

JOINT REGIONAL PLANNING PANEL (Sydney West Region)

DA Number E Local Government H Area F Proposed E Development r	2015SYW0055 DA/244/2015 Hornsby Shire Demolition of existing structures and erection of two, five storey residential flat buildings comprising 77 units with basement car parking and strata subdivision Nos. 28 - 34 Carlingford Road, Epping
Local Government H Area Proposed C Development r	Hornsby Shire Demolition of existing structures and erection of two, five storey residential flat buildings comprising 77 units with basement car parking and strata subdivision
Area Proposed C Development r	Demolition of existing structures and erection of two, five storey residential flat buildings comprising 77 units with basement car parking and strata subdivision
Proposed E Development r	residential flat buildings comprising 77 units with basement car parking and strata subdivision
Development r	residential flat buildings comprising 77 units with basement car parking and strata subdivision
1	parking and strata subdivision
Street Address	Nos. 28 - 34 Carlingford Road, Epping
	Lot 6 DP 10899, Lot 5 DP 10899, Lot D DP 101970 and Lot C DP
	101970
Applicant/Owner /	Applicant - D-Studio Architects
	Owner – Eric Cui Investments
Number of	None
Submissions	None
	Capital investment value over \$20 million (\$22,297,460 million)
Development Criteria (Schedule 4A of the	
Act)	
a	
	State Environmental Planning Policy No. 65 – Design Quality
s79C(1)(a) Matters	of Residential Flat Development
	 State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004
•	 State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban land)
	 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
	 Hornsby Shire Local Environmental Plan 2013
-	 Hornsby Development Control Plan 2013
	 Locality Plan – 1 page
submitted with this report for the panel's	 Survey Plan – 1 page
	 Site Plan – 1 page
	 Landscape Plan – 2 pages



	•	Floor Plans – 9 pages
	•	Elevations and Sections 14 pages
	•	Shadow Plans – 3 pages
	•	Photomontage – 1 page
	•	Height Study – 1 page
	•	External Finishes Schedule – 1 page
Recommendation	Appr	roval
Report by	Dear	n Wooding, Senior Town Planner & Rodney Pickles, Manager,
		elopment Assessments



ASSESSMENT REPORT AND RECOMMENDATION

EXECUTIVE SUMMARY

- The application involves the demolition of existing structures and erection of two, five storey residential flat buildings comprising 77 units with basement car parking and strata subdivision.
- The proposal generally complies with the provisions of *State Environmental Planning Policy No.* 65, *Residential Flat Design Code, Hornsby Local Environmental Plan 2013* and the *Hornsby Development Control Plan 2013*.
- No submissions have been received in respect of the application.
- It is recommended that the application be approved.

RECOMMENDATION - Approval

THAT the Joint Regional Planning Panel (Sydney West Region) approve Development Application No. 244/2015 for the demolition of existing dwellings and the construction of two five storey residential flat buildings comprising 77 units, basement car parking and strata subdivision at Lot 6 DP 10899, Lot 5 DP 10899, Lot D DP 101970 and Lot C DP 101970 Nos. 28 - 34 Carlingford Road, Epping subject to the conditions of consent detailed in Schedule 1.

BACKGROUND

The site forms part of the Epping Urban Activation Precinct (Epping UAP).

On 14 March 2014, the Department of Planning and Environment finalised amendments to the *Hornsby Local Environmental Plan 2013* (HLEP 2013) to implement the Epping UAP via *State Environmental Planning Policy (Epping Town Centre) 2013 ("the SEPP Amendment")*.

The Epping Town Centre amendments to the *HLEP 2013* involved rezoning of low density residential areas for the purpose of medium to high density residential and mixed use developments. The site is within the Cliff Road, Epping Precinct which was rezoned to R4 (High Density Residential) to permit five storey residential flat buildings.

Amendments to the *HDCP* were consequently prepared by Council to translate design controls recommended by the Department of Planning and Environment and provide planning controls to be read in conjunction with the *HLEP 2013* amendments. The DCP amendments were exhibited and endorsed by Council on 8 October 2014.

On 25 November 2014, a pre-lodgement meeting was held between Council officers and the applicant to discuss the development. Council raised concerns regarding building separation, privacy, minimum distance from back of kitchen, housing choice, building form, articulation, setbacks, height, open space provision, on-site detention of stormwater and waste management.

On 6 March 2015, DA/244/2015 was lodged with Council for a five storey residential development comprising 77 units, basement car parking and strata subdivision.



On 3 June 2015, the Sydney West Joint Regional Planning Panel was briefed regarding the development proposal. Concerns were raised by the Panel and Council Officers in relation to the bulky design and appearance of the upper stories. A request for amendments to the scheme was sent to the applicant.

On 18 June, the applicant submitted amended plans. These plans did not adequately address the concerns raised by the Panel and Council Officers. On the 19 June 2015, a further request for amendments to the scheme was sent to the applicant.

On 23 June 2015, the applicant submitted amended plans incorporating increased setbacks to the upper stories and increased articulation to the facades.

SITE

The site has a consolidated area of 3,653 square metres with a frontage of 78.2 metres to Carlingford Road and a 5% diagonal cross fall to the eastern corner of the site. The site is approximately 400 metres west of the Epping Town Centre and 550 metres west of the Epping Railway Station.

The subject site comprises four regular shaped allotments located on the north side of Carlingford Road, Epping. The subject site currently accommodates four detached residential dwellings and several associated outbuildings including garages and carports. There is a variety of exotic and native trees within the site and adjacent properties.

Commercial and retail developments are located on Carlingford Road, 250m to the east of the site. To the south, the site faces onto 3 storey residential block development within Parramatta City Council.

The site forms part of the 'Cliff Road / Epping Precinct' which is bounded by Carlingford Road, Kent Street, Kent Street Reserve and Beecroft Road. This Precinct is identified as having a desired future character of residential flat buildings of five storeys in garden settings with parking in basements. Properties within the Precinct to surrounding the subject site are at various stages of approval and development for 5 storey residential development.

PROPOSAL

The proposal is for the demolition of four existing residential dwellings and associated structures and construction of two, five storey residential flat buildings comprising 77 dwellings over a joint one and a half level basement car park. Details of the residential flat development are provided below:

- 2 x five storey residential flat buildings (Block A and B).
- The overall unit mix would consist of 16 x 1 bedroom units, 51 x 2 bedroom and 10 x 3 bedroom units. All units would be accessed via a centrally located lift in each building and include balconies that face the front, rear and side property boundaries.



- The development would be accessed from Carlingford Road via a driveway located adjacent to Block B. A total of 78 residential and 11 visitors' parking spaces are proposed over one and a half basement levels.
- The proposal includes an integrated landscaping scheme linking the residential flat buildings with common open space areas and the street entries to the development.
- The proposed development would result in the removal of 14 trees on the site.

ASSESSMENT

The development application has been assessed having regard to 'A Plan for Growing Sydney', the 'North Subregion (Draft) Subregional Strategy' and the matters for consideration prescribed under Section 79C of the Environmental Planning and Assessment Act 1979 (the Act). The following issues have been identified for further consideration.

1. STRATEGIC CONTEXT

1.1 A Plan for Growing Sydney and (Draft) North Subregional Strategy

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport, community facilities and services.

The NSW Government will use the subregional planning process to define objectives and set goals for job creation, housing supply and choice in each subregion. Hornsby Shire has been grouped with Hunters Hill, Ku-ring-gai, Lane Cove, Manly, Mosman, North Sydney, Pittwater, Ryde, Warringah and Willoughby to form the North Subregion. The *Draft North Subregional Strategy* will be reviewed and the Government will set housing targets and monitor supply to ensure planning controls are in place to stimulate housing development.

The proposed development would be consistent with 'A Plan for Growing Sydney', by providing additional dwellings and would contribute to housing choice in the locality.

2. STATUTORY CONTROLS

Section 79C(1)(a) requires Council to consider "any relevant environmental planning instruments, draft environmental planning instruments, development control plans, planning agreements and regulations".

2.1 Hornsby Local Environmental Plan 2013

The proposed development has been assessed having regard to the provisions of the *Hornsby Local Environmental Plan 2013 (HLEP).*

2.1.1 The Zoning of Land and Permissibility

The subject land is zoned R4 (High Density Residential) under the *HLEP*. The objectives of the zone are:



- To provide for the housing needs of the community within a high density residential environment.
- To promote a variety of housing types within a high density residential environment.
- To enable other land uses that provides facilities or services to meet the day to day needs of residents.

The proposed development is defined as a "residential flat building" and is permissible in the zone with Council's consent.

2.1.2 Height of Buildings

Clause 4.3 of the *HLEP* provides that the height of a building on any land should not exceed the maximum height shown for the land on the Height of Buildings Map. The maximum permissible height for the subject site is 17.5m. The proposed buildings are 17.3m above existing natural ground level and comply with this provision.

2.1.3 Heritage Conservation

Clause 5.10 of the *HLEP* sets out heritage conservation provisions for Hornsby Shire. The site does not include a heritage item and is not located in a heritage conservation area. Accordingly, no further assessment regarding heritage is necessary.

2.1.4 Earthworks

Clause 6.2 of the *HLEP* states that consent is required for proposed earthworks on site. Before granting consent for earthworks, Council is required to assess the impacts of the works on adjoining properties, drainage patterns and soil stability of the locality.

Council's assessment of the proposed works and excavation concludes that the proposal is satisfactory subject to conditions of consent. Adjoining properties are subject to development approvals for similar 5 storey residential flat buildings therefore a dilapidation report would not be required to assess the impact of the excavation on the adjoining residences.

2.2 State Environmental Planning Policies

2.2.1 SEPP (Building Sustainability Index – BASIX) 2004

The application has been assessed against the requirements of *State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004.* The proposal includes a BASIX Certificate for the proposed units and is considered to be satisfactory.

2.2.2 SEPP 32 – Urban Consolidation

The application has been assessed against the requirements of *State Environmental Planning Policy No. 32 (SEPP 32)*, which requires Council to implement the aims and objectives of this Policy to the fullest extent practical when considering development applications relating to redevelopment of urban land. The application complies with the objectives of the Policy as it would promote the social and economic welfare of the locality and would result in the orderly and economic use of under-utilised land within the Shire.

2.2.3 SEPP 55 – Remediation of Land



The application has been assessed against the requirements of *State Environmental Planning Policy No. 55 (SEPP 55).* This Policy provides State-wide planning controls requiring that consent must not be granted to the carrying out of any development on land unless it has considered whether the land is contaminated or requires remediation for the proposed use. The applicant addresses this requirement by the submission of a Report on Preliminary Investigation for Contamination which concludes that as the site has been used for residential purposes, it is unlikely to be contaminated. In this regard, further assessment is not required.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

The Policy provides for design principles to improve the design quality of residential flat development and for consistency in planning controls across the State.

SEPP 65 was amended on 19 June 2015 following review of the policy by the Department of Planning and Environment. The amendments replace the *Residential Flat Design Guidelines* with the *Apartment Design Guide* which prevails in the event of any inconsistency with a Development Control Plan.

Clause 31 (Transitional provisions for SEPP 65 – Amendment No. 3) states that "If a development application or an application for the modification of a development consent has been made before the notification on the NSW legislation website of the making of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (Amendment No 3) and the application has not been finally determined before the commencement of that amendment, the application must be determined as if the amendment had not commenced."

Pursuant to the above provision, this amendment does not apply to the subject application and the previous version (Amendment 2) of the SEPP is required to be considered.

The following section of this report includes an assessment of the residential component of the modified development against the ten principles provided in Part 2 of *SEPP 65*.

The applicant has submitted a "Design Verification Statement" prepared by a qualified Architect stating how the proposed development achieves the design principles of *SEPP 65*. The design principles of *SEPP 65* and the submitted design verification statement are addressed in the following table.

Principle	Compliance
1. Context	Yes

Comment: The site is located within a precinct planned for five storey residential flat buildings in close proximity to Epping Railway Station and the Epping Town Centre. The proposal responds to the desired future character of the precinct as envisaged by Council for residential flat buildings in landscaped settings with underground car parking. The site is bounded to the north, east and west by sites approved for 5 storey residential flat developments.



Once the development of the precinct is completed, the proposal would integrate with the surrounding sites and would be in keeping with the future urban form. The proposed building would contribute to the identity and future character of the precinct.

2. Scale

Yes

Comment: The scale of the development is generally in accordance with the setbacks for the precinct prescribed within the *HDCP*. The proposed height of buildings complies with the required 17.5 metre height restriction as prescribed by the HLEP. The development achieves a scale consistent with the desired outcome for well-articulated buildings that are set back to incorporate landscaping, open space and separation between buildings.

3. Built Form	Yes

Comment: The proposed building achieves an appropriate built form for the site and its purpose, in terms of building alignments, proportions, and the manipulation of building elements. The building would appropriately contribute to the character of the desired future streetscape and includes articulation to minimise the perceived scale.

The proposed materials and finishes would add to the visual interest of the development. Flat roof forms have been adopted with sufficient top storey setback on the external facades to minimise bulk and height of the building as required by the Hornsby DCP.

4. Density

Yes

Comment: The *HLEP* does not incorporate floor space ratio requirements for the site. The density of the development is governed by the height of the building and the required setbacks. The proposed density is considered to be sustainable as it responds to the regional context, availability of infrastructure, public transport, community facilities and environmental quality and is acceptable in terms of density.

5. Resource, Energy and Water Efficiency	
--	--

Yes

Comment: The applicant has submitted a BASIX Certificate for the proposed development. In achieving the required BASIX targets for sustainable water use, thermal comfort and energy efficiency, the proposed development would achieve efficient use of natural resources, energy and water throughout its full life cycle, including demolition and construction.

6. Landscape

Yes



Comment: The application includes a landscape concept plan which provides landscaping along the street frontages and side and rear boundaries. The proposal has been designed to facilitate the retention of 4 significant trees to the south-west frontage and to the rear boundary, numbered 1 *Corymbia citridora* (Blue Spotted Gum), 6 and 6A *Lagerstroemia indica* (Crape Myrtle) and 11 Acer *palmatum* (Japanese Maple).

Large trees are proposed along the street frontages intercepted by shrubs and hedges which would soften the appearance of the development when viewed from the street. Deep soil areas that incorporate canopy trees are provided around the building envelope which would enhance the development's natural environmental performance and provide an appropriate landscaped setting.

7. Amenity

Yes

Comment: The proposed units are designed with appropriate room dimensions and layout to maximise amenity for future residents. The proposal incorporates good design in terms of achieving natural ventilation, solar access and acoustic privacy. All units incorporate balconies accessible from living areas and privacy has been achieved through appropriate design and orientation of balconies and living areas. Storage areas have been provided within each unit and in the basement levels. The proposal would provide convenient and safe access via a central lift connecting the basement and all other levels.

8. Safety and Security

Yes

Comment: The design orientates the balconies and windows of individual apartments towards the street, rear and side boundaries, providing passive surveillance of the public domain and communal open space areas. Both the pedestrian and vehicular entry points are secured and visibly prominent from Carlingford Road.

The proposal includes an assessment of the development against crime prevention controls in the Crime Risk Assessment Report. The SEE has regard to *Crime Prevention Through Environmental Design Principles (CPTED)* and includes a number of recommendations including ensuring vegetation does not obscure sight lines, illumination of communal areas and entrances, intercom, card or code lock system to the basement and entrance, street numbering readily identifiable from Carlingford Road, security alarms to basement and entrance in case of forced entry, windows and doors on the ground floor to be toughened glass, painting of basement ceiling and basement illumination, strata management and maintenance protocols. Appropriate conditions of consent are recommended to require compliance with the above matters.

9. Social Dimensions and Housing Affordability Yes

Comment: The proposal incorporates a range of unit sizes to cater for different budgets



and housing needs. The development complies with the housing choice requirements of the Hornsby DCP by providing a component of adaptable housing and a mix of 1, 2 and 3 bedroom dwellings. The proposal responds to the social context in terms of providing a range of dwelling sizes with good access to social facilities and services as the site is located in close proximity to Epping railway station and shops within the Epping Town Centre.

10. Aesthetics

Yes

Comment: The architectural treatment of the building incorporates indentations and projections in the exterior walls with balcony projections to articulate the facades. The roof is flat (or low pitched) to minimise building height and incorporates eaves which would cast shadows across the top storey wall. The articulation of the building, composition of building elements, textures, materials and colours would achieve a built form generally consistent with the design principles contained within the Residential Flat Design Code and the Hornsby DCP.

2.3 State Environmental Planning Policy No. 65 – Residential Flat Design Code

SEPP 65 also requires consideration of the *Residential Flat Design Code, NSW Planning Department 2002.* The *Code* includes development controls and best practice benchmarks for achieving the design principles of *SEPP 65.* The following table sets out the proposal's compliance with the *Code*:

Residential Flat Design Code			
Control	Proposal	Requirement	Compliance
Deep Soil Zone	31%	25%	Yes
Communal Open Space	29%	25-30%	Yes
Ground Level Private Open Space	16 - 46 m ²	25m ²	No
	Min Dimension 4m	Min Dimension 4m	Yes
Minimum Dwelling Size	1 br - 53m² - 71m²	1 br – 50m ² 2 br – 70m ²	Yes Yes
	2 br – 71m ² - 89m ²	3 br – 95m²	Yes
	3 br – 95m ² -		



	110m ²		
Maximum Kitchen Distance	8.5m – 9m for units B16, B27, A26, B37, B47, A47,B38, B48, A36, A51	8m	No
Minimum Balcony Depth Living Areas	>2m	2m	Yes
Minimum Ceiling Height	2.7m	2.7m	Yes
Total Storage Area	1 bed > 6m ³ (Min) 2 bed >8m ³ (Min) 3 bed >10m ³ (Min)	1 bed - 6m ³ (Min) 2 bed - 8m ³ (Min) 3 bed - 10m ³ (Min) 50% accessible from the apartments	Yes storage indicated but condition required
Dual Aspect and Cross Ventilation	54%	60%	No
Adaptable Housing	30%	10%	Yes

As detailed in the above table, the proposed development generally complies with the prescriptive measures within the *Residential Flat Design Code (RFDC)* other than ground level open space, and apartment layouts. Below is a brief discussion regarding the relevant development controls and best practice guidelines.

2.3.1 Ground Floor Apartments and Private Open Space

The proposal does not comply with the *Code's* best practice for the 4 metre minimum width and minimum $25m^2$ area requirements as 4 x ground floor units (Units A12, A13, A17 and A18) are undersized. However, the proposed ground floor open space areas are appropriate for the respective ground floor units in respect to dwelling size, unit configuration and amenity with a number of private yards proposed at the rear of the development.



Furthermore, the private open space areas have been designed in accordance with the requirements of Council's *HDCP*. The *HDCP* requires that the deep soil area within the setbacks of the development should be retained as communal open space. The objective of this control is to provide a landscape setting to the development. As such, the numerical non-compliance is considered minor and is acceptable.

2.3.2 Apartment Layout

The *RFDC* requires that the back of a kitchen should be no greater than 8m from a window. A number of units contain kitchens where the back wall is over 8m to 9m from a window. These units offer an open layout with natural ventilation and accordingly, the non-compliance is acceptable with respect to residential amenity. Each unit is provided with a reasonable sized living area, internal circulation space and balcony in accordance with the *HDCP* requirements.

With consent conditions, the proposed apartment layouts are functional and satisfy the *RFDC* objectives for internal privacy, access to sunlight, natural ventilation and acoustic privacy. It is considered that the apartment layout and mix achieve the intent of the best practice requirements of the *RFDC* and are acceptable in this regard.

2.3.3 Dual Aspect and Cross Ventilation

The proposal includes provision for 56% dual aspect units which does not comply with the 60% requirement within the RFDC.

Although 3 units don't strictly comply, they otherwise provide a high level of amenity and natural ventilation and this shortfall is considered justified consistent with the aims and objectives of the RFDC.

2.4 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The application has been assessed against the requirements of *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.* This Policy provides general planning considerations and strategies to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained.

Subject to the implementation of installation of sediment and erosion control measures and stormwater management to protect water quality, the proposal would have minimal potential to impact on the Sydney Harbour Catchment.

2.5 Clause 74BA Environmental Planning and Assessment Act, 1979 - Purpose and Status of Development Control Plans

Clause 74BA of the *Environmental Planning and Assessment Act, 1979* states that *a* DCP provision will have no effect if it prevents or unreasonably restricts development that is otherwise permitted and complies with the development standards in relevant Local Environmental Plans and State Environmental Planning Policies.

The principal purpose of a development control plan is to provide guidance on the aims of any environmental planning instrument that applies to the development; facilitate development



that is permissible under any such instrument; and achieve the objectives of land zones. The provisions contained in a DCP are not statutory requirements and are for guidance purposes only. Consent authorities have flexibility to consider innovative solutions when assessing development proposals, to assist achieve good planning outcomes.

2.6 Hornsby Development Control Plan 2013

The proposed development has been assessed having regard to the relevant desired outcomes and prescriptive requirements within the *Hornsby Development Control Plan 2013* (*HDCP*). The following table sets out the proposal's compliance with the prescriptive requirements of the Plan:

Proposal 78.35m 5 storeys +	Requirement 30m	Yes
5 storeys +		Yes
Mezzanine 17.3m	5 storeys – 17.5m	Yes
1.2m	1.5m	Yes
29m and 33m	35m	Yes
At least 4m x 4m (for all facades for Blocks A and B)	4m x 4m	No
1m (south-east corner of Block B)	1m (max)	Yes
Block A	10m	No
8 - 9m for 11.2m building length (37.2%)	8m for 1/3 of building length (1/3 x 30.1m = 10.03m)	
	29m and 33m At least 4m x 4m (for all facades for Blocks A and B) 1m (south-east corner of Block B) <i>Block A</i> 8 - 9m for 11.2m building length	29m and 33m35m29m and 33m35mAt least 4m x 4m (for all facades for Blocks A and B)4m x 4m1m (south-east corner of Block B)1m (max)Block A1m (max)Block A10m8 - 9m for 11.2m building length (37.2%)8m for 1/3 of building length (1/3 x 30.1m = 10.03m)



5	<i>Block B</i> 8 - 8.8m for 11.9m building length (36.8%) 7m (balconies)	10m 8m for 1/3 of building length (1/3 x 33.28m = 11.09m)	
Rear Setbacks (Block A and B)	Block A 8m for 7.78m building length (25.5%) 7m (balconies) Block B 8m for 10.91m building length (32.8%) 7m (balconies)	10m $8m for 1/3 of$ building length (1/3 x 30.1m = 10.03m) 10m 8m for 1/3 of building length (1/3 x 29.5m = 9.83m)	Yes
Western Side Setback (Block A)	6m 4m for 11.3m building length (34%)	6m 4m for 1/3 of building length (1/3 x 32.6 = 10.86m)	No
Eastern Side Setback (Block B)	6m 4m for 11.3m building length (34%)	6m 4m for 1/3 of building length (1/3 x 32.6 = 10.86m)	No
Top Storey Setbacks from Ground Floor (Block A and B)	72% >3m	3m	No Encroachments are limited to pavilion indents



Underground Parking Setback	7m-front	7m-front	Yes
	5.6 - 7m-rear	7m-rear	No
a	2m-side (east)	4m-side (east)	No
58 J	4m-side (west)	4m-side (west)	Yes
Basement Ramp Setback	2m	2m	Yes
Deep Soil Landscaped Areas	7m-front and rear	7m-front and	Yes
	4m-side (east)	rear	Yes
	4m-side (west)	4m sides	Yes
<		4m sides	
Private Open Space	1 br units – 10m² to 26m²	1 br units – 10m²	Yes
· .	2 br units –12m² to 24m²	2 br units – 12m²	
	3 br units – 17m ²	3 br units –	
	to 40m ²	16m²	
Communal Open Space with Minimum Dimensions 4m	29%	25% (min)	Yes
Parking	11 resident spaces	11 resident spaces	Yes
	89 visitor spaces 16 bicycle tracks	89 visitor spaces	Yes
	8 visitor bicycle racks	16 bicycle tracks	Yes
	4 motorbike	8 visitor bicycle	Yes
	space	racks	~
		3 motorbike spaces	Yes
Solar Access	70%	70%	Yes



Housing Choice	16 x 1 BR units = 21% 51 x 2 BR units = 66% 10 x 3 BR units = 13%	10% of each type (min)	Yes	
Adaptable Units	30%	30%	Yes	

As detailed in the above table, the proposed development generally complies with the prescriptive requirements within the *HDCP* other than building setbacks and building identification. The matters of non-compliance are detailed below, as well as a brief discussion on compliance with relevant desired outcomes.

2.6.1 Desired Future Character

The proposed five storey residential flat development would be sited within the Cliff Road, Epping precinct in accordance with required key principles for the precinct, namely for wellarticulated residential flat buildings of varying heights in garden settings with basement car parking.

The elevations of each building indicate a variety of materials including face brickwork, rendered and painted brickwork, fibre cement cladding and metal roof cladding in a natural colour palette including brown, beige and greys. The balcony balustrades are of frosted glass and incorporate feature metal louvers. The design incorporates dark grey coloured powder coated aluminium windows. The modern design of the building is in keeping with the desired future character of the area.

2.6.2 Site Requirements

The *HDCP* requires sites to have a minimum frontage of 30 metres. The subject site has a frontage of 78.35m to Carlingford Road and complies with this requirement. The proposed development would not result in an isolated site or compromise development in accordance with the *HDCP*.

2.6.3 Height

The proposed five storey building complies with the 17.5m maximum building height. The mezzanine floor incorporated within the fifth storey is generally limited to a third of the floor space of each unit below.

2.6.4 Setbacks

Southern Front Setback



The *HDCP* allows the external walls of the buildings to be setback 8m for a maximum of 1/3 of the building width. The proposal incorporates a slight encroachment to this measure by incorporating an 8m setback for 11.2m for Block A and 11.9m for Block B which exceeds the requirement by a length of 1.17m and 1m for each respective block.

Despite the minor variation, the front elevation is well-articulated incorporating numerous steps and indentations along the building façade and would meet the articulation objectives of the *HDCP*. In this regard, the proposed non-compliance is considered to be acceptable.

Eastern and Western Side Setbacks

The *HDCP* allows up to 1/3 of the building to be setback between 4m and 6m to a side boundary. The development does not fully comply as more than 1/3 of the external enclosing walls are (11.3m) setback at 4m which exceeds the requirement by a building length of 0.44m. Where the setback is less than 6m, the windows or balconies incorporate privacy screens or highlight windows to protect the amenity of the adjacent property.

The development does not compromise the setback element objective of requiring wellarticulated buildings that are setback to incorporate landscaping, open space, privacy and separation between buildings. Accordingly, the non-compliance is considered to be acceptable.

Basement Parking Setbacks

The *HDCP* requires a 7m setback for basements from front and rear boundaries and 4m from side boundaries to allow for deep soil landscaping. The proposed development generally complies with these requirements. However, there is a 2m setback from the eastern elevation to accommodate the fire stairs and driveway access into the basement. There is an encroachment to 5.7m depth to the rear boundary to accommodate the swept path turning for a SRV to collect refuse from the basement. This represents only 7% of the basement length and this minor encroachment is considered acceptable.

Top Storey Setback

The *HDCP* requires 5 storey residential flat buildings to incorporate a 3m additional setback from ground level for the top storey on all elevations. The top storey 3m setback is provided for 72% of both buildings and 2 - 3 metre setback for 19% of the buildings. Many of these encroachments are located within indent areas to the east, west and southern elevations.

The front façade of each building has been treated differently, with a variety of materials and architectural features which break up the massing and modulates the overall design when viewed from the streetscape. In addition, the use of projecting balconies and varied roof-scape at top floor level greatly reduces its visual bulk.



This is in keeping with the intent of the top storey setback control to provide for a top storey that steps back from the walls below and reduces the maximum sheer vertical rise of the building to 4 stories in accordance with the *HDCP*.

Building Indentations

The *HDCP* requires 5 storey residential flat buildings to incorporate 4m x 4m building indentations for building elevations exceeding 25m in length. Building A has a width of 26.3m fronting Carlingford Road and 28m at the rear elevation and 31.8m in length. Ranges of building indentations are provided that comply or exceed 4m in width. The front and rear indentations are enclosed by blade walls that extend alongside the adjacent balconies. Whilst this does not strictly comply with the building element control of the HDCP, the front elevation only marginally exceeds the 25m width (when a building indentation is required).

Building B provides indentations that are enclosed by a building wall on one side and blade wall on the other side. In this instance, building B provides for wider indentations and greater building articulation than the minimum requirements of the HDCP. In this regard the proposed development meets the built form requirements of the HDCP and is considered acceptable.

2.6.5 Built Separation

There are minor encroachments to building separation between proposed Block A and B where a separation of 7m (24% of the building length) exceeds the 9 metre minimum building separation required between buildings on larger sites.

However, the proposal incorporates 4m x 4m indentation on each façade and the use of which has the effect of reducing the bulk and scale of the building by breaking up the built form and avoids long unbroken walls. Privacy mitigation measures are proposed to all areas of encroachment and the proposal is satisfactory in achieving the desired outcome of the *HDCP* for building form and separation.

2.6.6 Landscaping

The site includes seven significant indigenous and exotic trees numbered 1 *Corymbia citriodora* (Blue Spotted Gum), 2 Jacaranda, 3 *Camellia sasanqua* (Camellia), 4 *Acer* palmatum (Japanese Maple), 8 Jacaranda and 13 *Sapium sebiferum* (Chinese Tallow) and 16 *Liquidambar styraciflua* (American Sweetgum).

There are also significant trees numbered 7 *Casuarina cunninghamiana* (River Oak), 9 *Calodendrum capense* (Cape Chestnut), 12 *Brachychiton acerfolius* (Flame Tree) and 18 *Liquidambar styraciflua* (Liquidambar) located to the rear (north of the site) within neighbouring properties. The Arborist Report submitted indicates the Blue Spotted Gum (on site) and all significant off site trees would be retained and appropriate tree protection measures would be erected. Conditions are recommended to ensure that these tree protection measures are implemented.



The submitted landscape plans includes provision of 17 large locally and exotic indigenous trees within setback areas including *Alloxylon flammeum* (Tree waratah), *Allocasurina torulosa* (Forest oak), Angphora costata (Smooth barked apple), *Elaeocarpus reticulatus* (Blue berry ash), *Eucalyptus leucoxylon* (Yellow Gum), *Eucalyptus saligna*, (Sydney blue gum), *Eucalyptus sideroxylon* (Red Ironbark), *Melaleuca styphelioides* (Prickly-leaved paperbark), *Pistacia chinensis* (Pistachio), *Pittosporum undulatum* (Sweet Pittosporum), *Tristaniopsis laurina* (Water Gum), *Ulmus parvifolia* (Chinese Elm), *Waterhousea 'Sweeper'* (Weeping Lilly Pilly).

Subject to recommended conditions, the proposed landscaping meets the *HDCP* desired outcomes.

2.6.7 Open Space

The proposed communal open space areas comply with the prescriptive area requirements and a principle communal open space area of at least 50 square metres with a minimum dimension of 4m has been provided at the front of the site for Block A and at the rear of the site for Block B. The principle communal open space areas for each Block would receive at least 2 hours of sunlight between 9am – 3pm during mid-winter and can be accessed from the side entry doors centrally located on each building which provides convenient access from all units. In addition, passive surveillance from rear facing balconies results in high visibility.

The proposed private open space areas comply with the required dimensions and areas in accordance with the *HDCP*. The majority of balconies exceed the minimum area requirements and would provide for adequate screened outdoor clothes drying areas.

2.6.8 Privacy and Security

The proposed development is appropriately designed for privacy with the majority of units having an external outlook. Appropriate privacy mitigation measures including privacy screens on balconies, planter boxes and highlight windows have been implemented on the façades where the building separation predominately meets the 9 metres as required by the *RFDC*.

2.6.9 Noise to Neighbouring Properties

Neighbouring properties to the west, north and south are zoned R4 high density and are subject to approvals for 5 storey residential developments. The applicant has provided building and balcony / terrace setbacks that comply with Hornsby DCP requirements. These setbacks are generally considered sufficient to protect the amenity of neighbouring residential occupiers from noise disturbance.

The principal communal open space area is located on the northern boundary with neighbours at Nos.25 – 31 Cliff Road. Noise will be softened by the use of extensive planting at the boundary and a condition is recommended to provide fencing at least 1.8m in height to be erected along the boundary. Noise from apartments will be softened by screens to balconies.



A condition is recommended for an Environmental Management Plan where the site must be managed in accordance with the publication 'Managing Urban Stormwater – Landcom (March 2004) and the *Protection of the Environment Operations Act 1997* by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.

2.6.10 Acoustic Privacy

The internal layout of the residential units is designed such that noise generating areas would adjoin each other wherever possible. Circulation zones, communal areas or fire stairs would act as a buffer between units. Bedrooms and service areas such as kitchens, bathrooms and laundries would be grouped together wherever possible.

The application includes an acoustic report as the site is located in close proximity to Carlingford Road. The noise impact assessment report recommends treatment to walls, windows and doors on affected facades to ameliorate the effects of traffic noise and to achieve recommended internal noise levels. Compliance with the recommendations of the report is addressed as a condition of consent.

2.6.11 Sunlight and Ventilation

The proposed development is able to comply with the HDCP prescriptive measure for at least 70% of dwellings to receive 2 or more hours of sunlight to living room windows and private open space.

The solar access diagrams submitted indicate the overshadowing impacts of the development to adjoining properties at 9am, 12pm and 3pm on June 22. The extent of overshadowing likely to occur would generally be consistent with that expected within the redevelopment precinct, if the development generally complies with the height and setback controls.

2.6.12 Housing Choice

The proposed buildings include a mix of one, two and three bedroom units that range in size and style. The proposal is for 16×1 bed, 51×2 bed and 10×3 bed units. The proposed housing mix complies with the *HDCP* requirement for at least ³10% of each dwelling type. Adaptable dwellings are able to comply with the 30% required by the *HDCP*.

2.6.13 Vehicular Access and Parking

Vehicle access to Blocks A and B is proposed to the joint basement via a shared driveway off Carlingford Road. The driveway is designed to accommodate Council's Small Rigid Vehicle garbage truck and complies with the Australian Standard for driveway widths and gradients. The proposal includes 89 car parking spaces to be utilised by residents and visitors, 16 bicycle tracks, 8 visitor bicycle racks and 4 motorbike spaces as required by the *HDCP*.

2.6.14 Waste Management



Waste Management Plans for the demolition, construction stage and on-going use of the proposed development were submitted with the application.

For each building, a garbage chute and a recycling bin are provided on each level. For 77 dwellings, the development would require 8 x 660L garbage bins serviced twice weekly, 16 x 240L recycling bins serviced weekly and 2 x 660L cardboard/paper bin. The development will also require spare bins to use while the full bins are awaiting collection (an additional 2 x 660L garbage bins and 10 x 240L recycling bins). The plans indicate that the required number of bins has been provided.

A basement bin room is provided under each building resulting in a total of 2 bin rooms within the basement. The bin room for Blocks A and B are of sufficient size to house the required number of bins and 3 x 660L for each chute. There is a requirement for a carousel system and this is required by condition.

The proposed waste management system would require the Small Rigid Vehicle (SRV) waste collection vehicle to enter the basement and provide vehicular manoeuvres to exit in a forward direction. Vehicular swept paths were provided with the application and demonstrate that an SRV can achieve this.

A bulky waste storage area of 8m² is shown on the plans in Building A and B which complies with Council's minimum requirement of at least 8m². All bin transfers between the waste facility on each level and the basement garbage are to be carried out by the site caretaker.

The proposed system would also require a site caretaker to transfer the bins with a motorised trolley or similar via a bin carting route from the basement and vehicular ramp to the ground floor bin collection area and the location of the trolley is required by condition.

The proposed waste management system is satisfactory in respect to the *HDCP* controls subject to recommended conditions.

2.6.15 Accessible Design

The applicant provided an Access Report. The development proposes continuous barrier free access to all floors via a lift and provides access and egress for wheelchairs to the front and rear of the property. Thirty percent of units meet Council's DCP requirements for accessible design. The disabled car spaces within the basement levels are designed to comply with AS 2890.3-2009 Parking facilities – Off street parking for people with a disability.

Subject to recommended conditions, the application is assessed as satisfactory with regard to accessible design.

2.7 Section 94 Contributions Plans

Hornsby Shire Council Section 94 Contributions Plan 2012-2021 applies to the development as it would result in an additional 77 residential dwellings in lieu of the 4 existing residences.



Accordingly, the requirement for a monetary Section 94 contribution is recommended as a condition of consent.

3. ENVIRONMENTAL IMPACTS

Section 79C(1)(b) of the Act requires Council to consider "the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality".

3.1 Natural Environment

3.1.1 Tree and Vegetation Preservation

The proposed development would necessitate the removal of 14 trees from the site (trees numbered 2, 3, 4, 5, 8, 13, 14, 15, 16, 17, 21, 22, 23 and 24).

Council's assessment of the proposal included a detailed examination of the existing trees on site and does not raise objection to the proposed removal of trees, subject to replacement planting (in accordance with the submitted landscape plan) and consent conditions requiring additional medium canopy trees to be planted within the eastern and western side setbacks. The landscape plan includes a range of locally native plant species to achieve canopy trees, shrub layer and ground covers within the front and rear setbacks. The landscaping of the site has been discussed in Section 2.6.6 of this report. Subject to conditions and on-going maintenance of the landscape dareas, the development would achieve a landscape setting and would be acceptable with respect to natural environment.

3.1.2 Stormwater Management

The application proposes to dispose of stormwater from the development by a stormwater and infiltration system via in-ground on-site detention (OSD) tanks with a storage capacity of 50m³ which are located adjacent to the eastern façade of each building to drain into Council stormwater drainage system in Carlingford Road.

As the overall site area is greater than 2000m² the development is required to achieve the water quality targets in Table 1C.1.2(b) of the *HDCP*. The *HDCP* also requires that *a* Water Sensitive Urban Design (WSUD) Strategy and Model for Urban Stormwater Improvement Conceptualisation (MUSIC) model is required. This has been provided and is acceptable in accordance with the *HDCP*.

Council's engineering assessment concludes that the proposed stormwater management system is satisfactory subject to recommended conditions of consent in Schedule 1.

3.2 Built Environment

3.2.1 Built Form

The proposed buildings would be located within a precinct identified with a future character of residential flat buildings of varying heights in garden settings with parking in basements. The built form would be consistent with the desired future character of the precinct.

3.2.2 Traffic



A traffic and parking assessment has been submitted with the proposal which estimates that the proposed development would generate an additional 19 vehicle trips per hour during the AM and PM peak periods which is considered negligible when compared with the traffic volumes on the adjacent road network for this development alone. However, the cumulative traffic impacts of all sites earmarked for redevelopment in the precinct would be significant. The cumulative impact has been considered in the strategic transport model for Epping Town Centre Urban Activation Precinct (ETCUAP). The NSW Government has committed funding to address short term (to 2016) regional traffic growth. The traffic study acknowledged that although the works identified would assist traffic flows, strategies to manage demand by reducing car usage will be more critical than strategies to increase capacity of existing roads.

In this regard, Council's engineering assessment of the traffic impacts of the development concludes that the proposal is satisfactory.

3.3 Social Impacts

The residential development would improve housing choice in the locality by providing a range of house hold types. This is consistent with Council's Housing Strategy which identifies the need to provide a mix of housing options to meet future demographic needs in Hornsby Shire.

The location of the development is in close proximity to Epping Railway station and Epping Town centre which would provide a mix of recreational, health and education facilities for future residents.

3.4 Economic Impacts

The proposal would have a minor positive impact on the local economy via employment generation during construction and by generating an increase in demand for local services following completion of the development.

4. SITE SUITABILITY

Section 79C(1)(c) of the Act requires Council to consider "the suitability of the site for the development".

The subject site is zoned for five storey residential development and the proposal involves 2 x five storey residential flat buildings. The subject site has not been identified as bushfire prone or flood prone land. The site is considered to be capable of accommodating the proposed development. The scale of the proposed development is consistent with the capability of the site and is considered acceptable.

5. PUBLIC PARTICIPATION

Section 79C(1)(d) of the Act requires Council to consider "any submissions made in accordance with this Act".

5.1 Community Consultation

The proposed development was placed on public exhibition and was notified to adjoining and nearby landowners between 23rd March 2015 and 24 April 2015 in accordance with the



Notification and Exhibition requirements of the HDCP. During this period, Council received no submissions.



NOTIFICATION PLAN



Property Nos. 13, 19, 25, 31, 37 Carlingford Road, Epping, 40, 42, 42A Kent Street, Epping and 53, 61 Rawson Road, Epping within Parramatta City Council were also consulted.

5.2 Public Agencies – Roads and Maritime Services

The application was referred to the RMS in accordance with the requirements of SEPP Infrastructure. RMS require the development to include a splayed driveway with splinter grass verge to restrict access to left in and left out. The proposal has addressed this concern and concurrence has been provided. RMS has also required a number of additional conditions to ensure existing driveways are removed and replaced and to ensure the safe accommodation of vehicles on the site and to Carlingford Road which are detailed within Schedule 1.

6. THE PUBLIC INTEREST

Section 79C(1)(e) of the Act requires Council to consider "the public interest".



The public interest is an overarching requirement, which includes the consideration of the matters discussed in this report. Implicit to the public interest is the achievement of future built outcomes adequately responding to and respecting the future desired outcomes expressed in environmental planning instruments and development control plans.

The application is considered to have satisfactorily addressed Council's and relevant agencies' criteria and would provide a development outcome that, on balance, would result in a positive impact for the community. Accordingly, it is considered that the approval of the proposed development would be in the public interest.

CONCLUSION

The application proposes the demolition of existing dwellings and the construction of 2 x five storey residential buildings comprising 77 units and basement car parking.

The proposed development is in accordance with the provisions of the HLEP.

The proposal complies with the key principles for the Cliff Road, Epping precinct prescribed in the *HDCP*. Whilst the proposal does not comply with the numerical requirements for setbacks, building separation and dual aspect and cross ventilation as prescribed in the *HDCP*, and the proposal meets the desired outcomes for each of the elements.

The proposed development is generally in accordance with the Design Quality Principles of SEPP 65 and the best practice requirements of the *Residential Flat Design Code*.

It is considered that the development is a reasonable response to the site and a genuine attempt has been made for the development to comply with the planning controls within the envisaged precinct. Subject to recommended conditions, the proposed development is considered to be acceptable and application is recommended for approval.

Note: At the time of the completion of this planning report, no persons have made a Political Donations Disclosure Statement pursuant to Section 147 of the Environmental Planning and Assessment Act 1979 in respect of the subject planning application.

Attachments:

- 1. Locality Plan
- 2. Survey Plan
- 3. Site Plan
- 4. Landscape Plan
- 5. Floor Plans
- 6. Elevations and Section
- 7. Shadow Plans
- 8. Photomontage
- 9. Height Study
- 10. External Finishes Schedule



SCHEDULE 1

GENERAL CONDITIONS

The conditions of consent within this notice of determination have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the relevant legislation, planning instruments and Council policies affecting the land and does not disrupt the amenity of the neighbourhood or impact upon the environment.

- Note: For the purpose of this consent, the term 'applicant' means any person who has the authority to act on or the benefit of the development consent.
- Note: For the purpose of this consent, any reference to an Act, Regulation, Australian Standard or publication by a public authority shall be taken to mean the gazetted Act or Regulation, or adopted Australian Standard or publication as in force on the date that the application for a construction certificate is made.

1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

Plan No.	Drawn by	Dated
Plan of 28-34 Carlingford Road	Jackson Surveyors Pty Ltd	11-08-2014
DA00 Rev B - Cover Page	D-Studio	July 2015
DA01 Rev B - Site Plan and Site Analysis	D-Studio	February 2015
DA10 Rev B - Basement 3 Plan	D-Studio	July 2015
DA11 Rev D - Basement 1 & 2 Plan	D-Studio	July 2015
DA12 Rev F - Ground Floor Plan	D-Studio	July 2015
DA13 Rev D - 1 st Floor Plan	D-Studio	July 2015
DA14 Rev D - 2 nd Floor Plan	D-Studio	July 2015
DA15 Rev E - 3 rd Floor	D-Studio	July 2015



Plan		
DA16 Rev G - 4 th Floor Plan	D-Studio	July 2015
DA17 Rev G - Mezzanine Floor	D-Studio	July 2015
DA18 Rev C - Roof Plan	D-Studio	July 2015
DA20 Rev C - North Elevation	D-Studio	July 2015
DA21 Rev C - West Elevation	D-Studio	July 2015
DA22 Rev C - South Elevation	D-Studio	July 2015
DA23 Rev C - East Elevation	D-Studio	July 2015
DA24 Rev C - Building A East Elevation	D-Studio	July 2015
DA25 Rev C - Building B West Elevation	D-Studio	July 2015
DA30 Rev C - Section A	D-Studio	July 2015
DA31 Rev C - Section B	D-Studio	July 2015
DA32 Rev C - Section C	D-Studio	July 2015
DA40 Rev A - Shadow Diagram 9AM	D-Studio	July 2015
DA41 Rev A - Shadow Diagram 12PM	D-Studio	July 2015
DA42 Rev A - Shadow Diagram 3PM	D-Studio	July 2015
DA50 Rev B - Adaptive Units - Layout 1	D-Studio	July 2015
DA51 Rev B - Adaptive Units - Layout 2	D-Studio	July 2015
DA60 Rev B - External Finished Schedule	D-Studio	July 2015
DA70 Rev B – Cross Ventilation and Solar	D-Studio	July 2015



Access Diagram GF		
DA71 Rev B – Cross Ventilation and Solar Access Diagram 1 st Floor	D-Studio	July 2015
DA72 Rev B – Cross Ventilation and Solar Access Diagram 2 nd Floor	D-Studio	July 2015
DA73 Rev B – Cross Ventilation and Solar Access Diagram 3 rd Floor	D-Studio	July 2015
DA74 Rev B – Cross Ventilation and Solar Access Diagram 4 th Floor	D-Studio	July 2015
DA75 Rev B – Cross Ventilation and Solar Access Diagram Mezz Floor	D-Studio	July 2015
DA80 Rev A – Colour North Elevation	D-Studio	July 2015
DA81 Rev A – Colour West Elevation	D-Studio	July 2015
DA82 Rev A – Colour South Elevation	D-Studio	July 2015
DA83 Rev A – Colour East Elevation	D-Studio	July 2015
DA84 Rev A – Colour Building A East Elevation	D-Studio	July 2015
DA85 Rev A – Colour Building B West Elevation	D-Studio	July 2015
Colour Landscape Plan Rev A	Xeriscapes	10.02.2015
Landscape Plan Rev B	Xeriscapes	19.02.2015



19.02.2015

Document No.	Prepared by	Dated
SEPP 65 Design Verification Statement	DStudio	17 ⁻ 02-2015
Statement of Environmental Effects	Mecone	Undated
Crime Risk Assessment Report	Planning Ingenuity	10 ⁻ 02-2015
Traffic and Parking Assessment Report	Varga Traffic Planning	18-02-2015
BCA Assessment	Phoenix Building Approvals Ltd	18-02-2015
Bushfire Certificate	Nationwide House	23-07-2015
Costing Estimate	Residential Industrial Commercial	18-02-2015
Acoustic Assessment	Acoustic Lodge	03-02-2015
Access Report	Ergon Consulting	24-02-2015
Waste Management Plan	DStudio	17-02-2015
Arboricultural Impact Assessment	Naturally Trees	18-02-2015
Fire Engineering Alternate Solutions	Austech	12-02-2015
Electricity Connection	Ausgrid	16-12-2014
H01 – Hydraulic Services Legend - Issue B	BSE	12-02-2015
H02 - Hydraulic Services Site Sediment and Erosion Control Plan - Issue B	BSE	12-02-2015
H03 - Hydraulic Services Basement 3 – Stormwater Concept Plan - Issue B	BSE	12-02-2015
H04 - Hydraulic Services Basement 1 & 2 – Stormwater Concept	BSE	12-02-2015

Page 29



Plan - Issue B		
H05 - Hydraulic Services	BSE	12-02-2015
Ground Floor -		
Stormwater Concept		
Plan - Issue B		
H06 - Hydraulic Services	BSE	12-02-2015
- Roof Stormwater		
Concept Plan - Issue B		
H07 - Hydraulic Services	BSE	12-02-2015
Detail Sheet – Issue B		
SBV Turning Paths		
SRV Turning Paths	# ²	

2. Removal of Existing Trees

This development consent permits the removal of trees numbered 2, 3, 4, 5, 8, 13, 14, 15, 16, 17, 21, 22, 23 and 24 as identified in Appendix.8 (Plan No, TMP01) in the Arboricultural Impact Appraisal and Method Statement provided by Naturally Trees dated 18 February 2015. The removal of any other trees requires separate approval in accordance with the Tree and Vegetation Chapter 1B.6 Hornsby Development Control Plan (HDCP).

3. Amendment of Plans

The approved plans are to be amended as follows:

- a) A space for a motorised trolley for the movement of the garbage bins shall be provided in the basement.
- b) The bin storage areas within the basement shall be amended to indicate a carousel system.

4. Construction Certificate

A Construction Certificate is required to be approved by Council or a Private Certifying Authority prior to the commencement of any works under this consent.

The Construction Certificate plans must not be inconsistent with the Development Consent plans.

5. Section 94 Development Contributions

a) In accordance with Section 80A(1) of the Environmental Planning and Assessment Act 1979 and the Hornsby Shire Council Section 94 Development Contributions Plan 2012-2021, the following monetary contributions shall be paid to Council to cater for the increased demand for community infrastructure resulting from the development:

Description	Contribution (4)



Roads	\$53,843.00
Open Space and Recreation	\$933,274.95
Community Facilities	\$130,138.80
Plan Preparation and Administration	\$3,867.60
TOTAL	\$1,121,124.35

being for 16 one bedroom units, 51 two bedroom units and 10 three bedroom units with a credit for 4 dwellings

b) The value of this contribution is current as at 23rd July 2015. If the contributions are not paid within the financial quarter that this condition was generated, the contributions payable will be adjusted in accordance with the provisions of the Hornsby Shire Council Section 94 Development Contributions Plan and the amount payable will be calculated at the time of payment in the following manner:

$C_{PY} = C_{DC} \times CPI_{PY}$

Where:

\$C_{PY} is the amount of the contribution at the date of Payment

- \$C_{DC} is the amount of the contribution as set out in this Development Consent
- CPI_{PY} is the latest release of the Consumer Price Index (Sydney All Groups) at the date of Payment as published by the ABS.

CPI_{DC} is the Consumer Price Index (Sydney – All Groups) for the financial quarter at the date applicable in this Development Consent Condition.

c) The monetary contributions shall be paid to Council:

- i) prior to the issue of the Subdivision Certificate where the development is for subdivision; or
- ii) prior to the issue of the first Construction Certificate where the development is for building work; or
- iii) prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or
- iv) prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

It is the professional responsibility of the Principal Certifying Authority to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.



Council's Development Contributions Plan may be viewed at <u>www.hornsby.nsw.gov.au</u> or a copy may be inspected at Council's Administration Centre during normal business hours.

REQUIREMENTS PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

6. Building Code of Australia

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

7. Contract of Insurance (Residential Building Work)

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

8. Notification of Home Building Act, 1989 Requirements

Residential building work within the meaning of the *Home Building Act* 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notice of the following information:

- a) In the case of work for which a principal contractor is required to be appointed:
 - i) The name and licence number of the principal contractor; and
 - ii) The name of the insurer by which the work is insured under Part 6 of that Act.

b) In the case of work to be done by an owner-builder:

- i) The name of the owner-builder; and
- ii) If the owner-builder is required to hold an owner-builder's permit under that Act, the number of the owner-builder's permit.

Note: If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notification of the updated information.

9. Utility Services

The applicant must submit written evidence of the following service provider requirements:



- a) Ausgrid (formerly Energy Australia) a letter of consent demonstrating that satisfactory arrangements have been made to service the proposed development.
- b) *Telstra* a letter of consent demonstrating that satisfactory arrangements have been made to service the proposed development.

10. Sydney Water – Quick Check

This application must be submitted to a *Sydney Water* 'Quick Check Agent' or 'Customer Centre' for approval to determine whether the development would affect any *Sydney Water* infrastructure, and whether further requirements are to be met.

Note: Refer to <u>www.sydneywater.com.au</u> or telephone 13 20 92 for assistance.

11. **Preservation of Survey Infrastructure**

Prior to the issue of a construction certificate, a registered surveyor shall identify all survey marks in the vicinity of the proposed development. Any survey marks required to be removed or displaced as a result of the proposed development shall be undertaken by a registered surveyor in accordance with Section 24 (1) of the Surveying and Spatial Information Act 2002 and following the Surveyor General's Directions No.11 – "Preservation of Survey Infrastructure".

12. Stormwater Drainage

The stormwater drainage system for the development must be designed and constructed in accordance with Council's *Civil Works – Design and Construction Specification 2005* and the following requirements:-

- a) The internal drainage system shall be connected to an existing Council piped drainage system and a new 1.8m extended kerb inlet and cast in-situ pit on the Carlingford Road frontage of No. 28 Carlingford Rd, Epping, upstream of the proposed crossing.
- b) Note: The existing kerb entry pit is in proximity to the proposed crossing island. The pit and grating shall be modified to a 900 x 450 mm hinged grate or dished crossing grate - as determined by Roads and Maritime Services' Statewide Delivery Branch - at Applicant's cost.
- c) The on-site detention system shall be designed to be drained to the proposed kerb inlet pit. The overflow drainage system shall be connected to the Carlingford Road kerb and gutter. Details of drainage system and pit to be shown on the Engineer's plans.
- In order to design check, the Construction Certificate for the street drainage system shall be approved and work constructed, prior to fixing levels for internal OSD and drainage system.
- e) Pursuant to s138 *Roads Act 1993*, construction of drainage works in the public road shall be the subject of a Subdivisions Construction Certificate (SCC) Application to Hornsby Council as Roads Authority. The Applicant



shall pay Council's fee for SCC Assessment and Compliance Inspections prior to the construction of that drainage work.

f) Works in the public road are the subject of construction consents by Roads and Maritime Services' Statewide Delivery Branch. The Applicant shall pay RMS' fees and enter into the Works Deed prior to release of Construction Certificate for the road works.

13. Water Quality and On Site Stormwater Detention

An on-site stormwater detention and water quality treatment system must be designed by a chartered civil engineer and constructed in accordance with the approved plan and following requirements:-

- a) The on-site detention (OSD) shall have a capacity of not less than 43 cubic metres, and a maximum discharge (when full) of 83 litres per second.
- b) Have a 900 mm x 900 mm surcharge/inspection grate located directly above the outlet and separate chambers.
- c) Discharge from the detention system to be controlled via 1 metre length of pipe, not less than 50 millimetres diameter or via a stainless plate with sharply drilled orifice bolted over the face of the outlet discharging into a larger diameter pipe capable of carrying the design flow to an approved Council system.
- d) Not be constructed in a location that would impact upon the visual or recreational amenity of residents.

14. Road Works

All road works approved under this consent must be constructed in accordance with Council's *Civil Works Design and Construction Specification 2005* and the following requirements: -

- RMS standard 150 mm SA integral kerb and gutter is to be designed and constructed along the Carlingford Road frontage of the site. The proposed kerb and gutter generally follows the existing kerb alignment.
- b) RMS' required flexible road shoulder pavement shall be removed, designed and reconstructed at least 600 mm wide on the Carlingford Road frontage.
- c) Council's standard 80 mm thickness 1.2m wide concrete footpath shall be designed and constructed on the standard footpath alignment over the Carlingford Road frontage.
- d) The applicant must adjust all utilities, services, signage, topsoiling, verge turfing and street furniture to suit the proposed works and replace and restore them during road works.
- e) The submission of a compaction certificate from a geotechnical engineer for any base material within road reserves, and all road sub-grade and road pavement materials.



- f) Pursuant to s138 Roads Act 1993, construction of public road works shall be the subject of a Subdivisions Construction Certificate (SCC) Application to Hornsby Council as Roads Authority. The Applicant shall pay Council's fee for SCC Assessment and Compliance Inspections prior to the construction of that work.
- g) Works in the public road are the subject of construction consents by Roads and Maritime Services' Statewide Delivery Branch. The Applicant shall pay RMS' fees and enter into the Works Deed prior to release of Construction Certificate for the road works.

15. Vehicular Crossing

A separate application under the *Local Government Act 1993* and the *Roads Act 1993* must be submitted to Council for the installation of a new vehicular crossing and the removal of the redundant crossing. The vehicular crossing must be constructed in accordance with Council's *Civil Works Design 2005* and the following requirements: -

- a) Any redundant crossings must be removed and restored.
- b) Crossing levels shall be obtained from Council by separate Application for Crossing Levels.

Note: An application for a vehicular crossing can only be made to one of Council's Authorised Vehicular Crossing Contractors or be the subject of a Construction Certificate to Council as Roads Authority. You are advised to contact Council on 02 9847 6940 to obtain a list of contractors.

16. Construction Traffic Management Plan

A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of a Construction Certificate.

17. Traffic Control Plan

A Traffic Control Plan (TCP) must be prepared by a qualified traffic controller in accordance with the *Roads & Traffic Authority's Traffic Control at Worksites Manual* 1998 and *Australian Standard* 1742.3 for all work on a public road and be submitted to Council. The TCP must detail the following:

- a) Arrangements for public notification of the works.
- b) Temporary construction signage.
- c) Permanent post-construction signage.
- d) Vehicle movement plans.
- e) Traffic management plans.
- f) Pedestrian and cyclist access/safety.



18. Internal Driveway/Vehicular Areas

The driveway and parking areas on site must be designed in accordance with *Australian Standards 2890.1, 2890.2, 3727* and the following requirements:

- a) Design levels at the front boundary or crossing must be obtained from Council;
- b) The driveway must be a rigid pavement;
- c) The driveway grade must not exceed 25 percent where designed for cars and transitions for changes in grade must not exceed 8 percent per plan metre;
- The driveway pavement must be a minimum 3 metres wide, 0.2 metres thick reinforced concrete with SL72 steel reinforcing fabric and a 0.15 metre subbase;

19. Storage

Each dwelling within the development must have a minimum area for storage (not including kitchen and bedroom cupboards) of 6m³ for one bedroom units, 8m³ for two bedroom units and 10m³ for three bedroom units, where 50% is required to be located within the apartment and accessible from either the hall or living area. Details must be submitted with the Construction Certificate plans.

20. Noise

The development must be carried out in accordance with the recommendations contained within the acoustic report submitted with the development application, titled, prepared by Acoustic Logic and dated 03.02.2015 and the requirements of the Department of Planning's *Development Near Rail Corridors and Busy Roads – Interim Guideline* and RailCorp's *Interim Guidelines for Applicants*.

Note: The Department of Planning's document is available at <u>www.planning.nsw.gov.au</u> (development assessments).

21. Letterboxes

The details of letter boxes and meter enclosures must be provided with the Construction Certificate Plans. The letter boxes and meter enclosures must be provided with a minimum setback of 2 metres from all boundaries and must be suitably screened.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS

22. Erection of Construction Sign

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

 Showing the name, address and telephone number of the principal certifying authority for the work;


- b) Showing the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and
- c) Stating that unauthorised entry to the work site is prohibited.

Note: Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

23. Protection of Adjoining Areas

- A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:
 - a) Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic.
 - b) Could cause damage to adjoining lands by falling objects.
 - c) Involve the enclosure of a public place or part of a public place.

Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.

24. Toilet Facilities

Toilet facilities must be available or provided at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site. Each toilet must:

- a) be a standard flushing toilet connected to a public sewer; or
- b) be a temporary chemical closet approved under the Local Government Act 1993; or
- c) have an on-site effluent disposal system approved under the Local Government Act 1993.

25. Erosion and Sediment Control

Erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual 'Soils and Construction 2004 (Bluebook)', the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.

26. Project Arborist



A Project Arborist is to be appointed in accordance with AS 4970-2009 (1.4.4) to provide monitoring and certification throughout the development process and details of the Arborist forwarded to Council.

27. Tree Protection Barriers

Tree Protection Fencing is to be erected and ground protection emplaced onsite around trees numbered 6, 6a, 7, 9, 10, 11, 12, 18, 19, 19a & 20 at a distance of 3m from the northern property boundary and installed in accordance with Appendix:8 (Plan No. TMP01), Appendix:4, Appendix:5 and Appendix:6 of the Arboricultural Impact Appraisal and Method Statement provided by Naturally Trees, dated 18 February 2015.

Tree Protection Fencing is to be erected and ground protection emplaced onsite around tree numbered 1 at a distance greater than 3m from the trunk of the tree and installed in accordance with Appendix:8 (Plan No. TMP01), Appendix:4, Appendix:5 and Appendix:6 of the Arboricultural Impact Appraisal and Method Statement provided by Naturally Trees, dated 18 February 2015.

Note: A certificate from the Project Arborist (AQF 5) is to be submitted to the Principal Certifying Authority stating that all tree protection measures are in accordance with the above and consistent with the intentions of the Australian Standard 'Protection of Trees on Development Sites (AS 4970-2009) prior to commencement of works.

REQUIREMENTS DURING CONSTRUCTION

28. Construction Work Hours

All work on site (including demolition and earth works) must only occur between 7am and 5pm Monday to Saturday (unless otherwise approved by Council due to extenuating circumstances). No work is to be undertaken on Sundays or public holidays. No excavation or rock sawing/breaking is to occur on Saturdays.

29. Asbestos and Soil Contamination

Should the presence of asbestos or soil contamination, not recognised during the application process be identified during works, the applicant must immediately notify the principal certifying authority and Council.

30. Demolition

All demolition work must be carried out in accordance with "*Australian Standard* 2601-2001 – The Demolition of Structures" and the following requirements:

- Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan;
- b) Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by

JRPP (Sydney West Region) Business Paper – 2015SYW0055



WorkCover NSW in accordance with Chapter 10 of the Occupational Health and Safety Regulation 2001 and Clause 29 of the Protection of the Environment Operations (Waste) Regulation 2005; and

c) On construction sites where buildings contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm must be erected in a prominent position visible from the street.

31. Environmental Management

The site must be managed in accordance with the publication 'Managing Urban Stormwater – Landcom (March 2004) and the Protection of the Environment Operations Act 1997 by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.

32. Street Sweeping

Street sweeping must be undertaken following sediment tracking from the site along Carlingford Road, Epping during works and until the site is established.

The street cleaning services must undertake a street 'scrub and dry' method of service and not a dry sweeping service that may cause sediment tracking to spread or cause a dust nuisance.

33. Disturbance of Existing Site

During construction works, the existing ground levels of open space areas and natural landscape features, (including natural rock-outcrops, vegetation, soil and watercourses) must not be altered unless otherwise nominated on the approved plans.

34. Landfill

Landfill must be constructed in accordance with Council's *'Construction Specification 2005'* and the following requirements:

a) All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material approved under the *Department of Environment and Climate Change's* general resource recovery exemption.

b) A compaction certificate is to be obtained from a geotechnical engineer verifying that the specified compaction requirements have been met.

35. Excavated Material

All excavated material removed from the site must be classified in accordance with the Department of Environment, Climate Change and Water NSW Waste



Classification Guidelines prior to disposal to an approved waste management facility and reported to the principal certifying authority.

36. Works Near Trees

All required tree protection measures are to be maintained in good condition for the duration of the construction period.

(a) Project Arborist

Works must not reduce the useful life expectancy of the tree and be carried out under the direct supervision of the Project Arborist. The project arborist must assess the condition of the trees and their growing environment at regular intervals during the demolition and construction stages and make recommendations for, and if necessary carry out remedial action to ensure the health and vigour of the trees.

(b) Root Pruning

Where tree roots are required to be severed for the purposes of this consent all pruning shall be undertaken as specified in AS 4970-2009 Sections 3.3.4, 4.5.4 and 4.5.5. A certificate must be submitted by the Project Arborist to the principal certifying authority detailing the methods used to preserve the trees.

Note: Root pruning is NOT permitted within the Structural Root Zone of any tree to be retained.

(c) Drilling/ Boring

The installation of any services within the nominated Tree Protection Zone of any tree to be retained shall utilise the thrust boring (horizontal drilling) method. Thrust boring shall be carried out so that 'top of pipe' is a minimum 600mm depth beneath existing ground level.

Note: Except as provided above all personnel (the applicant, contractors, service providers, principal certifying authority) involved with this development are to ensure that no excavation, including sub-surface trenching for stormwater or other services or the filling or stockpiling of building materials, parking of vehicles or plant, the use of machinery other than hand held, disposal of cement slurry, waste water or other contaminants is to occur within the Tree Root Zone as prescribed in the HDCP Section 1B.6.1(i) of any tree to be retained.

37. Survey Report

A report(s) must be prepared by a registered surveyor and submitted to the principal certifying authority;

- a) Prior to the pouring of concrete at each level of the building certifying that:
 - i) The building, retaining walls and the like have been correctly positioned on the site; and



- ii) The finished floor level(s) are in accordance with the approved plans.
- b) The waste collection vehicle turning area complies with AS2890.1 2004 and AS20890.2 – 2002 for small rigid vehicles (SRV).

38. Council Property

During construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath.

39. Waste Management

Waste management during the demolition and construction phase of the development must be undertaken in accordance with the approved Waste Management Plan. Additionally written records of the following items must be maintained during the removal of any waste from the site and such information submitted to the Principal Certifying Authority within fourteen dayD4.15s of the date of completion of the works:

- a) The identity of the person removing the waste.
- b) The waste carrier vehicle registration.
- c) Date and time of waste collection.
- d) A description of the waste (type of waste and estimated quantity).
- e) Details of the site to which the waste is to be taken.
- f) The corresponding tip docket/receipt from the site to which the waste is transferred (noting date and time of delivery, description (type and quantity) of waste).
- g) Whether the waste is expected to be reused, recycled or go to landfill.

Note: In accordance with the Protection of the Environment Operations Act 1997, the definition of waste includes any unwanted substance, regardless of whether it is reused, recycled or disposed to landfill.

REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

Note: For the purpose of this consent, a reference to 'occupation certificate' shall not be taken to mean an 'interim occupation certificate' unless otherwise stated.

40. Noise – Epping Road Corridor

Provide to Council a Certificate from a Noise Consultant in compliance with condition 20.

41. Consolidation of Allotments

All allotments contain in the subject of this consent must be consolidated into one allotment.

42. Fulfilment of BASIX Commitments



The applicant must demonstrate the fulfilment of BASIX commitments pertaining to the development.

43. Planter Boxes/On slab planting

On slab planter boxes must include waterproofing, subsoil drainage (proprietary drainage cell, 50mm sand and filter fabric) automatic irrigation, minimum 500mm planting soil for shrubs and minimum 1000mm planting soil for trees and palms and 75mm mulch to ensure sustainable landscape is achieved.

44. Completion of Landscaping

A certificate must be provided by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.

Note: Applicants are advised to pre-order plant material required in pot sizes 45 litre or larger to ensure Nurseries have stock available at the time of install.

45. Landscape Establishment

The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.

46. Safety and Security

- a) Fire exit doors to the development must be fitted with single cylinder locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the development.
- b) Ground floor windows must be fitted with window locks that can be locked with a key.
- c) The basement car park entry must be secured by security gates/roller shutters. The access control to include an audio/visual intercom system to allow visitor access to the parking area.
- d) Lighting of pedestrian pathways throughout the development must comply with Australia and New Zealand Lighting Standard 1158.1 Pedestrian.
- e) Sign posting and way finding signage to be clear and legible so that emergency services are able to clearly identify location of a unit and location of the unit block entry.
- f) Front fencing to be designed to allow casual surveillance at the frontage.
- g) Lobby access to be controlled by security card or similar.

47. Replacement Planting



- Plantings shall be in accordance with the approved Landscape Plan
- Plantings that fail to survive or do not exhibit normal health and vigour growth characteristics for their species prior to reaching a height greater than three metres (3m), must be replaced at the expense of the property owner.

Note: A certificate from suitably qualified and experienced Horticulturalist is to be submitted to the Principal Certifying Authority stating the above requirements have been met, that all plant stock meet the specifications outlined in 'Specifying Trees' (Ross Clark, NATSPEC Books) and that the planting methods are current, professional (best practice) industry standards at the time of planting.

48. Boundary Fencing

Fencing must be erected along all property boundaries behind the front building alignment to a height of 1.8 metres above existing ground level. Fences to the primary frontage in front of the building alignment are to retain visual transparency. (not lapped / solid) and be 1.2 metres in height.

Note: Alternative fencing behind the front building line may be erected subject to the written consent of the adjoining property owner(s)

49. Final Certificate of Tree Protection

Following the final inspection and the completion of any remedial works, the project arborist must submit to the Principal Certifying Authority documentation stating that the completed works have been carried out in compliance with the approved plans and specifications for tree protection and AS 4970-2009.

50. Sydney Water – s73 Certificate

A s73 Certificate must be obtained from Sydney Water.

Note: Sydney Water requires that s73 applications are to be made through an authorised Sydney Water Servicing Coordinator. Refer to <u>www.sydneywater.com.au</u> or telephone 13 20 92 for assistance.

51. Damage to Council Assets

Any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified in accordance with Council's Civil Works Specifications. Council's Restorations Supervision must be notified for a formwork inspection prior to pouring concrete.

52. Creation of Easements

The following matter(s) must be nominated on the plan of subdivision under s88 of the Conveyancing Act 1919: -

a) Consolidation of all lots.



- b) The creation of an appropriate "Positive Covenant" and "Restriction as to User" over the constructed on-site detention/retention systems and outlet works, within the lots in favour of Council in accordance with Council's prescribed wording. The position of the on-site detention system is to be clearly indicated on the title.
- c) To register the OSD easement, the restriction on the use of land "works-asexecuted" details of the on-site-detention system must be submitted verifying that the required storage and discharge rates have been constructed in accordance with the design requirements. The details must show the invert levels of the onsite system together with pipe sizes and grades. Any variations to the approved plans must be shown in red on the "works-asexecuted" plan and supported by calculations.

Note: Council must be nominated as the authority to release, vary or modify any easement, restriction or covenant.

53. Works as Executed Plan

A works-as-executed plan(s) must be prepared by a registered surveyor and submitted to Council for completed road pavement, kerb & gutter, public drainage systems, driveways and on-site detention system.

54. External Lighting

All external lighting must be designed and installed in accordance with Australian Standard AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting. Certification of compliance with the Standard must be obtained from a suitably gualified person.

55. Installation of Air Conditioner

To protect the amenity of adjacent properties, the condenser unit for the air conditioner must be sited a minimum of 3 metres from the property boundary of any adjoining residential premises unless a certificate has been prepared by a suitably qualified person confirming that the unit has been tested for heating and cooling on the highest settings and that the noise levels generated do not exceed 5 dB(A) above background noise levels when tested at the property boundary between 8 pm and 10 pm.

56. Unit Numbering

The allocation of unit numbering must be authorised by Council prior to the numbering of each unit in the development

57. Provision for National Broadband Network (NBN)

Provision must be made for fibre ready passive infrastructure (pits and pipes) generally in accordance with NBN Co.'s pit and pipe installation guidelines to service the proposed development. A certificate from NBN Co. or Telstra must be submitted



to the PCA that the fibre optic cabling provided for the development complies with MDU Building Design Guides for Development.

58. Water Quality

Stormwater leaving the premises is to be treated to achieve the quality specified in Council's Development Control Plan 2012 (table 1C.1.2(b) Urban Stormwater Quality Targets).

59. Retaining Walls

All required retaining walls must be constructed as part of the development.

60. Garbage Collection Easement

For the purpose of waste collection, an easement entitling Council, its servants and agents and persons authorised by it to enter upon the subject land and to operate thereon, vehicles and other equipment for the purposes of garbage collection must be granted to Council by the owner of the land.

Note: The easement must be in a form prescribed by Council and must include covenants to the effect that parties will not be liable for any damage caused to the subject land or any part thereof or to any property located therein or thereon by reason of the operation thereon of any vehicle or other equipment used in connection with the collection of garbage and to the effect that the owner for the time being of the subject land shall indemnify the Council, its servants, agents and persons authorised by it to collect garbage against liability in respect of any such claims made by any person whomsoever.

61. Waste Management Details

The following waste management requirements must be complied with:

a) Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifying Authority must obtain Council's approval of the waste and recycling management facilities provided in the development and ensure arrangements are in place for domestic waste collection by Council.

Note: Waste and recycling management facilities includes everything required for on-going waste management on the site. For example the garbage chute system, volume handling equipment, bin lifter, motorised bin trolley or similar, recycling bin storage on each residential level, bin storage areas, bulky waste storage area, bin collection area, waste collection vehicle access, etc.

b) The bin storage room at the basement level must include water or a hose for cleaning, graded floors with drainage to sewer, a robust door, sealed and impervious surface, adequate lighting and ventilation, and must be lockable. The waste facility rooms/cupboards at each residential level must include sealed and impervious surface, adequate lighting and ventilation.



- c) A report must be prepared by an appropriately qualified person, certifying the following:
 - A comparison of the estimated quantities of each waste type against the actual quantities of each waste type.

Note: Explanations of any deviations to the approved Waste Management Plan is required to be included in this report

ii) That at least 60% of the waste generated during the demolition and construction phase of the development was reused or recycled.

Note: If the 60% diversion from landfill cannot be achieved in the Construction Stage, the Report is to include the reasons why this occurred and certify that appropriate work practices were employed to implement the approved Waste Management Plan. The Report must be based on documentary evidence such as tipping dockets/receipts from recycling depots, transfer stations and landfills, audits of procedures etc. which are to be attached to the report.

- iii) All waste was taken to site(s) that were lawfully permitted to accept that waste.
- d) Each unit must be provided with an indoor waste/recycling cupboard for the interim storage of a minimum one day's waste generation with separate containers for general waste and recyclable materials.
- e) Space must be provided for either individual compost containers for each unit or a communal compost container;

Note: The location of the compost containers should have regard for potential amenity impacts.

f) The bin carting routes must be devoid of any steps.

Note: Ramps between different levels are acceptable.

- g) A survey of the finished access way (including ramp, waste collection vehicle turning area, loading bay and site entry/exit) to be used by SRV waste collection vehicle, must be carried out by a registered surveyor and submitted to the principal certifying authority. Written confirmation must be submitted to the Principal certifying authority from a qualified Traffic Engineer, that this survey confirms the finished access way within the waste collection vehicle turning path was designed and constructed in compliance with Australian Standard AS2890.2-2002 Parking Facilities Part 2: Off-street Commercial Vehicle Facilities for small rigid vehicles.
- h) The 3.5 metre clearance height within the waste collection vehicle travel path must not be reduced by ducting, lights, pipes or anything else.
- Site security measures implemented on the property, including electronic gates, must not prevent access to the collection point by waste removal services.

JRPP (Sydney West Region) Business Paper – 2015SYW0055



OPERATIONAL CONDITIONS

62. Replacement Planting

Trees that fail to survive or do not exhibit normal health and vigour growth characteristics for their species prior to reaching a height greater than three metres (3m), must be replaced at the expense of the property owner.

Note: A certificate from suitably qualified and experienced Horticulturalist is to be submitted to the Principal Certifying Authority stating that all plant stock meet the specifications outlined in 'Specifying Trees' (Ross Clark, NATSPEC Books) and that the planting methods were current professional (best practice) industry standards at the time of planting.

63. Fire Safety Statement – Annual

On at least one occasion in every 12 month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.

64. Maintenance of Wastewater Device

All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the *Protection of the Environment Operations Act 1997*.

65. Car Parking

All car parking must be constructed and operated in accordance with *Australian Standard AS/NZS 2890.1:2004 – Off Street Car Parking* and *Australian Standard AS 2890.2:2002 – Off Street Commercial Vehicle Facilities* and the following requirements:

- a) All parking areas and driveways are to be sealed to an all-weather standard, line marked and signposted;
- b) Car parking, loading and manoeuvring areas to be solely for nominated purposes;
- c) Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads;
- d) All vehicular entry to the site and egress from the site shall be made in a forward direction;
- e) Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath;



- Residential parking spaces are to be secure spaces with access controlled by card or numeric pad;
- g) Visitors must be able to access the visitor parking spaces in the basement car park at all times;
- h) All parking for people with disabilities is to comply with Australian Standard AS/NZS 2890.6:2009 Off Street Parking for People with Disabilities;
- Bicycle parking spaces are to be designed in accordance with Australian Standard AS 2890.3:1993 – Bicycle Parking Facilities;
- j) Motorcycle parking spaces are to be designed in accordance with Australian Standard AS 2890.5:1993
- Access for garbage vehicles is to satisfy the requirements of Council's Waste Management Branch.

66. Waste Management

The waste management on site must be in accordance with the following requirements:

a) A site caretaker must be employed and be responsible for moving bins where and when necessary, washing bins and maintaining waste storage areas, ensuring the chute system and related devices are maintained in effective and efficient working order, managing the communal composting area, managing the bulky item storage area, arranging the prompt removal of dumped rubbish, and ensuring all residents are informed of the use of the waste management system. The site caretaker must be employed for a sufficient number of hours each week to allow all waste management responsibilities to be carried out to a satisfactory standard.

67. Landscape Establishment

The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.

68. Disabled Parking

All parking spaces for people with disabilities must be constructed and operated in accordance with Australian Standard AS/NZS 2890.6:2009 – Off-street parking for people with disabilities

69. Bicycle Parking

All bicycle parking spaces are to be designed in accordance with Australian Standard 2890.3-1993 – Bicycle parking facilities.



70. Motorcycle Parking Spaces

All motorcycle parking space are to be provided in accordance with AS 2890.5-1993

71. Noise – Plant and Machinery

The level of total continuous noise emanating from operation of all the plant, including air conditioning units and processes in all buildings (LA10) (measured for at least 15 minutes) in or on the above premises, must not exceed the background level by more than 5dB(A) when measured at all property boundaries.

An acoustic assessment is to be undertaken by a suitably qualified environmental consultant within 60 days of occupying the site in accordance with the *Environment NSW Industrial Noise Policy (2000), Council's Policy and Guidelines for Noise and Vibration Generating Development (Acoustic Guidelines V.5, 2000)* and the *DECC's Noise Guide for Local Government (2004)*. The assessment must be submitted to Council for review. Should the assessment find that noise from the premise exceeds 5dB(A) appropriate measures must be employed to rectify excessive noise.

CONDITIONS OF CONCURRENCE - RMS

The following conditions of consent are from the nominated State Agency pursuant to Section 79B of the *Environmental Planning and Assessment Act 1979* and must be complied with to the satisfaction of that Agency.

72. The redundant driveways on Carlingford Road shall be removed and replaced with kerb and guttering to match existing. The design and construction of the new vehicular crossing on Carlingford Road shall be in accordance with Roads and Maritime Services requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Development Works, Statewide Delivery, Paramatta (telephone 8849 2138).

Detailed design plans of the proposed gutter crossing are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

- 73. All vehicles shall enter and leave the site in a forward direction.
- 74. All vehicles are to be wholly contained within the site before being required to stop.
- **75.** All demolition and construction vehicles are to be wholly contained with the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Carlingford Road.
- **76.** A Construction Management Plan detailing construction vehicle routes, numbers of trucks, hours of operation, access arrangements and traffic control should be

JRPP (Sydney West Region) Business Paper – 2015SYW0055



submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.

77. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD202012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

The report and any enquiries should be forwarded to;

Project Engineer, External Works

Sydney Asset Management

Roads and Maritime Services

PO Box 973 Parramatta CBD 2124

Telephone 8849 2114

Fax 8849 2766

It is necessary to excavate below the level of the base of the footings of the adjoining roadways, the persona acting on the consent shall ensure the owner/s of the roadway is/are given at least seven (7) days' notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

78. Detailed design plans and hydraulic calculations of any changes to stormwater drainage systems are to be submitted to Roads and Maritime for approval prior to commencement of any works.

Details should be forwarded to;

The Sydney Asset Management

Roads and Maritime Services

PO Box 973

Paramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph:8849 2114 or Fax:8849 2766

79. The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS2890.2 -2002 for heavy vehicle usage



ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act, 1979, Environmental Planning and Assessment Regulation 2000*, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires:

- The issue of a construction certificate prior to the commencement of any works. Enquiries can be made to Council's Customer Services Branch on 9847 6760.
- A principal certifying authority to be nominated and Council notified of that appointment prior to the commencement of any works.
- Council to be given at least two days written notice prior to the commencement of any works.
- Mandatory inspections of nominated stages of the construction inspected.
- An occupation certificate to be issued before occupying any building or commencing the use of the land.

Occupation Certificate Requirements

An Occupation Certificate Application is required to be lodged containing the following information:

 A certificate by a Registered Surveyor shall be submitted to the Principal Certifying Authority, certifying that there has been no removal, damage, destruction, displacement or defacing of the existing survey marks in the vicinity of the proposed development, or otherwise certifying that the necessary re-establishment of any damaged, removed or displaced survey marks has been undertaken in accordance with the Surveyor General's Direction No. 11 – "Preservation of Survey Infrastructure".

Note: The PCA will not issue an Occupation certificate until all conditions of the development consent have been completed.

Dial Before You Dig

Prior to commencing any works, the applicant is encouraged to contact *Dial Before You Dig* on 1100 or <u>www.dialbeforeyoudig.com.au</u> for free information on potential underground pipes and cables within the vicinity of the development site.

Telecommunications Act 1997 (Commonwealth)



If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

House Numbering

Unit numbering can only be authorised by Council. Before proceeding to number each premise in the development, the allocation of numbers is required to be obtained from Council's Planning Division prior to the issue of a Subdivision Certificate. The authorised numbers are required to comply with Council's Property Numbering Policy and be displayed in a clear manner at or near the main entrance to each premise.

Tree Root Zones (TRZ)

HDCP Section 1B.6.1 (i).	TRZ
Trees with a diameter at breast height greater than 800mm	9m
Trees with a diameter at breast height greater between 400mm & 800mm	7m
Trees with a diameter at breast height greater less than 400mm	4m

In accordance with Clause 5.9 Hornsby Local Environment Plan (HLEP) a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by a development consent or a permit granted by Council.

Note: A tree is defined as a long lived, woody perennial plant with one or relatively few main stems with the potential to grow to a height greater than three metres (3m). (HDCP 1B.6.1.c).

Tree protection measures and distances are determined using the Australian Standard AS 4970:2009, "Protection of Trees on Development Sites".

Long Service Levy

In accordance with Section 34 of the Building and *Construction Industry Long Service Payments Act 1986*, a 'Long Service Levy' must be paid to the Long Service Payments Corporation or Hornsby Council.

Note: The rate of the Long Service Levy is 0.35% of the total cost of the work.

Note: Hornsby Council requires the payment of the Long Service Levy prior to the issue of a construction certificate.

Tree Preservation Order

In accordance with Clause 5.9 Hornsby Local Environment Plan (HLEP) a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by a development consent or a permit granted by Council.

Fines may be imposed for non-compliance with both the HLEP and the HDCP.



Note: A tree is defined as a long lived, woody perennial plant with one or relatively few main stems with the potential to grow to a height greater than three metres (3m). (HDCP 1B.6.1.c).

Tree protection measures and distances are determined using the Australian Standard AS 4970:2009, "Protection of Trees on Development Sites".

Disability Discrimination Act

The applicant's attention is drawn to the existence of the *Disability Discrimination Act*. A construction certificate is required to be obtained for the proposed building/s, which will provide consideration under the *Building Code of Australia*, however, the development may not comply with the requirements of the *Disability Discrimination Act*. This is the sole responsibility of the applicant.

Dial Before You Dig

Prior to commencing any works, the applicant is encouraged to contact *Dial Before You Dig* on 1100 or <u>www.dialbeforeyoudig.com.au</u> for free information on potential underground pipes and cables within the vicinity of the development site.

Telecommunications Act 1997 (Commonwealth)

If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

Asbestos Warning

Should asbestos or asbestos products be encountered during demolition or construction works, you are advised to seek advice and information prior to disturbing this material. It is recommended that a contractor holding an asbestos-handling permit (issued by *WorkCover NSW*)be engaged to manage the proper handling of this material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

Alternatively, telephone the WorkCover Asbestos and Demolition Team on 8260 5885.

House Numbering

House numbering can only be authorised by Council. Before proceeding to number each premise in the development, the allocation of numbers is required to be obtained from Council's Planning Division. The authorised numbers are required to be displayed in a clear manner at or near the main entrance to each premise.























++	DA APPLICATION			8)
AL JUL 15	DRAW	UNIT AZZ, ASY AND ANT	ADAPTIVE UNIT TYPE A UNIT ATL ASL ASS AND ANT	
	COMMAN DATE		-	
CLIENT	ACCONESS 28-34 CARLINGFOR RD, EPPING	4 ADAPTIVE UNIT TYPE D	2 ADAPTIVE UNIT TYPE B UNIT A12, A22, A32 AND A42	SCOOLER SCOOLE
DRAMING TITLE	PROJECT RESIDENTIAL FLAT BUILDING	10		
	JOE NUMBER \$ 2014:1124			
_	SCALES DRAWING 1:200 DA 50		2	
Architects Piy Limited		ж за		NOTE: CAPPED FLUMBING SERVICES TO BE PROVIDED FOR POST ADAPTATION






























2	25 29 8 8 8	2	
	ATION ATION ATION TION EAST ELEVATION WEST ELEVATION	5*5 	Job Numers Soluts Downloo 2014;1124 - DA 00 2014;1124 - DA 00 Alf Bare Retv
¥,	DA80 COLOUR NORTH ELEVATION DA81 COLOUR WEST ELEVATION DA82 COLOUR SOUTH ELEVATION DA82 COLOUR EAST ELEVATION DA83 COLOUR BUILDING A EAST ELEVATION DA85 COLOUR BUILDING B WEST ELEVATION DA85 COLOUR BUILDING B WEST ELEVATION	Rog	SF ST FLOOR ND FLOOR RD FLOOR TH FLOOR MEZZ FLOOR MEZZ FLOOR Meater Meater Meater Meater Meater Meater Meater Meater Meater Meater Meater Meater Meater Cover Meate
70 *		NO to C	ES & SCHEDULE ION & SOLAR ACCESS DIAGRAM GF ION & SOLAR ACCESS DIAGRAM 1ST FLOOR ION & SOLAR ACCESS DIAGRAM 3TD FLOOR ION & SOLAR ACCESS DIAGRAM 3TD FLOOR ION & SOLAR ACCESS DIAGRAM ATH FLOOR ION & SOLAR ACCESS DIAGRAM MEZZ FLOO ISPACE CALCULATION
DRAWING LIST	DA 00 COVER PAGE DA 01 SITE PLAN & SITE ANLYSIS DA10 BASEMENT 3 PLAN DA11 BASEMENT 1 & 2 PLAN DA13 1ST FLOOR PLAN DA13 1ST FLOOR PLAN DA14 2ND FLOOR PLAN DA15 3RD FLOOR PLAN DA15 3RD FLOOR PLAN DA17 LEVEL MEZZ PLAN DA18 ROOF PLAN	DA20 NORTH ELEVATION DA21 WEST ELEVATION DA22 SOUTH ELEVATION DA22 SOUTH ELEVATION DA23 EAST ELEVATION DA24 BUILDING B WEST ELEVATION DA25 BUILDING B WEST ELEVATION DA30 SECTION A DA30 SECTION B DA31 SECTION B DA31 SECTION B DA31 SECTION C DA40 SHADOW DIAGRAM 9AM DA41 SHADOW DIAGRAM 12PM DA42 SHADOW DIAGRAM 12PM DA42 SHADOW DIAGRAM 12PM DA42 SHADOW DIAGRAM 12PM DA51 ADAPTIVE UNITS LAYOUT 1 DA51 ADAPTIVE UNITS LAYOUT 2	a60 EXTERNAL FINISH 0A70 CROSS VENTILAT 0A71 CROSS VENTILAT 0A73 CROSS VENTILAT 0A74 CROSS VENTILAT 0A76 CROSS VENTILAT 0A76 COMMUNAL OPEN 0A76 COMMUNAL OPEN
CPOSED 1 RED 2 RED 34EN TOTAL	2011 000 000 000 000 000 000 000 000 000	COMMUNAL SPACE REQUIREMENT SITE AREA 3,653M2 @25%=913.25M2 REQUIRED TOTAL PROPOSED 1455M2 (39.8%) SEPP 65 REQUIREMENT SOLAR ACCESS @70%=53.9 UNITS REQUIRED COTAL PROPOSED 54 UNITS (70.1%) CROSS VENTLATION @60%=4.6 A UNITS (70.1%) CROSS VENTLATION @60%=4.6 A UNITS (70.1%) VENTLATED KITCHEN @25%=19.55 UNITS (68.8%) VENTLATED KITCHEN @25%=19.55 UNITS (68.9%) VENTLATED KITCHEN @25%=19.55 UNITS (63.9%) ACCESSIBLE UNITS REQUIRED @30%=23.1 UNITS REQUIRED @30%=23.1 UNITS (29.9%)	
	COUND FLOOR 15 FLOOR 2 ND FLOOR 3 RD FLOOR 3 RD FLOOR 4 TH FLOOR+MEZZ 10 INT MIX 2 NUT MIX 2 BED @ 1 PER UNIT 15 VISITOR 10% DISABLE 10% DISABLE	COMMUNAL SPACE REQ SERF AREA 3,653M2 @25% TOTA SEPP 65 REQUIREMENT SOLAR ACCESS @707 CROSS VENTLATION @60% CROSS VENTLATION @60% TOTA SINGLE SOUTH ASPECT @10% UNITS SINGLE SOUTH ASPECT @10% TOTA SINGLE SOUTH ASPECT @10% TOTA REQUIRED (CTA	DA APPLICATION

















.























5.2







.














and the second sector and sector



f

A CONTRACTOR OF A CONTRACTOR O







⁻ I - The second second and we will be

















































Achitects Pty Limited









-

