

## JRPP PLANNING REPORT

<b>JRPP No:</b>	2013SYW036
<b>DA Number:</b>	DA 910/2013/JP
<b>Local Government Area:</b>	THE HILLS SHIRE COUNCIL
<b>Proposed Development:</b>	NORWEST TOWN CENTRE - EASTERN RESIDENTIAL PRECINCT - STAGE 1 - MASTER PLAN
<b>Street Address:</b>	LOT 2102 DP 1176614, LOT 2103 DP 1176614 SOLENT CIRCUIT, BAULKHAM HILLS
<b>Applicant/Owner:</b>	MULPHA FKP PTY LTD
<b>Number of Submissions:</b>	NIL
<b>Recommendation:</b>	APPROVAL SUBJECT TO CONDITIONS
<b>Report by:</b>	SENIOR TOWN PLANNER SANDA WATTS

### BACKGROUND

### MANDATORY REQUIREMENTS

Owner:	Norwest Land – Mulpha FKP Pty Ltd	1.	<u>LEP 2012</u> – Variations, refer to report.
Zoning:	SP2 Infrastructure and R4 High Density Residential	2.	<u>The Hills DCP 2012</u> – Variations, refer to report.
Area:	56,058m <sup>2</sup>	3.	<u>Section 79C (EP&amp;A Act)</u> – Complies
Existing Development:	Vacant land	4.	<u>Section 94 Contribution</u> – N/A

### SUBMISSIONS

### REASONS FOR REFERRAL TO JRPP

1. Exhibition:	Yes, 30 days.	1.	Cost of works that would arise from the master plan would exceed \$20 million
2. Notice Adj Owners:	Yes, 30 days.		
3. Number Advised:	19		
4. Submissions Received:	Nil		

### HISTORY

**28/03/2006**

Development Application 790/2006/HC approved by Council for the Norwest Town Centre Residential Precinct – Stage 1 Development (DA 790/2006/HC). The Master Plan approval guided future development of the 3 residential precincts being West, Central and East Precincts, providing a total of 518 dwellings with an overall population density of 127 persons per hectare. A site specific Development Control Plan for the Norwest Town Centre Residential Development had been prepared and DA 790/2006/HC had been prepared in accordance with the site specific Draft DCP.

<b>05/04/2007</b>	Development Application 2378/2006/HC approved by Council's Development Assessment Unit for the Norwest Town Centre Residential Precinct comprising 35 dwellings, including 12 townhouses, 11 integrated houses and 12 apartments.
<b>13/08/2007</b>	Section 96(1A) Modification to 2378/2006/HC/A approved under Delegated Authority.
<b>20/12/2007</b>	Development Application 33/2008/HA approved for Stage 1 works within the Norwest Town Centre - Central Residential Precinct. These works included the provision of an internal private road network, parking spaces and earthworks.
<b>26/08/2008</b>	Development Application 241/2008/HC approved for construction of the Norwest Town Centre – Central Residential Precinct.
<b>23/09/2010</b>	Development Application 993/2010/JP approved by the Joint Regional Planning Panel for the construction of an amended Central Residential Precinct Development within the Norwest Residential Town Centre comprising 32 integrated housing lots, and 54 attached town house dwellings.
<b>27/11/2012</b>	Planning Proposal 7/2012/PLP to amend the maximum permissible height limit within the Eastern Precinct and amend the site specific Development Control Plan was refused by Council.
<b>05/03/2013</b>	Subject Development Application lodged.
<b>31/05/2013</b>	Letter sent to the applicant requesting additional information including compliance with car parking requirements, details on the interface to Solent Circuit, consideration of the non-compliance with minimum lot size, details of waste collection and details of roosting habitat for microbats and small mammals.
<b>19/06/2013</b>	Outstanding information provided by the applicant.

## **PLANNING PROPOSAL HISTORY**

A planning proposal (7/2012/PLP) was submitted to Council in May 2012 seeking to amend the maximum permissible building height within the Eastern Precinct and a request to amend the site Specific Development Control Plan. The amendments included:

- Decrease density from 150-175 persons per hectare to 100-175 persons per hectare;
- Increase maximum site coverage from 50% to 55% to accommodate detached dwellings and attached dwellings;
- Reduce the minimum apartment sizes (in accordance with the provisions of the Residential Flat Design Code);
- Removal of the 'through site link' connecting to the Balmoral Road Release Area;
- Reduction in required building setbacks associated with residential flat buildings;
- Introduction of setback controls for multi dwelling housing to the East Precinct;
- Increase the permitted basement protrusion from 1m to 2m given the topography of the site;
- Reduction in the overall required level of landscaping from 50% to 45%;
- Reduction in parking numbers to align with recent approvals elsewhere within the LGA and to reflect the proximity to the Norwest Town Centre and Railway Station;

- Amendment to the Building Type Layout Plan;
- Amendment to the Building Height Plan;
- Amendment to the Precinct Common Open Space Plan;
- Amendment to the Street Hierarchy maps.

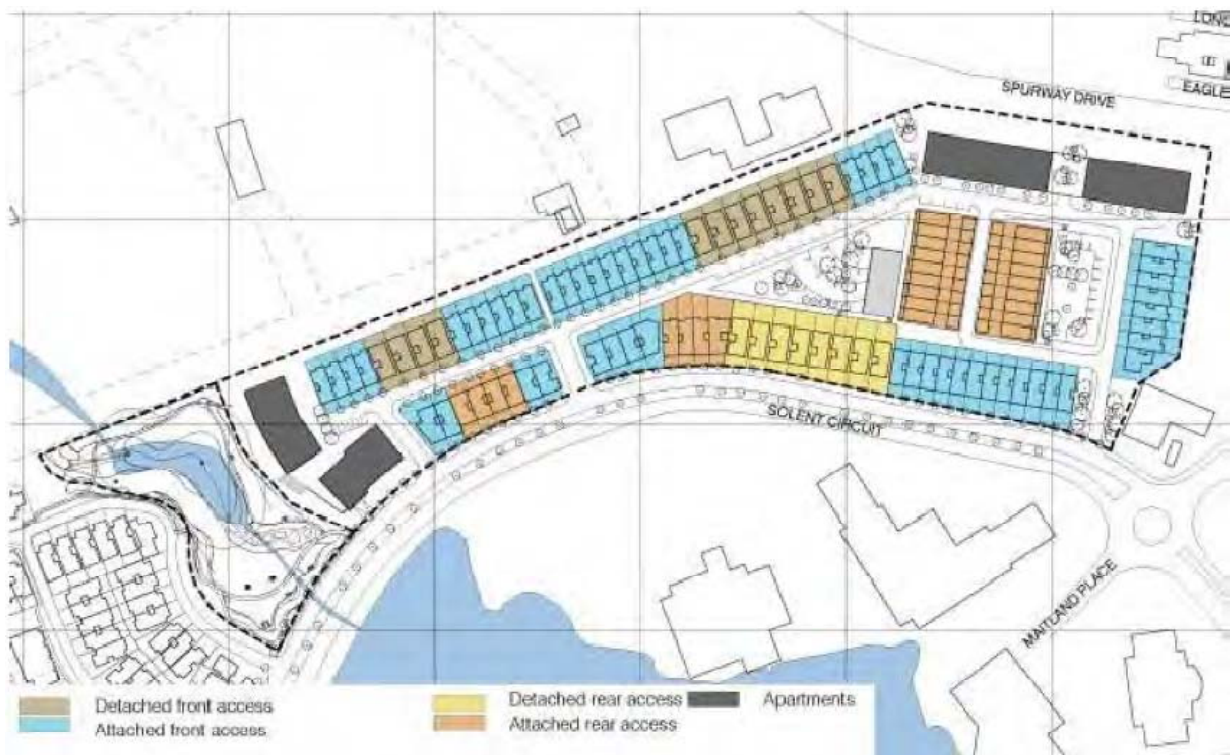
The planning proposal essentially sought to decrease the residential flat building development and increase the attached dwelling development on the site.

As detailed in the Council report dated 27 November 2012 (Item 7), Council resolved not to support the requested amendments for the following key reasons:

- Building Height: Lack of consistency with existing residential component of town centre and impacts on view corridor;
- Reduction in Density: Inconsistency with Metropolitan Strategy and Draft North West Subregional Strategy given reduction in the planned number of new dwellings within proximity to services and the proposed railway station. Inconsistency with the commitment to make up the density across the three (3) precincts and inconsistency with the minimum 127 persons per hectare embodied within the original master plan, noting the planning proposal would have resulted in 102 persons per hectare;
- Flora and Fauna Impacts: Lack of detail of impact on Critically Endangered Cumberland Plain Woodland;
- Traffic and Removal of Road Link: Impact on Balmoral Release Area in terms of connectivity as well as inconsistency with original master plan;
- Parking Numbers: Not supported at this time in the absence of a uniform strategy to be contained in future planning for the North West Rail Link;
- Minimum Dwelling Size: Proposed reduction in size are insufficient to achieve satisfactory amenity for residents;



**Figure 13. East Precinct Building Height Plan**  
*Planning Proposal (7/2012/PLP): Building layout and height Plan*



**Figure 12. East Precinct Building Type Layout Plan**

*Planning Proposal (7/2012/PLP): Building Type Layout Plan*



Approved Master plan layout with building heights (DA 790/2006/HC)

## PROPOSAL

The Development Application seeks to change the 2006 Master Plan approval for the Eastern Precinct portion of the Norwest Town Centre. The proposal involves the development of 6 residential flat buildings ranging in height from 5 to 7 storeys, comprising 240 units and 88 attached dwellings as well as internal roads and a community facility. The 2006 master plan approval contained only residential flat buildings with no

attached dwelling proposed. The subject proposal also involves the revegetation area of the land zoned SP2 Infrastructure Drainage on the western portion of the site. The application proposes a community title scheme. The internal roads will be private roads being part of the community title scheme, apart from the link road to the Balmoral Road Release Area which will be a public road, dedicated to Council. The residential flat buildings are to strata subdivided within the community title scheme.

The proposed residential flat buildings consist of the following:

- Building A1 - 6 storeys – 35 units
- Building A2 – 7 storeys – 39 units
- Building B1 – 5 storeys - 30 units
- Building B2 – 7 storeys – 70 units
- Building B3 – 6 storeys – 36 units
- Building B4 – 5 storeys – 30 units

The master plan has not provided an apartment mix break-down.

## **SITE AND SURROUNDS**

The subject site is Lots 2102 and 2103 DP 1176614 and is known as the Eastern Precinct, Norwest. The site has a total area of 56,058m<sup>2</sup> and is currently vacant with scattered trees throughout the site. Access to the site is from Solent Circuit which borders the southern boundary. A natural water course runs from the north-west to the south-east at the eastern end of the site. The topography of the site is varied, and a steep incline is visible from the southern boundary to the north, particularly and the south-eastern end of the site adjacent to Solent Circuit.

To the south-west of the site is new residential development (Central Precinct, Norwest), to the north-west is the Balmoral Road Release Area and a Place of Worship, to the north is Castle Hill Golf and Country Club and to the east and south is the Norwest Business Park. To the south-east of the site is a child care centre. The future Norwest Railway Station is located approximately 500 metres south of the subject site.

## **ISSUES FOR CONSIDERATION**

### **1. SEPP State and Regional Development 2011**

Clause 20 of SEPP (State and Regional Development) 2011 and the Schedule 4A of the Environmental Planning and Assessment Act, 1979 provides the following referral requirements to a Joint Regional Planning Panel:-

*Development that has a capital investment value of more than \$20 million.*

The proposed development has a capital investment value of \$110,179,000 thereby requiring referral to, and determination by, a Joint Regional Planning Panel. In accordance with this requirement the application was referred to, and listed with, the JRPP for determination.

### **2. Compliance with Local Environmental Plan 2012**

#### LEP Mapping Restrictions

The proposal has been assessed against the LEP 2012 Map Sheets as follows:-

LEP 2012 MAPPING - DEVELOPMENT STANDARDS			
STANDARD	REQUIRED	PROPOSED	COMPLIANCE
Floor Space Ratio	Not specified	N/A	N/A
Allotment Size	1,800m <sup>2</sup>	56,058m <sup>2</sup>	Yes
Building Height	16 metres	Greater than 16 metres as 5-7 storey residential flat building are proposed.	No – Refer below.
LEP 2012 MAPPING – SITE RESTRICTIONS			
RESTRICTION		ASSESSMENT DETAIL	
Is the site a heritage listed item or within a heritage conservation area?	No	If yes, address Clause 5.10 of LEP 2012 and confirm what level of significance it is? (e.g. local, regional or state).	N/A
Is the site affected by land reservation or acquisition? (e.g. road widening, open space, trunk drainage etc)	No	If yes, what is the affectation and address Clauses 5.1 and 5.1(a) of LEP 2012.	N/A
Is the site affected by Sheet CL1_001 (e.g. acid sulphate soils and natural biodiversity mapping)	No	If yes, what is the affectation and address Clauses 7.1 and 7.3 of LEP 2012.	N/A
Is the site affected by Sheet CL2_002 (e.g. foreshore building line, land slide risk, natural resources, urban releases and key sites)	No	If yes, what is the affectation and address Part 6 and Clauses 7.2, 7.5 & 7.6 of LEP 2012.	N/A

#### **a. Variation to Attached Dwelling Lot Size**

Clause 4.1B of LEP 2012 provides the following in relation to minimum lot size:

- (1) *The objectives of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
- (2) *This clause applies to development on land in the following zones:*
  - (a) *Zone R3 Medium Density Residential*



- (b) *Zone R4 High Density Residential*
- (3) *Development may be granted to a single development application for development to which this clause applies that is both of the following:*
- (a) *the subdivision of land into 3 or more lots.*
  - (b) *the erection of an attached dwelling or a dwelling house on each lot resulting from the subdivision, if the size of each lot is equal or greater than:*
    - (i) *for the erection of a dwelling house – 240 square metres or*
    - (ii) *for the erection of an attached dwelling – 240 metres.***

The minimum lot size required under the LEP for the R4 High Density Residential zone is 240 square metres. The minimum lot size for the proposed attached dwellings is 185 square metres, with a higher average proposed. It is noted that the precise terms of the variation to the minimum lot size will not be fully articulated until Stage 2 Development Applications for the subject site are submitted.

Clause 4.6(4) & (8) of LEP 2012 provides the following:

#### **4.6 Exceptions to development standards**

- (4) *Development consent must not be granted for development that contravenes a development standard unless:*
- (a) *the consent authority is satisfied that:*
    - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
    - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
  - (b) *the concurrence of the Director-General has been obtained.*
- (8) *This clause does not allow development consent to be granted for development that would contravene any of the following:*
- (a) *a development standard for complying development,*
  - (b) *a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
  - (c) *clause 5.4,*
  - (ca) *clause 6.1 or 6.2.*

Under the provisions of Clause 4.6 minimum lot size may be varied subject to a written request from the applicant justifying the variation.

The applicant has submitted a written request that seeks to justify the contravention of the development standard as follows:

*The objective of Clause 4.1B of the LEP is stated as:*

*To encourage housing diversity without adversely impacting on residential amenity.*

*The development proposal is consistent with the above objectives based on the following:*

- (a) *The proposal for attached dwelling lots less than 240m<sup>2</sup> is unique to the site and does not impact upon, nor relate to, the residential amenity of adjoining sites. As a Masterplanned site, proposing 88 townhouses, to be set in landscaped grounds and not impact on residential properties or amenity outside of the site.*
- (b) *The residential amenity of the 88 townhouses is not compromised by a reduced allotment size as the application comprises a Masterplan that takes into consideration the setting of the townhouses and ensuring that all residential*

*amenities, services and facilities are provided to the townhouses (such as neighbourhood parks and private open space areas), while ensuring that there is adequate size of dwelling and configuration of built form on the site.*

**Comment:**

Subclause (4) above is addressed as follows:

(a)(i) The applicant's written request to justify the contravention of the development standard is considered to be satisfactory, when considering the location of the site within the Norwest Residential Precinct.

(a)(ii) The proposal is considered to be in the public interest as it is consistent with the objective of the standard as follows:

*To encourage housing diversity without adversely impacting on residential amenity.*

The lot sizes will not result in any adverse impacts on the locality.

It is considered that the proposed lot sizes will not adversely impact on the amenity of the occupants of the attached dwellings, as well as neighbouring attached dwellings. The site has been master planned to ensure a high level of amenity is provided for residents in terms of the built form, private and public open space and community facilities. Furthermore, the undersized lots will not result in an undesirable precedence for the locality.

(b) The concurrence of the Director-General is no longer required, given the repeal of SEPP No. 1. Concurrence is now assumed in cases such as this.

The proposed variation to the attached dwelling subdivision standard is considered satisfactory and the applicant's objection to the standard is supported.

**b. Variation to Height**

Clause 4.3 of LEP 2012 provides the following in relation to height of buildings:

*(1) The objectives of this clause are as follows:*

*(a) to ensure the height of buildings is compatible with that of adjoining development and the overall streetscape.*

*(b) to minimise the impact of overshadowing, visual impact, and loss of privacy on adjoining properties and open space areas.*

*(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

The maximum height permitted for the land on the Height of Buildings Map is 16 metres. It is noted that the precise terms of the variation to the height standard will not be fully articulated until Stage 2 Development Applications for the subject site are submitted.

Nevertheless, variations to the maximum height being 16 metres are sought as the residential flat buildings ranging in height from 5 storeys to 7 storeys are proposed. It is envisaged that these buildings would range in height from approximately 15 metres to 21 metres working on the basis that each storey is 3 metres in height.

Clause 4.6(4) & (8) of LEP 2012 provides the following:

**4.6 Exceptions to development standards**

*(4) Development consent must not be granted for development that contravenes a development standard unless:*



- (a) *the consent authority is satisfied that:*
  - (i) *the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
  - (ii) *the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
- (b) *the concurrence of the Director-General has been obtained.*

*(8) This clause does not allow development consent to be granted for development that would contravene any of the following:*

- (a) *a development standard for complying development,*
- (b) *a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,*
- (c) *clause 5.4,*
- (ca) *clause 6.1 or 6.2.*

Under the provisions of Clause 4.6 building height may be varied subject to a written request from the applicant justifying the variation.

The applicant has submitted a written request that seeks to justify the contravention of the development standard as follows:

*In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved.*

#### Height

*The objectives of the height of buildings development standard are stated as:*

- (a) *To ensure the height of buildings are compatible with that of adjoining development and the overall streetscape.*
- (b) *To minimise the impact of overshadowing visual impact, and loss of privacy on adjoining properties and open space areas.*

*The development proposal is consistent with the above objectives based on the following:*

- (a) *The proposal is in close proximity to the Norwest commercial core which is characterised by large campus style commercial buildings of comparable heights to that proposed. The site is zoned R4 high density and taller buildings are an acceptable form of development on the site and are compatible with that of adjoining development and the overall streetscape.*
- (b) *The standing Stage 1 DA approval for the site permits up to 6 storey development, which exceeds that permitted under the LEP.*
- (c) *The site is large and impacts arising from overshadowing, visual impact and loss of privacy are manageable within the site, or have no significant impact on adjoining properties or open space areas.*
- (d) *The proposal provides an appropriate building form that is consistent with the maximum building height and is reflective of the objectives for the zone and locality generally.*
- (e) *The proposal has no impact on heritage or other views; and*
- (f) *The proposal is not located within a low density residential area.*

#### **Comment:**

Subclause (4) above is addressed as follows:

(a)(i) The applicant's written request to justify the contravention of the development standard is considered to be satisfactory, when considering the location and size of the site within the Norwest Residential Precinct.

(a)(ii) The proposal is considered to be in the public interest as it is consistent with the objectives of the standard as follows:

*(a) to ensure the height of buildings is compatible with that of adjoining development and the overall streetscape.*

*(b) to minimise the impact of overshadowing, visual impact, and loss of privacy on adjoining properties and open space areas.*

The height of the residential flat buildings will not result in any significant adverse impacts on the locality.

The proposed structures will not result in any significant impacts in relation to view loss, overshadowing, visual impact or loss of privacy, given the size of the site. The height of the buildings are considered to be compatible with the heights of buildings to the east and south which have a maximum height of RL 116 (approximately 7 storeys).

(b) The concurrence of the Director-General is no longer required, given the repeal of SEPP No. 1. Concurrence is now assumed in cases such as this.

The proposed variation to the building height standard is considered satisfactory and the applicant's objection to the standard is supported.

### **3. Compliance with The Hills Development Control Plan 2012**

#### **a. The Hills DCP 212 Part D Section 8 Norwest Town Centre Residential Development**

The following table addresses the requirements of Part D Section 8 Norwest Town Centre – Residential Development.

<b>DCP REQUIREMENTS</b>	<b>PROPOSED DEVELOPMENT</b>	<b>COMPLIANCE</b>
The density shall be 150-175 persons per hectare	170 persons per hectare.	Yes
The site coverage shall be a maximum of 50%.	49.7%	Yes
Internal layouts of units to be in accordance with: 1 bedroom – 75m <sup>2</sup> 2 bedroom – 110m <sup>2</sup> 3 bedroom – 135m <sup>2</sup> 4 bedroom – 145m <sup>2</sup>	1 bedroom – 65m <sup>2</sup> 2 bedroom – 98m <sup>2</sup> 3 bedroom – 124m <sup>2</sup> 4 bedroom – N/A	No, refer to Section 3(a)(i) below.
External Setbacks  Solent Circuit – 10m  Northern Boundary – 14m Eastern Boundary – 12m Western Boundary – 12m	10m for residential flat buildings and 5.5m for attached dwellings.  Northern – 6m minimum Eastern – 7.5m minimum Western – 4.5m minimum to lot 2102, greater than 12 metres to western boundary.	No, refer to Section 3(a)(ii) below. Yes for residential flat buildings. No for attached dwellings.  No No Yes

DCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
Internal Setbacks  Main entry road – 8m Access street – 4m Between buildings (balcony to balcony) – 8m	1m-4.5m 4.5m 8m	No, refer to Section 3(a)(ii) below. No Yes Yes
Building Heights Flat building to be 6 storeys apart from the building in the north-eastern corner which is to be 5 storeys	Residential flat building range from 5 storeys to 7 storeys with a maximum RL of 116.	No, refer to Section 3(a)(iii) below.
Landscaped Area Minimum 50%	50.3% (excluding lot 2102) 57.9% (including lot 2102)	Yes Yes
Private Open Space Ground level courtyards to have a minimum area of 24m <sup>2</sup> Balconies are to have a minimum area of 10m <sup>2</sup> and a minimum depth of 2.4m	Applicant has advised that compliance with private open space is anticipated and will be fully addressed in Stage 2 DA's.	Yes
Common Open Space To be in accordance with Figure 5, Appendix 1 in the DCP.	Common open space has been provided generally in accordance with the DCP.	Yes
Car Parking and Access To comply with DCP Part C Section 1 <u>Multi- Dwelling</u> 2 space per dwelling Visitor – 2 per 5 units <u>Residential Flat Building</u> 1 Bedroom – 1 space 2 and 3 bedrooms – 2 spaces  Visitor – 2 per 5 units	Minimum 2 space per dwelling Nil  1 bedroom - 1 space 2 bedroom – 1.5 spaces 3 bedroom – 2 spaces Visitor – 1.5 spaces per 5 units	No, refer to Section 3(a)(iv).  Yes No  Yes No Yes No

### (i) Unit Sizes

Part 3.2.2(b) of the DCP states that internal unit sizes are to be in accordance with the following:

1 bedroom unit	75m <sup>2</sup>
2 bedroom unit	110m <sup>2</sup>
3 bedroom unit	135m <sup>2</sup>
4 bedroom unit	145m <sup>2</sup>

The proposal provides the following internal unit sizes:

1 bedroom unit	65m <sup>2</sup>
2 bedroom unit	95m <sup>2</sup>
3 bedroom unit	124m <sup>2</sup>
4 bedroom unit	N/A

The applicant has sought a variation to the DCP and has stated the following as justification:

*A range of apartment sizes have been modelled as part of the Stage 1 DA design development. The minimum apartment size requirements of the Hills Council substantially exceeds that identified in the Residential Flat Design Code (RFDC).*

*The apartment sizes proposed for the East Precinct ensure that apartments continue to contain generous amounts of floor space over and above that provided in the RFDC guideline, thereby aligning with the intent of Councils control. However, a variation to the apartment size is proposed on the basis that tailoring of the apartment sizes on this site is appropriate due to its edge of town centre location, within walking distance of the proposed railway station.*

*Having regard to the town centre location and future public transport options, it is submitted that a reduction in apartment size standards is appropriate for the East precinct. Notably, a reduction in apartment sizes on the subject site will assist in delivering Council's "Site Vision" as detailed in the DCP to –*

*Provide a choice of housing to meet the needs of different people and to cater for a variety of lifestyle expectations; and*

*It also strives to offer alternative dwelling types to those currently available at Norwest.*

*Having regard to the above discussion, the following key points are noted –*

- the East Precinct exhibits the characteristics of transit oriented development, which typically includes a greater density of housing and variety of housing mix and sizes;*
- the proposal is consistent with the objectives and directions of the Metro Plan for Sydney 2036, notably in the provision of a mix and diversity of housing, around public transport infrastructure nodes and that is relevant to the Centre's scale; and*
- that diversity of housing is a concept that is broader than housing "type / category" and includes a variety of sizes and configurations within each housing type or category.*

*The Stage 1 DA proposes apartment sizes less than that which Council seeks in areas that are not located in close proximity to employment opportunities and the future railway station.*

*The following comparisons are provided -*  
*Council Requirement*

*1 bedroom: 75m<sup>2</sup>*

*2 bedroom: 110m<sup>2</sup>*

*3 bedroom: 135m<sup>2</sup>*

*RFDC Guide*

*1 bedroom: 50 – 63.4m<sup>2</sup>*

*2 bedroom: 80 – 121m<sup>2</sup>*

*3 bedroom: 124m<sup>2</sup>+*

*Affordable Housing Service and Campbelltown City Council*

*1 bedroom: 50m<sup>2</sup>*

*2 bedroom: 70m<sup>2</sup>*

*3 bedroom: 95m<sup>2</sup>*

*It is apparent from the above analysis that the proposed apartment average for the East Precinct, as compared to the minimum apartment size in the Council requirement represents a 14% reduction in 1 and 2 bedroom apartments and an 8% reduction for 3 bedroom apartments.*

*Conversely, the apartment average for the East Precinct compared to the minimum guideline of the RFDC is 23% higher for 1 bedroom apartments, 16% higher for 2 bedroom apartments and the same for 3 bedroom apartments.*

*It is noted that the RFDC is a necessarily broad document that seeks to discuss and guide apartment design throughout New South Wales. As a result, the adoption of the guidelines is not proposed in the Stage 1 DA, rather the proposal seeks to strike the right balance between providing an appropriate mix and diversity of dwelling type and sizes that is responsive to the sites location, and yet respects the Council's policy intentions to provide dwellings of a generous size throughout the local government area.*

**Comment:**

The objectives of the DCP are as follows:

- *To ensure that individual residential units are of a size suitable to meet the needs of residents.*
- *To ensure that layout of residential units is efficient and achieves a high level of residential amenity.*

The Residential Flat Design Code (RFDC) provides the following standards for unit sizes:

- 1 bedroom: 50-63.4m<sup>2</sup>
- 2 bedroom: 80-121m<sup>2</sup>
- 3 bedroom: 124m<sup>2</sup>

There is insufficient detail with the current proposal to support a variation to Council's DCP standards for apartment sizes. A more detailed assessment of the residential flat building's compliance with the RFDC, SEPP 65 and DCP Part D Section 8 Norwest Town Centre Residential Development will be undertaken during Stage 2 Development Applications (refer Condition No. 17).

An analysis of the proposed development's consistency with the SEPP 65 10 Design Principles has been undertaken below:

*Principle 1: Context*

The proposal is located in an area with a variety of uses including residential, business and commercial. To the north of the development site is the Balmoral Road Release Area which is currently undergoing redevelopment from large residential lot subdivision to medium density development. To the west is the western and central residential precincts which have already undergone redevelopment. To the west and south of the site is a mix of commercial and business uses of varying sizes. The development of the site represents a good opportunity for increasing the density of housing in the area which will be located in close proximity to future public rail transport.

*Principle 2: Scale*

The proposal provides a mix of 2-3 level attached dwellings and 5-7 storey residential flat buildings. The scale of the attached dwellings are similar in scale to those in the western and central precincts. The residential flat buildings apartment buildings will be articulated to reduce the scale of the building in relation to the 2-3 level attached dwellings and the individual site situation. There will be a mixture of scale along Solent Circuit with 3 level attached dwellings and 5 and 7 level apartment buildings. The development is appropriate in its scale to existing and future developments in the area. Viewed from the street the buildings will all be below the height limit of RL116. However, the LEP height limit of 16m on some buildings will be exceeded, however it is considered that these areas of non-

compliance will not result in significant adverse loss of amenity or increase overshadowing on adjoining neighbours.

#### *Principle 3: Built Form*

The proposed built form responds to the sloping nature of the site. The larger buildings have been located away from Solent Circuit in the north eastern section of the site. The apartment buildings along Solent Circuit will relate to the commercial buildings on the other side of the street in scale and articulation. The attached dwellings will also be articulated with stepping facades to respond to the sloping site and horizontal articulation to respond to the changes in direction of the streets. The proposed built form is considered to be satisfactory.

#### *Principle 4: Density*

The proposed development complies with Council's density requirements, as well as site coverage and landscape requirements. The proposal is for 88 attached dwellings with a mix of 3 and 4 bedrooms and 240 apartments with a mix of 1, 2 and 3 bedrooms. The density on the site is considered appropriate given the site's location to public transport and adjacent amenities.

#### *Principle 5: Resource, Energy and Water Efficiency*

The applicant has advised that the development will achieve the required SEPP 65 requirements for solar access and natural ventilation and that the proposal will promote a good standard of environmental performance and management through the use of ESD principles. A BASIX Certificate will be required to be submitted with Stage 2 Development Application which will further outline the development's compliance with ESD principles and relevant ratings in terms of energy and water consumption and thermal comfort.

#### *Principle 6: Landscape*

The proposal complies with Council's landscape requirement, being 50%. A high level of landscaping is proposed for both public and private areas which will enhance the aesthetic appearance of the site and provide a "green" background for the proposed built form.

#### *Principle 7: Amenity*

The development has been designed to accommodate the buildings on a sloping site. Outdoor private spaces will be provided for apartments that are at ground level where possible, whilst large balconies are provided for upper level units. The attached dwellings will have generous outdoor areas with some dwellings benefiting from a northern aspect. Wheelchair access is provided in accordance with Council's DCP. A further assessment of the development's amenity will occur with the Stage 2 Development Applications.

#### *Principle 8: Safety and Security*

The applicant has advised that all apartment entries will be well lit and will have vertical elements that clearly define the location of all access doors. These doors to all common areas will have security locks and lifts will also be locked and well light. There is good visual surveillance from footpaths and driveways. The design does not allow for any recessed nooks and all external areas will be well illuminated. Car parking will be secured both externally at garage doors and internally into keyed lifts.

#### *Principle 9: Social Dimension and Housing Affordability*

The proposal offers of housing types and sizes close to public transport, shopping and community facilities. The mix of development will provide an opportunity for a range of members of the community to purchase an attached dwelling or apartment. The proposed



development will assist local businesses both in the short term with construction and long term with added patronage of the available services.

#### *Principle 10: Aesthetics*

The buildings have been designed to minimise the impact on the streetscape, whilst providing a suitable range of housing type for the community. The aesthetic of the building is modern and reflects the nature of the site and the surrounding developments. Modern materials and colours are to be used for the development. Further details in terms of colours, material and finishes will be provided with Stage 2 Development Applications.

#### **(ii) Setbacks**

Part 3.2.2(c) of the DCP states that setbacks are to be in accordance with the following:

##### Boundary Setbacks

Solent Circuit	10 metres
North boundary	14 metres
East boundary	12 metres
West boundary	12 metres

##### Internal Setbacks

Main entry road	1m-4.5m
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The development proposes a 5.5 metre setback to Solent Circuit for the attached dwellings, a minimum 6 metre setback to the northern boundary, and a minimum 7.5 metres for the eastern boundary which does not comply with the DCP requirements.

The development proposes a minimum setback of 1 metre to the main entry road for the attached dwelling, and 4.5 metre setback to the main entry road for the residential flat building which does not comply with the DCP requirements.

The applicant has sought a variation to the DCP and has stated the following as justification:

*Solent Circuit - A 10m setback is proposed for the apartments. There is a variation required having regard to the townhouses and such is consistent with the setbacks approved in the West and Central Precincts, being 5.5m.*

*Northern Boundary – A consistent 6m setback is proposed along the northern boundary. It is noted that this setback is in addition to that open space that is proposed on the northern side of the town houses, leading to an effective setback greater than 6m. The adoption of a 14m setback to the north is inappropriate having regard to the likely future pattern of development to the north. It is improbable that a road would be constructed immediately along the boundary, but rather residential development to ensure that the future road to be constructed to the north is an efficient design with development fronting both sides of the road.*

*East Boundary – A 7.5 metre setback is proposed to the Eastern Boundary, providing for more than would ordinarily be required pursuant to the RFDC.*

#### **INTERNAL SETBACKS**

*A variation to the setback from the Main Entry Road is proposed. A setback of 4.5 metres to B1 is considered appropriate having regard to the key location of the apartment building at the entry point to the Balmoral Road release area. It is common practice to provide a close connection between buildings such as that proposed and the street, particularly the pedestrian environment. It is submitted that an 8 metre setback from the edge of the street to the building is excessive and*

*will not result in a positive built form outcome. Buildings that align with and accentuate primary traffic routes is appropriate and a 4.5 metre setback is preferable in such circumstances. (Note – 1 townhouse has a 4.5m setback to the pavement.)*

*Setbacks to the internal access street are to generally comply with the 4 metres outlined in the DCP.*

**Comment:**

The objectives of the DCP are as follows:

- *To provide setbacks that complement the landscape setting of the Norwest Business Park*
- *To provide privacy for future residents within a parkland setting.*
- *To minimise overshadowing of communal open space areas.*

Attached Dwellings - Setbacks

The proposed attached dwellings do not comply with the setback requirement to Solent Circuit. However, this setback as outlined in the DCP was a requirement aimed for residential flat buildings. The 5.5 metre setback to Solent Circuit is considered to be an acceptable streetscape outcome, and is similar to 4.5 metre - 5.5 metre approved setback for the multi-dwellings approved in the Central Residential precinct fronting both Solent Circuit and Fairway Drive. Therefore, the proposal provides a consistent streetscape along Solent Circuit in relation to setbacks to attached dwellings.

The attached dwellings along the northern boundary propose a 6 metre setback from the northern boundary to their private open space, which does not comply with the 14 metre requirement. This setback is considered satisfactory for the proposed attached dwellings as a road requirement for the Balmoral Road Release Area will likely be constructed along the northern boundary of the site. The northern setback provides adequate private open space for the attached dwellings.

A single attached dwelling has a 1 metre (side) setback to the main internal road, with the dwelling fronting Solent Circuit having a (side) setback of 4.5 metres to the main internal road. These setbacks are considered satisfactory being side setbacks and will still allow for landscaping along the main internal road. The non-compliance with the main internal road setback does not result in any adverse impacts such as overshadowing or amenity impacts for the attached dwellings.

The attached dwellings along the eastern boundary have a setback of approximately 9 metres which does not comply with the 12 metre requirements. The proposed rear setback of the attached dwellings to the eastern boundary is considered satisfactory in this instance as there is a significant setback to the development to the east, being approximately 70 metres.

Residential Flat Buildings - Setbacks

The proposed residential flat buildings do not comply with the 14 metre northern boundary setback requirement, proposing a minimum 6 metre setback. The requirement of the 14 metre setback to the north is considered to be unnecessary in this instance given the location of the future road along the northern boundary and the likely future pattern of development to the north.

The proposal results in a minimum 7.5 metre setback to the eastern boundary which does not comply with the 12 metre requirement. The proposed setback of the 6 storey residential flat building at the north-eastern end of the site is considered satisfactory in this instance as there is a significant setback to the development to the east, being

approximately 70 metres. The 5 storey residential flat building (B4) at the south-eastern end of the site has a minimum setback of 7.5 metres and is adjacent to the existing childcare centre at 2-6 Maitland Place. The B4 building will result in overshadowing to the child care centre at 3pm on 22 June, however the centre will benefit from full sun in the morning on 22 June. Given the orientation of the child care centre, the proposed residential will not overlook the centre or the outdoor play area.

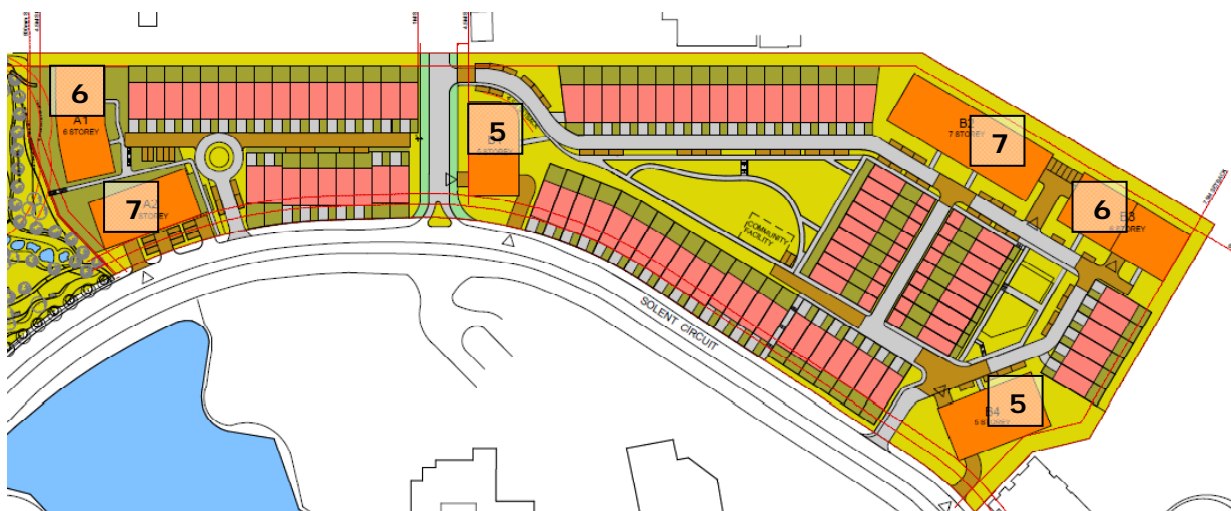
Overall, the proposed setbacks for the residential flat buildings and the attached dwellings are considered satisfactory.

### (iii) Residential Flat Building Heights

Part 3.2.2(d) of the DCP states that residential flat building heights are to be in accordance with the following diagram:



The proposal provides the following building heights in terms of the residential flat buildings (note – storey numbers annotated on the site plan):



As illustrated above, the proposal seeks to vary the 5-6 storey height limit for 3 of the 6 residential flat buildings, with two of the buildings having 7 storeys.

The applicant has sought a variation to the DCP and has stated the following as justification:

*The height of the apartment buildings approved in the Standing Stage 1 DA 2006 masterplan were predominantly 6 storeys and 18m. These heights are recognised within the Town Centre DCP. It is noted that the recently gazetted Hills LEP 2012 effectively reduces the height and introduced a conflict between the height previously approved, and that now identified in the LEP.*

*The other relevant height control for the site is that of the RL116 limit for the Norwest area generally. The RL116 height has been identified in an attempt to protect the view corridors to and from the significant heritage item located in the Norwest area. It is understood that there are examples where the RL116 height has been broken in approvals, but no such request accompanies this application.*

*The new Stage 1 DA proposes the continued adoption of a primarily 5-6 storey height for apartment buildings across the East Precinct. These heights will ensure the delivery of sufficient density and will align with the DCP provisions. It is noted that the Stage 1 DA does propose an exception to the height control for Buildings A2 & B2, proposing 7 storeys. It is noted that a Clause 4.6 variation will need to be sought in both the Stage 1 DA and the subsequent relevant Stage 2 DA, to deal with the introduction of the 16m height control within the Hills LEP 2012.*

*As the RL116 height permits a built form of up to 7 storeys of apartments, and having regard to the location of the site immediately adjacent the town centre and in close proximity to the future railway station, the Staged DA will propose a building form of 7 storeys of apartments for buildings A2 & B2.*

*The design of the concept is also cognisant of the importance of RL 116 within the northeastern corner, the highest part of the site, to protect the view corridor. The proposal does not break the RL 116 height line at any point.*

*The proposal for a 7 storey building on the site is consistent with the DCP intention to provide a transition in building heights resulting in a lower height at the western edge of the site, up to larger buildings on the eastern side of the site.*

*The location of the proposed 7 storey buildings has been intentional as there are few likely amenity impacts to adjoining properties given the relative orientation of the site and the primary neighbour being the golf course to the north of proposed building B2, and proximity to the park and watercourse for Building A2, as shown in the aerial photo below.*

*It is noted that the site is undulating and that apartments will need to be carefully designed to respond to the contours and change of grades across the site. A balance is to be struck in the design of each building between ensuring that apartments on the higher side, at ground level, do not become subterranean, nor at the lower level does the basement protrude significantly out of the ground. Early design development indicates that small portions of the basement of some apartment buildings will protrude out of the ground, while the corresponding other side of the apartment will be at grade. Consideration has been given to ensuring that any such protrusion of the basement is appropriately located to not impact upon the bulk or scale of the proposal and is not visually dominant. However, it is noted that the height of apartment buildings of 5, 6 and 7 storeys will require some basements to protrude out of the ground more than one metre above natural ground level. Such protrusions are necessary and are not to be considered to be a "storey" for the purposes of calculating the number of storeys of the building.*

**Comment:**

The objectives of the DCP are as follows:

- *To ensure that residential flat buildings reflect the height and scale of the Norwest Business Park and respond to the site's topography.*
- *To minimise overshadowing of adjoining properties and communal open spaces.*

As the applicant has indicated above, the proposed heights do not exceed RL 116 which is the height limit of the properties to the east and south of the subject site. This RL also protects the view corridors in the area. The 2006 master plan approved provided a 6 storey height limit (or 18 metres), only two of the six residential flat buildings exceed 6 storeys. Furthermore, it is considered that the additional height is required to meet the density requirement of 175 persons per hectare, whilst maintaining compliance with site coverage and landscaping.

It is considered that the non-compliance in height does not result in any significant overshadowing or amenity impacts such as privacy or acoustic impacts or significant view loss. The location of the higher residential flat building has been carefully considered with the topography of the site. A satisfactory outcome in regards to building height has been achieved in this instance.

**(iv) Car Parking**

Development Control Plan Part C Section 1 Parking requires the following parking rates:

Multi Dwelling Housing

2 spaces per 2 or 3 bedroom unit  
2 visitor spaces per 5 units

Residential Flat Buildings

1 Bedroom – 1 space  
2 and 3 bedrooms – 2 spaces  
Visitor – 2 per 5 units

The attached dwelling component of the development provides 2 parking spaces per unit and nil allocated visitor parking spaces.

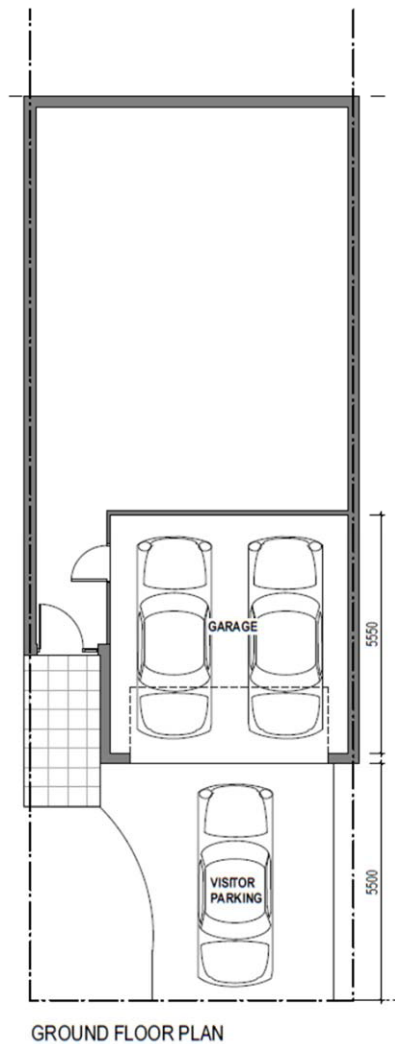
The residential flat building component of the development provides 1 parking space per 1 bedroom unit, 1.5 space per 2 bedroom unit and 2 spaces per 3 bedroom unit. Visitor parking is provided at a rate of 1.5 spaces per 5 units.

The proposal does not comply with visitor parking for both the attached dwellings and the residential flat building and the parking rate for the 2 bedroom units.

The applicant has sought a variation to the DCP and has stated the following as justification:

*Townhouse Visitor Parking*

*The configuration and design of all townhouses intentionally permits the parking of a visitors car on the driveway. Each townhouse is served by a double garage, recessed a minimum of 5.5m from the property boundary, thereby permitting the parking of a visitors car on the driveway space, within the property boundary. A sketch illustrating the way in which the parking works is provided below.*



*This outcome not only results in a greater amount of visitor parking for townhouses than is required by Council, but is far more practical in its operation and allows for greater private open space and landscaped spaces adjacent the internal roads. It is noted that the visitor parking for the apartments is located around the site and adjacent the apartment buildings, and these spaces being located on the internal street in close proximity to the townhouses. Though these spaces are not “numerically” required for the provision of visitor parking to the townhouses, they do provide an option for those rare occasions where a townhouse may have more than 1 car visiting at any one time.*

#### Residential Flat Buildings

*The application proposes carparking rates for 1, 2 and 3 bedroom apartments that comply with Council's rates for centres. However the only rate that the application seeks to vary from that identified in the letter is for visitor parking as it relates to the apartments. The townhouse visitor parking proposed exceeds the Council rate.*

#### Apartment Visitor Parking

*The application proposes a visitor parking rate of 1.5 spaces per 5 apartments. Council seeks 2 spaces per 5 dwellings.*

*In arriving at the proposed parking rate consideration was given to a number of visitor parking rates for land and sites that have appropriate project comparables. At the outset it was noted that parking rates share a relationship with public transport accessibility and frequency, which is reflected in State Government policy documents and numerous Sydney metropolitan Council documents.*



*The most recently published comparable visitor parking rates were considered to be those set in the controls identified for the recently exhibited Urban Activation Precincts of Epping and North Ryde.*

*Other Sydney metropolitan local government areas parking rates were examined, with a particular emphasis on Council's with similar characteristics to the Hills Council of being toward the fringe of the metro region and there being a high rate of car ownership.*

*This analysis is reflected in the table below –*

<b>Council or Urban Activation Precinct (UAP)</b>	<b>Visitor Parking Rate / per / dwelling</b>	<b>Visitor Parking Rate Ratio</b>
Epping UAP	1 per 10 dwgs	0.1
North Ryde UAP	1 per 10 dwgs	0.1
Hornsby LGA	1 per 7 dwgs	0.14
Sutherland LGA	1 per 4 dwgs	0.25
Penrith LGA	1 per 5 dwgs	0.2
Kuring-gai Council	1 per 4 dwgs	0.25
Stage 1 DA Proposal	1.5 per 5 dwgs	0.3

Further comparisons are provided in the Traffic and Parking Report – Tab 4 of the DA submission – Appendix B.

*It is clear from the above table that the proposal provides for a parking rate in excess of that of many Council's. All Council's considered in the above table benefit from Railway Stations in close proximity to sites of higher density development. The proposal will benefit from the north-west railway line railway station that is within walking distance of the site.*

#### Transport and Parking

*The Stage 1 DA concept provides for the establishment of the link road to the Balmoral Release Area. The amended road layout within the East Precinct is a logical outcome giving the location of building forms, noting that the roads are to be maintained as private roads, with the exception of the link road from Solent Circuit to the Balmoral Release Area.*

*The precise parking numbers to be provided to the apartment buildings will be confirmed as part of the Stage 2 development applications. However, it is noted that road dimensions and layouts provide opportunities for on-street parking to cater for visitors to the area.*

*The Stage 1 DA proposes the adoption of a refined parking rate for the East Precinct. The Hills Council has previously taken into consideration for unique sites and precincts the proximity of the site to a rail corridor and varied the parking provisions. In Part D of the Hills DCP 2012 a specific parking rate for Key Sites in the Carlingford Precinct was adopted due to being developed near rail corridors. A similar approach is proposed for the East Precinct. Similarly the parking rates for Residential Flat Buildings in the town centres of Castle Hill, Baulkham Hills and Rouse Hill are reduced. It is submitted that the subject site enjoys same or superior characteristics of these town centres and key precincts that warrants specific parking controls.*

*A variation is sought to the parking rates for 2 Bedroom Apartments and the Residential Flat Building Visitor Parking Rate. No specific provisions that differ from*

Councils standards are sought for 1 or 3 bedroom apartments. The current DCP parking rates for residential flat buildings is –  
 1 space per 1 bedroom unit/townhouse/villa  
 2 spaces per 2 or 3 bedroom unit/townhouse/villa  
 2 visitor spaces per 5 units/townhouses/villas

### 2 Bedroom Apartments Parking Rate

Consideration has been given to the most appropriate parking rate for the site having regard to the edge of town centre location and walking distance to the proposed railway station. The Stage 1 DA proposes a slightly reduced parking rate for 2 bedroom apartments only, differing from that generally applied throughout the local government area. The application proposes a parking rate of 1.5 spaces per 2 bedrooms. This rate is consistent with that adopted in the DCP for Castle Hill, Baulkham Hills and Rouse Hill Town Centres, noting that Castle Hill, Norwest and Rouse Hill will contain railway stations on the North West Rail Link (see map below). It is noted that for key sites in the Carlingford Precinct a more generous reduction than that proposed is in place – 1 space per 2 bedroom unit.

### **North West Rail Link Route Map**



### Visitor Parking Rate

The provision of a visitor parking rate as high as 2 per 5 apartments is also considered inappropriate for a town centre site that enjoys good public transport options. Accordingly, this submission proposes a visitor parking rate 1.5 spaces per 5 dwellings.

The application is supported by a Traffic and Parking Report that reviews access and parking, existing traffic conditions, and the traffic impacts of the proposed development. The report concludes that –

- traffic movements within the site and on Solent Circuit operate within the Level of Service A boundaries;
- the development does not negatively impact upon the operation of nearby intersections;
- tenant and visitor parking is adequately provided on site; and
- “there are no traffic reasons why approval should not be granted for the Planning Proposal and Master Plan”.

*The Traffic and Parking Report at Appendix B discusses the parking reductions proposed above, confirming that the proposal is consistent with government policy, the approach at Rouse Hill Town Centre and proximity to the railway station to be established at Norwest.*

**Comment:**

The objectives of the DCP are as follows:

- *To provide sufficient and convenient parking for residents and visitors*
- *To ensure that vehicles may enter and leave the residential flat building in a safe and efficient manner*
- *To provide a legible and permeable road network.*

Attached Dwellings

The Parking DCP requires the provision of visitor parking for multi-dwelling development at a rate of 2 spaces per 5 units. The proposal does not provide any allocated visitor parking for the attached dwellings. It is acknowledged that single dwellings are required to only provide one (1) resident space. The proposal provides double garages for each attached dwelling. Located forward of each garage is a driveway area that allows one (1) vehicle to be parked within the lot. The proposed parking arrangement for the attached dwellings is considered satisfactory for the following reasons:

- All dwellings have been designed to enable a car to be parked in the driveway in front of each garage, effectively allowing one (1) visitor space per dwelling. As such the development provides 88 visitor spaces rather than the 36 spaces required by the DCP;
- The parking arrangement allows visitors to park directly in front of the garage of the dwelling to be visited enabling better monitoring of use and casual surveillance of these spaces;
- The DCP does not state that visitor parking must be provided in a communal arrangement; and
- Resident parking for each dwelling complies with the DCP.

On the basis above, the proposed parking arrangements for the attached dwellings is considered satisfactory and can be supported in this instance.

Residential Flat Buildings

The Parking DCP requires that residential flat buildings in Town Centres (Castle Hill Major Centre, Baulkham Hills Town Centre and Rouse Hill Major Centre) can be provided at a lower rate than outside of the identified centres, being:

- 1 space per 1 bedroom unit
- 1.5 spaces per 2 bedroom unit
- 2 spaces per 3 bedroom unit
- 2 visitor spaces per 5 units

The proposal complies with the above requirement apart from the visitor parking rates which have been provided at a rate of 1.5 spaces per 5 units.

Given the site's close proximity to the future public transport rail network and the proximity to Norwest Market Town, it is reasonable to apply the town centre rate. However, the reduced visitor parking rate is not supported in this instance being contrary to Council's DCP and a condition of consent has been recommended that states that the residential flat buildings are to comply with parking rates for town centres, including visitor parking (refer to Condition No. 3).

**4. RMS Comments**

The proposal was referred to RMS for review under the provisions of SEPP Infrastructure 2007 as the proposal provides more than 200 parking spaces. The following comments were provided for consideration:

- a. It is noted that the intersection of Norwest Boulevard and Solent Circuit (east) operates at level of Service F during afternoon peak. Traffic and Parking Report for the proposed development observed that traffic signals are required to improve the performance of the intersection. Council has advised RMS that traffic signals will be implemented at this intersection within next 12 - 18 months.
- b. The layout of the proposed car parking areas associated with the development (including driveways, grades, turn paths, sight distance requirements) should be in accordance with AS2890.1-2004.
- c. Any new traffic facilities, signs or line marking proposed on public roads as part of this development proposal is to be designed in accordance with the current standards and RMS supplements. These detailed plans will need to be referred to Local Traffic Committee for consideration and approval by Council.
- d. The proposed number of parking spaces is excessive for the proposed development close to a future mass transit link. Council should consider applying lower parking rates to this development.
- e. All works associated with the proposed development are to be at no cost to the RMS.

**Comment:**

A condition has been recommended requiring compliance with the RMS requirements with the deletion of 'a' and 'd' (refer to Condition No. 5).

Council Infrastructure Planning Section has reviewed the Development Application and have stated that no further requirement for the revised Master Plan development is required. The original requirement concerning the installation of traffic signals at the eastern intersection of Solent Circuit and Norwest Boulevard still applies. Council has completed the engineering design of the civil works together with the traffic signal design, and these plans have now been forwarded to the RMS for final approval. The approved traffic signal plans will then be sent to the owners for construction in accordance with the original consent. No objection is raised to the proposal. Relevant conditions of consent are included in the recommendation.

**5. Police Comments**

The NSW Police have reviewed the proposal and raised no objection to the proposal and have made the following comments for consideration:

- a. Natural surveillance is to be maximised and physical barriers installed to secure the property from trespassers.
- b. High resolution CCTV is to be installed to monitor common open spaces and the car park access/egress points and entrances to the unit blocks.
- c. Lighting is required to meet Australian Standards. In particular, lighting is to be installed at the entry and exit points of the buildings, driveways and within the carparking areas.
- d. All landscape works are to be maintained to ensure adequate sight lines are available and reduce opportunity for concealment and entrapment. Pedestrian pathways are to be maintained with low landscaping for 3-5m either side to prevent concealment.
- e. Bicycle parking is to be lockable and covered and be within sight of capable guardians.

- f. All public access points are to be clearly marked.
- g. The site is to be maintained at all times, including repair of vandalism and graffiti, the replacement of lighting and general site cleanliness.
- h. The installation of gates or a similar form of access control within the carparking areas to restrict access to the residential carparks after hours and further access control both into the grounds of the development or the residential buildings. Ensure that security shutters cannot be easily manipulated.
- i. Security sensor lights and a security company to monitor the site is to be used while construction is in progress. Offenders often target this type of development, including in the construction phase.
- j. The installation of signage at fire exits and stairs to ensure that these exits/stairs are kept closed.
- k. Avoid the creation of 'natural ladders' such as ledges, capable of supporting hands/feet and use of balustrades that will not provide an anchor point for ropes.

A condition has been recommended requiring compliance with the NSW Police requirements (refer to Condition No. 6).

## **6. Office of Water Comments**

The proposal is defined as Nominated Integrated Development under the provisions of the Environmental Planning & Assessment Act, 1979 as approval is required from the NSW Office of Water under the provisions of the Water Management Act, 2000. The Office of Water have advised that they raise no objection to the proposal and have issued General Terms of Approval (refer Condition No. 4 and Appendix 1).

## **7. Sydney Water Comments**

The proposal was referred to Sydney Water for review given the large scale of the development. The following relevant comments were provided for consideration:

### Stormwater

The water quality targets set out in the 'Stormwater Management Plan for Norwest Town Centre and Riparian Corridor (Table 1) are below accepted best practice. The Water Sensitive Urban Design (WSUD) elements for the development are to achieve water quality targets aligned with the Growth Centres Commission targets as referenced in the attached Sydney Water guidelines 'Pipe Connections to Sydney Water Natural Creeks and Stormwater Assets'.

<b>Pollutant</b>	<b>Requirement</b>
Gross Pollutants	90% reduction in pollutant loads
Total Suspended Solids	85% reduction in pollutant loads
Total Phosphorus	65% reduction in pollutant loads
Total Nitrogen	45% reduction in pollutant loads

### Lake Management Plan

There is Carp in Strangers Creek immediately downstream of the Norwest Lakes. The proponent should prepare a Lake Management Plan to prevent the export of carp and other aquatic flora and fauna pests to the downstream trunk drainage creek system owned and managed by Sydney Water.

A condition has been recommended requiring compliance with the Sydney Water requirements (refer to Condition No. 7).

#### **SUBDIVISION ENGINEERING COMMENTS**

No objection raised to the proposal. Relevant conditions of consent are included in the recommendation.

#### **FORWARD PLANNING COMMENTS**

Council's Forward Planning Section has reviewed the Development Application in relation to the previous master plan application, density, building height, and through link to Balmoral Road Release Area and no objection is raised to the proposal.

#### **TRAFFIC MANAGEMENT COMMENTS**

Refer to Section 4 above.

#### **ECOLOGY COMMENTS**

Council's Biodiversity Officer has reviewed the plans and landscape plan and recommends requirements for the rehabilitation of the riparian area subject to a Vegetation Management Plan (VMP) and the planting of indigenous local provenance groundcovers, shrubs and canopy species within the landscaped area of the master plan.

No objections to the master plan as amended by Council staff are raised, subject to the recommended conditions of consent.

#### **HEALTH & ENVIRONMENTAL PROTECTION COMMENTS**

Environmental Health have reviewed the master plan for the proposed development in relation to issues regarding noise, dust, sediment erosion controls and washing of cars which will be addressed in the subsequent Development Applications.

The Environmental Site Assessment prepared by Geotechnique Pty Ltd, referenced as 10281/1-AA dated 19 March 2004 concludes that the site does not present a risk of harm to human health or the environment and therefore suitable for the proposed development. However, should the site conditions change, the site should be monitored.

No objection is raised to the proposal. Relevant conditions of consent are included in the recommendation.

#### **RESOURCE RECOVERY COMMENTS**

Resource Recovery have reviewed the master plan for the proposed development and has no objections to the proposal at this stage. Issues regarding waste management will be addressed in the subsequent development applications. Relevant conditions of consent are included in the recommendation.

#### **HERITAGE COMMENTS**

The subject application was referred to Council's Heritage Section as the proposed development is within the vicinity of an avenue of trees leading to Castle Hill Country Club which is listed in Schedule 5 of The Hills Local Environmental Plan 2012 as an item of environmental heritage. No objection was raised to the proposal.

#### **CONCLUSION**

The proposal has been assessed having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979, The Hills Local Environmental Plan 2012, and the Hills Development Control Plan 2012 and is considered satisfactory.



The proposal's variations to LEP 2012 for height and attached dwelling lot size are considered to be acceptable and supportable in this instance. The non-compliances with the DCP have been strongly justified by the applicant, in particular parking requirements and unit sizes and are generally acceptable and will be further assessed during Stage 2 Development Applications.

Accordingly approval subject to conditions is recommended.

## **IMPACTS:**

### **Financial**

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

### **Hills 2026**

The social and environmental impacts have been addressed in the report. The proposal will add a variety of housing choice, in close proximity to future public transport and is a satisfactory built form outcome.

## **RECOMMENDATION**

The Development Application be approved subject to the following conditions.

## **GENERAL MATTERS**

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

The development being carried out in accordance with the approved plans and details submitted to Council, as amended in red, stamped and returned with this consent unless varied by other specific conditions.

The amendments in red include:

- Revegetation zone of Lot 2102 in accordance with the Vegetation Management Plan
- Various changes to the landscape plan (inclusion of native planting)

### **REFERENCED PLANS**

DRAWING NO.	DESCRIPTION	REVISION	DATE
A001	Site Analysis Plan	02	11/06/2013
A002	Vehicular and Pedestrian Access Plan	02	11/06/2013
A003	Aerial Location Image	02	11/06/2013
A004	Site Plan	02	11/06/2013
A005	Site Elevations 1	01	20/02/2013
A006	Site Elevations 2	01	20/02/2013
A007	Site Sections 1	02	11/06/2013
A008	Site Sections 2	01	20/02/2013
A009	Site Massing Images	02	11/06/2013
A013	Garbage Collections Points	02	11/06/2013
006	Landscape Master Plan	F	13/06/2013
007	Landscape Area A	E	28/02/2013
008	Landscape Area A	E	28/02/2013
009	Landscape Area B	E	28/02/2013

0010	Landscape Area B	F	13/06/2013
0011	Landscape Area C	E	28/02/2013
0012	Landscape Area C	F	13/06/2013
0013	Landscape Conclusion	F	13/06/2013
0014	Landscape Area D	A	13/06/2013

## **2. Compliance with Master Plan**

Approval is granted for the proposed Master Plan in accordance with the plans and details provided with the application to provide guidance for future development of the site. All Stages of works the subject of the Master Plan will require the submission to and approval by Council, of a Development Application.

## **3. Provision of Parking Spaces**

The residential flat building developments are required to be provided with parking at the following rates:

- 1 space per 1 bedroom unit
- 1.5 spaces per 2 bedroom unit
- 2 spaces per 3 bedroom unit
- 2 visitor spaces per 5 units

Each attached dwelling is to be provided with a double garage with sufficient area on the driveway for another car to be parked in front of the garage door.

## **4. Compliance with Office of Water Requirements**

Compliance with the requirements of the Office of Water attached as Appendix 1 to this consent and dated 4 April 2013.

## **5. Compliance with Roads and Maritime Service (RMS) Requirements**

The following condition is required by Roads and Maritime Services (RMS) or as otherwise agreed by RMS and Council in writing:

- (a) The layout of the proposed car parking areas associated with the development (including driveways, grades, turn paths, sight distance requirements) should be in accordance with AS2890.1-2004.
- (b) Any new traffic facilities, signs or line marking proposed on public roads as part of this development proposal is to be designed in accordance with the current standards and RMS supplements. These detailed plans will need to be referred to Local Traffic Committee for consideration and approval by Council.
- (c) All works associated with the proposed development are to be at no cost to the RMS.

## **6. Compliance with NSW Police Requirements**

The following condition is required by NSW Police or as otherwise agreed by NSW Police and Council in writing:

- a. Natural surveillance is to be maximised and physical barriers installed to secure the property from trespassers.
- b. High resolution CCTV is to be installed to monitor common open spaces and the car park access/egress points and entrances to the unit blocks.
- c. Lighting is required to meet Australian Standards. In particular, lighting is to be installed at the entry and exit points of the buildings, driveways and within the carparking areas.

- d. All landscape works are to be maintained to ensure adequate sight lines are available and reduce opportunity for concealment and entrapment. Pedestrian pathways are to be maintained with low landscaping for 3-5m either side to prevent concealment.
- e. Bicycle parking is to be lockable and covered and be within sight of capable guardians.
- f. All public access points are to be clearly marked.
- g. The site is to be maintained at all times, including repair of vandalism and graffiti, the replacement of lighting and general site cleanliness.
- h. The installation of gates or a similar form of access control within the carparking areas to restrict access to the residential carparks after hours and further access control both into the grounds of the development or the residential buildings. Ensure that security shutters cannot be easily manipulated.
- i. Security sensor lights and a security company to monitor the site is to be used while construction is in progress. Offenders often target this type of development, including in the construction phase.
- j. The installation of signage at fire exits and stairs to ensure that these exits/stairs are kept closed.
- k. Avoid the creation of 'natural ladders' such as ledges, capable of supporting hands/feet and use of balustrades that will not provide an anchor point for ropes.

## **7. Compliance with Sydney Water Requirements**

The following condition is required by Sydney Water or as otherwise agreed by Sydney Water and Council in writing:

- (a) Stormwater  
The water quality targets set out in the 'Stormwater Management Plan for Norwest Town Centre and Riparian Corridor (Table 1) are below accepted best practice. The Water Sensitive Urban Design (WSUD) elements for the development are to achieve water quality targets aligned with the Growth Centres Commission targets as referenced in the attached Sydney Water guidelines 'Pipe Connections to Sydney Water Natural Creeks and Stormwater Assets'.

<b>Pollutant</b>	<b>Requirement</b>
Gross Pollutants	90% reduction in pollutant loads
Total Suspended Solids	85% reduction in pollutant loads
Total Phosphorus	65% reduction in pollutant loads
Total Nitrogen	45% reduction in pollutant loads

- (b) Lake Management Plan  
There is Carp in Strangers Creek immediately downstream of the Norwest Lakes. The proponent should prepare a Lake Management Plan to prevent the export of carp and other aquatic flora and fauna pests to the downstream trunk drainage creek system owned and managed by Sydney Water.

## **8. Street Naming**

A written application for street naming must be submitted to Council for approval.

The street names proposed must comply with Guidelines for the Naming of Roads produced by the NSW Geographical Names Board. The guidelines can be obtained from the Boards website:

<http://www.gnb.nsw.gov.au/>

The application must nominate three suggested names per street, in order of preference, and must relate to the physical, historical or cultural character of the area.

### **9. 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. 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.
- ii. All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.
- iii. 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.
- iv. All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

### **10. Road Design/ Construction Requirements**

The design, location and construction of the public road dissecting the site connecting Solent Circuit and Rosetta Crescent (proposed) must comply with the DCP and Council's Design Guidelines Subdivisions/ Developments. Should Rosetta Crescent not yet be constructed a temporary turning head will be required adjacent to the site's northern boundary.

The internal (private) roads, as shown on:

- Drawing A004 Revision 02 dated 11 June 2013 prepared by Gilsenan Associates
- Drawing A013 Revision 02 dated 11 June 2013 prepared by Gilsenan Associates
- Drawing 0015 Issue A dated 13 June 2013 prepared by Site Image Landscaping Architects

Are to be design, located and constructed generally as shown on those plans, with the following additional requirements applied:

- (a) Where a private road is intended to be utilised by larger service vehicles, namely a waste collection vehicle, a swept turning path analysis for a HRV will need to be provided with the concept engineering design for these works as part of each built form application, demonstrating that the width and alignment of these roads allow for this vehicle to manoeuvre through the site without having to undertake any reversing movements. Localised widening at intersections and bends may be required to accommodate this.
- (b) The turning head adjacent to garbage collection points "A" and "B" as shown on Drawing A013 Revision 02 above must have a minimum diameter of 19m measured from the face of kerb on either side. The central landscaped island will also need to be removed to accommodate the above design vehicle.

- (c) The garbage collection point "C" as shown on Drawing A013 Revision 02 will need to be relocated so that the waste collection vehicle does not need to travel down the blind aisle, which is the case currently.
- (d) The four separate driveways on Solent Circuit fronting or adjacent to the building noted "A2" will need to be consolidated and the off-street parking layout in this location amended.

### **11. Strangers Creek Connection/ Stormwater Requirements**

The design, layout and embellishment of the creek corridor linking Norwest Lake/ Solent Circuit to Strangers Creek (Sydney Water's stormwater management zoned land) downstream must comply with the previous approvals over this part of the site. Any change to this previously approved design, layout and embellishment will require revised modelling and detailed plans as part of the relevant built form development application(s). The buildings shown "A1" and "A2" must have a finished floor level a minimum of 500mm above the 1 in 100 year ARI flood level associated with this creek connection. The driveway/ basement entrance associated with these buildings must be located away from the creek so as to provide the same freeboard.

### **12. Provision of Electrical Services**

Submission of a notification of arrangement certificate confirming satisfactory arrangements have been made for the provision of electrical services. This must include the under-grounding of the existing electrical services within the site and removal of all redundant poles and cables, unless otherwise approved by Council in writing. The certificate must refer to this development consent and all of the lots created.

### **13. Bat Action Plan**

All future Development Application must include a Bat Action Plan. The Plan is to include provision for:

- (a) Placement of 6 bat roost boxes to a minimum height of 3m in retained trees or, where suitable trees are not available on-site, roost boxes are to be attached to specially-installed poles with a minimum height of 3m.
- (b) A timeline which outlines how the removal of hollow-bearing trees is to be undertaken outside of the microbat breeding season of October to February, or if required to be undertaken within the microbat breeding season then it will outline how impacts are to be minimised.
- (c) Tree lopping shall be undertaken in such a way that the risk of injury or mortality to roosting bats is minimised, such as top-down lopping, with lopped sections gently lowered to the ground, or by lowering whole trees to the ground with the "grab" attachment of a machine.
- (d) An experienced wildlife handler/ecologist shall be in attendance during the felling of trees on this site in order to rescue any injured wildlife.
- (e) Potential bat roosts in lowered trees or sections of trees shall be searched by an experienced ecologist and any bats shall be removed and, if uninjured, either released into roost boxes on the site upon dusk or fed, warmed and released in the evening, or, if injured or dependent young, transferred to the care of a wildlife carer and released on the site when re-habilitated.

### **14. Vegetation Management Plan**

A Vegetation Management Plan to Council's satisfaction is required to be submitted with future Development Application(s) for the full extent of Lot 2102.

- This will outline how weeds will be managed on site and will contain replanting measures which will be carried out to ensure this vegetation represents a structured native vegetation community using local provenance groundcovers, shrubs and canopy species prior to any works commencing on site.
- The Vegetation Management Plan will contain key performance criteria which must be obtained at each reporting period (annually for 5 years).
- All plantings are to be of local provenance species listed on the Final Determination of the CPW and RFEF communities, which may take time to source and propagate.

- Invoices detailing their source will be required. Maintenance visits are to be conducted at 2-monthly intervals for the first year after planting and 6-monthly intervals for the second year after planting.

Planting densities are to include:

- 8 groundcovers per 1m<sup>2</sup> (increase to 16 per 1m<sup>2</sup> in areas that are likely to be susceptible to erosion or weed invasion)
- 2 low shrubs per 4m<sup>2</sup>
- 2 tall shrubs per 4m<sup>2</sup>
- 1 small tree per 10m<sup>2</sup>
- 1 large tree per 25m<sup>2</sup>
- Occasional vines and scramblers

Diversity of species is to include:

- At least 10 groundcover species native to RFEF grading out to CPW where appropriate
- At least 4 shrub species native to RFEF grading out to CPW where appropriate
- At least 4 small tree species native to RFEF grading out to CPW where appropriate
- At least 2 canopy tree species native to RFEF grading out to CPW where appropriate

### **15. Landscaping**

A site specific Landscape Plan for Lot 2103 is to be submitted to Council's satisfaction with all future Development Applications. This plan is to show how landscaping will incorporate the use of local provenance plants native to the local vegetation communities being River-flat Eucalypt Forest and Cumberland Plain Woodland. Eighty percent of the plants (excluding turf) used in the street tree planting and in common areas are to be of local provenance groundcovers, shrubs and trees. Please note that Lot 2102 is excluded from landscaping and will be subject to a Council-approved Vegetation Management Plan.

### **16. 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.

### **17. Unit Sizes**

The unit sizes for the residential flat buildings will be considered with the built form Development Applications (Stage 2), and will have regard to Residential Flat Design Code, SEPP 65 and The Hills 2012 DCP Part D Section 8 Norwest Town Centre Residential Development.

### **18. Signalisation of Norwest Boulevard/Solent Circuit (east)**

In accordance with the Norwest Town Centre Master Plan (DA 790/2006/HC), a signalised intersection at Norwest Boulevard/Solent Circuit (east) shall be provided at the expense of the applicant prior to the occupation of 400 units within the Norwest Town Centre Residential Precinct (including the West, Central and Eastern Precincts). The design of this signalised intersection shall be prepared by Council and approved by the RMS.

## **THE USE OF THE SITE**

### **19. Agreement for Onsite Waste Collection**

Subsequent development applications are to be accompanied by a signed Indemnity Agreement to enable the onsite servicing of bins from the private road network by Council's waste collection vehicles. The waste service will not commence and bins will have to be taken to the public road for collection if the Indemnity Agreement has not been received.



## APPENDIX 1 – OFFICE OF WATER GENERAL TERMS OF APPROVAL



Department of  
Primary Industries  
Office of Water

Contact: Gina Potter  
Phone: 02 8838 7566  
Fax: 02 8838 7554  
Email: gina.potter@water.nsw.gov.au  
Our ref: 10 ERM2013/0185  
Your ref:

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

Attention: Sanda Svedas

DOC. No.:
BOX No.:
- 5 APR 2013
THE HILLS SHIRE COUNCIL

4 April 2013

Dear Sir/Madam

**Re: Integrated Development Referral – General Terms of Approval**  
**Dev Ref:**  
**Description of proposed activity: Norwest Town Centre - Central Precinct - Stage 1 - Master Plan**  
**Site location: 34Z Solent Circuit Baulkhan Hills**

I refer to your recent letter regarding an integrated Development Application (DA) proposed for the subject property. Attached, please find the Office of Water's General Terms of Approval (GTA) for works requiring a controlled activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

Please note Council's statutory obligations under section 91A (3) of the *Environmental Planning and Assessment Act 1979* (EPA Act) which requires a consent, granted by a consent authority, to be consistent with the general terms of any approval proposed to be granted by the approval body.

If the proposed development is approved by Council, the Office of Water requests that these GTA be included (in their entirety) in Council's development consent. Please also note the following:

- The Office of Water should be notified if any plans or documents are amended and these amendments significantly change the proposed development or result in additional works on waterfront land (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).
- Once notified, the Office of Water will ascertain if the amended plans require review or variation/s to the GTA. This requirement applies even if the proposed works are part of Council's proposed consent conditions and do not appear in the original documentation.

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)

Macquarie Tower, 10 Valentine Avenue, Parramatta NSW 2150 PO Box 3720 Parramatta NSW 2124 Australia | t + 61 2 8281 7777 | f + 61 2 8838 7554 | e [information@water.nsw.gov.au](mailto:information@water.nsw.gov.au) | ABN 47 661 556 763 170912

- The Office of Water should be notified if Council receives an application to modify the development consent and the modifications change any activities on waterfront land.
- The Office of Water requests notification of any legal challenge to the consent.

As the controlled activity to be carried out on waterfront land cannot commence before the applicant applies for and obtains a controlled activity approval, the Office of Water recommends the following condition be included in the development consent:

"The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to Council".

**The attached GTA are not the controlled activity approval.** The applicant must apply (to the Office of Water) for a controlled activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity on waterfront land.

Finalisation of a controlled activity approval can take up to eight (8) weeks from the date the Office of Water receives all documentation (to its satisfaction). Applicants must complete and submit (to the undersigned) an application form for a controlled activity approval together with any required plans, documents, the appropriate fee and security deposit or bank guarantee (if required by the Office of Water) and proof of Council's development consent.

Application forms for the controlled activity approval are available from the undersigned or from the Office of Water's website:

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)    [Water licensing](#) > [Approvals](#) > [Controlled activities](#)

The Office of Water requests that Council provide a copy of this letter to the applicant.

The Office of Water also requests that Council provides the Office of Water with a copy of the determination for this development application as required under section 91A (6) of the EPA Act.

Yours Sincerely



Gina Potter  
Water Regulation Officer  
Office of Water - Hunter, Sydney & South Coast



# General Terms of Approval

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

**Our Reference:** 10 ERM2013/0185

**File No:**

**Site Address:** 34Z Solent Circuit Baulkhan Hills

**DA Number:**

**LGA:** The Hills Shire Council

Number	Condition
<b>Plans, standards and guidelines</b>	
1	These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to 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) Erosion and Sediment Control Plan (iii) Soil and Water Management Plan
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 <a href="http://www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx">www.water.nsw.gov.au/Water-Licensing/Approvals/default.aspx</a>  (i) Vegetation Management Plans (ii) Riparian Corridors (iii) In-stream works (iv) 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 Water.
<b>Rehabilitation and maintenance</b>	
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

[www.water.nsw.gov.au](http://www.water.nsw.gov.au)

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**Our Reference:** 10 ERM2013/0185 **File No:**

**Site Address:** 34Z Solent Circuit Baulkhan Hills

**DA Number:**

**LGA:** The Hills Shire Council

Number	Condition
	in accordance with a plan or design approved by the NSW Office of Water.
<b>Reporting requirements</b>	
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.
<b>Security deposits</b>	
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.
<b>Access-ways</b>	
10	N/A
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.
<b>Bridge, causeway, culverts, and crossing</b>	
12-13	N/A
<b>Disposal</b>	
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.
<b>Drainage and Stormwater</b>	
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.
<b>Erosion control</b>	
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.
<b>Excavation</b>	
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.
19-21	N/A



**Our Reference:** 10 ERM2013/0185  
**Site Address:** 34Z Solent Circuit Baulkhan Hills  
**DA Number:**  
**LGA:** The Hills Shire Council

**File No:**

Number	Condition
River bed and bank protection	
22	N/A
23	The consent holder must establish a riparian corridor along Strangers Creek in accordance with a plan approved by the NSW Office of Water.
END OF CONDITIONS	

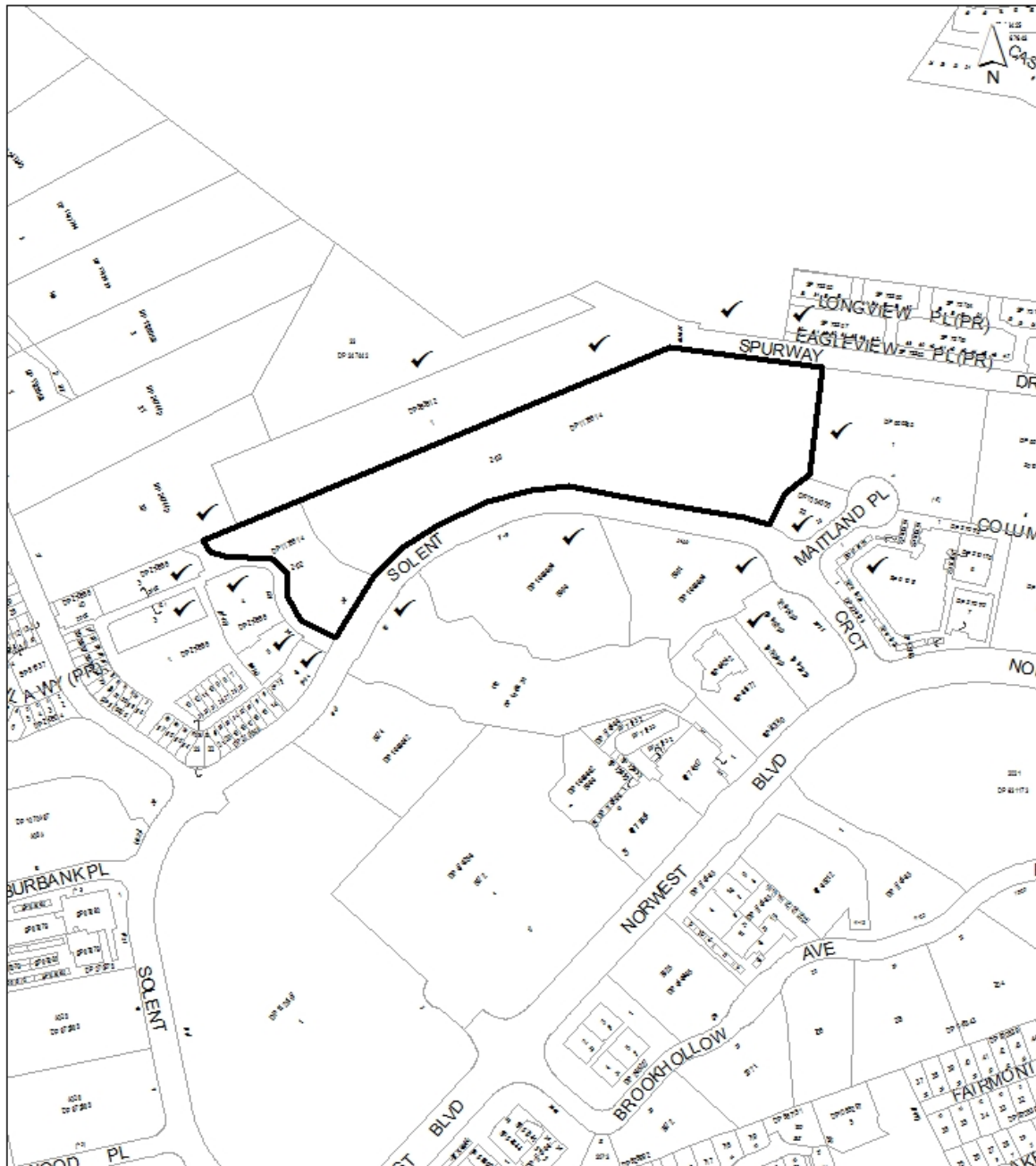
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f + 61 2 8838 7554 | e [information@water.nsw.gov.au](mailto:information@water.nsw.gov.au) | ABN 47 661 556 763  
170912

**ATTACHMENTS**

1. Locality Plan
2. Aerial Photograph
3. Zoning Map
4. Master Plan
5. Elevations
6. Site Massing Images
7. Shadow Diagrams
8. Landscape Plan Master Plan

## ATTACHMENT 1 – LOCALITY PLAN



- ☐ SUBJECT SITE
- ✓ PROPERTIES NOTIFIED

NOTE: THE HILLS DISTRICT HISTORICAL SOCIETY NOTIFIED AND STRATA PLAN MANAGEMENT

**THE HILLS**  
Sydney's Garden Shire

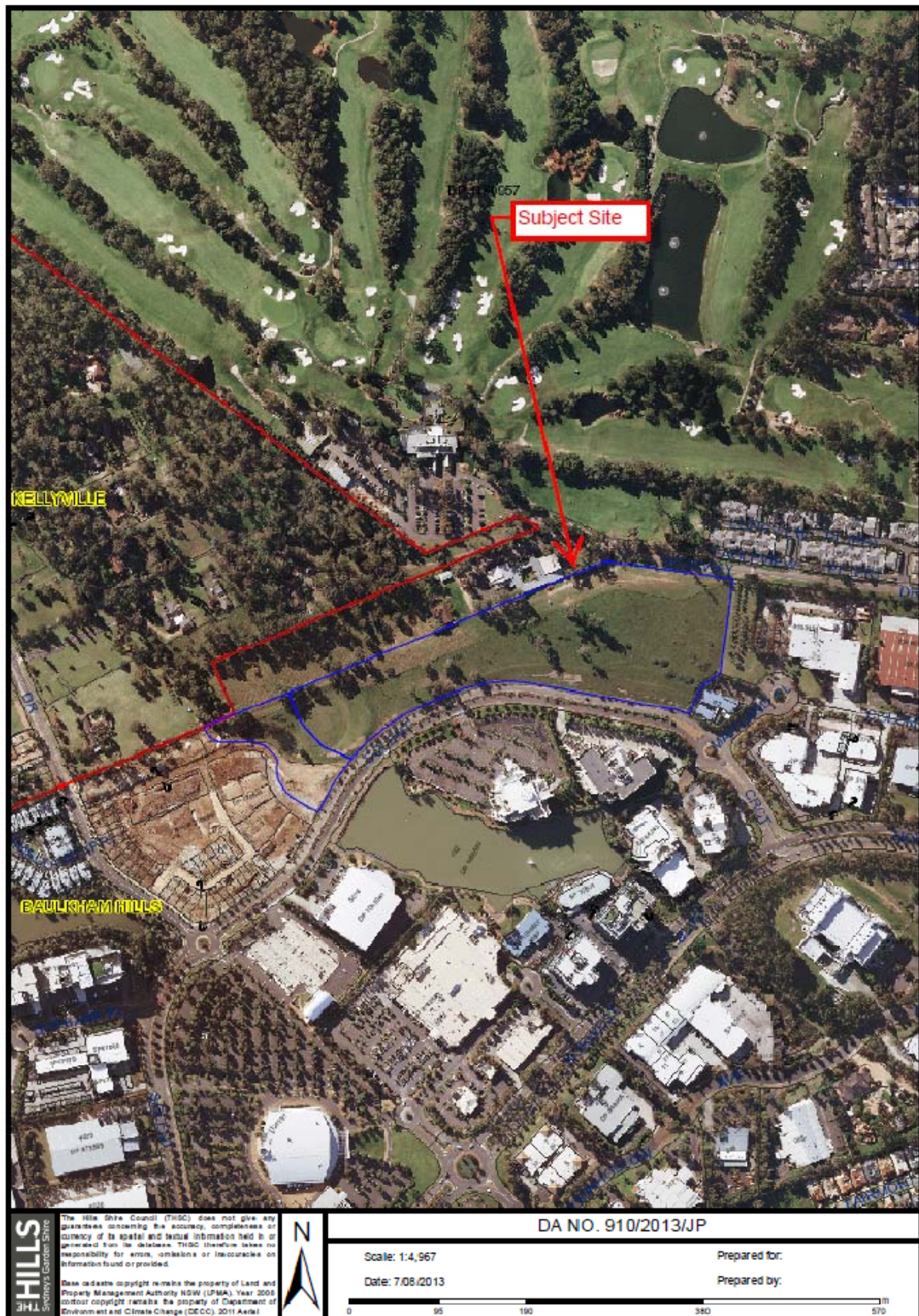
### THE HILLS SHIRE COUNCIL

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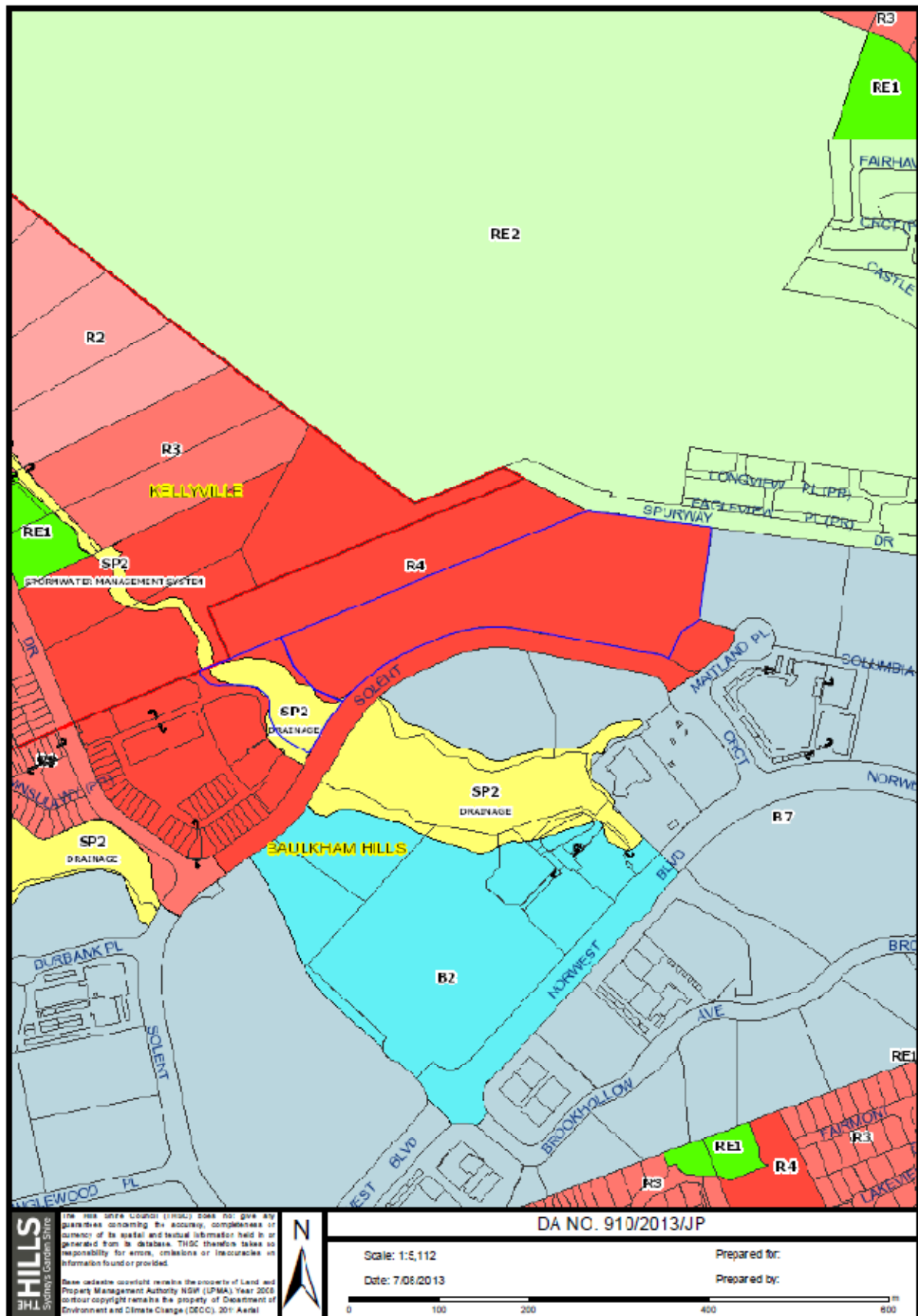


## ATTACHMENT 2 – AERIAL PHOTOGRAPH

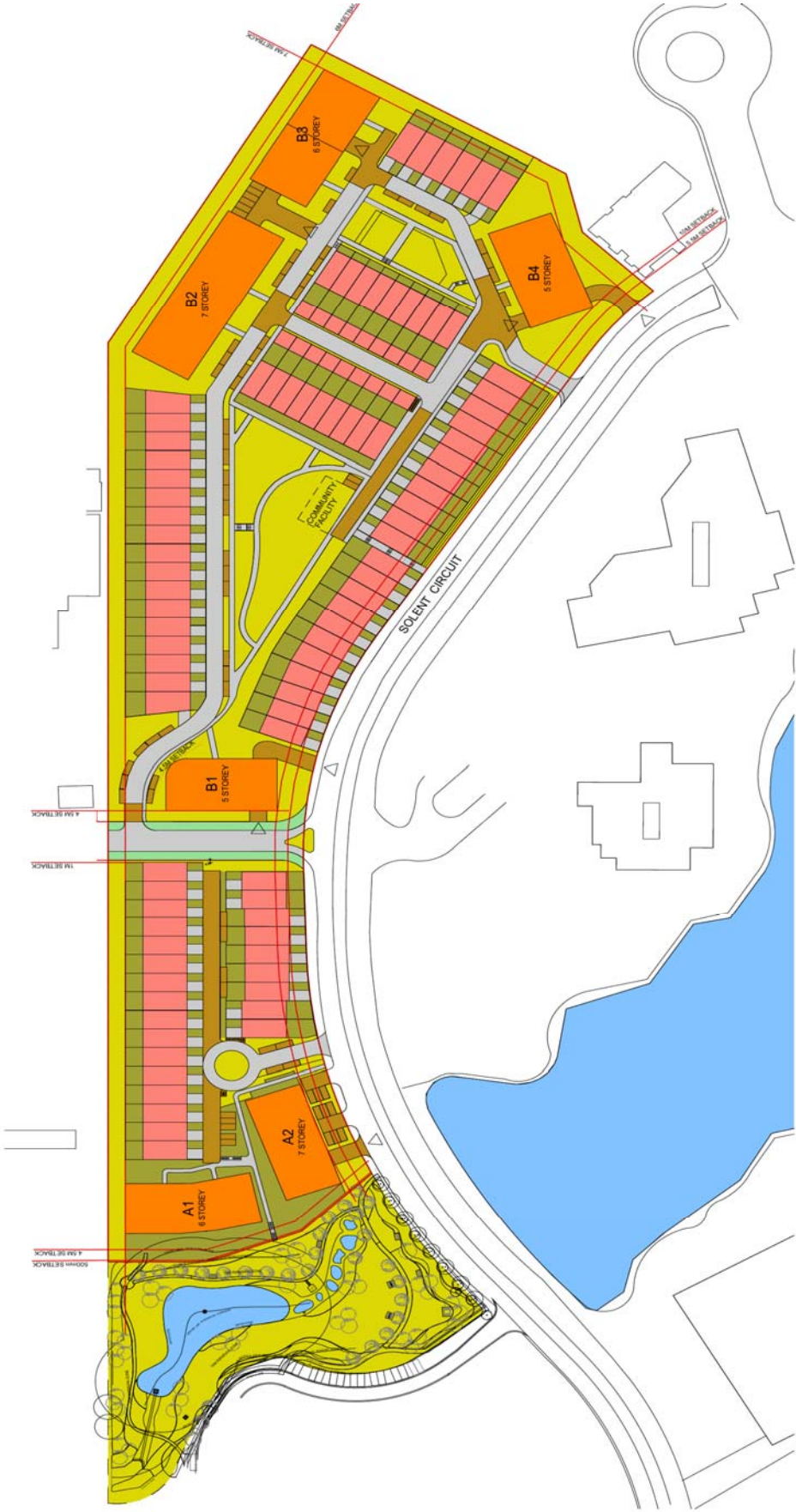




# ATTACHMENT 3 – ZONING MAP



ATTACHMENT 4 – MASTER PLAN



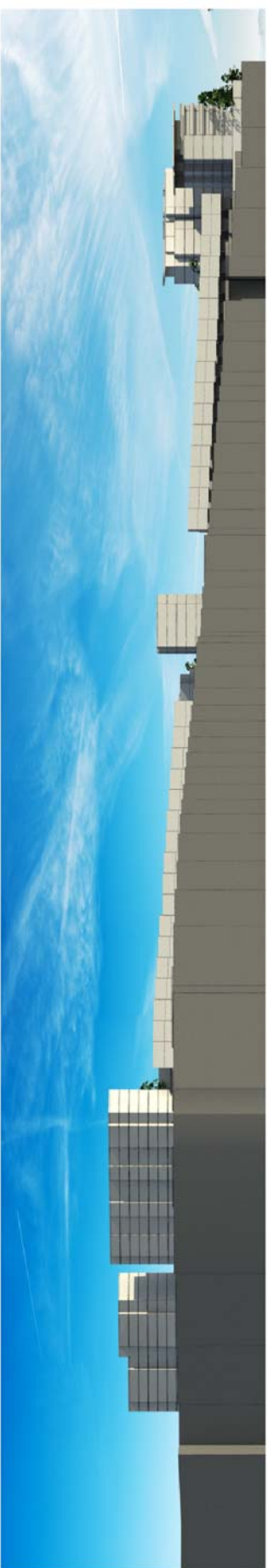
## ATTACHMENT 5 – ELEVATIONS



WEST ELEVATION



EAST ELEVATION



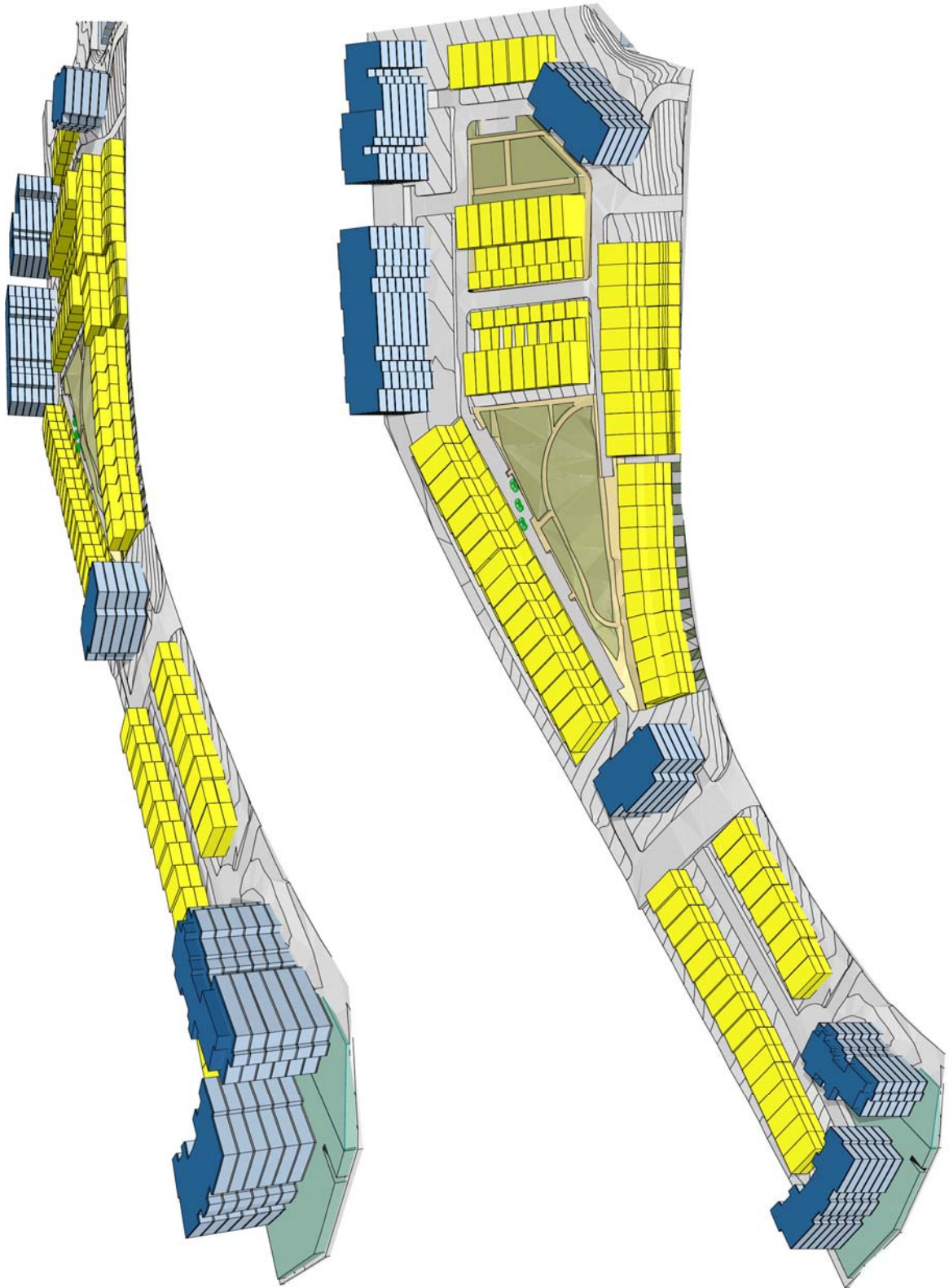
NORTH ELEVATION



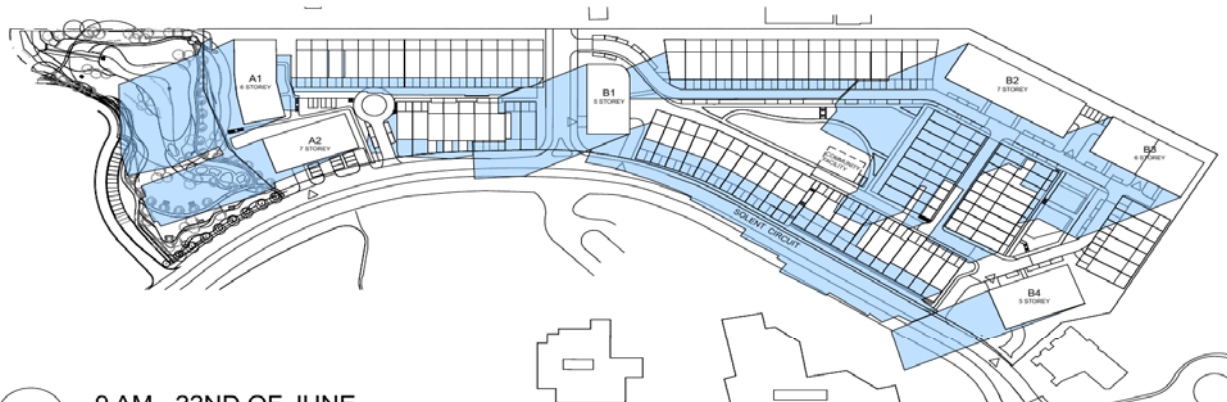
SOUTH ELEVATION



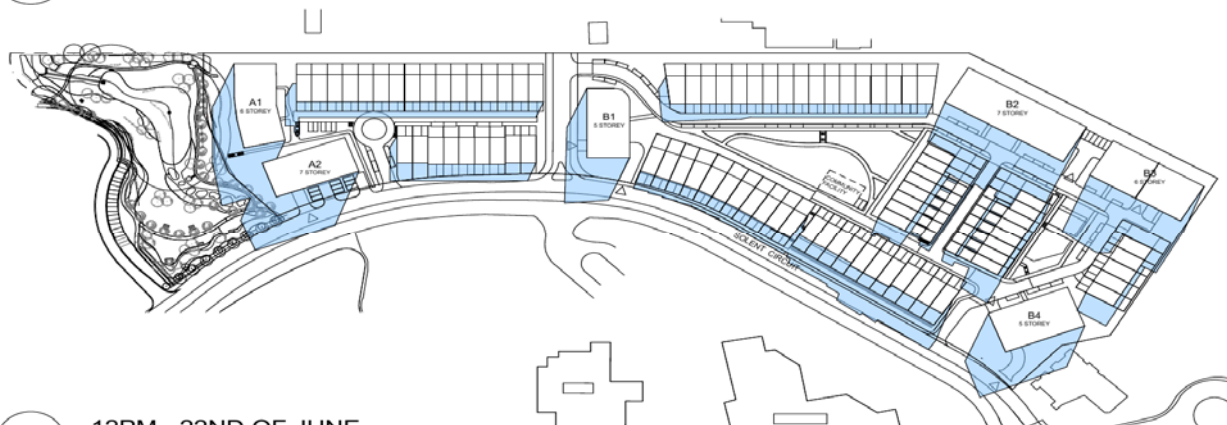
**ATTACHMENT 6 – SITE MASSING IMAGES**



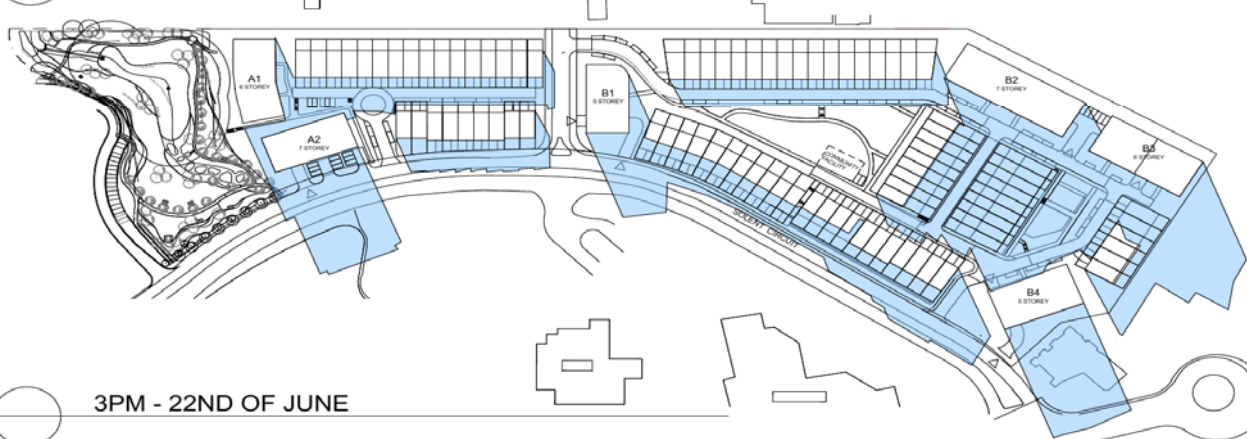
**ATTACHMENT 7 – SHADOW DIAGRAMS**



9 AM - 22ND OF JUNE



12 PM - 22ND OF JUNE



3 PM - 22ND OF JUNE



## ATTACHMENT 8 – LANDSCAPE MASTER PLAN

