeys and minimum ceiling heights.	Section 3(a) of this report. The subject site does not have an applicable FSR as the built form is specified within the site specific DCP.	
	Building Depth - • An apartment building depth of 10-18 metres is appropriate. Developments that proposed wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved.	The maximum building depth proposed is 7.95 metres.	No. The proposed building depth allows considerable solar access and ventilation and is satisfactory.
	Building Separation - Increase building separation distances as building height increases as follows: Up to four storeys: • 12m between habitable rooms/balconies. • 9m between habitable rooms/balconies and non-habitable rooms. • 6m between non-habitable rooms. Up to five to eight storeys: • 18m between habitable rooms/balconies. • 13m between habitable rooms/balconies and non-habitable rooms. • 9m between non-habitable rooms. Nine storeys and above: • 24m between habitable rooms/balconies. • 18m between habitable rooms/balconies and non-habitable rooms. • 12m between non-habitable rooms.	The minimum building separation proposed is 9 metres between habitable rooms and balconies, however it can be described as a point encroachment only. In the majority the extent of building separation achieves compliance and is consistent with the Draft site specific DCP.	Yes
	Street Setbacks - • Identify desired streetscape character. • Minimise overshadowing of street and buildings. • Consider secondary	The proposed front setback to North Rocks Road is 10 metres and 19 metres to James Ruse Drive.	Yes

	upper level setbacks to reinforce desired scale of buildings on the street. • Underground parking structures, awnings and balconies may encroach on the setback.		
	Side and Rear Setbacks • To retain or create rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form. • Consider building separation, open space and soil zones. • Relate setbacks to existing streetscape pattern.	6m side-setbacks match adjoining development. Suitable perimeter plantings and deep soil to provide buffer to adjacent buildings Consistent street treatments.	Yes
	Floor Space Ratio - • Height, setbacks and FSR are to be consistent.	The proposed building configuration breaks up bulk and scale. There is no FSR specified for the subject site, as the built form is dictated by the site specific DCP.	Yes
Part 2 Site Design			
Site Analysis	• Site analysis to include plans and sections of the existing features of the site, and written description.	Included in SEE and site analysis materials submitted.	Yes
Site Configuration	**Deep Soil Zones -** • Optimise provision of deep soil zones. • Support a rich variety of vegetation type and size. • Increase permeability of paved areas. • 25% of open space to be deep soil zone.	Large deep soil areas provided around basement. Largest deep soil area is adjacent to open space and at the lower portion of site to assist in stormwater infiltration. 28% of the site comprises deep soil zones. Common open space is centrally located and is predominately deep soil.	Yes
	Fence and Walls -	A low level stepped brick	Yes

	• Respond to character of street and area. • Delineate private and public domain without compromising safety and security. • Contribute to amenity, beauty and usability of private and communal open spaces. • Retain and enhance amenity of public domain by avoiding continuous lengths of blank walls and using planting to soften the edges and reduce their scale. • Select durable materials which are easily cleaned and graffiti resistant.	fence is proposed on the North Rocks Road frontage, with an average height of 750mm. This is detailed on the landscape drawings.	
	Landscape Design - • Improve amenity of open space with landscape design, including shade and screening. • Contribute to streetscape and public domain. • Improve energy efficiency and solar efficiency of dwellings and microclimate of private open spaces. • Design landscape with regard to site characteristics. • Contribute to water and stormwater efficiency. • Provide sufficient depth of soil above pavers. • Minimise maintenance by robust landscape elements.	Photomontage and landscape design is suitable. Central communal area provided between buildings. Landscape plan and location of deep soil contributes to water infiltration. Native species and low water species are proposed to reduce water consumption and maintenance.	Yes
	Open Space - • Provide communal open space which is appropriate and relevant to the context and building setting. • Facilitate the use of communal open space by solar access, site features, and minimise	Communal open space detailed on landscape drawings. Will receive ample solar access in morning and afternoon. The central communal area is centrally placed and orientated to the creek. The total communal area is 2020m².	Yes

	overshadowing. • Provide private open space for each apartment. • Local open space to increase residential amenity. • Provide environmental benefits including habitat, microclimate, rainwater, percolation, outdoor drying area. • Communal open space should be 25-30% of site area. • Minimum private open space for each apartment is 25m^2 at ground level/above podium with minimum dimension of 4m.		
	Orientation - • Orient buildings to maximise north facing walls and provide adequate building separation. • Respond to streetscape and optimise solar access. • Courtyards and setbacks to northern boundaries. • Optimise solar access to living spaces and private open space by orienting them to the north. • Building elements to maximise sun in winter and shade in summer.	The design has maximised to the greatest possible degree the number of units with a northern aspect. Courtyards are within the northern setback.	Yes
	Planting on Structures - • Design for optimum plant growth by appropriate soil and drainage conditions. • Design planters to support soil depth and plant selection.	The landscape plan establishes sufficient soil on the basement slab to ensure planting and basement setbacks are maintained in key locations to allow for mature planting.	Yes
	Stormwater Management - • Retain stormwater on site. • Protect stormwater	The on-site detention system design has been prepared in accordance with the Upper Parramatta Catchment Trust guidelines.	Yes

	quality. • Control erosion. • Consider using grey water for site irrigation.		
Site Amenity	**Safety -** • Delineate private and public space. • Optimise visibility, functionality and safety of building entrances. • Improve opportunities for casual surveillance. • Minimise opportunities for concealment. • Control access to the development.	Clear delineation provided from entry to principal building entries. Passive surveillance well provided. Controlled access from entry gates.	Yes
	Visual Privacy - • Maximise visual privacy between adjoining buildings by separation, setbacks and site layout. • Design layouts to minimise direct overlooking of rooms and private open spaces. • Use site and building design elements to increase privacy without compromising light and air access.	Appropriate building separation from proposed bedrooms of units to habitable balconies of other units.	Yes
Site Access	**Building Entry -** • Improve presentation to street by entry treatment. • Direct connection and clear transition between street and entry. • Ensure equal access for all. • Provide safe and secure access. • Separate building entry from car parks. • Design entries/circulation to allow furniture movement. • Provide mailboxes to be convenient, but not clutter the appearance	Each building has direct entry from the street with strong pedestrian connectivity through the site.	Yes

	of the development from the street.		
	Parking - • Determine car spaces by access to public transport, density and ability to accommodate on site. • Limit visitor spaces, where impact on landscape and open space is significant. • Give preference to underground parking. • Provide bicycle parking which is easily accessible.	207 car parking spaces provided. 207 spaces required based on 65 x 2 BR and 36 x 1 BR (plus visitors parking). Underground parking provided. Bicycle parking accessible off street including secured resident parking and visitor parking.	Yes
	Pedestrian Access - • Accessible routes to public and semi-public areas. • Promote equity by entry location and ramps. • Ground floor apartments to be accessible from the street and associated open space. • Maximise number of accessible, visitable and adaptable apartments in a building. • Barrier free access to at least 20% of dwellings.	Level (with a small grade) access provided from roads to building entrances and communal open space Barrier free access provided to all units.	Yes
	Vehicle Access - • Ensure adequate separation between vehicle entries and street intersections. • Optimise opportunities for active street frontages and streetscape design. • Improve appearance of car parking entries. • Limit vehicle entries away from pedestrian entries and on secondary frontages.	Vehicle ingress and egress can occur in a forward direction from the access road off North Rocks Road. The traffic report indicates sightline distances meet requirements and the proposal is considered satisfactory by Council's Traffic and Transport Co-ordinator.	Yes
Part 3 Building Design			
Building	**Apartment Layout -**	The applicant has provided a	Yes

Configuration	• Determine apartment sizes in relation to location, market, spatial configuration and affordability. • Ensure apartment layouts are resilient over time. • Design layouts to respond to natural and built environments and optimise site opportunities. • Avoid locating kitchen in circulation space. • Include adequate storage in the apartment. • Ensure apartments facilitate furniture removal and placement. • Single aspect apartments should be limited in depth to 8m from a window. Buildings not meeting this standard must demonstrate how satisfactory daylight and natural ventilation can be achieved. • Kitchen to be maximum of 8m from window. • Cross over or cross through apartments >15m deep to have minimum width of 4m.	table addressing the various unit typologies outlined on Page 69 of the RFDC. All one bedroom apartments are 'one bedroom single aspect' apartments and are required to have an internal area of a minimum of 62m². All units achieve compliance with the RFDC standard. Most two bedroom units are 'two bedroom corner units' and are required to have an internal area of a minimum of 80m². All units achieve compliance with the RFDC standard. Four two bedroom units are 'two bedroom cross through units' and are required to have an internal area of a minimum of 89m². All units achieve compliance with the RFDC standard. There are five, two bedroom units for which there is no example provided on Page 69 of the RFDC.	
	Apartment Mix - • Provide variety of apartments in larger buildings. • Refine appropriate mix by considering population trends and proximity to transport, employment and services. • Locate mix of 1 and 3 bed units on ground floor to enable access by disabled, elderly and families. • Optimise accessible and adaptable apartments.	Apartment mix is considered satisfactory, i.e. 35% 1 bedroom units 65% 2 bedroom units Accessible units are distributed throughout the ground floor levels. An access report was provided with the Development Application and the amendments to the design do not affect the accessibility of the development.	Yes

	Balconies - • Provide at least one primary balcony. • Primary balconies to be adjacent to living area. • Consider secondary balconies in larger apartments, adjacent to bedrooms and for clothes drying. • Balconies to respond to local climate and context, solar access, wind and privacy. • Design balustrades to allow views and casual surveillance, while providing safety and privacy. • Co-ordinate and integrate building services with façade and balcony design. • Primary balcony to have minimum depth of 2m.	Balconies provided adjacent to all living spaces. Ground floor units have good on-grade access as well as solar access. Balustrades are glazed with solid sections in some locations. Shading devices are provided.	Yes
	Ceiling Heights - • Co-ordinate internal ceiling heights and slab levels with external height requirements. • Minimum floor to ceiling height of 2.7m. • Variations to demonstrate satisfactory daylight.	Minimum ceiling height is 2.7m. Floor to floor is generally 3.0m.	Yes
	Flexibility - • Provide robust building configurations which utilise multiple building entries and circulation cores. • Promote accessibility and adaptability by accessible and visitable apartments and pedestrian access.	Buildings have main entrances as well as secondary entrances. Buildings provide disabled access.	Yes
	Internal Circulation - • Increase amenity and safety by generous widths, lighting, minimising lengths,	Internal corridors are 1.6m wide. Buildings have internal corridors with natural light adjacent to lifts.	Yes

	avoiding tight corners, legible signage and adequate ventilation. • Support better apartment layouts by designing buildings with multiple cores. • Articulate longer corridors by using series of foyer areas and windows along or at end of window. • Minimise maintenance and maintain durability by using robust materials in common circulation areas.		
	Storage - • 50% of storage to be within apartment and accessible from hall or living area and dedicated storage rooms on each floor and car parks. • Storage to be suitable for local area and able to accommodate larger items (e.g. bicycles) • Ensure storage is secure for individual use.	Storage areas are placed in a centrally accessible position in all apartments. Basement levels have secured residential storage rooms as well.	Yes
Building Amenity	**Acoustic Privacy -** • Maximise acoustic privacy by adequate separation. • Internal layout to separate noise from quite areas by grouping bedrooms and service areas. • Resolve conflicts between noise, outlook and views by design measures, such as double glazing. • Reduce noise transmission from common corridors. • Provide seals to entry doors.	Acoustic report submitted takes into account the surrounding classified roads and the associated acoustic impact. Window glazing provided in accordance with the standards.	Yes
	Daylight Access - • Orient building to optimise northern aspect.	90% of units have 4 hours solar access in midwinter to living rooms and balconies.	Yes

	• Ensure daylight access to communal open space March-September and shade in summer. • Optimise apartments receiving daylight access to habitable rooms and principal windows. • Design for shading and glare control. • Living rooms and private open space of at least 70% of apartments should receive 3 hours direct sunlight between 9am and 3pm in mid winter. • Limit single aspect apartments with a southerly aspect to a maximum of 10% of total units.	90% of private open spaces receive at least 4 hours solar access in midwinter, having a generous northern aspect. The centrally located communal area has a good balance of solar access and shade year round. There are no south-facing single aspect units in the development. 100% of living rooms and balconies achieve 2 hours solar access in mid-winter.	
	Natural Ventilation - • Promote and guide natural breezes. • Utilise building layout and section to increase potential for natural ventilation. • Internal layout to minimise disruptions and group rooms with similar usage together. • Select doors and operable windows to utilise air pressure or windows to funnel breezes. • Co-ordinate design with passive solar design. • Explore innovative technologies to ventilate rooms. • 10-18m of building depth recommended for natural ventilation. • 60% of units to be naturally cross ventilated. • 25% of kitchens to have access to natural ventilation.	All units are appropriately cross ventilated and all kitchens have access to adequate ventilation.	Yes

Building Form	**Awnings and Signage -** • Locate awnings over building entries. • Enhance safety by providing lighting.	Building entries are covered.	Yes
	Facades - • Consider relationship between building form and façade or building elements. • Facades to have appropriate scale, rhythm and proportion responding to use and desired character. • Facades to reflect orientation of site using sun shading devices. • Express important corners by giving visual prominence to parts of the façade. • Co-ordinate and integrate building services and utility items.	As shown in the submitted photomontages the buildings are well articulated and proportioned. Wall surfaces are broken up by balconies which enhance the facades.	Yes
	Roof Design - • Relate roof design to desired built form. • Relate to size and scale of building, elevations, building form. • Respond to orientation of site. • Minimise visual intrusiveness of service elements. • Facilitate use of roof for sustainable functions.	The proposed roof forms are considered satisfactory and are consistent with those of future surrounding residential flat buildings.	Yes
Building Performance	**Energy Efficiency -** • Incorporate passive solar design to optimise heat storage in winter and heat transfer in summer. • Improve control of mechanical heating and cooling. • Plan for photovoltaic panels. • Improve hot water system efficiency.	Buildings have good passive design with long north facing design and shorter facades towards east and west. Apartments have good access to natural daylight. BASIX Certificate submitted with the Development Application meets the criteria.	Yes

	• Reduce reliance on artificial lighting. • Maximise efficiency of household appliances.		
	Maintenance - • Design windows to enable internal cleaning. • Select manually operated systems, such as blinds. • Incorporate and integrate building maintenance systems into the design of the building form, roof and façade. • Select durable materials which are easily cleaned. • Select appropriate landscape elements and vegetation and provide appropriate irrigation systems. • Provide garden maintenance and storage area.	Principal windows have easy access for cleaning. Solar control devices have been provided on facades. Exterior materials are masonry and painted render. Landscape areas are accessible for maintenance.	Yes
	Waste Management - • Incorporate existing built elements where possible. • Recycle and reuse demolished materials. • Specify building materials that can be reused or recycled. • Integrate waste management into all stages of project. • Support waste management by specifying project needs and reducing waste by using standard product sizes. • Prepare waste management plan. • Locate storage areas for bins away from street frontage. • Provide waste cupboards or temporary storage area. • Incorporate on-site	A Waste Management Plan has been submitted with the application. A central waste and recycling area is provided at street level which allows for pick up off the access road. This arrangement has been assessed to be satisfactory.	Yes

	composting where possible.		
	Water Conservation - • Use AAA rated appliances. • Encourage use of rainwater tanks. • Collect, store and use rainwater on site. • Incorporate local native vegetation in landscape. • Consider grey water recycling.	BASIX Certificate covers water related strategies.	Yes

6. Issues Raised in Submissions

The application was advertised and notified for 30 days as a Nominated Integrated Development. As a result of the advertising/notification period, three submissions were received. The issues raised in the submissions are addressed as follows:

ISSUE / OBJECTION	COMMENT	OUTCOME
Concern is raised that the proposal will violate the privacy of the objector's family and quality of life in their household, particularly given that they have a swimming pool.	The objector's property is located on the north eastern side of the development site, approximately 13 metres from the nearest proposed building. The buildings have been designed to be orientated towards Darling Mills Creek on the eastern side of the site. It is noted that the side elevations contain very few windows and the privacy impact on the properties to the east will be minimal.	Issue addressed.
Most dwellings in the locality are single houses or villas. The proposed development will greatly increase the population in the area. North Rocks Road is already a very busy road. This will largely increase the traffic in the peak hours.	The proposal is consistent with Council's vision for the precinct which was identified as a Target Site suitable for high density residential development under Council's Residential Housing Strategy (2000) and has been zoned accordingly. The proposal will assist Council to achieve its residential housing targets established within the North West Subregional Strategy and Council's Residential Direction. The proposal has been assessed by Council's Principal Traffic and Transport Co-ordinator and is considered satisfactory in terms of traffic generation and local area traffic management.	Issue addressed.

ISSUE/OBJECTION	COMMENT	OUTCOME
The proposal will result in traffic chaos at the intersection adjacent to Bunnings. This is not safe for the children who are attending nearby schools.	The application has been referred to the NSW Roads and Maritime Services (RMS) for assessment. The RMS requires that the intersection of Windsor Road/North Rocks Road be upgraded to increase the capacity of the left turn lanes which will reduce the congestion on North Rocks Road in the morning peak. The applicant is required to enter into a cost sharing arrangement with the developer of 25 North Rocks Road to fund the works. These works will improve the efficiency of this intersection from its current level.	Issue addressed. See Condition No. 8.
The development will result in a large amount of stormwater. This could cause a serious stormwater drainage issue for all residents on Jean Street.	An on-site detention system is proposed to be constructed in accordance with the Upper Parramatta River Catchment Trust (UPRCT) handbook. This system will detain stormwater and release it gradually into the existing stormwater network to prevent the network from being overwhelmed by any increase.	Issue addressed.
The stability of the soil will be disturbed, because of the basement construction. Land slide might be caused if the design and construction are not carried out properly.	The application has been assessed by Council's Senior Subdivision Engineer in relation to geotechnical aspects and is considered satisfactory. The subject site is not mapped as being of geotechnical affectation.	Issue addressed.

SUBDIVISION ENGINEERING COMMENTS

The subject site is located adjacent to the Darling Mills Creek, a tributary of the Upper Parramatta River Catchment, and the property is identified by Council to be a flood control lot. The part of the land where the proposed buildings are located is well above the 1 in 100 year flood inundation line. Multiple levels of basement carparks have been proposed, which require protection from flooding from the creek and North Rocks Road, where the driveway entrance is proposed. The development incorporates:

- Raised finish levels of habitable floors to the Flood Planning Level 3, i.e 500mm above the respective 1 in 100 year ARI flood level along the Darling Mills creek in the vicinity.

- Raised driveway entry to the basement carpark with a crest to a minimum RL 21.6m AHD (FPL3).

The development proposes an underground on-site detention tank, two bio-retention systems and multiple rainwater tanks to achieve design requirements relating to

controlled runoff and water quality from the development. The applicant has submitted a 'Stormwater Drainage Layout' (Drawing 1142-C DA02 Issue D prepared by HKMA Consulting Engineers dated 05/11/2013 (signed)) and 'Stormwater Quality Management Plan' (prepared by HKMA Engineers Revision A dated December 2011), which are considered satisfactory as a concept.

TRAFFIC MANAGEMENT COMMENTS

The application has been assessed by Council's Principal Traffic and Transport Co-ordinator and no objection is raised to the proposal subject to the following conditions:

1. *Shared access arrangement with the previously approved residential flat building development at 25 North Rocks Road.*
2. *Shared obligation with 25 North Rocks Road for the provision of a central turning lane in North Rocks Road fronting the proposed development.*
3. *Contribution towards the cost of extending the existing left turn slip lane at the intersection of North Rocks Road and Church Street in accordance with the preliminary design provided by the RMS.*

These recommended conditions have been merged with the RMS condition, see Condition No. 8.

TREE MANAGEMENT COMMENTS

The application has been assessed by Council's Senior Tree Management Officer and no objection is raised subject to conditions.

HEALTH & ENVIRONMENTAL PROTECTION COMMENTS

The application has been assessed by Council's Senior Environmental Health Officer and no objection is raised subject to conditions.

RESOURCE RECOVERY COMMENTS

The application has been assessed by Council's Resource Recovery Projects Officer and no objection is raised subject to conditions.

NSW OFFICE OF WATER

The proposal includes works within 40 metres of a watercourse therefore it requires concurrence from the NSW Office of Water (NOW) under the provisions of Section 91 of the Environmental Planning and Assessment Act 1979. NOW issued their General Terms of Approval (GTA) on 9 May 2013. A condition of consent is recommended requiring compliance with the GTA, see Condition No. 6.

ROADS & MARITIME SERVICES COMMENTS

The application was referred to the NSW Roads and Maritime Services (RMS) and comments were provided, dated 6 March 2013. The RMS have requested that a condition of consent be imposed requiring that the applicant and the developer of No. 25 North Rocks Road enter into a cost sharing arrangement to fund the upgrade of the intersection of Windsor Road/North Rocks Road to extend the storage capacity of the left turn slip lane along North Rocks Road. A condition of consent has been recommended to address the RMS requirements, see Condition No. 8.

NSW POLICE COMMENTS

The application was referred to the NSW Police Force and assessed against Crime Prevention Through Environmental Design factors. A condition of consent is recommended requiring compliance with the NSW Police Force recommendations, see Condition No. 9.

CONCLUSION

The Development Application has been assessed against the provisions of Section 79C of the Environmental Planning and Assessment Act 1979, SEPP No. 65- Design Quality of Residential Flat Development, Development Control Plan 2012 Part B Section 5 – Residential Flat Buildings, Part D Section 1 – 27-33 North Rocks Road, North Rocks, Part C Section 1- Parking and Part C Section 3- Landscaping and is considered satisfactory.

The proposal seeks four variations to the requirements of DCP 2012 Part B Section 5- Residential Flat Buildings relating to building height, building separation, unit floor area and private open space. These variations have been addressed in the body of the report and are considered satisfactory.

The proposal achieves compliance with the requirements of SEPP No. 65- Design Quality of Residential Flat Development and the Residential Flat Design Code.

The application was advertised and notified in accordance with Council's policy and three submissions were received. The issues raised in the submissions include privacy, traffic, stormwater impacts and geotechnical concerns. These issues have been addressed in the body of the report and do not warrant refusal of the application.

Accordingly, the application is recommended for approval subject to conditions.

IMPACTS:

Financial

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

The Hills Future Community Strategic Plan

The proposed development is consistent with the planning principles, vision and objectives outlined within "Hills 2026 – Looking Towards the Future" as the proposed development provides for satisfactory urban growth without adverse environmental or social amenity impacts and ensures a consistent built form is provided with respect to the streetscape and general locality.

RECOMMENDATION

The Development Application be approved subject to the following conditions.

GENERAL MATTERS

1. Development in Accordance with Submitted Plans

The development being carried out in accordance with the following approved plans and details, stamped and returned with this consent except where amended by other conditions of consent.

REFERENCED PLANS AND DOCUMENTS

DRAWING NO.	DESCRIPTION	REVISION	DATE
DA 1001	Site Analysis & Plan	B	05/04/2013
DA 1801	Typical Unit Plans	B	05/04/2013
DA 1802	Typical Unit Plans	B	05/04/2013
PP 1102	Basement Level 1 Plan	P5	10/05/2013
DA 1101	Basement Level 2 Plan	B	05/04/2013
PP 1103	Lower Ground Level Plan	P5	10/05/2013

DA 1104	Upper Ground Level Plan	B	05/04/2013
DA 1105	Typical Level Plan	B	05/04/2013
DA 1106	Roof Plan	B	05/04/2013
DA 1850	Lower & Upper Ground Level Plan	B	05/04/2013
DA 1201	Sections	B	05/04/2013
DA 1202	Sections	B	05/04/2013
DA 1301	Elevations	B	05/04/2013
DA 1302	Elevations	B	05/04/2013
ED-016-001	Landscape Concept Plan	B	09/04/2013
ED-016-002	Landscape Detail Areas & Plant Schedule	B	09/04/2013

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.

2. 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.

3. Provision of Parking Spaces

The development is required to be provided with 207 off-street car parking spaces (comprising 157 resident spaces, 40 visitor spaces and 10 accessible spaces). These car parking spaces shall be available for off street parking at all times.

4. External Finishes

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

5. 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.

6. NSW Office of Water General Terms of Approval

The development shall comply with the NSW Office of Water General Terms of Approval dated 9 May 2013 and attached to this consent as Appendix A.

7. Compliance with Rural Fire Service Requirements

The development shall comply with the following NSW Rural Fire Service requirements:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

a) At the issue of construction certificate and in perpetuity, the land surrounding the building(s) to a distance of 10 metres to the north and to the boundary on the east, south and west, shall be maintained 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'.

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. To achieve this, the following conditions shall apply:

b) Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

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. To achieve this, the following conditions shall apply:

c) Internal roads shall 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. To achieve this, the following conditions shall apply:

d) All new fencing shall be non-combustible.

e) New construction shall comply with Sections 3, 6 (BAL 19) and 7 (BAL 29) 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' in accordance with the construction levels indicated on the Plan A11063 dated 12/07/11 by Travers Bushfire & Ecology.

Landscaping

f) Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'. In this regard the following landscaping principles are to be incorporated into the development:

- Suitable impervious areas being provided immediately surrounding the building such as courtyards, paths and driveways;
- Grassed areas/mowed lawns/ or ground cover plantings being provided in close proximity to the building;
- Restrict planting in the immediate vicinity of the building which may over time and if not properly maintained come in contact with the building;
- Maximum tree cover should be less than 30%, and maximum shrub cover less than 20%;
- Planting should not provide a continuous canopy to the building (i.e. trees or shrubs should be isolated or located in small clusters);
- When considering landscape species consideration needs to be given to estimated size of the plant at maturity;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such timber garden furniture way from the building; and
- Use of low flammability vegetation species.

8. Compliance with Roads and Maritime Services Requirements

The development shall comply with the following NSW Roads and Maritime Services requirements:

a) The intersection of Windsor Road – Church Street/North Rocks Road currently operates at capacity during both the AM and PM peak travelling periods because of extensive queues in North Rocks Road and along Windsor Road.

   To address the additional traffic and congestion caused by this development proposal along the North Rocks Road approach, RMS requires that the applicant extends the storage within the left turn slip lane along North Rocks Road in accordance with the concept plan attached to this consent as Appendix C.

   In addition, the applicant is required to construct a central turning lane on North Rocks Road, fronting the development site. The developer of No. 25 North Rocks Road shall be consulted in this regard.

   The above works have also been conditioned upon No. 25 North Rocks Road, North Rocks, therefore, a cost sharing arrangement is to be entered into between both development sites.

   The level of contribution payable by each party is to be calculated based on the following:

   - The additional amount of traffic to be generated by each development at 25 North Rocks, North Rocks and 27-33 North Rocks, North Rocks as a percentage of the total amount of traffic currently using the intersection. Calculations are to be based on traffic volumes in the peak periods between 7-9AM and 4-6PM.

   Prior to the issue of a Construction Certificate, written evidence shall be provided that a cost sharing arrangement has been entered into by the two parties. The evidence shall be documented into a legally binding agreement, which shall be reviewed by the RMS and Council prior to the issue of a Construction Certificate.

   The developer shall be responsible for all public utility adjustment/relocation works necessitated by the above work and as required by the various public utility authorities.

b) James Ruse Drive is a Controlled Access Road and therefore access is denied to this corridor.

c) To facilitate the proposed right turning bays and subject to Council's Local Traffic Committee's approval, full time "No Stopping" restrictions are to be installed along both sides of North Rocks Road, covering the subject property frontage.

d) Geotechnical and design details for the excavation and retaining structures are to be submitted to the RMS for review and approval. The developer is to pay for the full cost of the review by the RMS.

e) Permanent or temporary anchors are not permitted within the James Ruse Drive road reserve.

f) The development shall be designed such that road traffic noise from James Ruse Drive is mitigated by durable materials and complies with the requirements of Clause 102- (Impact of road noise or vibration on non-road development) of State Environmental Planning Policy (Infrastructure) 2007.

g) All works/regulatory signposting associated with the development are to be at no cost to the RMS.

9. Compliance with NSW Police Requirements

The development shall comply with the following NSW Police requirements:

a) The basement car parking areas shall be painted white to assist in reflecting light.

b) All vegetation, especially the shrubs and shade trees, are to be kept trimmed at all times. Lower tree limbs should be above average head height and shrubs should not provide easy concealment.

c) Bicycle parking areas should be located within view of capable guardians. The provision of covered, lockable racks to secure bicycles increases the effort required to commit crime.

d) The access/exit driveways are to be adequately lit to improve visibility and increase the likelihood that offenders will be detected and apprehended.

e) A CCTV system is to be installed to monitor common open space areas and the access/exit driveways of the underground car parks.

f) All public access points are to be well marked.

g) Police recommend the use of roller shutters placed at the vehicular entrance to the residential parking areas and further access control both into the grounds of the development or the residential buildings. Police recommend separate shutters restricting access to each of the basement levels and an intercom system to restrict both pedestrian and vehicular access to the building.

h) All fire exit stairwells are to be properly secured so as to only allow downwards travel and exit from the building. No person should be able to move up a level in the building through a fire escape stairwell without a key.

i) Police recommend the use of security sensor lights and a security company to monitor the site while construction is in progress.

10. Property Numbering for Integrated Housing, Multi Unit Housing, Commercial Developments and Industrial Developments

The responsibility for property numbering is vested solely in Council.

The property address for this development is:-

Units 1-101 / 27 North Rocks Road
North Rocks NSW 2151

Please refer to the below table, approved numbering correspondence and plans marked with unit number allocation. These unit numbers, as issued, are to be displayed clearly on all unit door entrances.

	Upper Ground Level Drawing DA 1104	Level 1 Drawing DA1105	Level 2 Drawing DA1105	Level 3 Drawing DA1105	Level 4 Drawing DA1105	Lower Ground Level Drawing PP1103
	Unit Numbers	Unit Numbers	Unit Numbers	Unit Numbers	Unit Numbers	Unit Numbers
Building A	1-3	4-6	7-9	10-12	13-15	N/A
Building B	16-18	19-21	22-24	25-27	28-30	N/A
Building C	31-34	35-38	39-42	43-46	47-50	N/A
Building D	51-53	54-56	57-59	60-62	63-65	N/A

Building E	66-68	69-71	72-74	75-77	78-80	N/A
Building F	81-83	84-86	87-89	90-92	93-95	N/A
Building G	N/A	N/A	N/A	N/A	N/A	96-101

Clear and accurate external directional signage is to be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors and lobby entry doors. 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.

11. Australia Post Mail Box Requirements

Australia post requires there be one (1) single group of cluster mail boxes. Should more than one (1) cluster be required, contact Australia Post for their approval. The number of mail boxes to be provided is to be equal to the number of units plus one (1) for the proprietors. Mail boxes are to have a minimum internal dimension of 230mm wide x 160mm High x 330mm long and are to be provided with an opening of 230mm x 30mm for the reception of mail.

12. Contamination Assessment & Site Remediation

The recommendations of the Site Assessment and Report prepared by Environmental Investigations Pty Ltd, referenced as Report Number E1558.1 AA dated 30th March 2012 and submitted as part of the Development Application are to be implemented as part of this approval. In particular:

1. Preparation of an Asbestos Management and Work Plan prior to the commencement of any excavations works on site.
2. During site redevelopment and bulk excavation works, removal of the asbestos impacted fill soils at the north-eastern (BH12 and BH13) and central (BH21) parts of the site in accordance with Work Cover NSW Authority guidelines.
3. Classification and off-site disposal of asbestos impacted soils in accordance with the DECCW (2009) Waste Classification Guidelines.
4. Validate that the excavated areas are left free of contamination by visual inspection and validation sampling by comparing analytical results for excavation surfaces and any backfill material, against the respective DECC/EPA thresholds.
5. Preparation of a validation report by a qualified environmental consultant, certifying site suitability for the proposed development.

13. Acoustic Requirements

The recommendations of the Acoustic Assessment and Report prepared by Acoustic Logic Pty Ltd, referenced as DA Noise Assessment Project Number 20111086.1, dated 8/12/2011 and submitted as part of the Development Application are to be implemented as part of this approval. In particular:

- Section 6.1 Glazing – Table 4- Recommended Glazing Construction
- 6.2 External Doors – Any glass door should be constructed using glazing thickness set out in table 4. Full perimeter acoustic seals around the doors are required. Any timber external doors shall be a minimum 40mm solid core timber with Raven RP10 to the top and Raven RP38 to the underside of the door.
- 6.3 Roof / Ceiling – The proposed concrete slab roof is acoustically acceptable. No details of ceiling construction or corner junctions are required as the necessary acoustic performance is achieved by the concrete. Penetrations in all sleeping area ceilings (such as for light fittings etc) must be acoustically treated and sealed gap free with a flexible sealant.
- 6.4 External Walls – External walls composed of concrete or masonry will not require upgrading.

- 6.5 Ventilation – AS3671-1989requires the installation of mechanical ventilation or air conditioning systems for development affected by traffic noise. As internal noise levels cannot be achieved with the windows opened it is required that an alternative outside air supply system or air conditioning system be installed in accordance with AS 1668.2 requirements. Any mechanical ventilation system that is installed should be acoustically designed such that the acoustic performance of the recommended constructions are not reduced by any duct or pipe penetrating the roof/ceiling or wall. Noise emitted to the property boundaries by any ventilation shall comply with 5dB(A) above the background noise level.
- Mechanical Plant Recommendations – Detailed review of all mechanical plant should be undertaken at construction certificate stage (once plant selections and locations are finalised). Acoustic treatments should be determined in order to control plant noise emissions to the levels set out in Section 7.3 of this report, being 5dB(A) above Background.

  All plant can be satisfactorily attenuated to levels complying with noise emission criteria through appropriate location and if necessary standard acoustic treatments such as noise screens, enclosures, in – duct treatments (silencers/lining ducting) or similar.

14. 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. Groundcovers are to be planted at 5/m□.

15. Replacement Planting Requirements

Trees to be planted as part of approved landscape plan and approved vegetation management plan for riparian area are to be selected on priority basis from the following list of locally indigenous trees that originate in vegetation community Sydney Sandstone Gully Forest.

Angophora bakerii	Narrow-leaved Apple
Angophora costata	Smooth-barked Apple
Corymbia gummifera	Red Bloodwood
Eucalyptus pilularis	Blackbutt
Eucalyptus piperita	Sydney Peppermint
Eucalyptus punctata	Grey Gum
Eucalyptus resinifera	Red Mahogany
Eucalyptus saligna	Sydney Blue Gum
Syncarpia glomulifera	Turpentine

The above species are to supersede the following list of proposed species in recommended Planting List Table A1 from VMP prepared by Travers Bushfire and Ecology dated April 2013:

Eucalyptus microcorys

Eucalyptus sideroxylon

Grevillea robusta

16. Adherence to Waste Management Plan

All requirements of the approved Waste Management Plan must be implemented and adhered to during all stages of the development, except where amended by other conditions of consent. A Waste Data File containing the approved Waste Management Plan together with receipts and dockets that verify recycling and disposal must be kept on site at all times and presented to Council when required.

17. Management of Demolition and Construction Waste

Project management must firstly seek to reuse and then secondly to recycle solid waste materials either on or off site. Waste disposal to landfill must be minimised to those materials that are not reusable or recyclable. To maximise reuse and recycling, the following waste materials must be separated and sent for recycling:

(1) Masonry products;
(2) Timber waste;
(3) Metals;
(4) Clean waste plasterboard; and
(5) Mixed waste (plastic wrapping, cardboard etc).

Waste must be adequately secured and contained within designated waste areas on site and must not leave the site onto neighbouring public or private property. No waste is to be placed on the public way at any time unless formally approved by Council for the storage of waste in a public place. Any waste material moved off site 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.

18. Surplus Excavated Material

The disposal of surplus excavated material, other than to a licensed waste facility, is not permitted without formal approval from Council prior to the commencement of works. Any unauthorised 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.

19. Commencement of Council Waste Service

The property owner must ensure to arrange the commencement of their waste service with Council no later than two days after occupancy, and no earlier than two days prior to occupancy of the development. Notification is to be received by the property owner or agent acting for the owner by contacting Council on (02) 9843 0310.

20. Construction of Waste Storage Areas

All work involving construction of the waste storage areas shall comply with the requirements of Council's *Information for Waste Management in Multi Unit Dwelling Developments – Baulkham Hills Shire Council Bin Storage Facility Design Specifications* and in addition ensure that:

(a) Storage facility is provided for a minimum of eleven 1,100 litre bulk garbage bins and forty-two 240 litre comingled recycling bins;
(b) Paths for movement of bins to and from their storage areas and the collection point incorporate a minimum width of 1.5 metres;
(c) The collection point is of dimensions which will store and manoeuvre the minimum number of allocated bins;
(d) Adequate provision is made for the treatment of odours.

21. Protection of Public Infrastructure

Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site.

22. Supervision of Works

All work in the road reserve must be supervised by a suitably qualified and experienced person. The supervisors name, address and contact phone number must be submitted to Council prior to works commending in the road reserve. A construction programme and anticipated duration of works must be submitted to Council prior to works commending in the road reserve.

23. Structures Adjacent to Piped Drainage Easements
Buildings and structures, including footings and brick fences, adjacent to existing or proposed drainage easements must be located wholly outside the easement. A design must be provided by a structural engineer certifying that the structure will not impart a load on the pipe in the easement.

24. Public Liability Insurance
All contractors working in the road reserve must have a current public liability insurance policy with an indemnity limit of not less than $10,000,000.00. A copy of this insurance must be submitted to Council prior to works commencing in the road reserve.

25. Street Trees
Street trees and tree guards must be provided for the section of North Rocks Road fronting the development site. The location of street trees must compliment driveway locations. The species and size of all street trees must comply with Council's requirements. Street trees can be provided by Council subject to payment of the applicable fee as per Council's Schedule of Fees and Charges.

26. Vehicular Access and Parking
The formation, surfacing and drainage of all driveways, parking modules, circulation roadways and ramps is required, with their design and construction complying with:

a) AS/ NZS 2890.1:2004

b) AS/ NZS 2890.6:2009

c) AS 2890.2:2002

d) DCP Part C Section 1 – Parking

e) Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

i. The driveway to the basement carpark access must be designed to provide crest to a minimum RL 21.6m AHD (i.e 500mm above the 1 in 100 year ARI level) in accordance with the proposal to protect the basement car park from flood inundation.

ii. All driveways and car parking areas 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.

iii. All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.

iv. In urban areas, all driveways and car parking areas must be concrete or bitumen. The pavement design must consider the largest design service vehicle expected to enter the site.

v. All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

27. Gutter and Footpath Crossing Application
Each driveway requires the lodgement of a separate gutter and footpath crossing application, accompanied by the current fee as prescribed by Council's Schedule of Fees and Charges.

28. Separate Application for Strata Subdivision
A separate application must be submitted for any proposed strata titled subdivision of the approved development.

29. Flood Emergency Response Plan
Prior to the issue of an Occupation Certificate the applicant is to prepare and submit to Council for approval a site specific Flood Emergency Response Plan. The Flood Emergency Response Plan is to be specifically focused on the proposed landuse and the site conditions

in conjunction with flood behaviour up to and greater than the 100 year ARI flood event experienced at the site.

Preparation of the Flood Emergency Response Plan shall be in accordance with the Upper Parramatta River Catchment Flood Risk Management Plan and rely on the State Emergency Service (SES) Floodsafe & Stormsafe, available at the SES website http://www.ses.nsw.gov.au/topics, addressing specific actions in regard to:

- Preparing for a flood;
- Responding when a flood is likely;
- Responding during a flood; and
- Recovery after a flood.

NOTE: The site specific Flood Emergency Response Plan is to be certified by a suitably qualified emergency management specialist, experienced in emergency urban flash flooding response prior to submission to Council.

30. Process for Council Endorsement of Legal Documentation

Where an encumbrance on the title of the property is required to be released or amended and Council is listed as the benefiting authority, the relevant release or amendment documentation must be submitted along with payment of the applicable fee as per Council's Schedule of Fees and Charges. This process includes the preparation of a report and the execution of the documents by Council. Sufficient time should be allowed before lodging a Subdivision Certificate application.

PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

31. Approved Plans to be Submitted to Sydney Water

The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details – See building and Developing then Quick Check

and

- Guidelines for Building Over/Adjacent to /Sydney Water Assets – see Building and Developing then Building and Renovating.

or telephone 13 20 92.

32. Street Numbering Identification and Letterbox Location

Prior to any Construction Certificate being issued, a plan showing the layout and location of a street blade sign at the intersection of North Rocks Road and the proposed private road must be submitted to Council's Team Leader – Land and Information Management for written approval. There must be two separate blades, one being "Private Road" and the second being "23, 25 & 27 North Rocks Road".

The plan must also clearly show the layout and location of the letterbox for the development. Written correspondence from Australia Post certifying that they have agreed to the proposed location of the letterbox must accompany this plan.

33. Acoustic Consultant – Traffic Noise

An appropriately qualified acoustic consultant shall be engaged to certify that the design of the traffic noise affected portions of all of the the buildings complies with the following noise criteria as outlined in Schedule 2 of the Infrastructure SEPP

- The following LAeq levels are not to be exceeded;
- In any bedroom in the building : 35dB(A) at any time 10pm-7am
- Anywhere else in the building (other than a garage, kitchen, bathroom or hallway) : 40 cB(A) at any time.

A copy of this certification shall be submitted to Council prior to the issue of a Occupation Certificate.

34. Stormwater Treatment - Car Parks

The car parking area(s) must drain to a stormwater treatment device capable of removing litter, oil, grease and sediment prior to discharge to the stormwater system.
Details of the stormwater treatment device are to be submitted to Council.

35. Landscape Bond

To maintain the public amenity of the streetscape a landscape bond in the amount of $25,000.00 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 Final 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 maintained in accordance with the approved landscape plan.

36. Internal Pavement Structural Design Certification

Prior to a Construction Certificate being issued, a Certified Practicing Engineer (CPEng) must submit a letter to Council confirming the structural adequacy of the internal pavement design. The proposed pavement design must be adequate to withstand the loads imposed by a loaded heavy rigid waste collection vehicle (i.e. 28 tonne axe load) from the boundary to the waste collection point including any manoeuvring areas.

37. Section 94 Contribution

The following monetary contributions must be paid to Council in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979, to provide for the increased demand for public amenities and services resulting from the development.

Payments comprise of the following:-

	Purpose: 1 bedroom unit	*Purpose: 2 bedroom unit*	*Purpose: Credit*	*No. Of 1 bedroom units: 36*	*No. of 2 bedroom units: 65*	*Sum of Units*	*No. of Credits: 5*	*Total S94*
Roads & Traffic - Capital	$ 4.77	$ 6.59	$ 12.82	$ 171.72	$ 428.35	$ 600.07	$ 64.10	**$ 535.97**
Open Space - Land	$ 1,422.82	$ 1,970.06	$ 3,830.66	$ 51,221.52	$ 128,053.90	$ 179,275.42	$ 19,153.30	**$ 160,122.12**
Open Space - Capital	$ 114.49	$ 158.47	$ 308.08	$ 4,121.64	$ 10,300.55	$ 14,422.19	$ 1,540.40	**$ 12,881.79**
Community Facilities - Land	$ 6.36	$ 8.80	$ 17.11	$ 228.96	$ 572.00	$ 800.96	$ 85.55	**$ 715.41**
Community Facilities - Capital	$ 97.61	$ 135.12	$ 262.71	$ 3,513.96	$ 8,782.80	$ 12,296.76	$ 1,313.55	**$ 10,983.21**
Total	**$ 1,646.05**	**$ 2,279.04**	**$ 4,431.38**	**$ 59,257.80**	**$ 148,137.60**	**$ 207,395.40**	**$ 22,156.90**	**$ 185,238.50**

The contributions above are applicable at the time this consent was issued. Please be aware that Section 94 contributions are updated quarterly.

Prior to payment of the above contributions, the applicant is advised to contact Council's Development Contributions Officer on 9843 0268. Payment must be made by cheque or credit/debit card. Cash payments will not be accepted.

This condition has been imposed in accordance with Contributions Plan No 7.

Council's Contributions Plans can be viewed at www.thehills.nsw.gov.au or a copy may be inspected or purchased at Council's Administration Centre.

38. Draft Legal Documents

Where an encumbrance on title is required to be created as part of this consent, draft copies of all legal documents must be submitted to Council for checking before a Construction Certificate is issued.

39. Concept Engineering Design Approval

The submitted concept engineering design plans are for DA purposes only and must not be used for construction.

40. Engineering Works and Design

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

a) Council's Design Guidelines Subdivisions/ Developments

b) Council's Works Specifications Subdivisions/ Developments

Variation from these documents can only be approved by Council's Manager – Subdivision and Development Certification.

Engineering works can be classified as either "subdivision works" or "building works" as categorised below:

1. Works within an existing or proposed public road, or works within an existing or proposed public reserve. These works can only be approved, inspected and certified by Council in accordance with the Roads Act 1993 and the Local Government Act 1993 respectively. For Council to issue this approval the following must be provided:

   a) A completed application form.

   b) Four copies of the design plans and specifications.

   c) Payment of the applicable application and inspection fees.

   d) Payment of any required security bonds.

2. Works within the development site, or an adjoining private property, that relates to existing or proposed Council infrastructure assets, such as the laying of a stormwater pipeline or the formation of an overland flowpath within a public drainage easement. These works can only be approved, inspected and certified by Council because Council will have an ongoing risk exposure and management/ maintenance liability with respect to these assets once completed.

   A "compliance certificate" as per Section 109(1)(a)(ii) of the Environmental Planning and Assessment Act 1979 can be issued certifying that the detailed design for these works complies with the requirements listed and the above documents. This "compliance certificate" can be issued by Council's Manager – Subdivision and Development Certification and not a private certifier, as discussed. Once approved, the works must be carried out under the supervision of Council's Construction Engineer in accordance with the terms attached to the issued "compliance certificate". Post construction, a further "compliance certificate" as per Section 109(1)(a)(i) of the Environmental Planning and Assessment Act 1979 can be issued certifying that the as-built infrastructure and associated works have been carried out to the satisfaction of Council's Construction Engineer. Alternatively, these works can be incorporated into any construction approval granted under category (1) above.

3. Works within the development site, or adjoining private properties, that do not relate to existing or proposed Council infrastructure assets, such as water sensitive urban design elements or inter-allotment drainage pipelines. Such works can be approved, inspected and certified by either Council or a private certifier, so long as the private certifier is accredited to do so.

   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.

   The following engineering works are required:

i. RMS Requirements

Submission of a set of construction plans endorsed by the RMS for the works required as part of the development.

ii. Works on Adjoining land / Easement(s)

Where the engineering works included in the scope of this approval extend into adjoining land or within easements affecting the property, written consent from all affected adjoining property owners/ the beneficiaries of the easement must be obtained and submitted to the Principal Certifying Authority before a Construction Certificate is issued.

iii. Concrete Footpath Paving

A 1.5m wide concrete footpath, including access ramps, must be provided on North Rocks frontage of the development site.

iv. Footpath Verge Formation

The grading, trimming, topsoiling and turfing of the footpath verge fronting the development site is required 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 is also required, to the requirements of the relevant service authority. All service pits and lids must match the finished surface level.

v. Disused Layback / Driveway Removal

All disused laybacks and driveways must be removed and replaced with full kerb and gutter together with the restoration and turfing of the adjoining footpath verge area.

vi. Flooding

In order to ensure the proposed development does not have adverse impact on the existing flood behaviour and provision of adequate flood protection measures to the development based on best engineering practices on river management and floodplain risk management principles and infrastructure assets, detailed design and construction drawings shall include:

(a) Design Levels

Finish levels of the habitable floors to be minimum 500m above the respective 1 in 100 year flood level along Darling Mills Creek as referenced in the Flood Impact Report prepared by HKMA Engineers dated December 2011.

All access to the building and basement car park shall be designed to incorporate adequate flood protection measures up to 500m above the respective 1 in 100 year ARI flood level.

Driveway access to the basement carpark at the entry shall provide a crest to a minimum RL 21.6m AHD i.e 500m above the respective 1 in 100 year flood level.

Note: Survey report confirming the construction compliance must be submitted upon completion of such works.

(b) Flood Compatible Materials

All structural components of the development must be flood compatible below the Flood Planning Level (500m above the respective 1 in 100 year flood level).

(c) Structural Design

All structural design must be considerate to withstand the forces of floodwater and buoyancy up to the Flood Planning Level (500m above the respective 1 in 100 year flood level).

(d) Flood Warning

Provision of adequate flood warning measures must including signs, emergency response plan and flood level indicators with the development in accordance with the Flood Impact Report prepared by HKMA Engineers to ensure the building occupants are advised of the possible flood risks and appropriate emergency evacuation procedures.

vii. Stormwater Discharge

Stormwater Discharge to the Darling Mills Creek must comply with the requirements of NSW Office of Water.

41. Basement Car Park and Subsurface Drainage

The stormwater pump-out system must provide for the following:

a) A holding tank sized to store the run-off from a 12 hour 1 in 100 year ARI storm event;

b) A alternating two pump system capable of emptying the holding tank at either the Permissible Site Discharge rate or the rate of inflow for a 5 hour 1 in 5 year ARI storm event, whichever is lower;

c) An alarm system to alert a pump failure;

d) 100mm freeboard to all nearby parking spaces;

e) The system must be connected to the Onsite Stormwater Detention system before being discharged to the street, under gravity.

All relevant plans, calculations, hydraulic details and manufacturer specifications for the pump must be submitted with certification from the designer confirming the design complies with the above requirements.

42. 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 of $77,000.00 is required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The above amount is calculated at the rate of $30.00 per square metre based on the public road frontage of the subject site 99m plus an additional 50m on either side 199m and the width of the road measured from face of kerb on both sides 13m.

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

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.

43. Security Bond – External Works

In accordance with Section 80A(6)(b) of the Environmental Planning and Assessment Act 1979, a security bond is required to be submitted to Council to guarantee the construction, completion and performance of all works external to the site. The bonded amount must be based on 150% of the tendered value of providing all such works. The minimum bond amount is $10,000.00.

The bond must be lodged with Council prior to the issue of any Construction Certificate.

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.

44. Bank Guarantee Requirements

Should a bank guarantee be the proposed method of submitting a security bond it must:

a) Have no expiry date;

b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA 776/2012/JP;

c) Specifically reference the items 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 days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

45. Onsite Stormwater Detention & Water Sensitive Urban Design Elements

An integrated stormwater drainage system including Onsite Stormwater Detention (OSD) system, Bio Retention Systems and Rainwater Tank is required in accordance with the stormwater concept plan prepared by HKMA Consulting Engineers Stormwater Drainage Layout Drawing 1142-C DA02 Issue D dated (signed) 05/11/2013 and the MUSIC Modelling referenced in the Stormwater Quality Management Plan prepared by HKMA Engineers Revision A dated December 2011.

The concept plan is considered for DA purposes only and is not to be used for construction.

The detailed design must reflect the approved concept plan and the following necessary changes:

a) The OSD must be provided in accordance with Council's adopted policy for the Upper Parramatta River catchment area, the Upper Parramatta River Catchment Trust OSD Handbook.

Comprehensive design plans showing full construction details must be prepared by an accredited OSD designer and submitted with:

- A completed OSD Drainage Design Summary Sheet;
- Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, catchment areas, times of concentration and estimated peak run-off volumes;
- A completed OSD Detailed Design Checklist;
- A maintenance schedule.

The design and construction of the OSD system 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.

A Design Compliance Certificate (DCC) certifying the detailed design of the OSD system can be issued by Council subject to the following being provided:

i. A completed application form;

ii. Four copies of the design plans and specifications;

iii. Payment of the applicable application and inspection fees.

b) Water sensitive urban design elements, consisting of Bio Retention Systems and Rainwater Tanks, are to be provided in accordance with the approved concept plan and the above MUSIC modelling and concept plans demonstrating a reduction in annual average pollution export loads from the development site in line with the following environmental targets:

- 90% reduction in the annual average load of gross pollutants
- 85% reduction in the annual average load of total suspended solids
- 65% reduction in the annual average load of total phosphorous
- 45% reduction in the annual average load of total nitrogen

All model parameters and data outputs are to be provided.

Detailed plans for the OSD & Water Sensitive Urban Design elements must be submitted for approval. The detailed plans must be suitable for construction, and include detailed and representative longitudinal and cross sections of the proposed infrastructure. The design must be accompanied, informed and supported by detailed water quality and quantity modelling.

These elements must be designed and constructed in accordance with best practice water sensitive urban design techniques and guidelines. Such guidelines include, but are not limited to, the following:

- Water Sensitive Urban Design – Technical Guidelines for Western Sydney, 2004, http://www.wsud.org/tools-resources/index.html
- Australian Runoff Quality – A Guide to Water Sensitive Urban Design, 2005, http://www.ncwe.org.au/arq/

PRIOR TO WORK COMMENCING ON THE SITE

46. Principal Certifying Authority
A sign is to be erected in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000.

47. 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.

48. 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.

49. Site Water Management Plan
A Site Water Management Plan is to be submitted to Council for approval. The plan is required to be site specific and be in accordance with "Managing Urban Stormwater - Soils and Construction" (The Blue Book) produced by the NSW Department of Housing.

50. 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).

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

52. 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.

53. Demolition Works and Removal/Disposal of Asbestos
The demolition of any structure is to be carried out in accordance with the *Occupational Health & Safety Regulations 2001 Part 8* and the *Australian Standard AS 2601-2001: 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 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 hoard or fence. All demolition works involving the removal and disposal of asbestos cement must only be undertaken by a licenced asbestos removalist who is licensed to carry out the work. Asbestos removal must be carried out in accordance with the WorkCover Authority, Environment Protection Authority and Office of Environment and Heritage requirements. Asbestos to be disposed of must only be transported to waste facilities licenced to accept asbestos. No asbestos products are to be reused on the site.

54. Discontinuation of Council Waste Service

Prior to the commencement of works, the property owner must ensure to arrange the discontinuation of their domestic waste service with Council where the site ceases to be occupied during works. Private contractors are not permitted to use Council's domestic waste service for the disposal of any waste. Notification is to be received by the property owner, agent acting for the owner or site supervisor by contacting Council on (02) 9843 0310.

55. Traffic Control Plan

A Traffic Control Plan is required to be prepared in strict compliance with the requirements of AS 1742.3 and the current RMS Traffic Control and Work Sites Manual and submitted to Council for approval. The person preparing the plan must have the relevant RMS accreditation to do so. Where amendments to the approved plan are required, they must be submitted to Council for approval prior to being implemented.

56. Separate OSD & WSUD Detailed Design Approval

No work is to commence until a detailed design for the integrated stormwater drainage system has been approved by either Council or an accredited certifier.

57. Pre-Construction Public Infrastructure Dilapidation Report

A public infrastructure inventory report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. The report shall include:

a) Designated construction access and delivery routes; and

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

DURING CONSTRUCTION

58. 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.

59. 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. 408350M_03 be complied with. Any subsequent version of this BASIX Certificate will supersede all previous versions of the certificate.

A Section 96 Application **may** be required should the subsequent version of this BASIX Certificate necessitate design changes to the development. However, a Section 96 Application **will** be required for a BASIX Certificate with a new number.

60. 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.

61. Rock Breaking Noise

Upon receipt of a justified complaint in relation to noise pollution emanating from rock breaking as part of the excavation and construction processes, rock breaking will be restricted to between the hours of 9am to 3pm, Monday to Friday.

Details of noise mitigation measures and likely duration of the activity will also be required to be submitted to Council seven (7) days of receiving notice from Council.

62. Construction Noise

The emission of noise from the construction of the development shall comply with the *Interim Construction Noise Guideline* published by the Department of Environment and Climate Change (July 2009).

63. Washing of Vehicles

The car wash bay is to be roofed and bunded to exclude rainwater. All wastewater from car washing is to be discharged to the sewer under the Trade Waste Agreement from Sydney Water.

64. Contamination

Ground conditions are to be monitored and should evidence such as, but not limited to, imported fill and/or inappropriate waste disposal indicate the likely presence of contamination on site, works are to cease, Council is to be notified and a site contamination investigation is to be carried out in accordance with *State Environmental Planning Policy 55 – Remediation of Land.*

The report is to be submitted to Council for review prior to works recommencing on site.

65. Stockpiles

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

66. Asbestos Removal

Asbestos and asbestos containing material shall be removed by a licenced asbestos removalists and all work must be in accordance with the requirements of the NSW Workcover Authority. Asbestos and asbestos containing material is to be disposed of in accordance with the requirements of the Department of Environment, Climate Change and Water (DECCW). All dockets and paper work for the disposal shall be retained and made available to Council upon request.

67. Dust Control

The emission of dust must be controlled to minimise nuisance to the occupants of the surrounding premises. In the absence of any alternative measures, 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 construction work.
- All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and

- All stockpiles of materials that are likely to generate dust must be kept damp of covered.

68. Standard of Works

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

69. Engineering Construction Inspections

Construction inspections are required for the engineering works included in this consent at the completion of the following inspection stages:

a) Prior to commencement of work;

b) Traffic control to AS 1742-3;

c) Formwork for concrete structures;

d) Road crossing; and

e) Final inspection.

The inspection of works approved by Council can only be carried out by Council. An initial site inspection is required prior to commencement of works. 24 hours notice must be given for all inspections.

70. Supervision – Fuel Pipeline

Where works are proposed in the vicinity of existing fuel pipeline easement, the construction must be carried out to the Caltex requirements. During construction Caltex are to be notified and arrangements are to be made for supervision of works onsite.

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

71. Section 73 Certificate must be submitted to the Principal Certifying Authority before the issuing of an Occupation Certificate

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

Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and developing > Developing your land > water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority before occupation of the development / release of the plan of subdivision.

72. Provision of Electricity Services

Submission of a compliance certificate from the relevant service provider confirming satisfactory arrangements have been made for the provision of electricity services. This includes undergrounding of existing and proposed services where directed by Council or the relevant service provider.

73. 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.

74. Regulated Systems

To ensure that adequate provision is made for ventilation of the building all mechanical and/or natural ventilation systems shall be designed, constructed and installed in accordance with the provisions of:

a) Australian/New Zealand Standard AS/NZS 1668.1:1998 – The use of ventilation and air conditioning in buildings – fire and smoke control in multi-compartment buildings

b) Australian Standard AS 1668.2 – 2002 - The use of ventilation and air conditioning in buildings – ventilation design for indoor air contaminant control

c) Australian/New Zealand Standard AS/NZS 3666.1:2002 – Air handling and water systems of buildings – Microbial control – Design, installation and commissioning

d) Australian/New Zealand Standard AS/NZS 3666.2:2002 – Air handling and water systems of buildings - Microbial Control - Operation and maintenance

e) Australian/New Zealand Standard AS/NZS 3666.2:2002 – Air handling and water systems of buildings - Microbial Control – Performance based maintenance of cooling water systems; and

f) Public Health (Microbial Control) Regulation 2000

The regulated system is to be registered with Council by completing and submitting an *Application for Registration of Regulated Water Cooling/Warm Water Systems*, available on Council's website www.thehills.nsw.gov.au prior to commissioning.

75. Acoustic Compliance Report

The acoustic consultant shall progressively inspect the installation of the required noise suppressant components as recommended in report titled DA Noise Assessment Project Number 20111086.1 prepared by Acoustic Logic dated 8/12/2011.

Certification is to be provided to Council as to the correct installation of components and that the required criteria's have been met.

76. Occupational Hygienist Report for Asbestos Removal

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

77. Internal Pavement Construction

Prior to an Occupation Certificate being issued, a Certified Practicing Engineer (CPEng) must submit a letter to Council confirming that the internal pavement has been constructed in accordance to the approved plans, and is suitable for use by a loaded heavy rigid waste collection vehicle.

78. Final Inspection of Waste Storage Areas

Prior to an Occupation Certificate being issued, a final inspection of the waste storage areas must be arranged by the Principal Certifying Authority and must be undertaken by Council, to ensure compliance with the approved plans and Council's design specifications. The time for the inspection must be arranged with Council at least 48 hours prior to the Principal Certifying Authority's suggested appointment time.

79. Agreement for Onsite Waste Collection

Prior to an Occupation Certificate being issued, an Indemnity Agreement is to be obtained from Council by the applicant, completed, signed and returned to Council to enable the ongoing onsite collection of waste from the use of the development.

80. Consolidation of Allotments

All allotments included in this consent must be consolidated into a single allotment before an Occupation Certificate is issued. A copy of the registered plan must be submitted to Council.

81. Completion of Engineering Works

An Occupation Certificate must not be issued prior to the completion of all engineering works covered by this consent, in accordance with this consent.

82. Pump System Certification

Certification that the stormwater pump system has been constructed in accordance with the approved design and the conditions of this approval must be provided by a suitably qualified hydraulic engineer.

83. OSD and WSUD System Certification

An integrated stormwater drainage system including Onsite Stormwater Detention system, Bio Retention Systems and Rainwater Tank is required to 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 submitted upon completion of the stormwater system and prior to a final inspection:

The integrated stormwater drainage system 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 submitted upon completion of the OSD system and prior to a final inspection:

a) Works as executed plans prepared on a copy of the approved plans;

b) A certificate of hydraulic compliance (Form B.11) from a suitably qualified engineer or surveyor verifying that the constructed OSD system will function hydraulically;

c) A certificate of structural adequacy from a suitably qualified structural engineer verifying that the structures associated with the constructed OSD and WSUD systems are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.

c) An approved operations and maintenance plan; and

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

84. Completion of Water Sensitive Urban Design Elements

An Occupation Certificate must not be issued prior to the completion of the WSUD elements conditioned earlier in this consent. The following documentation must be submitted in order to obtain an Occupation Certificate:

a) WAE drawings and any required engineering certifications;

b) Records of inspections;

c) An approved operations and maintenance plan; and

d) A certificate of structural adequacy from a suitably qualified structural engineer verifying that any structural element of the WSUD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.

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

85. Public Asset Creation Summary

A completed public asset creation summary form must be submitted with the WAE plans. A blank form can be found on Council's website.

86. Post Construction Public Infrastructure Dilapidation Report

Before an Occupation Certificate is issued, an updated public infrastructure inventory report must be prepared and submitted to Council. The updated report must identify any damage to public assets in the direct vicinity of the development site and the means of rectification for the approval of Council.

87. Works as Executed Plans

Works as Executed (WAE) plans prepared by a suitably qualified engineer or registered surveyor must be submitted to Council when the engineering works are complete. The WAE plans must be prepared in accordance with Council's Design Guidelines Subdivisions/ Developments on a copy of the approved engineering plans. An electronic copy of the WAE plans, in ".dwg" or ".pdf" format, must also be submitted.

88. Flood Extent Plan and Certification

Flood protection measures as required under this consent 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) A plan of survey prepared by a registered surveyor that shows the 1:100 year ARI storm flood levels associated with the adjacent drainage system. The plan must reflect the works carried out as shown on the WAE plans for the development and clearly indicate the extent of inundation for the above storm event(s).

b) A certificate from a suitably accredited engineer verifying that the design levels of the building and the driveway crest levels comply with the freeboard requirements;

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

89. Creation and Registration of Restrictions and Positive Covenants

a) Creation of Restrictions and Positive Covenants

The submission to Council of all necessary documentation together with payment of the endorsement fee prescribed in Council's Schedule of Fees and Charges to create the following over the title of the property. The wording must nominate The Hills Shire Council as the authority to release, vary or modify each restriction or positive covenant. Standard wording is available on Council's website and must be used.

i. Restriction – OSD Modification

A restriction restricting development over or the varying of any finished levels and layout of the constructed onsite stormwater detention system.

ii. Positive Covenant – OSD Maintenance

A positive covenant to ensure the ongoing maintenance of the constructed onsite stormwater detention system at the expense of the property owner.

iii. Restriction – WSUD Modification

A restriction restricting development over or the varying of any finished levels and layout of the constructed water sensitive urban design elements.

iv. Positive Covenant – WSUD Maintenance

A positive covenant to ensure the ongoing maintenance of the constructed water sensitive urban design elements at the expense of the property owner.

v. Restricting Development – Riparian corridor Modification

A restriction as to user restricting development over or the varying of any finished levels of the riparian corridor or the vegetation completed within the corridor;

vi. Positive Covenant – Waterway and Riparian corridor Maintenance

A positive covenant must be created to ensure the ongoing maintenance of the the landscape associated with the riparian corridor.

vii. Positive Covenant – Stormwater Pump Maintenance

A positive covenant to ensure the ongoing maintenance of the constructed stormwater pump-out system at the expense of the property owner.

viii. Restriction – Driveway Levels

Restricting alterations of the finished level of the driveway crest ie. RL 21.60m AHD. This is to ensure protection of the basement carpark from flood inundation.

ix. Positive Covenant – Flood Emergency Response Plan

A positive covenant to ensure the implementation of the Flood Emergency Response Plan required under this consent.

x. Positive Covenant – Flood Warning measures

Creation of a positive covenant over the title of the property to ensure the maintenance of flood warning measures identified in Flood Emergency response plan required under this consent.

xi. Restriction – Bedroom Numbers

A restriction must be created on the title of each dwelling limiting the number of bedrooms to that shown on the plans and details approved with this consent. The restriction must also state that no internal alterations are permitted that result in the creation of additional bedrooms.

b) Registration of Request Documents

The request documents endorsed by Council must be registered and a copy of the registered documents submitted to Council before an Occupation Certificate is issued.

THE USE OF THE SITE

90. Final Acoustic Report

Within three months from the issue of an Occupation Certificate, an acoustical compliance assessment is to be carried out by an appropriately qualified person, in accordance with the EPA's (DECCW) - *Industrial Noise Policy* and submitted to Council for consideration.

This report should include but not be limited to, details verifying that the noise control measures as recommended in the acoustic report submitted with the application are effective in attenuating noise to an acceptable noise level and that activity does not give rise to "offensive noise" as defined under the *Protection of the Environment Operation Act 1997*.

91. Offensive Noise

The use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to "offensive noise" as defined under the provisions of the *Protection of the Environment Operation Act 1997*.

92. Maintenance of Car Park Stormwater Treatment Device

All wastewater and stormwater treatment devices (including drainage systems, sumps and traps), shall be regularly maintained in order to remain effective.

All solid and liquid waste is to be collected and removed by a licenced contractor.

93. Ongoing Management of Council Waste Service

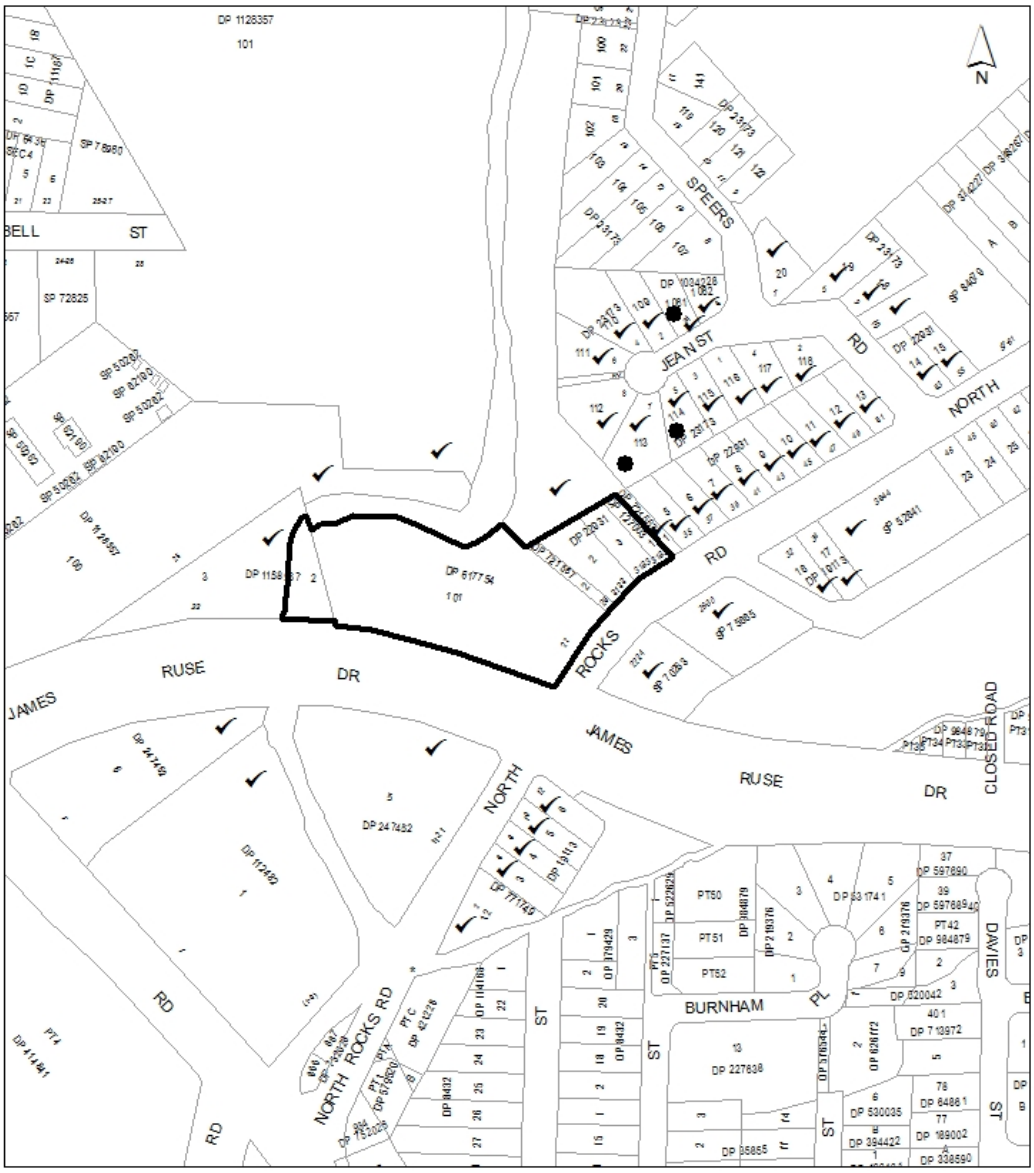
An active caretaker is to be employed to ensure the effective ongoing management of waste and recycling from the development. The caretaker must ensure to:

(a) Liaise with Council and its collection contractor as to collection arrangements;
(b) Move the allocated bins to and from their storage areas to the collection point;
(c) Keep the storage areas clean, tidy and free from offensive odours at all times;
(d) Inform all residents of the waste and recycling arrangements.

ATTACHMENTS

1. Locality Plan
2. Aerial Photograph
3. Site Plan
4. Basement Level 2 Plan
5. Basement Level 1 Plan
6. Elevations
7. Sections
8. Landscaping Plan
9. Table Addressing Page No. 69 of RFDC
10. NSW Office of Water General Terms of Approval
11. Pre-Lodgement Meeting Notes
12. Roads and Maritime Services Diagram of North Rocks Road Intersection

ATTACHMENT 1 – LOCALITY PLAN



SUBJECT SITE

SUBMISSIONS RECEIVED

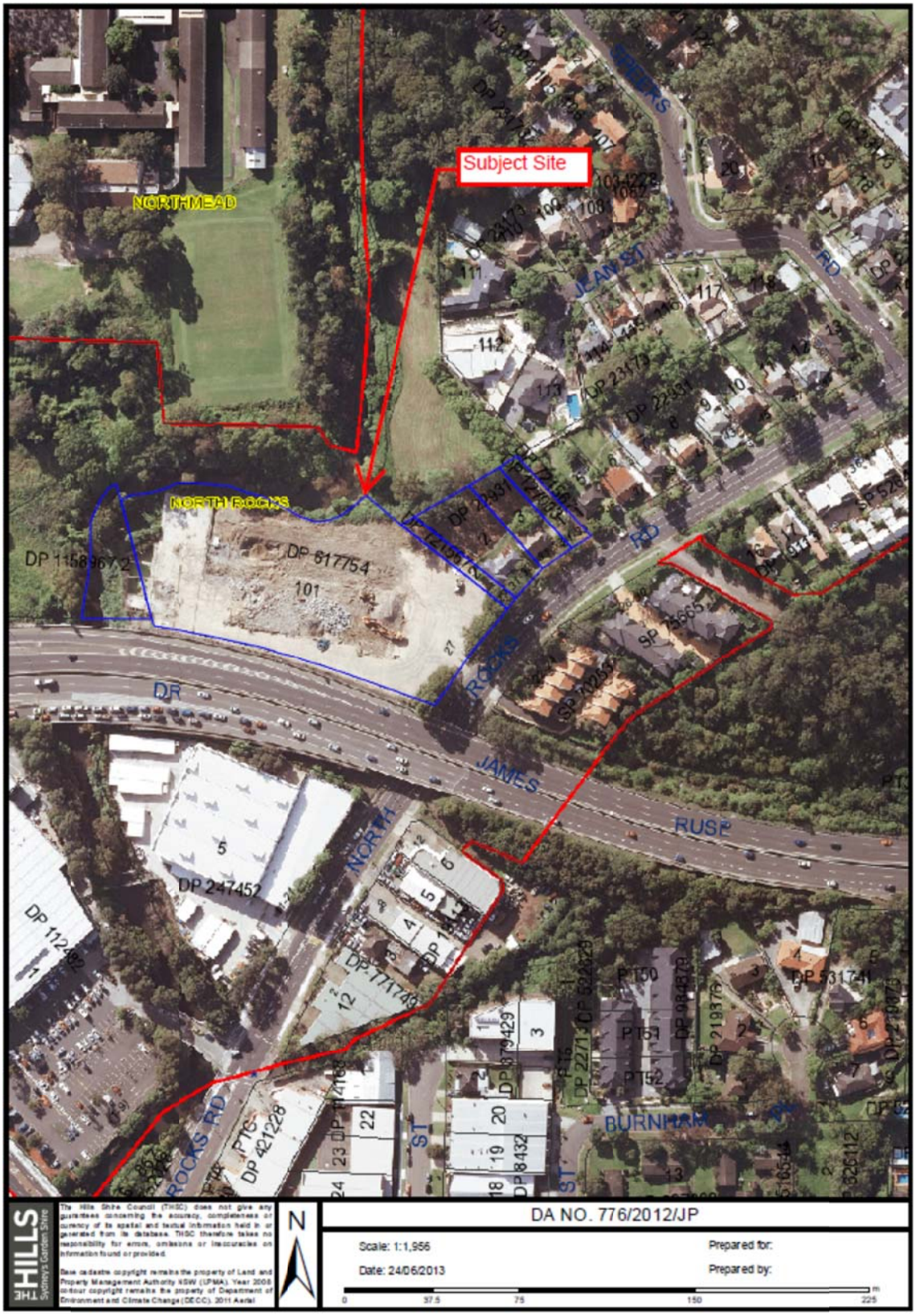
PROPERTIES NOTIFIED

NOTE: CALTEX AUSTRALIA ALSO NOTIFIED

THE HILLS Sydney's Garden Shire

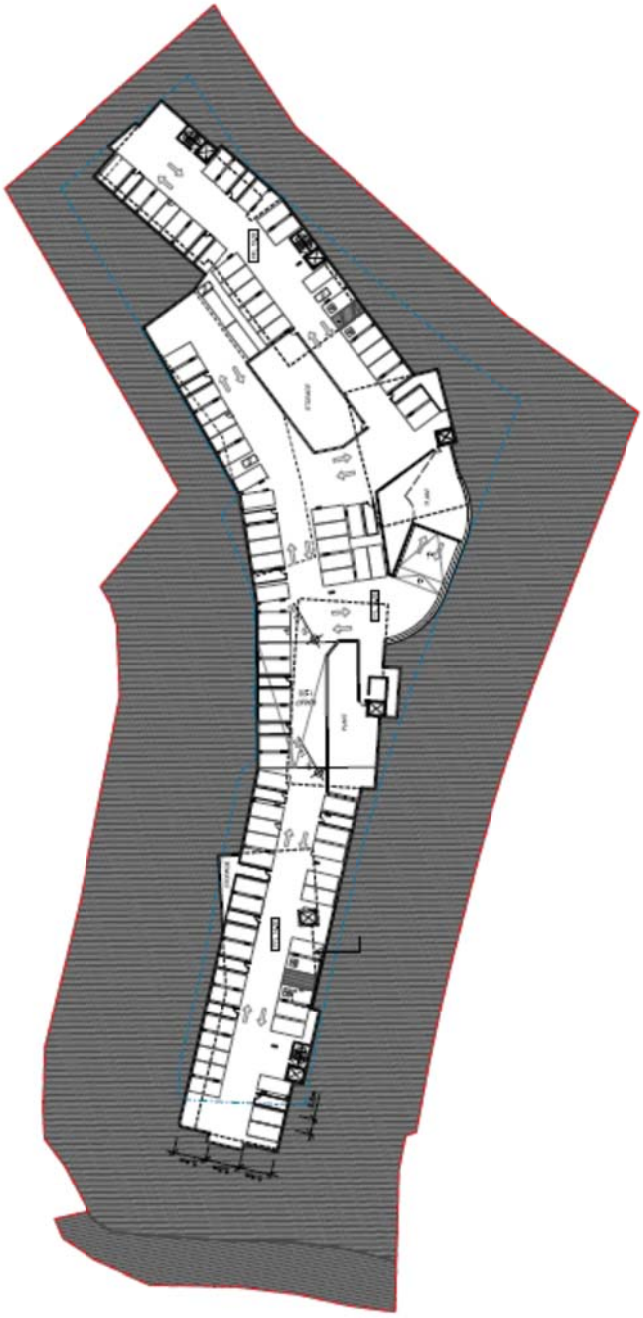
THE HILLS SHIRE COUNCIL

ATTACHMENT 2 – AERIAL PHOTOGRAPH

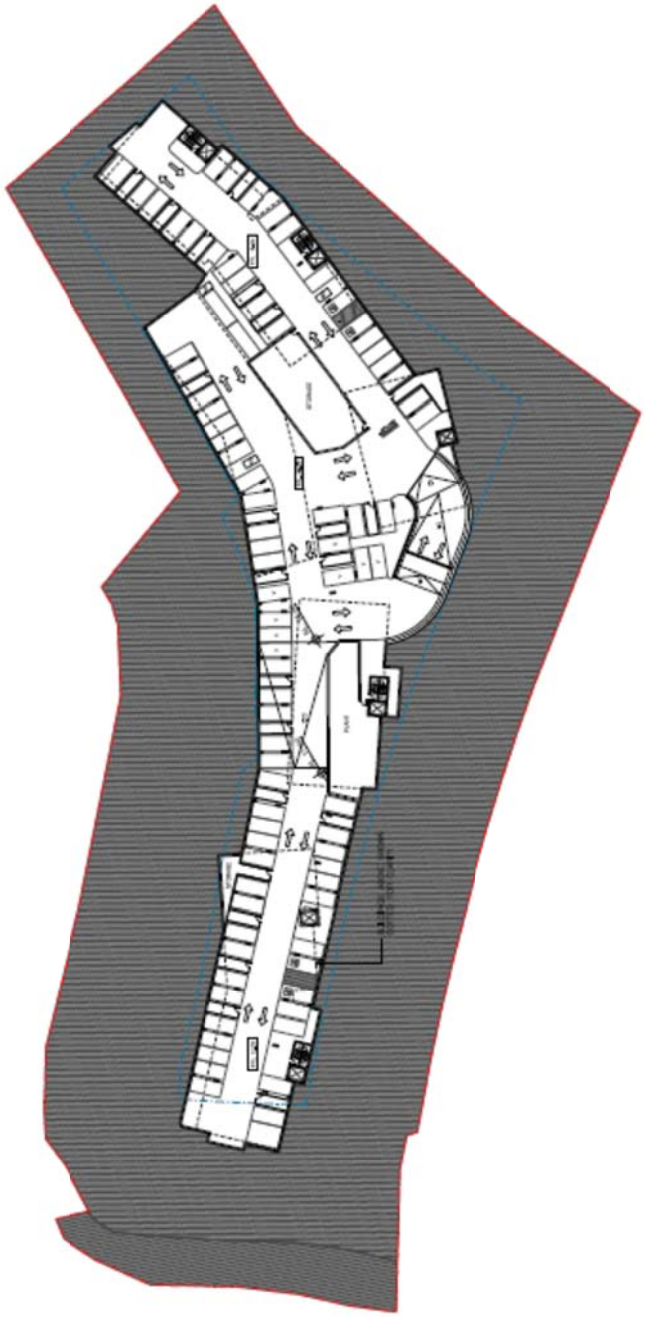


ATTACHMENT 3 – SITE PLAN

ATTACHMENT 4 – BASEMENT LEVEL 2 PLAN

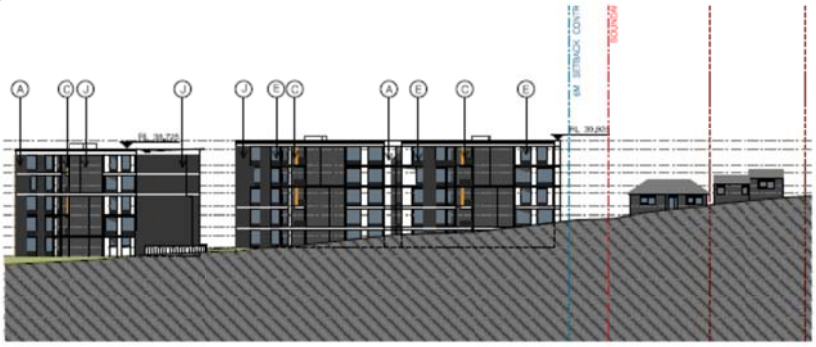


ATTACHMENT 5 – BASEMENT LEVEL 1 PLAN



ATTACHMENT 6 – ELEVATIONS

02 ELEVATION SOUTH
1:500

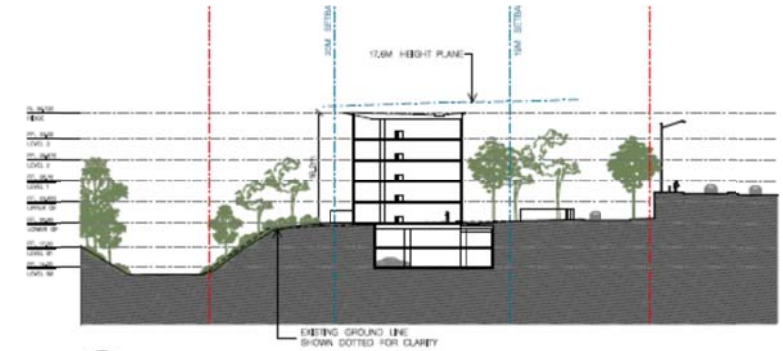


03 ELEVATION SOUTH-EAST
1:500

02 ELEVATION NORTH-WEST
1:500

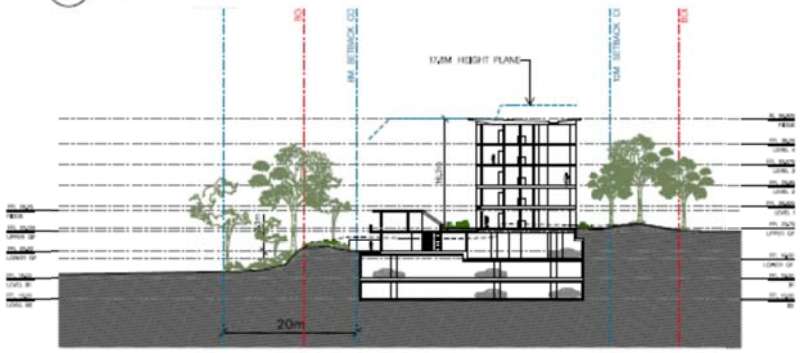
03 ELEVATION NORTH
1:500

ATTACHMENT 7 – SECTIONS

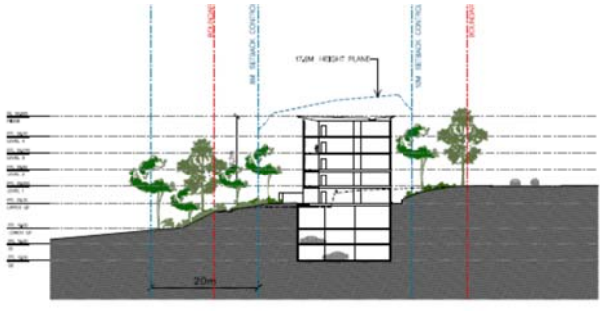


01 SECTION A

02 SECTION B



03 SECTION C



04 SECTION D

ATTACHMENT 8 – LANDSCAPING PLAN

27-33 North Rocks Road Unit Mix and Size Summary Table

Levels	Unit Type	Beds (No.)	Unit Size (Internal (m2)) (ex POS)	POS (m2)	RFDC (rules of thumb)	One bed single aspect (internal area (m2))	Two bed corner (internal area (m2))	Two bed cross through (internal area (m2))	No Example in Part 3, page 69 of RFDC	Compliance with RFDC (Y/N)	The Hills DCP 2012, Part B, Sect.5, 3.11 - Unit Layout and Design (Size m2)
Lower Ground											
Block G											
1	6	2	97	14	70				✔	Y	110
2	6	2	85	14	70				✔	Y	110
3	6	2	97	14	70				✔	Y	110
4	6	2	97	14	70				✔	Y	110
5	5	1	64	10	50	63.4				Y	75
6	6	2	85	14	70				✔	Y	110
Upper Ground											
Block A											
1	2	2	105	10	70		80			Y	110
2	1	1	65	10	50	63.4				Y	75
3	2	2	105	10	70		80			Y	110
Block B											
1	3	2	107	10	70			89		Y	110
2	1	1	65	10	50	63.4				Y	75
3	2	2	105	10	70		80			Y	110
Block C											
1	2	2	105	10	70		80			Y	110
2	1	1	65	10	50	63.4				Y	75
3	1	1	65	10	50	63.4				Y	75
4	2	2	105	10	70		80			Y	110
Block D											
1	2	2	105	10	70		80			Y	110
2	1	1	65	10	50	63.4				Y	75
3	2	2	105	10	70		80			Y	110
Block E											
1	2	2	100	10	70					Y	110
2	1	1	65	10	50	63.4				Y	75
3	4	2	104	10	70					Y	110
Block F											
1	2	2	100	10	70		80			Y	110
2	1	1	65	10	50	63.4				Y	75
3	2	2	105	10	70		80			Y	110
Levels 1 - 4											
Block A											
1	2	2	100	10	70		80			Y	110
2	1	1	65	10	50	63.4				Y	75
3	2	2	105	10	70		80			Y	110
Block B											
1	3	2	107	10	70			89		Y	110
2	1	1	65	10	50	63.4				Y	75
3	2	2	105	10	70		80			Y	110
Block C											
1	2	2	105	10	70		80			Y	110
2	1	1	65	10	50	63.4				Y	75
3	1	1	65	10	50	63.4				Y	75
4	2	2	105	10	70		80			Y	110
Block D											
1	2	2	100	10	70		80			Y	110
2	1	1	65	10	50	63.4				Y	75
3	2	2	105	10	70		80			Y	110
Block E											
1	2	2	100	10	70			89		Y	110
2	1	1	65	10	50	63.4				Y	75
3	4	2	104	10	70			89		Y	110
Block F											
1	2	2	100	10	70		80			Y	110
2	1	1	65	10	50	63.4				Y	75
3	2	2	105	10	70		80			Y	110

ATTACHMENT 10 – NSW OFFICE WATER GENERAL TERMS OF APPROVAL

General Terms of Approval

for work requiring a controlled activity approval under s91 of the Water Management Act 2000

Our Reference:	10 ERM2012/0100	**File No:** 9011016
Site Address:	27 North Rocks Road North Rocks Lot 2 DP1158967 Lot 101 DP617754	
DA Number:	DA2012/776/JP	
LGA:	The Hills Shire Council	

Number	Condition
Plans, standards and guidelines	
1	These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA2012/776/JP and provided by Council: (i) Site plan, map and/or surveys Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to these GTA will be required.
2	Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.
3	The consent holder must prepare or commission the preparation of: (i) Vegetation Management Plan (ii) Works Schedule (iii) Erosion and Sediment Control Plan (iv) Soil and Water Management Plan **Amendments to Plans –** (v) **a 20 metre average riparian corridor must be fully vegetated in accordance with guidelines for Riparian Corridors and Vegetation Management Plans** http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx (vi) **Any offset applied due to encroachment must belong to the same property**
4	All plans must be prepared by a suitably qualified person and submitted to the NSW Office of Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with the NSW Office of Water's guidelines located at www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx (i) Vegetation Management Plans (ii) Riparian Corridors (iii) Outlet structures
5	The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of

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LGA:	The Hills Shire Council	

Number	Condition
	Water.
Rehabilitation and maintenance	
6	The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the NSW Office of Water.
7	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.
Reporting requirements	
8	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the NSW Office of Water as required.
Security deposits	
9	The consent holder must provide a security deposit (bank guarantee or cash bond) - equal to the sum of the cost of complying with the obligations under any approval - to the NSW Office of Water as and when required.
Access-ways	
10	The consent holder must design and construct all ramps, stairs access ways, cycle paths, pedestrian paths or other non-vehicular form of access way so that they do not result in erosion, obstruction of flow, destabilisation, or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by the NSW Office of Water.
11	The consent holder must not locate ramps, stairs, access ways, cycle paths, pedestrian paths or any other non-vehicular form of access way in a riparian corridor other than in accordance with a plan approved by the NSW Office of Water.
Bridge, causeway, culverts, and crossing	
12-13	N/A
Disposal	
14	The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
Drainage and Stormwater	
15	The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the NSW Office of Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the NSW Office of Water.
16	The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the NSW Office of Water.

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DA Number:	DA2012/776/JP	
LGA:	The Hills Shire Council	

Number	Condition
Erosion control	
17	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the NSW Office of Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.
Excavation	
18	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.
19	N/A
Maintaining river	
20-21	N/A
River bed and bank protection	
22	The consent holder must clearly mark (with stakes using a GPS or peg out survey), protect and maintain a riparian corridor with a width of 20 metres average measured horizontally landward from the highest bank of the river for the length of the site directly affected by the controlled activity in accordance with a plan approved by the NSW Office of Water.
23	The consent holder must establish a riparian corridor along Darling Mills Creek in accordance with a plan approved by the NSW Office of Water.
END OF CONDITIONS	

THE HILLS
Sydney's Garden Shire

DEVELOPMENT ASSESSMENT
PRE-LODGEMENT MEETING NOTES
2 December 2011

APPLICANT: Michael Gheorghiu

TELEPHONE: 0419 265 659

PROPERTY: Nos. 27-33 North Rocks Road North Rocks

ZONING: Residential 2(a1)

SITE AREA: 13,139.8m^2

SUBJECT: Apartment Development

OFFICERS IN ATTENDANCE:

Claro Patag – Development Assessment Co-ordinator
Vidya Sivakumar – Senior Subdivision Engineer
Greg Samardzic – Senior Town Planner
Jaye Hawkins – Waste Management Officer
Jayne MacFarlane – Environmental Health Officer

Proposal:

- Seven (7) apartment buildings comprising 117 units with basement car parking.
- Maximum 5 storeys.
- A height variation (maximum of 10%) to the 16m height limit is proposed.
- The proposal will include lodgement of a planning proposal to have a new DCP introduced to alter heights for a further Development Application in the future.
- It is noted that the current approval on the subject development site is a 5 storey development (Note: this occurred prior to the adoption of the current apartment DCP which contains a development standard permitting a maximum of 4 storeys).
- Purpose of the meeting is to seek direction as to whether a 5 storey development would be considered by Council officers.
- It was advised that a 4 storey development could be achieved however it would involve more building work and a decrease in landscaping.

Waste Management Comments:

- A bin storage area in accordance with Council's specifications is required.

- Issues of how the bins will be brought to the front needs to be addressed.
- A tractor trailer is required for large bins.
- The contractor needs to exit in a forward direction. Provide templates for vehicles.
- A Waste Management Plan (WMP) is required to be submitted with the Development Application.
- Ventilation is required to be addressed in relation to odour.

Health Comments:

- A detailed contamination assessment is required. The previous report prepared for the previous development consent will assist.
- An acoustic report is to be submitted which considers treatment of building from traffic noise.
- The acoustic report is to consider noise onto adjoining properties in noise from mechanical equipment and during the construction phase.
- A water management plan to be prepared by an ecologist is required to be submitted. The plan is to be based on a storm event from Darling Mills Creek.
- A soil and sediment erosion sedimentation plan is required.

Engineering Comments:

- A referral to the Roads and Maritime Services (former RTA) is required.
- As a result, it is advisable that Parramatta Council be consulted.
- At the basement entry, a possible roundabout may be required.
- A traffic report is to be submitted.
- The report is to consider new provisions for disabled parking.
- All car spaces are required to be designed to comply with AS 2890.1 and 2890.6.
- Parking space dimensions, gradients and a driveway long section are to be on the submitted plans.
- 19m wide turning circles are required for garbage trucks.
- Onsite stormwater detention is required to be provided that is designed to the Upper Parramatta River Catchment Handbook with amended parameters applying to the Hawkesbury River Catchment area.
- A Stormwater concept plan is to be submitted with the Development Application including on site detention provision, hydraulic calculations and to plot the 1:100 year flood event.
- Rainwater re-use is strongly encouraged.

Planning Comments:

- The 5 storey development concept is a variation to the current control in the

Apartment DCP. If this is to be pursued, any Development Application is to be accompanied by a written strong justification as to why Council should support such.

- Any 5 storey proposal shall fully comply with the 16m height standard and variation to this control will not be supported.
- Compliance with BHDCP Part E, Section 5 – 27 to 29 North Rocks Road is to be demonstrated.
- Compliance with SEPP 65 in particular the building separation controls is to be demonstrated.
- A compliance table is to be incorporated into the Statement of Environment Effects (SEE) to demonstrate compliance with BHDCP Part C Section 7 – Apartment Buildings.
- An agreement with the owner of the former Go-Cart site is required as access to the development site will be on a shared arrangement.
- A bushfire report is required to be submitted.
- The proposal is Integrated Development requiring referrals to Office of Water and Fisheries.
- A vegetation management plan is to be prepared and submitted as part of the Flora and Fauna investigation.
- The proposal will be reported to the Joint Regional Planning Panel (JRPP).
- Referral to the Road and Maritime Services (former RTA) will be required pursuant to SEPP (Infrastructure) 2007.

PLEASE NOTE THAT THE APPLICATION WILL NOT BE ACCEPTED UNLESS ALL THE REQUIRED INFORMATION IS SUBMITTED.

FURTHER MEETING REQUIRED:

NO subject to the above issues being satisfactorily addressed

Finally, it should be acknowledged that the above advice is preliminary only and is based on the information provided to date and limited research into the sites history and constraints. Any application submitted would be subject to a more thorough assessment that could potentially add to or amend the above advice. This advice does not bind Council to a decision should an application be received.

Development Applications presented to the Duty Planner at Customer Service for lodgement will not be accepted after 4PM

Applicants lodging large Development Applications should provide a PDF copy of all documents on disc.

ATTACHMENT 12 – ROADS AND MARITIME SERVICES DIAGRAM OF NORTH ROCKS ROAD INTERSECTION