

JOINT REGIONAL PLANNING PANEL (Sydney West Region)

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| JRPP No | 2014SYW099 |
| DA Number | 136/2015/JP |
| Local Government Area | THE HILLS SHIRE COUNCIL |
| Proposed Development | RESIDENTIAL FLAT BUILDING COMPLEX CONSISTING OF FIVE (5) X FIVE (5) STOREY BUILDINGS CONTAINING ONE HUNDRED AND EIGHTY FIVE (185) DWELLINGS WITH FOUR HUNDRED AND TWENTY FOUR (424) CAR PARKING SPACES WITHIN THE BASEMENT. |
| Street Address | LOTS 42, 43, 44 AND 45 DP 1171547 SWIFT PARROT CLOSE, KELLYVILLE |
| Applicant/Owner | URBAN LINK PTY LTD |
| Number of Submissions | EIGHTEEN PLUS A PETITION |
| Regional Development Criteria (Schedule 4A of the Act) | GENERAL DEVELOPMENT WITH A CIV OF OVER \$20 MILLION |
| List of All Relevant s79C(1)(a) Matters | <ul style="list-style-type: none"> • The Hills LEP 2012 • The Hills DCP 2012 • SEPP No. 65 – Design Quality of Residential Flat Development • Residential Flat Design Code |
| List all documents submitted with this report for the panel's consideration | COPY OF SUBMISSIONS |
| Recommendation | APPROVAL |
| Report by | DEVELOPMENT ASSESSMENT COORDINATOR ROBERT BUCKHAM |

EXECUTIVE SUMMARY

The Development Application is for five (5) x five (5) storey buildings containing one hundred and eighty five (185) dwellings with four hundred and twenty four (424) car parking spaces within the basement. The proposal incorporates 20 x 1 bedroom units, 145 x 2 bedroom units and 20 x 3 bedroom units. **All units achieve Council's largest apartment size requirements.** The Capital Investment Value is \$50,908,153.

The subject site is located on land zoned R4 – High Density Residential under The Hills LEP 2012 and has a LEP height limit of 16m. It should be noted that the entire estate is zoned R4 High Density Residential. The proposal is permissible and does not exceed the LEP height limit control.

The proposed development includes variations to The Hills DCP Part B Section 5 – Residential Flat Buildings in respect to the number of storeys and a minor front setback variation.

In relation to the number of storeys variation, the design of the proposed development provides appropriate articulation of the building mass and seeks to reduce the bulk of the building across the site frontage by providing greater open space and landscaping on the site between buildings whilst achieving a compliant density. The 5th storey is located below the 16m LEP height limit and is recessed from the four storeys below. The design in most parts complies with recommended building setbacks other than minor encroachments discussed in this report, and in conjunction with the landscaping, ensures that reasonable privacy is provided to neighbouring developments and impacts of the built form are minimised. There will be no unreasonable loss of privacy or amenity as a result of the variation.

The setback variation to Swift Parrot Close is minor and only relates to balcony balustrades and window awnings. The variations are negligible and can be supported.

The application was advertised and notified and 18 submissions and an online petition were received. The issues raised primarily relate to marketing of the estate, traffic, contaminated land, zoning, compliance with planning controls and amenity impacts. Given the number of submissions received a conciliation conference was held and the applicant subsequently made amendments to the application including an increased setback to Swift Parrot Close and realignment of driveways to reduce impact on residents adjacent.

The Development Application has responded to the development standards contained **within Council's planning instruments**. In the absence of the JRPP process the matter would be referred to the Development Assessment Unit for determination.

The application is recommended for approval.

BACKGROUND

MANDATORY REQUIREMENTS

| | | | |
|-----------------------|-----------------------------|-----|---|
| Owner: | JQ Point Pty Ltd. | 1. | <u>Section 79C (EP&A Act)</u> - Satisfactory |
| Zoning: | R4 High Density Residential | 2. | <u>The Hills LEP 2012</u> - Complies. |
| Area: | 22,819m ² | 3. | <u>SEPP 65 - Design Quality of Residential Flat Development</u> - Satisfactory |
| Existing Development: | Vacant land. | 4. | <u>Draft SEPP 65 (Consultation) - Design Quality of Residential Flat Development and Apartment Guideline</u> - Satisfactory |
| | | 5. | <u>State Environmental Planning Policy No 55—Remediation of Land</u> - Satisfactory |
| | | 6. | <u>DCP Part D Section 5 - Kellyville/Rouse Hill Release Area</u> - Satisfactory |
| | | 7. | <u>DCP Part B Section 5 - Residential Flat Buildings</u> - Variation, see report |
| | | 8. | <u>DCP Part C Section 1 - Parking</u> - Satisfactory |
| | | 9. | <u>Section 94 Contribution:</u> \$2,227,551.80 |
| | | 10. | <u>Capital Investment Value:</u> \$50,908,153 |

SUBMISSIONS**REASONS FOR REFERRAL TO JRPP**

| | | | |
|--------------------------|--------------------|----|---|
| 1. Exhibition: | Yes, 14 days | 1. | Capital Investment Value in excess of \$20 million pursuant to SEPP (Major Development) 2005. |
| 2. Notice Adj Owners: | Yes, 14 days | | |
| 3. Number Advised: | 28 | | |
| 4. Submissions Received: | 18 plus a petition | | |

HISTORY**31/07/2014**

Subject Development Application lodged.

18/09/2014

Briefing to JRPP Panel members.

08/10/2014

Conciliation Conference held.

24/10/2014

Letter sent to applicant requesting design amendments and additional information in relation to engineering matters, unit mix and consideration of the issues raised at the conciliation conference.

02/12/2014

Additional information submitted. The information included:

- Revision to the access arrangements to align with Council staff comments in relation to clearances from kerb inlets pits, and achievement of required grades and head heights for truck access;
- Revision to lift overrun to ensure compliance with the 16m height control;
- Revision to the front setbacks to provide for limited encroachments.
- Revision of the unit breakdown and overall building form, noting compliance with the dwelling mix controls.
- Updated Traffic Report dealing with cumulative impacts on traffic network has been prepared to align with comments received and the Conciliation Conference.

22/12/2014

Letters sent to objectors advising amended plans had been received for their information but were not being formally renotified given the changes are relatively minor.

PROPOSAL

The Development Application is for five (5) x five (5) storey buildings containing one hundred and eighty five (185) dwellings with four hundred and twenty four (424) car parking spaces within the basement. The proposal incorporates 20 x 1 bedroom units, 145 x 2 bedroom units and 20 x 3 bedroom units. **All units achieve Council's largest** apartment size requirements. Access is provided to a common basement via three driveways off Swift Parrot Close.

The Capital Investment Value is \$50,908,153.

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 \$50,908,153 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 The Hills Local Environmental Plan 2012

(i) Permissibility

The proposal is defined as a residential flat building:

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

A residential flat building is permitted within the R4 High Density Residential zone.

(ii) The Hills LEP 2012 - Development Standards

The following addresses the principal development standards of the LEP relevant to the subject proposal:

| CLAUSE | REQUIRED | PROVIDED | COMPLIES |
|-------------------------|-----------------|-----------------|-----------------|
| 4.3 Height of buildings | 16 metres | 16 metres | Yes |

3. Compliance with The Hills Development Control Plan

The proposal has been assessed against the provisions of The Hills Development Control Plan (THDCP) particularly: -

- Part B Section 5 – Residential Flat Buildings
- Part C Section 1 – Parking
- Part C Section 3 – Landscaping
- Part D Section 5 – Kellyville Rouse Hill Release Area

The proposed development achieves compliance with the relevant requirements of the above with the exception of the following:

| DEVELOPMENT STANDARD | THDCP REQUIREMENTS | PROPOSED DEVELOPMENT | COMPLIANCE |
|--|--|--|--|
| Part B Section 5 - 3.3 (a) Setbacks | Primary street frontage setback – 10m | 9.6m. Minor encroachment of sun shading elements and balcony balustrade of Building A and C fronting Swift Parrot Close. | No, minor encroachment of front setback to Swift Parrot Close. |
| Part B Section 5 – Clause 3.4 (c) Building Heights | No building shall contain more than 4 storeys above natural ground | The development incorporates a 5 storey element | No, the development exceeds the maximum storey |

| DEVELOPMENT STANDARD | THDCP REQUIREMENTS | PROPOSED DEVELOPMENT | COMPLIANCE |
|----------------------|--------------------|----------------------|----------------------|
| | level | | control by 1 storey. |

a) Setbacks

Clause 3.3(a) of BHDCP Part B Section 5 requires that buildings are to have a primary road frontage setback of 10 metres.

The development includes minor encroachments of up to 400mm into the Swift Parrot Close setback. The encroachments relate to window awnings and balcony balustrade.

The relevant objectives of this clause of the DCP are:

- i. *To ensure that the space in front of the building is sufficient to permit landscaping that will complement the building form and enhance the landscape character of the street.*
- iv. *The setbacks of proposed buildings are to minimise any adverse impacts such as overshadowing and privacy adjacent and adjoining properties .*

The applicant in justifying the proposed variation to the Development Standards states that: -

"The encroachments are minor and improve articulation and useability of the balconies."

Comment:

The proposed variations are minor and do not result in any impacts on adjoining properties. The variations add to the articulation of the building façade and can be supported in this instance.

b) Building Height

Clause 3.4(d) of BHDCP Part B Section 5 requires that;

"No building shall contain more than 4 storeys above natural ground level"

The development includes a number of buildings all 5 storey.

The relevant objectives of this clause of the DCP are:

- v. *To ensure that buildings reflect the existing landform of the neighbourhood, including ridgelines and drainage depressions.*
- vi. *To protect privacy and amenity of surrounding allotments and residential development in accordance with Council's ESD objective 7.*
- vii. *To minimise overshadowing of adjoining properties.*

The applicant in justifying the proposed variation to the Development Standards states that: -

"A maximum building height of 16m is identified for the site under The Hills Local Environmental Plan 2012, Height of Buildings Map Sheet. The development complies with the 16m height and comprises 5 storeys with the 5th storey component of the

development recessed at the upper most level with the extent of building footprint being reduced as compared to the lower levels.

This design approach is proposed to ensure an appropriate density on the site whilst maximising landscaped areas around the building given the context. In addition sufficient separation is provided between the three buildings will result in minimising overshadowing and privacy impacts. In addition the buildings will be read as 4 storeys from the majority of key viewpoints to the site.

The non-compliance to maximum height control (storey control only) is considered appropriate as the development aims to provide a prominent building that responds to the unique site attributes, is consistent with other key controls including density and setback controls and won't result in any additional amenity impacts to adjoining properties.

The increased height also enables slimmer buildings to be provided to maximise solar access and natural ventilation as well as complying with other key DCP controls relating to facade widths and other RFDC matters such as the requirement to provide no more than 8 dwellings per level. The additional landscaping around the site also enables a better contextual fit in the locality given the residential character of surrounding development.

Therefore the design response is preferable to strict compliance and it is reinforced that the proposal meets the 16m maximum height control contained within the LEP.

Finally the provisions of Section 74C of the Environmental Planning and Assessment Act provide:

(5) A provision of a development control plan (whenever made) has no effect to the extent that:

- (a) it is the same or substantially the same as a provision of an environmental planning instrument applying to the same land, or*
- (b) it is inconsistent or incompatible with a provision of any such instrument.*

Given the proposal complies with the 16m height control contained in the LEP it is considered that the 4 storey control is incompatible with the LEP control and is of no effect."

Comment:

The design of the proposed development provides appropriate articulation of the building mass and seeks to reduce the bulk of the building across the site frontage by providing greater open space and landscaping on the site between buildings whilst achieving a compliant density. The 5th storey is located below the 16m LEP height limit and is recessed from the four storeys below.

The design in most parts complies with recommended building setbacks other than minor encroachments discussed in this report, and in conjunction with the landscaping, ensures that reasonable privacy is provided to neighbouring developments and impacts of the built form are minimised. There will be no unreasonable loss of privacy or amenity as a result of the variation.

The design also provides a better outcome for future residents in terms of solar access and cross-flow ventilation.

Accordingly, the proposed height is considered satisfactory and can be supported in this instance.

4. Compliance with State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Flat Buildings

The subject Development Application has been assessed against the relevant design quality principles contained within the SEPP as follows:

(i) Context

The development responds and reflects the context into which it is placed. The site is located in the Kellyville Rouse Hill Release Area. The development conforms to the future desired character of the area.

(ii) Scale

The height of the development overall is acceptable in terms of solar access and residential amenity impacts. The proposal responds to the existing topography of the site within its context. The height generally ensures that the development responds to the desired future scale and character of the site.

The setbacks allow for landscape areas, entrances and deep-soil zones. The proposed setbacks have been developed to provide a satisfactory distance from surrounding boundaries, to form active street frontages and adequate open space areas for communal recreation spaces. The proposal addresses matters such as privacy and open space matters.

(iii) Built Form

The design of the building elements are of a contemporary style with a number of elements being used to provide an architectural character. The ultimate form of development is achieved in the articulation of the elevations, the selection of colours and materials and high quality landscaped setting.

(iv) Density

The proposal provides an appropriate built form outcome within the desired density range for the site.

(v) Resources, Energy and Water Efficiency

The design achieves natural ventilation and insulation will minimise the dependency on energy resources in heating and cooling. The achievement of these goals then contributes significantly to the reduction of energy consumption, resulting in a lower use of valuable resources and the reduction of costs.

The energy rating of the residential units has been assessed and the accompanying ratings indicate an achievement of the minimum points being scored.

(vi) Landscape

The landscape plan indicates that all open spaces will be appropriately landscaped with native trees and shrubs to provide a high quality finish. The proposed landscaping integrates with the overall appearance of the development.

(vii) Amenity

The building design has been developed to provide for the amenity of the occupants as well as the public domain. The key elements of the building design incorporates satisfactory access and circulation, apartment layouts, floor areas, ceiling heights, private

open space, common open space, energy efficiency rating, adaptability and diversity, safety, security and site facilities.

(viii) Safety and Security

The development has been designed with safety and security concerns in mind. The common open spaces are within direct view of occupants to allow passive surveillance. Open spaces are designed to provide attractive areas for recreation and entertainment purposes. These open spaces are accessible to all residents and visitors whilst maintaining a degree of security. Private spaces are clearly defined and screened.

(ix) Social Dimensions

The location of this development provides dwellings within a precinct that will provide in the future, a range of support services.

(x) Aesthetics

The building mass is articulated to provide smaller scale forms, with variable setbacks, using natural material colours, and a diversity of material textures to provide visual relief and strengthen the rural character of the architectural language. The choice of materials will be from a limited palette for the entire site.

The relevant provisions of the Residential Flat Design Code are addressed below:

| DEVELOPMENT STANDARD | SEPP 65 REQUIREMENTS | PROPOSED DEVELOPMENT | COMPLIANCE |
|---|---|--|-------------------|
| Part 1 – Local Context – Primary Development Controls | | | |
| Building Height | Where there is an FSR requirement, test height controls against it to ensure a good fit. | No FSR control however the proposal meets the density controls that apply to the site. | NA. |
| | Test heights against the proposed number of storeys and the minimum ceiling heights for the desired building use. | The proposed ceiling heights for each residential storey are 3m. | Yes |
| Building Depth | In general, apartment building depth of 10-18 metres is appropriate. Developments that propose depth greater than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved. | The proposed building depth is between 10m and 20m. Appropriate solar access is provided to all units. | Yes |
| Building Separation | <u>Up to 4 storeys</u> 12 m between habitable rooms/balconies 9m between habitable rooms/balconies and non-habitable rooms; | 12m minimum provided. | Yes. |

| DEVELOPMENT STANDARD | SEPP 65 REQUIREMENTS | PROPOSED DEVELOPMENT | COMPLIANCE |
|-----------------------|--|--|---|
| | <p>6m between non-habitable rooms.</p> <p><u>Five to eight storeys/up to 25 metres</u></p> <p>18m between habitable rooms/balconies</p> <p>13m between habitable rooms/balconies and non-habitable rooms</p> <p>9 metres between non-habitable rooms</p> <p>Design and test building separation controls in plan and section.</p> <ul style="list-style-type: none"> - Test building separation controls for daylight access to buildings and open spaces. - Building separation controls may be varied in response to site and context constraints. - Developments that propose less than the recommended distances apart must demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved (see Daylight Access, Visual Privacy and Acoustic Privacy). | Encroachments within 18m. | <p>No, The building separation of the fifth storey does not meet the 18m separation control (13m provided balcony to balcony) however each of the units is provided with balconies on two elevations so opportunity exists for private outdoor areas and habitable room to habitable room separation exceeds 18m.</p> |
| Street Setback | Identify the desired streetscape character, the common setback of buildings in the street, the accommodation of street tree planting and the height of buildings and daylight access controls. Identify the quality, type and use of gardens and landscaped areas facing the street. | The development is located in a new release area. The street setback is considered acceptable. | Yes |
| Side and rear setback | Relate side setback to existing streetscape patterns. Test side and rear setback with building separation, | Side setbacks are either provided by generous landscaped setback areas or access driveways. | Yes. |

| DEVELOPMENT STANDARD | SEPP 65 REQUIREMENTS | PROPOSED DEVELOPMENT | COMPLIANCE |
|----------------------|--|---|----------------|
| | open space and deep soil zone requirements (see Building Separation, Open Space and Deep Soil Zones). Test side and rear setbacks for overshadowing of other parts of the development and/or adjoining properties, and of private open space. | | |
| Floor Space Ratio | Test the desired built form outcome against proposed floor space ratio to ensure consistency with: <ul style="list-style-type: none"> - Building height - Building footprint - The three dimensional building envelope - Open space requirements | NA, no FSR control however the proposal meets the density controls that apply to the site. | NA. |
| Part 2: Site Design | | | |
| Deep Soil Zones | A minimum of 25% of the open space area of a site should be a deep soil zone. | The majority open space is provided around the buildings. Deep soil zones equate to 35.6%. | Yes |
| Open Space | The area of communal open space required should generally be at least 25-30% of the site area. The minimum recommended area of private open space for each apartment at ground level or similar space on a structure (i.e. podium, car park) is 25m ² . | The development provides for a range of open space areas exceeding 30% of the site area. Each unit is provided with a balcony or terrace area of at least 20m ² . | Yes Yes |
| Pedestrian Access | Identify the access requirement from the street or car parking area to the apartment entrance. Provide barrier free access to at least 20% of dwellings in the development. | Pedestrian access is provided from the street or car parking area to the apartment entrance. Entrance and access to the basement parking is achieved via the internal stairs and elevators. | Yes |
| Vehicular Access | Generally limit the width of driveways to a maximum of 6m. | The maximum width of the driveway is 6 metres. | Yes |

| DEVELOPMENT STANDARD | SEPP 65 REQUIREMENTS | PROPOSED DEVELOPMENT | COMPLIANCE |
|-----------------------------|--|---|-------------------|
| | Locate vehicle entries away from main pedestrian entries and on secondary frontages. | Vehicular access is suitably separated from the pedestrian access. | Yes |
| Part 3: Building Design | | | |
| Apartment Layout | Single aspect apartments should be limited to 8 metres from a window. | No single aspect units proposed. | Yes |
| Apartment Mix | Provide a diversity of apartment types to cater for different household requirements. | The proposal provides for 20 x 1 bedroom units, 145 x 2 bedroom units and 20 x 3 bedroom units. | Yes |
| Balconies | Provide primary balconies for all apartments with a minimum depth of 2 metres | All balconies provide useable areas with a depth of 2.5 metres. | Yes |
| Ceiling heights | Minimum floor to ceiling height for habitable rooms is 2.7m and 2.4m for non-habitable. | Minimum 3.0 metres. | Yes |
| Ground floor apartments | Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units. Provide ground floor apartments with access to private open space (i.e. terrace, garden). | Ground floor apartments are proposed. | Yes |
| Internal Circulation | In general, where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to eight. | There are a maximum of 8 units per floor. | Yes |
| Storage | In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates: - Studio – 6m ³ - 1 bed – 6m ³ - 2 bed – 8m ³ - 3 bed+ - 10m ³ | Separate storage closets are provided in each unit in addition to storage areas in the basement car park exceeding 10m ³ . | Yes |
| Daylight Access | Living rooms and private open spaces for at least | 74% of the units receive a minimum of | Yes |

| DEVELOPMENT STANDARD | SEPP 65 REQUIREMENTS | PROPOSED DEVELOPMENT | COMPLIANCE |
|-----------------------------|---|--|-------------------|
| | 70% of apartments in a development should receive a minimum of three hours direct sunlight between 9am and 3pm in mid winter. | three hours direct sunlight between 9am and 3pm in mid winter. | |
| Natural Ventilation | 60% of residential units should achieve natural cross flow ventilation. | 89% of units achieve cross flow ventilation. | Yes |
| Waste Management | Supply waste management plans as part of the DA as per the NSW Waste Board. | A satisfactory waste management plan was submitted with the application. | Yes |
| Water Conservation | Rainwater is not to be collected from roofs coated with lead or bitumen-based paints or from asbestos-cement roofs. Normal guttering is sufficient for water collections. | The development will be connected to recycled water to be used for landscape irrigation and car washing. | Yes |

An assessment was also undertaken against the provisions of the Draft SEPP 65 amendment together with the new Apartment Design Guide (replacing the Residential Flat Design Code). The proposed amendments were exhibited in October 2014. The changes are aimed at increasing the supply of well designed, affordable apartments, to introduce greater consistency in the adoption of basic design principles, and to encourage more innovative design. The proposal is considered satisfactory with respect to the draft amendment and Apartment Design Guide.

5. Issues Raised in Submissions

The proposal was exhibited and notified for 14 days. The issues raised in the submissions are summarised below.

| ISSUE/OBJECTION | COMMENT | OUTCOME |
|---|--|------------------|
| Lot 42 was advertised as a townhouse building site. | <p>The marketing of Grey Gums estate was undertaken on behalf of Council by an estate agent and included an estate map which indicated which lots were available for purchase as well as a fly-through indicating to potential purchasers what could be achieved in terms of built form in the estate including on the larger development lots (4,000m² – 9,000m²). It indicates lot 42 as a Townhouse site.</p> <p>In this regard, Council engaged the services of a designer to prepare concept plans for development of the larger lots, however an offer to purchase</p> | Issue addressed. |

| ISSUE/OBJECTION | COMMENT | OUTCOME |
|---|---|------------------|
| | <p>these lots was made and the lots were sold.</p> <p>The owner of the site intends to develop the lots for an apartment development which is permissible in the zone.</p> | |
| Council's promotional material was misleading. | The issues related to marketing are addressed above and are not a planning consideration. | Issue addressed. |
| The proposed developments are not in keeping with the 'blue ribbon' description marketed to residents. | The development is permissible with consent in the R4 zone and meets all relevant LEP development standards. All units achieve Council's largest apartment size requirements. The issues related to marketing are addressed above and are not a planning consideration. | Issue addressed. |
| Contracts of Sale include diagrams from Endeavour Energy and Sydney Water. These diagrams show 17 townhouses on Lot 42 and 39 units on each of Lots 43, 44, 45. Endeavour Energy and Sydney Water authority did not come up these numbers by themselves. Hills Shire Council must have provided these numbers and based on these input Energy and Water authority planned the services accordingly. | This is not a matter relating to the subject application. The applicant is required to consult with service authorities to ensure that adequate infrastructure is provided for the development. | Issue addressed. |
| The submitted traffic reports are inadequate and don't consider cumulative traffic volumes including the child care centre, netball traffic or development in North Kellyville. | An amended traffic report was submitted by the applicant and has been reviewed by Council's Traffic Section and deemed to be satisfactory. See traffic comments. | Issue addressed. |
| Consideration should be given as to whether a single lane round-a-bout is adequate. | Council's future predicted traffic volumes for Withers Road indicate that the single lane roundabout will continue to operate at a satisfactory level of service up until approximately 2019, at which time an upgrade to two circulating lanes will be required to reduce queue lengths on the eastern approach of Withers Road. | Issue addressed. |

| ISSUE/OBJECTION | COMMENT | OUTCOME |
|--|--|------------------|
| Increased wait periods at roundabouts increases the likelihood of car accidents. | As identified above, upgrading to a two lane round-a-bout is envisaged in 2019 to accommodate increased wait times. Should traffic levels into the future warrant any further upgrading, this will occur through Council Local Traffic Committee. | Issue addressed. |
| Concern regarding traffic congestion if evacuation is required due to bushfire. | The original subdivision application and the subject application were referred to the Rural Fire Service who provided concurrence. | Issue addressed. |
| Concerns about parking due to the adjoining netball courts and proposed childcare centre. Concerned that developments of this density will increase the amount of cars parked on the street | Parking is provided on site in accordance with Councils DCP including 74 visitor parking spaces. | Issue addressed. |
| The location of access driveways should be reconsidered to reduce impacts on residents. | Two of the driveways fronting Swift Parrot Close have been relocated further to reduce the impact on the living areas of residents adjacent. | Issue addressed. |
| Residents asked that additional vehicular access points be explored to Withers Road. | Council has no ability to provide an access road through either Lot 1021 to Regent Honey Eater Grove or Lot 1023 to Applegum Crescent, as both lots are the subject of a BioBanking Agreement with the NSW State Government (OEH) that precludes any activity on the BioBank lots other than for conservation management purposes. | Issue addressed. |
| Concern regarding the safety of children playing on surrounding streets from the high volume of traffic. | Traffic volume is within environmental capacity. Children playing on local streets is not encouraged. | Issue addressed. |
| What are the proposed plans for refuse collection if the bins are to be stored underground, as in the Development Plans? It is therefore unclear as to how this will be managed. Rubbish collection on the street does not seem appropriate. | Garbage bins will be collected within the basements. | Issue addressed. |

| ISSUE/OBJECTION | COMMENT | OUTCOME |
|--|--|--|
| Health concerns for residents, especially for those living within 20m of the proposed development site, for asbestos and other soil contaminants – especially during the proposed construction time. | The contamination investigation carried out by SMEC Australia Pty Ltd identified a number of contamination issues which has been appropriately remediated. However should any contamination be identified during works, works are to cease and a contamination assessment is to be undertaken in accordance with State Environmental Planning Policy 55- Remediation of Land. A condition has been recommended in this regard. | Issue addressed. Refer Condition No 64. |
| Has the depth of excavation been considered and could excavation breach any capping? | The site has been appropriately remediated and a validation report prepared by DLA Environmental who concluded that the site has met the validation objectives and that the site presents no unacceptable risk to the human health or environment and therefore suitable for an end land use of residential with garden accessible soils. | Issue addressed. |
| A risk assessment should be required which would include appropriate mitigating actions for the excavation and removal of contaminated soils. | Should any contamination be identified during works, works are to cease and a contamination assessment is to be undertaken in accordance with State Environmental Planning Policy 55- Remediation of Land. A condition has been recommended in this regard. | Issue addressed. Issue addressed. Refer Condition No 64. |
| Loss of privacy, particularly from upper levels. | Adequate separation and landscaping is provided to adjoining properties. | Issue addressed. |
| A limited number of neighbours were notified about the proposed development. We request that every resident in the estate be notified | Council's DCP requires that adjoining neighbours be notified. Notification beyond neighbours directly adjoining the site was undertaken. The application was also advertised which involved placement of a sign on the site and an advertisement within the local papers. | Issue addressed. |
| This development does not meet The Hills Local Environment Plan 2012 | The site is zoned R4 High Density Residential. The merits of the zoning are not a | Issue addressed. |

| ISSUE/OBJECTION | COMMENT | OUTCOME |
|--|--|------------------|
| guidelines for High Density Residential as it is neither close to public transport routes or population centres. | consideration for this application. | |
| Concern was raised regarding the zoning translation process from 2(a) to R4 as the site was never zoned as 2(a4) which is designed for flat buildings. | This process was undertaken as part of Council's adoption of a Standard Instrument LEP which involved development of a Local Strategy to guide major changes in land use management within the Shire. In locations outside those identified for change in the Local Strategy, the translation involved a 'best fit' approach to the new Standard Instrument. The result for the subject land was R4 Residential High Density. The rezoning from 2(a1) to R4 is not relevant to this application. | Issue addressed. |
| Grey Gum Estate is 3.1km from Rouse Hill Town Centre, the nearest population centre, which is a 44 minute walk if using the road. | It is anticipated that local bus services will be amplified once population is in place and demand rises. | Issue addressed. |
| Has the impact of additional children been considered on local schools? | This is not a matter for consideration for the current application. | Issue addressed. |
| The development should comply with all planning controls. | An applicant is permitted to vary the development standards. The merits of any variations are addressed in this report. | Issue addressed. |
| The DCP should not be pushed to the side with respect to the four level limit. | This matter is addressed in Section 3 of this report. | Issue addressed. |
| The development should be required to comply with the same bushfire requirements as residents (BAL 40). | The application was referred to the Rural Fire Service for assessment. The RFS have provided conditions of consent and BAL levels as required. | Issue addressed. |
| Lift over runs are not shown on the plans | The applicant has amended the plans to notate that the lift overruns are located within the roof line of the apartment buildings. | Issue addressed. |

| ISSUE/OBJECTION | COMMENT | OUTCOME |
|--|--|------------------|
| The reports have been produced by the developer and independent reports should be produced by Council. | Council staff undertake an independent assessment of the proposal. | Issue addressed. |

SUBDIVISION ENGINEERING COMMENTS

No objection raised to the proposal. Relevant conditions can be recommended.

TREE MANAGEMENT COMMENTS

No objection raised to the proposal. Relevant conditions can be recommended.

HEALTH & ENVIRONMENTAL PROTECTION COMMENTS

Clause 7 (Contamination and remediation to be considered in determining development application) of SEPP 55 – Remediation of Land, states:

- "(1) A consent authority must not consent to the carrying out of any development on land unless:*
- (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose."*

The preceding subdivision application 1357/2010/JPZ for the lots known as Lot 39 DP 1171547, Lot 40 DP 1171547, Lot 41 DP 1171547, Lot 39, 40 & 41 DP 1171547 Regent Honeyeater Grove, Kellyville with regard to contamination. The contamination report prepared by SMEC Australia Pty Ltd, referenced as 3001125, dated August 2006 which identified a number of contamination issues that existed on the site. Remediation and validation was then required to address the identified contamination issues. The validation report prepared by DLA Environmental; David Lane Associates, referenced as DL2515, dated August 2010 states that the site has been appropriately remediated and has met the validation objectives and that the site presents no unacceptable risk to the human health or environment and therefore suitable for an end land use of residential with garden accessible soils.

No objection raised to the proposal. Relevant conditions can be recommended.

WASTE MANAGEMENT COMMENTS

No objection raised to the proposal. Relevant conditions can be recommended.

TRAFFIC

With respect to the traffic generation identified predicted by Varga Traffic Planning for the **three DA's currently for determination by the JRPP. The Varga Traffic Planning report for the three apartment sites utilising the RMS generation rates predicts the 362 higher density apartments will generate 182 peak hour trips.**

Whilst there is a slight difference of 6 peak hour trips between the Varga Traffic report and in traffic report prepared as part of the subdivision application the impact this difference will have on the operational efficiency of the single lane circulating roundabout on Withers Road is negligible. To verify this statement and by utilising the future predicted traffic

volumes for Withers Road contained within the North Kellyville Traffic Assessment, in house SIDRA modelling has confirmed that the single lane roundabout at Withers Road and the estate access will continue to operate at a satisfactory level of service up until approximately 2019, at which time an upgrade to two circulating lanes will be required to reduce queue lengths on the eastern approach of Withers Road.

ROAD AND MARITIME SERVICES COMMENTS

The application was referred to the RMS under the provisions of SEPP Infrastructure. The RMS raised no objection to the proposal.

CONCLUSION

The Development Application has been assessed against the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979, The Hills Local Environmental Plan 2012, The Hills Development Control Plan 2012, and State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

The applicant provided amended plans addressing issues raised with the application. The issues raised in the submission have been addressed in this report and do not warrant refusal of the application.

The application is recommended for approval subject to conditions.

RECOMMENDATION

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

GENERAL MATTERS

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

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

The amendments in red include: - No works are to be undertaken within the drainage easement 'B'.

REFERENCED PLANS

| DRAWING NO. | DESCRIPTION | SHEET | REVISION | DATE |
|-------------|---------------------------|-------|----------|------------|
| 14-025 | Site / Site Analysis Plan | 01 | D | 24/11/2014 |
| 14-025 | Basement Plan | 02 | D | 24/11/2014 |
| 14-025 | Ground Floor Plan | 03 | D | 24/11/2014 |
| 14-025 | First Floor Plan | 04 | D | 24/11/2014 |
| 14-025 | Second Floor Plan | 05 | D | 24/11/2014 |
| 14-025 | Third Floor Plan | 06 | D | 24/11/2014 |
| 14-025 | Fourth Floor Plan | 07 | D | 24/11/2014 |
| 14-025 | Roof Plan | 08 | D | 24/11/2014 |
| 14-025 | Elevations | 09 | D | 24/11/2014 |
| 14-025 | Sections | 10 | D | 24/11/2014 |
| 14-025 | Schedule of Finishes | 14 | D | 24/11/2014 |

2. Compliance with NSW Rural Fire Service Requirements

Asset Protection Zones

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

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

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

2. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
 - An Emergency /Evacuation Plan is to be prepared consistent with the NSW Rural Fire Service document 'Guidelines for the Preparation of Emergency/Evacuation plan'.
 - An Emergency/Evacuation Plan is to be prepared in accordance with the NSW Rural Fire Service Guidelines for the Preparation of Emergency/Evacuation Plan and comply with Australian Standard AS 3745 2010 'Emergency Control Organisation and Procedures for Buildings Structures and Workplaces for Residential Accommodation'.
 - **Detailed plans of all Emergency Assembly Areas including "on site" and "off site" arrangements as stated in Australian Standard AS 3745 2010 'Emergency Control Organisation and Procedures for Buildings Structures and Workplaces for Residential Accommodation' are clearly displayed, and an annual (as a minimum) trial emergency evacuation is conducted.**

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

3. All new fencing shall be non-combustible.
4. New construction for Building A, B, C & D shall be in accordance with the following:
 - between the distances of 32m and 43m, from the North Eastern boundary of easement C, shall comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959:2009 'Construction of buildings in bush fireprone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection';
 - between the distances of 43m and 57m, from the North Eastern boundary of easement C, shall comply with Sections 3 and 6 (BAL 19) Australian Standard AS3959:2009 'Construction of buildings in bush fireprone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection';
 - between the distances of 57m and 100m, from the North Eastern boundary of easement C, shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959:2009 'Construction of buildings in bush fireprone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.
5. New construction for Building E shall be in accordance with the following:

- between the distances of 10m and 14m, from the north eastern and south eastern boundary of easement C, shall comply with Sections 3 and 8 (BAL 40) Australian Standard AS39592009 'Construction of buildings in bush fireprone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection';
- between the distances of 14m and 20m, from the north eastern and south eastern boundary of easement C, shall comply with Sections 3 and 7 (BAL 29) Australian Standard AS39592009 'Construction of buildings in bush fireprone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection';
- between the distances of 20m and 29m, from the north eastern and south eastern boundary of easement C, shall comply with Sections 3 and 6 (BAL 19) Australian Standard AS39592009 'Construction of buildings in bush fireprone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection';
- between the distances of 29m and 100m, from the north eastern and south eastern boundary of easement C, shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS39592009 'Construction of buildings in bush fireprone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.

Landscaping

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

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

3. Provision of Parking Spaces

The development is required to be provided with 424 off-street car parking spaces. These car parking spaces shall be available for off street parking at all times.

4. Australia Post Mail Box Requirements

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

5. Planting Requirements

All trees planted as part of the approved landscape plan are to be minimum 45 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers are to be planted at 5/m².

Street trees must be provided for the section of Swift Parrot Close within or fronting the development site spaced between 7m and 10m apart and with a minimum of one tree per lot frontage. The location of street trees must be considerate of driveways, services, drainage pits and sight lines at intersections. The species and size of street trees must comply with the requirements of Council. Details demonstrating compliance with the above must be submitted for approval before any street trees are planted.

A performance/ maintenance bond is required to be submitted to Council once the street trees are planted. The bond will be held for one year and may be extended if replacement street trees are required to be planted. The bond is refundable upon written application to Council. Alternatively, street trees can be planted by Council subject to payment of the **applicable fee as per Council's Schedule of Fees and Charges.**

6. Construction Certificate

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

7. Building Work to be in Accordance with BCA

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

8. External Finishes

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

9. Acoustic Requirements

The recommendations of the Acoustic Assessment and Report prepared by Acoustic Noise and Vibration Solutions Pty Ltd, referenced as 2014-324-02, dated July 14 2014 and submitted as part of the Development Application are to be implemented as part of this approval. In particular:

- Proposed window and doors
- External wall recommendations
- Roof recommendations
- External door recommendations
- Sound barrier fence
- Car park mechanical ventilation

10. Separate Application for Strata Subdivision

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

11. Process for Council Endorsement of Legal Documentation

Where an encumbrance on the title of the property is required to be released or amended and Council is listed as the benefiting authority, the relevant release or amendment

documentation must be submitted along with payment of the applicable fee as per **Council's Schedule of Fees and Charges**. **Sufficient time should be allowed for the preparation of a report and the execution of the documents by Council.**

12. Road Opening Permit

Should the subdivision/ development necessitate the installation or upgrading of utility services or any other works on Council land beyond the immediate road frontage of the development site and these works are not covered by a Construction Certificate issued by Council under this consent then a separate road opening permit must be applied for and **the works inspected by Council's Maintenance Services team.**

The contractor is responsible for instructing sub-contractors or service authority providers **of this requirement. Contact Council's Construction Engineer if it is unclear whether a separate road opening permit is required.**

13. Protection of Public Infrastructure

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

14. Works in the vicinity of Drainage Basin Easement B

No works are permitted within existing drainage easement B (drainage reserve) registered on the property title of lot 42. Works in the vicinity of drainage reserve, the following requirements must be adhered to:

- a) During all phases of the proposed development including construction and occupation, any activities in the vicinity of the basin must not affect the function of the bio-retention basin, which serves to control stormwater discharge and water quality treatment body.
- b) The existing ground levels of the basin and/or in the vicinity must not be altered to ensure the design capacity of the retention basin.
- c) No fill, stockpiles, building materials or sheds can be placed within the easement.
- d) Open style fencing must be used along the boundary. New or replacement fencing must be approved by Council.

15. Structures Adjacent to Piped Drainage Easements

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

16. Requirements for Council Drainage Easements

No works are permitted within existing or proposed public drainage easements unless approved by Council. Where works are permitted, the following requirements must be adhered to:

- a) Provision for overland flow and access for earthmoving equipment must be maintained.
- b) The existing ground levels must not be altered. No overland flow is to be diverted out of the easement.
- c) No fill, stockpiles, building materials or sheds can be placed within the easement.
- d) Open style fencing must be used. New or replacement fencing must be approved by Council.

17. Vehicular Access and Parking

The formation, surfacing and drainage of all driveways, parking modules, circulation roadways and ramps are required, with their design and construction complying with:

- a) AS/ NZS 2890.1

- b) AS/ NZS 2890.6
- c) AS 2890.2
- d) **Council's 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, car parking areas and service area 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. The design must consider the largest design service vehicle expected to enter the site. All three driveways are to be redesigned to ensure compliant to design standards.
- iii. The middle driveway that also provides access for service vehicles must be redesigned to ensure design compliant, also with respect to ramp grades and rates of change of grade in accordance with Table 3.2 of AS 2890.2.
- iv. The bottom part of the middle driveway, where waste collection service is proposed, the area must be designed to provide adequate vertical clearance 3.5m (Table 4.1 of AS 2890.2) and adequate maneuvering area to facilitate operation of service vehicles in forward direction.
- v. All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

18. Minor Engineering Works

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

- a) **Council's Design Guidelines Subdivisions/ Developments**
- b) **Council's Works Specifications Subdivisions/ Developments**

Any variance from these documents requires separate approval from Council.

Works on existing public roads or any other land under the care and control of Council must be approved and inspected by Council in accordance with the Roads Act 1993 or the Local Government Act 1993. A separate minor engineering works application and inspection fee is payable as per Council's Schedule of Fees and Charges.

i. Driveway Requirements

The design, finish, gradient and location of all driveway crossings must comply with the above documents and Council's Driveway Specifications.

- The proposed driveways must be built to Council's heavy duty standard.
- The middle driveway also proposed vehicular access for service vehicle must be designed to the standards as required under the condition titled 'Vehicular Access and Car parking'.

The driveway must be 6m wide at the boundary splayed to 8m wide at the kerb. The driveway must be a minimum of 6m wide for the first 6m into the site, measured from the boundary.

A separate driveway application fee is payable as per Council's Schedule of Fees and Charges.

ii. Disused Layback/ Driveway Removal

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

iii. Site Stormwater Drainage

The site stormwater management must include a separate 10,000 litre (minimum) rain water tank for each Blocks A - E for reuse purposes.

The site area outside the building must be graded, collected and drained by pits and pipes to the existing inter-allotment drainage easement benefitting the development sites.

iv. Stormwater Drainage – Creek Outlets

Piped stormwater outlets/ connections to a natural watercourse must comply with the requirements of Council and the NSW Office of Water (as well as Sydney Water, in the case of stormwater management land).

19. Adherence to Waste Management Plan

All requirements of the Waste Management Plan submitted to and approved by Council must be implemented during construction of the development. The information submitted can change provided that the same or a greater level of reuse and recycling is achieved as detailed in the plan. Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act 1997 and only to a place that can lawfully be used as a waste facility. Receipts of all waste/ recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of the Council who asks to see them.

20. Management of Construction Waste

Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to its reuse onsite or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. A separate dedicated bin must be provided onsite by the builder for the disposal of waste materials such as paper, containers and food scraps generated by all workers. Building waste containers are not permitted to be placed on public property at any time unless a separate application is approved by Council to locate a building waste container in a public place. Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act 1997 and only to a place that can lawfully be used as a waste facility. The separation and recycling of the following waste materials is required: metals, timber, masonry products and clean waste plasterboard. This can be achieved by source separation onsite, that is, a bin for metal waste, a bin for timber, a bin for bricks and so on. Alternatively, mixed waste may be stored in one or more bins and sent to a waste contractor or transfer/ sorting station that will sort the waste on their premises for recycling. Receipts of all waste/ recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of the Council who asks to see them

21. Surplus Excavated Material

The disposal of surplus excavated material, other than to a licenced waste facility, is not permitted without the formal approval of Council prior to works commencing onsite. Any unauthorized disposal of waste, which includes excavated material, is a breach of the Protection of the Environment Operations Act 1997 and subject to substantial penalties. Receipts of all waste/ recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of the Council who asks to see them.

22. Commencement of Domestic Waste Service

The property owner or agent acting for the owner must ensure to arrange the commencement of a domestic waste service with Council. The service is to be arranged no earlier than two days prior to occupancy and no later than two days after occupancy of the development. All requirements of Council's domestic collection service must be complied with at all times. Please telephone Council on (02) 9843 0310 for the commencement of waste services.

23. Construction of Waste Storage Area

All work involving construction of the central waste storage room is required to comply with the requirements of Council's 'Bin Storage Facility Design Specifications'. Further to these requirements, the room must also be adequately ventilated (mechanically) and

internally light (artificial light). Storage facility must be provided for a minimum number of 20 x 1100L bulk garbage bins and 93 x 240L recycling bins. The measurements of an 1100L and 240L bin are as follows:

240L: 735mm (d) 580mm (w) 1080mm (h)

1100L: 1245mm (d) 1370mm (w) 1470mm (h)

24. Waste Loading Bay Signage

Appropriate signage must be mounted in a visible location and is to be maintained by the Body Corporate, indicating the waste loading bay is to be available and unimpeded at all times. This must be referenced within the strata management statement.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

25. Design Verification

Prior to the release of the Construction Certificate design verification is required from a qualified designer to confirm the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in SEPP65.

26. Notice of Requirements

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

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

27. Landscaping Plan

A Plan (to scale) for the landscaping of the site is to be prepared by a suitably qualified landscape architect or horticulturalist and submitted to Council's Sustainability Team for approval prior to Issue of a Construction Certificate. The plan must contain:

- Site boundaries and dimensions surveyed;
- North point, scale (1:200 desirable);
- Existing and proposed levels;
- All trees, grassed areas, landscape features and main structures on the site
- A schedule of proposed planting, including botanical name, common name, quantities, pot size, expected mature height and staking requirements.
- At least 80% of all plants used in landscaping (excluding lawn) for this development must be grown from local provenance seed and cuttings of species found on the NSW Scientific Committee's **Final Determination for Cumberland Plain Woodland**.
- No works within Drainage Easement 'B'.

28. Landscape Plan Bond

Lodgement of a landscape bond in the amount of \$15,000 shall be lodged with Council to ensure satisfactory completion of the landscaping works.

The landscape bond shall be released:

- a) six months from the issue of the Final Occupation/Subdivision Certificate; and
- b) after submission of certification from a qualified landscape architect; or
- c) to the satisfaction of the Manager – Health & Environment;
- d) that the landscaping has been completed in accordance with the approved landscape plan.

29. Section 94 Contribution

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

Payments comprise of the following: -

| | <i>1br per Unit</i> | <i>2br per Unit</i> | <i>3br per Unit</i> | <i>1 Bedroom: 20</i> | <i>2 Bedroom: 145</i> | <i>3 Bedroom: 20</i> | <i>Sum of Units</i> | <i>Credits: 4</i> | <i>Total Section 94</i> |
|--------------------------------|---------------------|---------------------|---------------------|----------------------|------------------------|----------------------|------------------------|---------------------|-------------------------|
| Open Space - Land | \$ 3,553.01 | \$ 5,739.47 | \$ 7,379.32 | \$ 71,060.20 | \$ 832,223.15 | \$ 147,586.40 | \$ 1,050,869.75 | \$ 40,449.60 | \$ 1,010,420.15 |
| Open Space - Capital | \$ 1,461.34 | \$ 2,360.62 | \$ 3,035.08 | \$ 29,226.80 | \$ 342,289.90 | \$ 60,701.60 | \$ 432,218.30 | \$ 16,636.76 | \$ 415,581.54 |
| Community Facilities - Land | \$ 76.56 | \$ 123.68 | \$ 159.02 | \$ 1,531.20 | \$ 17,933.60 | \$ 3,180.40 | \$ 22,645.20 | \$ 871.64 | \$ 21,773.56 |
| Community Facilities - Capital | \$ 662.84 | \$ 1,070.75 | \$ 1,376.67 | \$ 13,256.80 | \$ 155,258.75 | \$ 27,533.40 | \$ 196,048.95 | \$ 7,546.20 | \$ 188,502.75 |
| Studies and Administration | \$ 101.93 | \$ 164.65 | \$ 211.70 | \$ 2,038.60 | \$ 23,874.25 | \$ 4,234.00 | \$ 30,146.85 | \$ 1,160.44 | \$ 28,986.41 |
| Roadworks - Land | \$ 585.41 | \$ 945.66 | \$ 1,215.85 | \$ 11,708.20 | \$ 137,120.70 | \$ 24,317.00 | \$ 173,145.90 | \$ 6,664.64 | \$ 166,481.26 |
| Roadworks - Capital | \$ 1,391.80 | \$ 2,248.29 | \$ 2,890.66 | \$ 27,836.00 | \$ 326,002.05 | \$ 57,813.20 | \$ 411,651.25 | \$ 15,845.12 | \$ 395,806.13 |
| Total | \$ 7,832.89 | \$ 12,653.12 | \$ 16,268.30 | \$ 156,657.80 | \$ 1,834,702.40 | \$ 325,366.00 | \$ 2,316,726.20 | \$ 89,174.40 | \$ 2,227,551.80 |

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

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

This condition has been imposed in accordance with Contributions Plan No 8.

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

30. Street Numbering Identification and Letterbox Location

A plan showing the layout and location of the letterboxes for all Buildings and Dwellings in the development must be submitted to Council's Team Leader – Land and Information, for written approval. Street and townhouse numbering will be determined after receipt of this plan.

Written correspondence from Australia Post, certifying their approval to the proposed location of the letterboxes must accompany this plan. Australia post normally requires there be one (1) single group of cluster letterboxes. Should more than one (1) cluster be required, or should a combination of cluster and individual be required, Australia Post approval is necessary.

31. Works in Existing Easement

All adjoining properties either benefited or burdened by the existing easement must be notified of the proposed works within the easement in writing, including commencement and completion dates, before a Construction Certificate is issued.

32. Works on Adjoining Land

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

33. Stormwater Pump/ Basement Car Park Requirements

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

- A holding tank sized to store the runoff from a 12 hour, 1 in 100 year design storm event;
- An alternating two pump system capable of emptying the holding tank at either the Permissible Site Discharge rate or the rate of inflow for a five hour, 1 in 5 year design storm event, whichever is lower;
- An alarm system to alert a pump failure;
- 100mm freeboard to all nearby parking spaces;
- The system must be connected to the Onsite Stormwater Detention system before being discharged to the street along with the remaining site runoff, under gravity.

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

34. Draft Legal Documents

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

35. Security Bond – Road Pavement and Public Asset Protection

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, a security bond of \$189,000.00 is required to be submitted to Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction works. The above amount is calculated at the rate of \$85.00 per square metre based on the road frontage of the subject site plus an additional 50m on one side (297m) multiplied by the width of the road (7.5m).

The bond must be lodged with Council before a Construction Certificate is issued.

The bond is refundable upon written application to Council and is subject to all work being **restored to Council's satisfaction. Should the cost of restoring any damage exceed the** value of the bond, Council will undertake the works and issue an invoice for the recovery of these costs.

36. Security Bond – External Works

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

The bond must be lodged with Council before a Construction Certificate is issued.

The bond is refundable upon written application to Council and is subject to all work being **completed to Council's satisfaction.**

37. Bank Guarantee Requirements

Any bank guarantee submitted in lieu of a cash bond must comply with the following:

- a) Have no expiry date;
- b) Be sent to Council direct from the bank;
- c) Reference the development application, condition and matter to which it relates;
- d) The amount must match that required to be paid;
- e) If a single bank guarantee is used for multiple bonds, it must be itemised.
- f) Should Council need to uplift the bank guarantee, notice in writing will be forwarded to the applicant 14 days beforehand.

38. Internal Pavement Structural Design Certification

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

PRIOR TO WORK COMMENCING ON THE SITE

39. Principal Certifying Authority

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

40. Builder and PCA Details Required

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

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

41. Management of Building Sites – Builder's Details

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

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

42. Consultation with Service Authorities

Applicants are advised to consult with Telstra, NBN Co and Australia Post regarding the installation of telephone conduits, broadband connections and letterboxes as required.

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

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

43. Approved Temporary Closet

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

44. Stabilised Access Point

A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. The Stabilised access point is to be constructed in accordance with Managing Urban Stormwater – Soils and Construction (Blue Book) produced by the NSW Department of Housing.

45. Erosion and Sedimentation Controls – Major Works

Erosion and sedimentation control devices are to be provided in accordance with Council's *"Works Specification - Subdivisions/Developments"* (September 2010). All devices are to be established prior to the commencement of engineering works and maintained until completion of works and the site is stabilised. Periodic maintenance of the erosion and sedimentation control devices is to be undertaken to ensure their effectiveness.

46. Erosion & Sediment Control Plan Kept on Site

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

47. Traffic Control Plan

A Traffic Control Plan is required to be prepared and submitted to Council for approval. The person preparing the plan must have the relevant accreditation to do so. Where amendments to the plan are required post approval, they must be submitted to Council for further approval prior to being implemented.

A plan that includes full (detour) or partial (temporary traffic signals) width road closure requires separate specific approval from Council. Sufficient time should be allowed for this to occur.

48. Public Infrastructure Inventory Report

A public infrastructure inventory report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. This includes, but is not limited to, the road fronting the site along with any access route used by heavy vehicles. If uncertainty exists with respect to the necessary scope of this report, it must be clarified with Council before works commence. The report must include:

- a) Planned construction access and delivery routes; and
- b) Dated photographic evidence of the condition of all public assets.

DURING CONSTRUCTION

49. Filtration Motor

The swimming pool filter and pump shall be fully enclosed in a purpose built acoustic enclosure to attenuate noise emitted by the swimming pool equipment. The acoustic enclosure shall reduce the sound pressure level of the swimming pool filter and pump equipment to a level not greater than 5dB (A) above the background noise level in accordance with Protection of the Environment Operations Act 1997.

50. Pool Discharge Water

Discharge and/or overflow pipe from the swimming pool and filtration unit to be connected to the sewer where available.

All backwash water from the filtration unit is to be similarly disposed, or alternatively, must be piped to an absorption trench.

The pool excavations not to conflict with the position of household drainage trenches or lines, the position of which must be ascertained before pool excavation commences.

51. Swimming Pool Safety Fencing

All pools and safety barriers are to comply with the Swimming Pools Act 1992, the Swimming Pools Regulation 2008 and Australian Standard 1926.1-2012. A fact sheet titled *Swimming Pool Fencing Requirements* is available from www.thehills.nsw.gov.au.

52. Resuscitation Warning Notice

In accordance with the Swimming Pools Regulation 2008, a Warning Notice is to be displayed in a prominent position, in the immediate vicinity of the swimming pool. The notice is to contain a diagrammatic flow chart of resuscitation techniques, the words:

- (i) "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL",

And

- (ii) "POOL GATES MUST BE KEPT CLOSED AT ALL TIMES", and
- (iii) "KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900 MILLIMETRES CLEAR OF THE POOL FENCE AT ALL TIMES",

and all other details required by the Regulation.

53. Pool not to be Filled Until Occupation

The pool is not to be filled with water until the dwelling is occupied.

54. Temporary Fencing of Pools

This condition applies to unoccupied land.

On excavation and prior to installation of the pool shell or placement of the steel reinforcement, a fence is to be provided around the pool excavation, so as to isolate and prevent access to it.

The fence provided is to be 1.8m high and to no less a standard than correctly joined and secured, temporary fence panels or chainmesh. The fence is to remain in place until the site (dwelling) has been approved for occupation.

55. Documentation On Site

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

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

56. Hours of Work

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

Monday to Saturday - 7.00am to 5.00pm;

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

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

57. Compliance with BASIX Certificate

Under clause 97A of the Environmental Planning and Assessment Regulation 2000, it is a condition of this Development Consent that all commitments listed in BASIX Certificate No. 562506M be complied with. Any subsequent version of this BASIX Certificate will supersede all previous versions of the certificate.

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

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

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

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

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

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

59. Stockpiles

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

60. Dust Control

The emission of dust must be controlled to minimise nuisance to the occupants of the surrounding premises. In the absence of any alternative measures, the following measures must be taken to control the emission of dust:

- Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the construction work.
- All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and

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

61. Stormwater Management

Sediment and erosion controls shall be implemented to prevent sediment laden water from entering stormwater pits. Controls shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

62. Construction Noise

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

63. Standard of Works

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

64. Contamination

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

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

PRIOR TO ISSUE OF AN OCCUPATION AND/OR SUBDIVISION CERTIFICATE

65. Provision of Electricity Services

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

65. Provision of Telecommunications Services

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

67. Access and Useability

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

68. Design Verification Certificate

Prior to the release of the Occupation Certificate design verification is required from a qualified designer to confirm that the development has been constructed in accordance with approved plans and details and has satisfied the design quality principles consistent with that approval.

69. Landscaping Prior to Issue of Occupation Certificate

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

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

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

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

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

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

71. Acoustic Compliance Report

The acoustic consultant shall progressively inspect the installation of the required noise suppressant components as recommended in report prepared by Acoustic Noise and Vibration Solutions Pty Ltd dated 14 July 2014 referenced as 2014-324-02.

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

72. Completion of Engineering Works

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

73. Works as Executed Plans

Works as executed (WAE) plans prepared by a suitably qualified engineer or registered surveyor must be submitted to Council when the subdivision works are completed. The WAE plans must be prepared in accordance with Council's Design Guidelines Subdivisions/Developments.

74. Pump System Certification

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

75. Consolidation of Allotments

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

76. Notice of Privately Issued Strata Certificate

Should the Strata Certificate be issued by a certifier other than Council a copy of the strata certificate, along with all supporting documentation relied upon as part of the same, must be submitted to Council within seven days.

77. Public Infrastructure Inventory Report - Post Construction

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

78. Creation of Restrictions / Positive Covenants

Before an Occupation Certificate is issued the following restrictions/ positive covenants must be registered on the title of the subject site via a request document, Section 88B instrument associated with a plan or the like. Council's standard recitals must be used.

i. Restriction – Bedroom Numbers

The subject site must be burdened with a restriction using the "bedroom numbers" terms included in the standard recitals.

ii. Restriction/ Positive Covenant – Water Sensitive Urban Design

The subject site must be burdened with a positive covenant that refers to the WSUD element (Rain Water Tank) referred to earlier in this consent using the “water sensitive urban design elements” terms included in the standard recitals.

iii. Positive Covenant – Stormwater Pump

The subject site must be burdened with a restriction and a positive using the “basement stormwater pump system” terms included in the standard recitals.

79. Internal Pavement Construction

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

80. Final Inspection of Waste Storage Area

Prior to an Occupation Certificate being issued, a final inspection of the waste storage area and management facilities must be arranged by the Principal Certifying Authority and **must be undertaken by Council. This is to ensure compliance with Council’s design specifications** and that necessary arrangements are in place for waste collection by Council. The time for the inspection must be arranged with Council at least 48 hours prior to the Principal Certifying Authority’s suggested appointment time.

81. Agreement for Onsite Waste Collection

Prior to an Occupation Certificate being issued, an Indemnity Agreement is to be obtained from Council, completed, signed and two original copies sent to Council for approval. This is to enable Council and its contractor to enter onto private property with its collection vehicles to enable it to collect waste and recyclables.

THE USE OF THE SITE

82. Offensive Noise - Acoustic Report

The proposed use of the premises and/or machinery equipment installed must not create offensive noise so as to interfere with the amenity of the neighbouring properties.

Should an offensive noise complaint be received and verified by Council an acoustic assessment is to be undertaken (by an appropriately qualified consultant), and an acoustic **report is to be submitted to Council’s Manager – Environment and Health** for review. Any noise attenuation recommendations approved by Council must be implemented.

ATTACHMENTS

1. Locality Plan
2. Aerial Photograph
3. Zoning Map
4. Site Plan
5. Elevations and Sections

ATTACHMENT 1 – LOCALITY PLAN



- ☐ SUBJECT SITE
- ✓ PROPERTIES NOTIFIED
- SUBMISSIONS RECEIVED PLUS A PETITION

THE HILLS
Sydney's Garden Shire

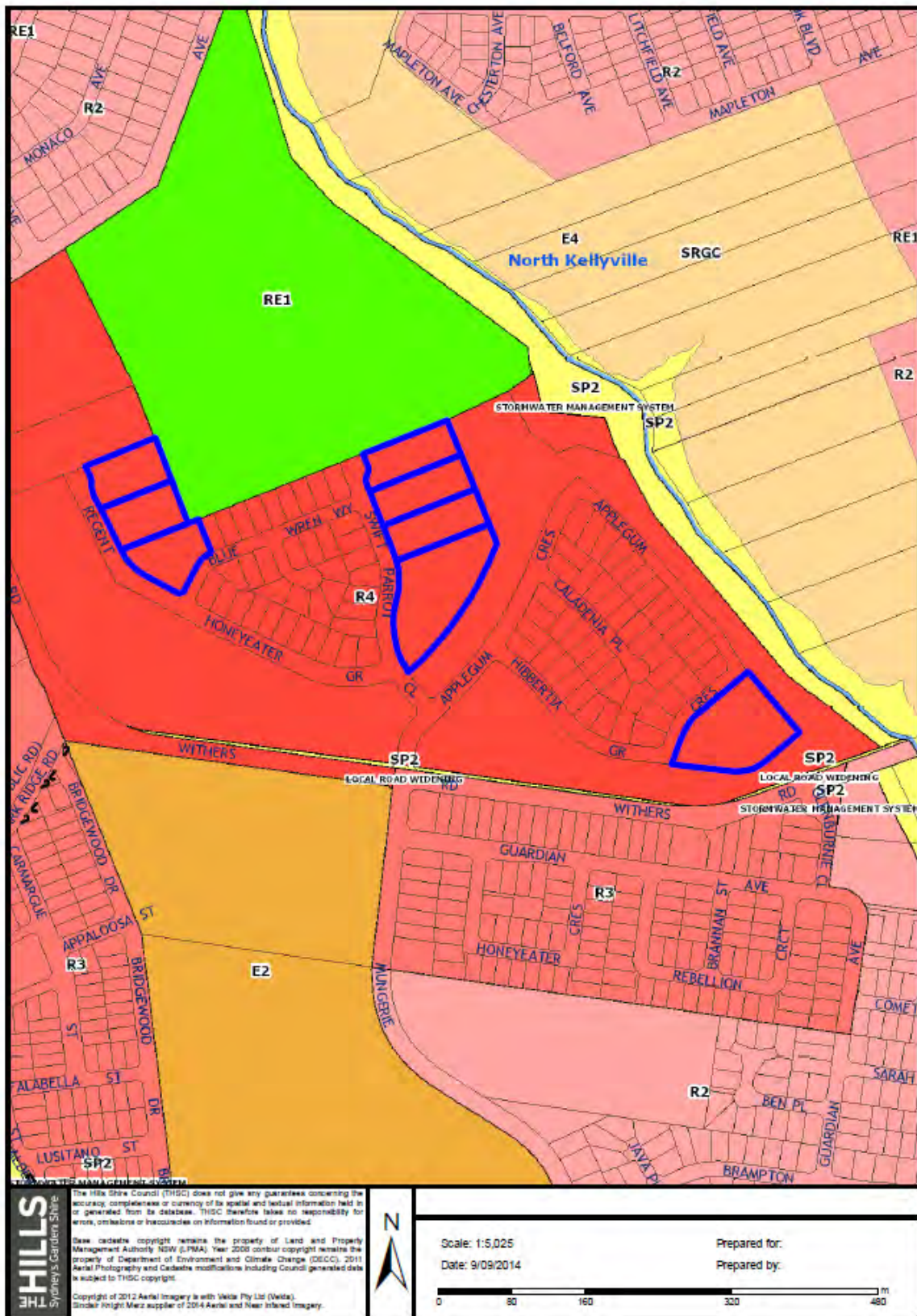
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ATTACHMENT 2 – AERIAL PHOTOGRAPH



ATTACHMENT 3 – ZONING MAP



ATTACHMENT 4 – SITE PLAN



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