JOINT REGIONAL PLANNING PANEL
(Sydney West Region)

JRPP No	**2015SYW122**
DA Number	**1560/2015/JP**
Local Government Area	**THE HILLS SHIRE COUNCIL**
Proposed Development	**THE DEVELOPMENT APPLICATION IS FOR THE CONSTRUCTION OF A 12 STOREY RESIDENTIAL FLAT BUILDING COMPRISING 77 APARTMENTS (8 X 1 BEDROOM, 42 X 2 BEDROOM AND 27 X 3 BEDROOM), GROUND FLOOR NEIGHBOURHOOD SHOPS AND THREE LEVELS OF BASEMENT CAR PARK CONTAINING 178 CAR SPACES.**
Street Address	**LOT 2103 DP 1176614 - 38 SOLENT CIRCUIT, BAULKHAM HILLS**
Applicant/Owner	**NORWEST LAND - MULPHA FKP PTY LTD**
Number of Submissions	**NIL**
Regional Development Criteria (Schedule 4A of the Act)	GENERAL DEVELOPMENT WITH A CIV OF OVER $20 MILLION.
List of All Relevant s79C Matters	• STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT • THE HILLS LOCAL ENVIRONMENTAL PLAN 2012 • STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011 • DCP 2012 PART D SECTION 8 – NORWEST RESIDENTIAL PRECINCT • DCP 2012 PART B SECTION 5 – RESIDENTIAL FLAT BUILDINGS • DCP 2012 PART C SECTION 1 – PARKING • DCP 2012 PART C SECTION 3 - LANDSCAPING • ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000
Recommendation	APPROVAL
Report by	DEVELOPMENT ASSESSMENT CO-ORDINATOR JAMES MCBRIDE

EXECUTIVE SUMMARY

The Development Application is for the construction of a 12 Storey Residential Flat Building comprising 77 apartments (8 x 1 bedroom, 42 x 2 bedroom and 27 x 3 bedroom), ground floor neighbourhood shops and three levels of basement car park containing 178 car spaces. The Capital Investment Value (CIV) of the development is $29,944,802.

The proposal involves the construction of a link road 15.5 metres wide with an associated temporary turning head in accordance with the road layout proposed under a concurrent masterplan (DA1347/2015/JP).

The proposal also involves a torrens title subdivision of Lot 2103 to the create the proposed public road for dedication to Council and the creation of an additional lot with an area of 4,000m2 to excise Building A3 from the remaining portion of the Eastern Precinct.

The site has been the subject of a site specific master plan (DA1347/2015/JP) under concurrent consideration by the Joint Regional Planning Panel. The master plan involved a total of 408 dwellings for the Eastern Residential Precinct comprising of 342 units across seven apartment buildings and 66 attached dwellings. The proposal is generally consistent with the master plan.

The application is accompanied by a request to vary a development standard pursuant to Clause 4.6 of The Hills Local Environmental Plan 2012 (LEP). Clause 4.3 of the LEP prescribes a maximum height limit of 16 metres for the subject site. The proposal will comprise a maximum height of 38 metres (RL 115.95) which represents a variation of 137%. The variation is addressed in the body of the report and is considered to be satisfactory as the built form responds appropriately to the site and surrounds. At the time of lodgement an LEP amendment has been exhibited which sought to amend the height across the entire Eastern Residential Precinct to RL 116. The amendment was subsequently gazetted during the course of assessment and the proposed building will comply with the RL 116 height limit.

The proposal has been assessed against the relevant provisions of the Hills Development Control Plan 2012 (DCP). Variations to density, car parking, apartment sizes, number of storeys, building setbacks, solar access, road alignment and storage have been identified. The variations are addressed in the body of the report and are considered to be satisfactory.

The application is classified as 'Nominated Integrated Development' pursuant to Clause 91 of the Environmental Planning and Assessment Act 1979 and Clause 5(1b) of the Environmental Planning and Assessment Regulations 2000, requiring referral to the NSW Office of Water for concurrence. General Terms of Approval have been received from the NSW Office of Water.

The proposal was exhibited and notified to adjoining property owners. In response, no submissions were received.

The proposal is recommended for approval subject to conditions.

BACKGROUND

Owner:	Norwest Land - Mulpha FKP Pty Ltd
Zoning:	R4 High Density Residential
Area:	48,180m^2

MANDATORY REQUIREMENTS

1. LEP 2012 – Clause 4.6 Variation required, see report.
2. SEPP 65 – Design Quality of Residential Flat Development and Residential Flat Design Code – Variations required, see report
3. DCP 2012 Part D Section 8 – Norwest Residential Precinct – Variations required, see report.

Existing Development:	Vacant Land	4. DCP 2012 Part B Section 5 – Residential Flat Buildings – Variations required, see report 5. Section 79C (EP&A Act) – Satisfactory. 6. Section 94A Contribution – Currently $1,033,338.26

SUBMISSIONS		**REASON FOR REFERRAL TO JRPP**
1. Exhibition:	Yes, 30 days.	1. Capital Investment Value in excess of $20 million
2. Notice Adj Owners:	Yes, 30 days.	
3. Number Advised:	277 adjoining land owners	
4. Submissions Received:	Nil	

HISTORY

28/03/2006	Development Application 790/2006/HC approved by Council for the Norwest Town Centre Residential Precinct – Stage 1 Development (DA 790/2006/HC). The Master Plan approval guided future development of the 3 residential precincts being West, Central and East Precincts, providing a total of 518 dwellings with an overall population density of 127 persons per hectare. A site specific Development Control Plan for the Norwest Town Centre Residential Development had been prepared and DA 790/2006/HC had been prepared in accordance with the site specific Draft DCP.
05/04/2007	Development Application 2378/2006/HC approved by Council's Development Assessment Unit for the Norwest Town Centre Residential Precinct comprising 35 dwellings, including 12 townhouses, 11 integrated houses and 12 apartments.
13/08/2007	Section 96(1A) Modification to 2378/2006/HC/A approved under Delegated Authority.
20/12/2007	Development Application 33/2008/HA approved for Stage 1 works within the Norwest Town Centre - Central Residential Precinct. These works included the provision of an internal private road network, parking spaces and earthworks.
26/08/2008	Development Application 241/2008/HC approved for construction of the Norwest Town Centre – Central Residential Precinct.
23/09/2010	Development Application 993/2010/JP approved by the Joint Regional Planning Panel for the construction of an amended Central Residential Precinct Development within the Norwest Residential Town Centre comprising 32 integrated housing lots,

	and 54 attached town house dwellings.
27/11/2012	Planning Proposal 7/2012/PLP to amend the maximum permissible height limit within the Eastern Precinct and to amend the site specific Development Control Plan was refused by Council.
28/08/2013	Development Application 910/2013/JP approved by the Joint Regional Planning Panel. The approval amended the master plan for the Eastern Residential Precinct of the Norwest Town Centre to provide 328 dwellings comprising 6 residential flat buildings and 88 attached dwellings.
07/08/2014	Development Application 936/2014/JP for the construction of two residential flat buildings being 8 storeys (Block A1) and 9 storeys (Block A2) containing 100 apartments and 2 levels of basement car parking for 211 vehicles approved by the Joint Regional Planning Panel.
19/01/2015	Development Application 1278/2014/HC approved for the revegetation and drainage works for Lot 2120.
10/06/2015	Subject Development Application lodged.
17/07/2015	The Hills Local Environmental Plan (Amendment No 24) was notified on the NSW Legislation website and came into force on 17 July 2015. Amendment No. 24 involved amendments to the height of building maps for the Eastern Residential Precinct from 16 metres to RL 116.
03/08/2015	The applicant was requested to provide additional information relating to planning, engineering, ecology, house numbering and waste management matters.
12/08/2015	Meeting held with applicant and consultant team to discuss request for information.
10/09/2015	The applicant submitted amended plans and additional information.
14/09/2014	The applicant was advised that variation to minimum allotment size and shadow cast on Building A1 and A2 could not be supported.
21/09/2015	The applicant submitted an amended landscape plan.
24/09/2015	The applicant submitted a revised subdivision plan complying with the LEP and a revised design to Building A3 to limit the shadow cast on Buildings A1 and A2.

SITE DESCRIPTION

The site is located on Solent Circuit, Baulkham Hills and forms part of the Norwest Residential Precinct. The development site is part of the Eastern Precinct known as Lot 2103 DP 1176614.

Lot 2103 has a total area of 48,180 square metres (4.818 hectares). The part of the site proposed to be developed has an area of 4,000 square metres in addition to 1,354 square metres which will comprise the future road reserve. The development site is adjoined by Building A1 and A2 to the west, the remainder of Lot 2103 to the east, Solent Circuit to the south and a Seventh Day Adventist Church site to the north which includes a DCP proposed road known as Rosetta Crescent along its southern boundary.

The development site is undulating with a depression in the centre rising to the north-east. The site is traversed by an 18 metre wide transmission easement along the northern boundary which contains overhead transmission lines.

The Eastern Residential Precinct is mapped as containing clusters of Cumberland Plain Woodland which is identified as a Critically Endangered Ecological Community under the provision of the *Threatened Species Conservation Act 1995*.

EXISTING MASTER PLAN

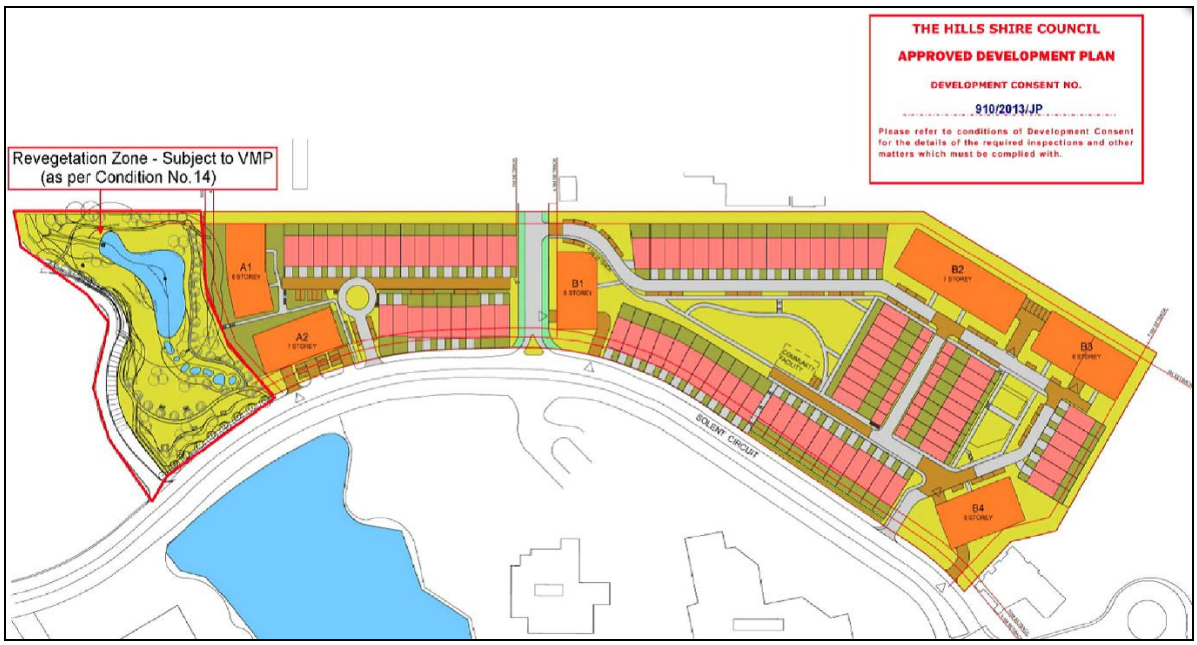
The site has been the subject of a site specific master plan approved under Development Consent 910/2013/JP by the Joint Regional Planning Panel on 28 August 2013. The consent approved a total of 328 dwellings within the Eastern Residential Precinct comprising 240 units across six apartment buildings ranging between 5-7 storeys in height and 88 multi-unit dwellings.

The consent approved the following components relating to the subject Development Application:

- A building height of 7 storeys (Block A2) and 6 Storeys (Block A1) with anticipated height of 21 and 18 metres respectively. The building heights exceeded the LEP height limit of 16 metres however were considered to satisfy Clause 4.6 with respect to a variation to a development standard;
- A total of 74 units; and
- A reduced parking rate of 1.5 car parking spaces for 2 bedroom units.

The figures below detail the site and massing plan approved under the master plan:

Figure 1 – Site Plan



The proposed development is generally consistent with the master plan with the exception of a variation to building height, unit yield and building setbacks. Variations to the master plan consent are further discussed in this report.

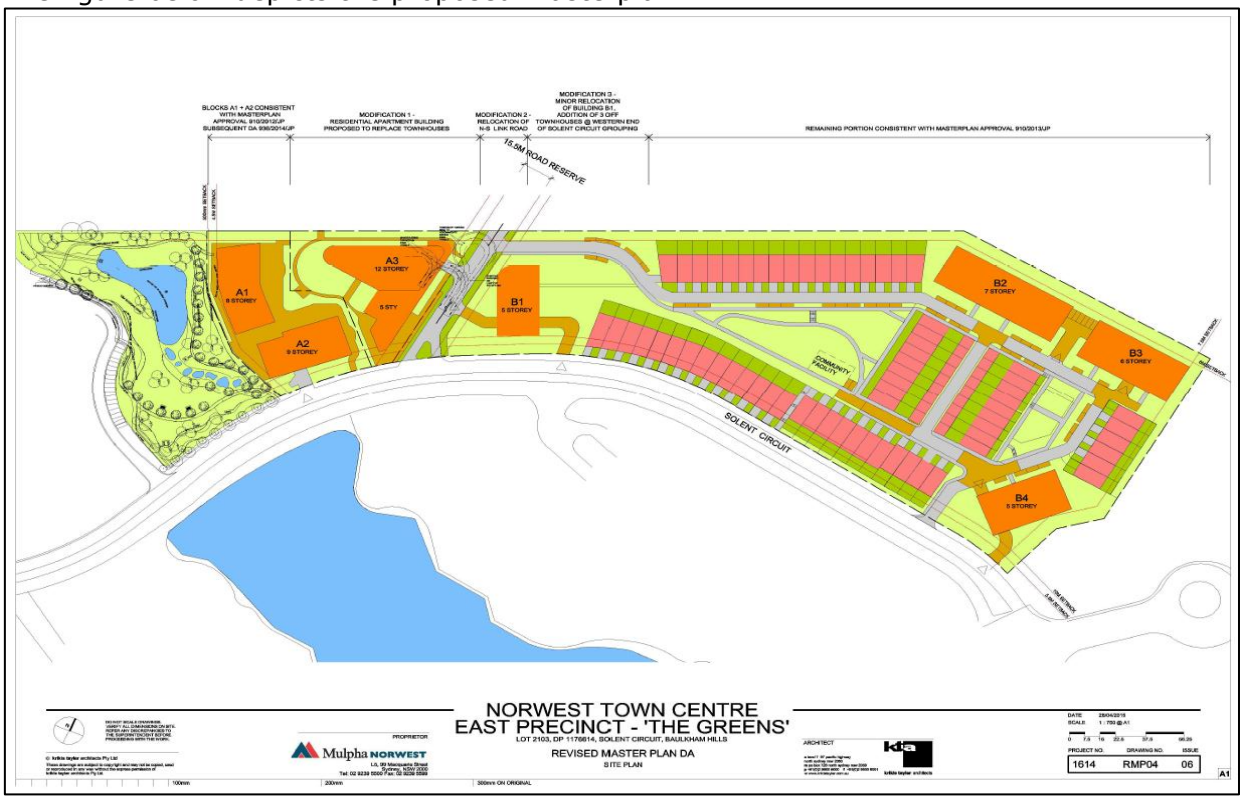
It is noted that the masterplan approval required signalisation of the eastern intersection of Norwest Boulevard and Solent Circuit prior to the occupation of 400 units across the entire Norwest Residential Precinct. There are currently 221 dwellings approved across the central and western precincts. The proposal will result in a total of 77 additional units. The overall yield across the Norwest Residential Precinct equates to 298 dwellings. In this regard the signalisation is not required with this application however a condition of consent is recommended to reinforce the requirement to signalise the intersection with future development.

REVISED MASTER PLAN

A revised Master Plan of the Norwest Town Centre Eastern Residential Precinct is being concurrently considered by the Joint Regional Planning Panel (DA1347/2015/JP) and seeks to replace the Stage 1 Master Plan approved under DA910/2013/JP. The Master Plan seeks to replace 25 attached dwellings approved under the preceding Master Plan with a 12 storey residential flat building containing 76 apartments. Building B1 approved under DA910/2013/JP is proposed to be relocated with three additional attached dwellings proposed to front Solent Circuit. The north-south link road traversing the site is also proposed to be realigned. Overall the Eastern Residential Precinct will provide for 408 dwellings which include the following:

- 342 units across 7 apartments buildings that are 5-12 storeys in height
- Basement parking for the units
- 66 attached dwellings
- Visitor parking within the site
- Associated internal roads and landscaping

The figure below depicts the proposed masterplan:



The revised masterplan will generally be confined to the curtilage surrounding Building A3 and Building B1 in proximity to the link road. The western section of the Eastern Precinct will remain consistent with the previous masterplan approval DA910/2013/JP. The subject application is generally consistent with the revised masterplan.

PLANNING PROPOSAL

The site was subject to a Planning Proposal which amended The Hills Local Environmental Plan 2012 (Amendment No 24) subsequent to the lodgement of this application. The Planning Proposal involved the following amendments:

- Amend the height of buildings map to amend the maximum building height from 16 metres to RL 116 for the entire Eastern Residential Precinct.

The Hills Local Environmental Plan (Amendment No 24) was notified on the NSW Legislation website and came into force on 17 July 2015.

PROPOSED DEVELOPMENT

The Development Application is for the Construction of a 12 Storey Residential Flat Building comprising 77 apartments, ground floor neighbourhood shops and three levels of basement car park containing 178 car spaces. The Capital Investment Value (CIV) of the development is $29,944,802.

The residential development will provide a total of 77 units with the following mix:

- 8 x 1 bedroom;
- 42 x 2 bedroom; and
- 27 x 3 bedroom units

The ground floor will comprise of four neighbourhood shops with each comprising a floor area of 100 square metres. The neighbourhood shops will front the new link road with a corner tenancy fronting Solent Circuit.

The proposal involves the construction of a link road 15.5 metres wide with an associated temporary turning head in accordance with the road layout proposed under a concurrent masterplan currently under consideration (DA1347/2015/JP). The link road will connect Solent Circuit with the Balmoral Road Release Area upon the development of the adjoining land to the north.

The proposal also involves a torrens title subdivision of Lot 2103 to the create the proposed public road for dedication to Council and the creation of an additional lot with an area of 4,000m^2 to excise Building A3 from the remaining portion of the East Precinct.

Vehicular access is proposed from the frontage of the new link road to a basement garage comprising three levels. Basement level 3 will contain 54 spaces, basement level 2 will contain 64 spaces and basement 1 will contain 60 spaces. 125 spaces will be allocated to residents, 31 spaces for residential visitors, 6 for retail staff and 16 for retail visitors.

The proposed development will provide for a communal recreation area on the ground floor comprising a lap pool and a function room.

The proposed development will incorporate a mix of colours and finishes on each façade which will generally comprise of textured coated masonry finished in a range of light colours, powder coated aluminium blades and glazing.

Landscaping is proposed within the communal open space areas and along the edges of the development which will generally comprise of the planting of indigenous local provenance groundcovers, shrubs and canopy species within the landscaped areas.

ISSUES FOR CONSIDERATION

1 STRATEGIC PLANNING FRAMEWORK

1.1 Metropolitan Plan for Sydney 2036

The strategic plan prepared by the NSW Government entitled the *Metropolitan Plan for Sydney 2036* aims to integrate land use and transport planning to provide a framework for the growth and development of the Sydney region to 2036. The proposed development is consistent with this strategic direction as it will provide housing opportunities in locations highly accessible to proposed public transport.

1.2 Draft Metropolitan Strategy for Sydney to 2031

The draft Metropolitan Strategy for Sydney to 2031 is a growth plan which is underpinned by transport and infrastructure initiatives to deliver an adequate supply of housing and employment opportunities through to 2031. The draft strategy is integrated with the NSW Long Term Transport Master Plan and State Infrastructure Strategy as part of an overarching framework for the growth of Sydney. The draft strategy seeks to provide at least 545,000 new homes across Sydney and 625,000 new jobs to 2031, as well as introducing short term housing and employment targets to 2021.

The draft Strategy seeks to align economic and housing growth and emphasises the importance of the North West Rail Link Corridor. Furthermore, the draft Strategy prioritises the creation of liveable centres that are well integrated with adjacent neighbourhoods and best practice principles of transit orientated design.

The proposal is consistent with the draft Strategy as it will provide residential housing within close proximity to proposed public transport services and will additionally assist in meeting the residential density targets as proposed within the draft Strategy.

1.3 Draft North West Subregional Strategy

The draft *North West Subregional Strategy* was prepared by the NSW Government to implement the Metropolitan Plan and the State Plan.

The proposed development is consistent with this draft strategy as it is located in a prominent position that provides housing opportunities in order to capitalise on existing strategic transport corridors, local bus routes and the proposed North West Rail Link.

1.4 North West Rail Link

The North West Rail Link (NWRL) has been identified by the NSW Government as a priority transport infrastructure project which will consist of a heavy rail line extending from Epping, through the North West Growth Centre, to Cudgegong Road. The North West Rail Link will support metropolitan planning objectives by putting in place a key transport project which extends the connectivity of the existing rail network and will support future growth within North West Sydney.

The future Norwest Railway station is located approximately 500 metres south of the site. Proximity to the Norwest Railway station makes the site ideal for high density

development in order to capitalise upon the principles of transport orientated development.

1.5 North West Rail Link Corridor Strategy

To ensure that future development supports the public transport infrastructure, a precinct planning process for the North West Rail Link Corridor has been undertaken by the NSW Department of Planning & Infrastructure.

The North West Rail Link Corridor Strategy provides a vision for how the eight precincts surrounding the proposed railway stations could be developed to integrate with the new rail link. The Corridor Strategy includes a structure plan for each station precinct to inform appropriate zonings and amendments to built form controls and to guide the assessment of major projects and development applications within the corridor.

A key principle informing the corridor strategy is the integration of land use and transport planning by the provision of transit orientated development. This is defined as mixed use communities within walking distance of a transit node that provides for a range of residential, commercial, open space and public facilities in a manner that makes it convenient and attractive to walk, cycle or use public transport for the majority of trips. Accordingly, the strategy highlights that the new rail line provides significant opportunities for transit orientated development around the proposed rail stations.

The structure plan identifies the Eastern Residential Precinct as being capable of accommodating residential development.

2 STATUTORY MATTERS FOR CONSIDERATION

2.1 State Environmental Planning Policy (State and Regional Development) 2011

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

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

The proposed development has a capital investment value of $33,672,874 thereby requiring referral to, and determination by, a Joint Regional Planning Panel.

2.2 State Environmental Planning Policy No. 55 Remediation of Land

This Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspects of the environment.

Clause 7 of the SEPP states:-

1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Comment:

An Environmental Site Assessment prepared by Geotechnique Pty Ltd accompanied the previous master plan (DA910/203/JP) which covered the entire Eastern Residential Precinct. The assessment concludes that the site does not present a risk of harm to human health or the environment and is therefore suitable for the proposed development.'

Council's Environmental Health Officer has reviewed the proposal and concurs with the findings and recommendations of the Environmental Site Assessment. Accordingly, appropriate conditions of consent have been recommended to ensure that the recommendations of the reports are implemented during the course of construction.

In this regard, it is considered that the site is suitable for the proposed development with regard to land contamination and the provisions of SEPP 55.

2.3 SEPP (BASIX) 2004

State Environmental Planning Policy (BASIX) 2004 applies to the proposed development and aims to reduce the consumption of mains-supplied water, reduce emissions of greenhouse gases and improve the thermal performance of the building.

A BASIX assessment has been undertaken and indicates that the development will achieve the required targets for water reduction, energy reduction and measures for thermal performance. The commitments as detailed in the BASIX Certificate will be imposed as a condition of consent.

2.4 Compliance with The Hills Local Environmental Plan 2012

The site is zoned R4 High Density Residential under The Hills Local Environmental Plan 2012. Under the LEP, the proposed development is defined as 'residential flat building' as follows:

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

Residential flat buildings are a permissible form of development on land zoned R4 High Density Residential under the LEP. Accordingly, the proposal is considered satisfactory with regard to the LEP.

The proposal also incorporates four neighbourhood shops on the ground floor to promote active uses to the link road. Neighbourhood shops are defined as follows:

'neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.'

Neighbourhood shops are a permissible form of development on land zoned R4 High Density Residential under the LEP. However Clause 5.4 of the LEP limits the floor area of neighbourhood shops to a maximum area of 100 square metres. Each of the four neighbourhood shops will have a maximum floor area of 100 square metres and will comply with the LEP. The use of the neighbourhood shops will be subject to future development applications.

At the time of lodgement, a housekeeping planning proposal (Amendment No. 24) to amend the permissible building height under the LEP had been publicly exhibited but not gazetted. Amendment No. 24 sought to modify the building height from 16 metres to Reduced Level (RL) 116 to be consistent with Council's previous policy position under The Baulkham Hills Local Environmental Plan 2005. The proposed building will have a maximum RL of 115.95 and will comply. Subsequent to the lodgement of this application, the Hills Local Environmental Plan (Amendment No 24) was notified on the NSW Legislation website and came into force on 17 July 2015.

In addition to the above, Clause 4.1A of LEP 2012 'Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings' requires a minimum lot size for residential flat buildings of 4,000m^2. The site is proposed to have an area of 4,000m^2 subsequent to subdivision and will comply with the minimum site area.

The table below contains the relevant development standards of the LEP applying to the proposed development:

Development Standard	Proposed Development	Compliance
Building Height 16 metres	38 metres	No – Refer to Clause 4.6 variation below
Floor Space Ratio N/A	N/A	N/A
Minimum Lot Size 4,000m^2	4,000m^2	Yes

Clause 4.6 Variation

The applicant has provided the following written request seeking a Clause 4.6 variation to the development standard for building height:

> *This application seeks to utilise the provisions of Clause 4.6 to vary the maximum building height from 16m (RL 96.5) to RL115.95. The justification for seeking a height under RL116 is based on a Housekeeping Amendment no.1 to LEP 2012 via a Planning Proposal (13/2013/PLP) prepared by Council. This Planning Proposal seeks to reinstate a maximum building height of RL 116 rather than 16m on the Norwest Town Centre Residential Precincts. The Planning Proposal was approved at Gateway, has been on exhibition with a post exhibition report considered at a Council meeting on 28 October 2014 (Item 4 – Post Exhibition – The Hills Local Environmental Plan 2012 – Housekeeping Amendment 1 Planning Proposal 13/2013/PLP). Council resolved: 'The housekeeping amendments to The Hills Local Environmental Plan 2012 as contained in Attachment 1 be adopted and proceed to finalisation'.*

The proposed variation to the maximum building height is consistent with the objectives of Clause 4.6 as the justification for seeking a variation, the proposed building height being in accordance with the Housekeeping Amendment No.1 initiated by Council, is within an acceptable degree of flexibility of applying development standards. Supporting this variation will achieve a better outcome for the development and area as the proposed building height will be consistent with the proposed height limit of RL 116 sought by Council, reflecting the original building height intended for the Norwest Business Park adopted in the 2006 DCP.

Compliance with the maximum height development standard is unnecessary in the circumstances of the case as Council supported the reinstatement of the building height to RL116 in the Norwest Eastern Residential town centre, as demonstrated by the Council initiated Housekeeping No.1 amendment to The Hills LEP 2012. As the Housekeeping No.1 amendment has been approved at Gateway and is with Council for implementation, the maximum building height for Norwest Eastern Residential will be increased to RL 116 upon gazettal.
Contravening the development standard will not raise any matter for State or regional environmental planning as the Housekeeping No.1 amendment seeks to reinstate the building height for the Norwest Eastern Residential and Town Centre areas to RL 116, in accordance with the proposed building height for building A3. There is no public benefit or interest in contravening the development standard as the gazettal of the Housekeeping Amendment no.1 will increase the height limit to RL 116.

The proposed variation sought of RL115.95 is consistent with the objectives of Clause 4.3 Height of Building. The proposed building envelope (Building A3) responds to the topography of the site, with the levels of the building envelope relating to the levels surrounding the site and to the levels established within the site. The proposed building envelope is consistent with the built form envisaged within Norwest Business Park being a building height of RL116. The building envelope shape will not cause undue impact on the amenity of adjoining properties with respect to overshadowing, privacy, view loss and perceived bulk and scale.

Comment:

The objectives of Clause 4.3 Height of Buildings of the LEP are:

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

The objectives of Clause 4.6 of the LEP are:

- *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Clause 4.6(3) of the LEP 2012 states:

Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- *that there are sufficient environmental planning grounds to justify contravening the development standard.*

Clause 4.6(4) of LEP 2012 states:

Development consent must not be granted for development that contravenes a development standard unless:

(a) The consent authority is satisfied that:

(i) The applicant has adequately addressed the matters required to be demonstrated by subclause (3)

Comment: The applicant has adequately addressed the matters required to be demonstrated by subclause (3).

(ii) *The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which development is proposed to be carried out, and*

Comment

The proposed development comprises a building height of 38 metres which exceeds the LEP development standard of 16 metres by 137%. It is noted that the original master plan foreshadowed a non-compliance to the maximum building height for the entire precinct however in this instance a further increase to the building height is proposed as detailed in the table below:

	Requirement	**Revised Master Plan**	**Proposal**	**Compliance**
DCP	6 storeys	12 storeys	12 storeys	No
LEP	16 metres	16 metres	RL115.95 (38 metres)	No
Proposed LEP Amendment	RL 116	-	RL115.95 (38 metres)	Yes

The objective of Clause 4.3 'Building Height is to ensure the height of buildings is compatible with that of adjoining development and the streetscape. Additionally, the building height development standard aims to minimise the impact of overshadowing, visual impact, and loss of privacy on adjoining properties and open space areas. As such, the development standard for building height and the development controls for building setbacks, building design, solar access and overshadowing have been considered with respect to the merits of a variation pursuant to Clause 4.6.

The proposed departure to the building height development standard will not cause adverse impact on the amenity of adjoining properties with respect to overshadowing, privacy, view loss and perceived bulk and scale. The height of Building A3 will not result in adverse overshadowing of Building A1 and A2 and is sufficiently separated to maximise privacy for future residents.

The proposal integrates a number of recesses and projections at the upper elements of the building to articulate the overall mass to form smaller segments. The form of the

building and the offsetting of the floor plate at the upper levels, in unison, provide sufficient articulation to the façade and reduce the perceived building bulk. The tiered effect of the building also provides a sympathetic transition with regard to existing topography from Norwest Lake to the adjoining Balmoral Road Release Area.

It is noted that a building height of RL 116 for the subject site was recently gazetted under an LEP housekeeping amendment (Amendment No 24). The proposal comprises a building height of RL 115.95 and will be in accordance with the recently gazetted height limit for the entire site.

The height and massing of the development is considered to respond appropriately to the topography of the site and is consistent with the built form envisaged within Norwest Business Park directly adjacent to the south which comprises a building height of RL 116. Furthermore, a planning proposal (10/2013/PLP) of the site directly to the north known as Lot 101 DP 1176747 is being considered for high density residential development with a proposed height ranging between 16-36 metres across the site.

The applicant has adequately demonstrated that the proposed development is in the public interest and is consistent with the objectives of Clause 4.3 'Building Height and the R4 High Density Residential Zone. In this regard, the variation to building height will not create a building of excessive height, bulk or scale nor will it cause undue impacts upon the amenity of adjoining residential properties. A variation to the building height in this instance is considered to be satisfactory given that the application of the development standard in this instance is considered to be both unreasonable and unnecessary. In this regard, the variation can be supported.

Other Matters

Clause 6.2 requires that development consent must not be granted unless the Council is satisfied that public utilities are available for future development. In this regard, a condition will be imposed requiring a certificate from each service authority stating that they are satisfied that services have been provided to their requirements.

The proposed development is considered to be satisfactory with respect to the relevant provisions of the LEP.

2.5 SEPP 65 – Design Quality of Residential Flat Buildings

The subject Development Application was lodged prior to the 19 June 2015 in which case the savings provision of the SEPP requires that the development have regard to the RFDC as opposed to the recently adopted Apartment Design Guidelines. Nevertheless, the proposal has been considered with respect to the Apartment Design Guidelines and is satisfactory.

The proposal has been assessed against the relevant controls prescribed by SEPP 65 and the following table shows the development's performance against the relevant considerations of the Policy.

DEVELOPMENT STANDARD	SEPP 65 REQUIREMENTS (Rules of Thumb)	PROPOSED DEVELOPMENT	COMPLIANCE
Part 1 – Local Context – Primary Development Controls			
Building Height	Where there is an FSR requirement, test height controls against it to ensure a good fit.	The proposed building height is considered satisfactory and is consistent with the	Yes

		future character of the area and the built form envisaged in the preceding master plan. No FSR control applies to the site.	
Building Depth	In general, apartment building depth of 10-18 metres is appropriate. Developments that propose depth greater than 18 metres must demonstrate how satisfactory day lighting and natural ventilation are to be achieved.	Due to the building configuration the maximum apartment building depth is exceeded. This is a result of Building A3 being situated on a corner site and responding to the Site's surrounds. While the building depths exceed the suggested depths of the SEPP, the design of the building is sufficiently articulated with all units provided with adequate sunlight and ventilation through the incorporation of dual aspect orientations on the upper levels.	Yes
Building Separation	Design and test building separation controls in plan and section. 5 to 8 storeys 18m between habitable rooms/balconies. 13m between habitable rooms/balconies and non-habitable rooms. 9m between non-habitable rooms	Appropriate separation between Building A3 and A2 and A1 is provided with 26m provided between Building A1 and A3. Building A3 has a minimum separation of 14m at ground floor which increases as the development increases in height.	Yes
Street Setback	Identify the desired streetscape character, the common setback of buildings in the street, the accommodation of street tree planting and the height of buildings and daylight access controls. Identify the quality, type and use of	The proposed streetscape presentation and associated building setbacks is considered satisfactory. High quality landscaping is proposed to enhance	Yes

	gardens and landscaped areas facing the street.	the streetscape character of the development.	
Side and rear setback	Relate side setback to existing streetscape patterns. Test side and rear setback with building separation, open space and deep soil zone requirements (see Building Separation, Open Space and Deep Soil Zones). Test side and rear setbacks for overshadowing of other parts of the development and/or adjoining properties, and of private open space.	Landscaped area and solar access is considered satisfactory and appropriately considered by the applicant in the design of the development.	Yes
Floor Space Ratio	Test the desired built form outcome against proposed floor space ratio to ensure consistency with: • Building height • Building footprint • The three dimensional building envelope • Open space requirements	There is no specific floor space ratio applying to the site. However, it is noted the development is satisfactory in regard to the building envelope and curtilage surrounding the subject site.	Yes
Deep Soil Zones	A minimum of 25% of the open space area of a site should be a deep soil zone.	The total amount of open space area within the Building A3 site boundaries is 1,672m² representing approximately 42% of the site area. 747m² is being provided as deep soil which represents 45% of the common open space area.	Yes
Open Space	The area of communal open space required should generally be at least 25-30% of the site area. The minimum recommended area of private open space for each apartment at ground level	The communal open space area is 1,530m² which is shared between Buildings A1, A2 and A3. The minimum required is 1,000m² of communal open space based on the	Yes

	or similar space on a structure (i.e. podium, car park) is 25m^2.	site area of 4,000m². The communal open space area provided exceeds this requirement. Furthermore, it is noted that communal facilities are being provided in the form of a pool and function room which will enhance the amenity of future residents.	
Pedestrian Access	Identify the access requirement from the street or car parking area to the apartment entrance. Provide barrier free access to at least 20% of dwellings in the development.	Will comply. Access is provided by way of lifts throughout the development and from the basement car parking areas and ground floor units.	Yes Yes
Vehicular Access	Generally limit the width of driveways to a maximum of 6m. Locate vehicle entries away from main pedestrian entries and on secondary frontages.	The driveway widths are compliant with the Australian Standards and ensure sufficient manoeuvring is available within the site. The basement access is not in direct conflict with pedestrian paths of travel.	Yes Yes
Apartment Layout	Single aspect apartments should be limited to 8 metres from a window.	Building A3 contains 41 single aspect apartments that vary in depth from glass line to the rear wall of the kitchen. 26 of these apartments have a depth from glass line to rear wall of kitchen that is 8m or less. The remaining 15	No – Variation proposed.

		apartment depths vary between 9.2m and 9.3m and therefore do not comply.	
Apartment Mix	If Council chooses to standardise apartment sizes, a range of sizes that do not exclude affordable housing should be used. As a guide, the Affordable Housing Service suggest the following minimum apartment sizes, which can contribute to housing affordability; (apartment size is only one factor influencing affordability) • 1 bedroom apartment 50 m^2 • 2 bedroom apartment 70m^2 • 3 bedroom apartment 95m^2	The proposed development complies with the minimum apartment size requirement specified by the Residential Flat Design Code (RFDC) rules of thumb. However, it is noted that the proposal does not comply with the apartment size typology table detailed within the RFDC. The non-compliant units are eight single aspect one bedroom units with a floor area of less than 63m^2 but greater than 50m^2.	No – Variation proposed.
Balconies	Provide primary balconies for all apartments with a minimum depth of 2 metres	All balconies comply as per the DCP requirements.	Yes
Ceiling heights	Minimum floor to ceiling height for habitable rooms is 2.7m and 2.4m for non-habitable.	All units will comprise a minimum height from floor to ceiling of 2.7 metres.	Yes
Ground floor apartments	Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units. Provide ground floor apartments with access to private open space (i.e. terrace, garden).	Accessible unit provision is compliant with the DCP requirements. All ground floor units are provided with at grade access and ground floor private open space access.	Yes

Internal Circulation	In general, where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to eight.	Given the footprint and the tiered nature of Building A3, three levels will comprise of double loaded floor plans with 8 or more units. Level 1 has 9 apartments whilst Levels 2 and 3 each have 11 apartments.	No – Variation proposed.
Storage	In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates: • Studio – 6m^3 • 1 bed – 6m^3 • 2 bed – 8m^3 • 3 bed+ - 10m^3	Accessible storage is provided to all units within designated storage areas with each unit containing 10m^3	Yes
Daylight Access	Living rooms and private open spaces for at 70% of apartments in a development should receive a minimum of three hours direct sunlight between 9am and 3pm in mid winter.	The proposed development only achieves solar access for 64% of the apartments between 9am to 3pm in mid winter.	No – Variation proposed.
Natural Ventilation	60% of residential units should achieve natural cross flow ventilation and 25% of kitchens should have access to natural ventilation.	60% of units achieve natural cross ventilation and 27% of units have natural ventilation to the kitchen.	Yes
Waste Management	Supply waste management plans as part of the DA as per the NSW Waste Board.	Waste Management Plans have been submitted, assessed by Council's Resource Recovery Section and considered satisfactory.	Yes
Water Conservation	Rainwater is not to be collected from roofs coated with lead or bitumen-based paints or from asbestos-cement roofs. Normal guttering is sufficient for water collections.	Satisfactory rainwater collection, re-use and disposal proposed. Note that there are no offensive or hazardous roofing materials proposed.	Yes

Variations to the RFDC have been identified and are addressed as follows:

a) Apartment Layout

The RFDC requires single aspect apartments to comprise a maximum depth of 8 metres to a window. The proposed development comprises of 15 single aspect units that have a depth ranging between 9.2-9.3 metres to a window which exceeds the maximum permitted by the RFDC.

The applicant has provided the following justification for the variation to apartment layout:

Although greater than 8m deep, these apartments are all configured with open plan kitchen, dining and living spaces, where natural light and air flow is promoted. The depth of these apartments creates well proportioned spaces, enabling suitable furniture arrangements. It is on the above basis that a variation to the minimum depth of 8m is considered acceptable.

The applicant has justified the variation on the basis that the proposed development complies with the natural ventilation requirements of the RFDC and provides satisfactory solar access. The proposed development achieves natural ventilation to 60% of units with 27% of kitchens being naturally ventilated.

In this regard, given that the proposed development achieves a satisfactory level of natural ventilation for the entirety of the development, the variation to the apartment depth for the non-compliant units is considered to be satisfactory.

b) Apartment Mix

The proposed development complies with the minimum apartment size requirement specified by the Residential Flat Design Code (RFDC) rules of thumb.

However it is noted that the proposal does not comply with the apartment size typology table detailed within the RFDC. It is noted that the non-compliant units relate to the eight single aspect one bedroom units with a floor area of less than 63m^2 but greater than 50m^2.

The RFDC 'Rules of Thumb' states that '*Buildings not meeting the minimum standards listed above, must demonstrate how satisfactory daylighting and natural ventilation can be achieved, particularly in relation to habitable rooms'*.

The proposal provides a range of unit sizes to cater for a variety of future residents. The proposal achieves satisfactory solar access and daylight to the overall development and meets the required ventilation requirements.

The proposed variations to unit areas are considered to be minor. The proposal meets the minimum floor areas specified in the Rules of Thumb. However, the internal unit areas which do not comply are 13m^2 below the area specified in the unit type table but exceeds the minimum floor area specified in the Rule of Thumb.

The unit areas reflect a well-designed and useable unit layout having regard to solar access, natural ventilation and the orientation of units to take advantage of views. It is noted 5 of the 8 one bedroom units are northerly oriented and achieve a minimum of 3 hours of solar access.

It is also noted that Clause 30A of SEPP 65 '*Standards that cannot be used as grounds to refuse development consent for residential flat buildings'* states that apartment size cannot be a reason for refusal if the proposed area for each apartment is equal to, or greater than, the recommended internal area for the relevant apartment type set out in Part 3 of the Residential Flat Design Code. The apartment sizes all exceed the minimum requirements of the RFDC 'Rules of Thumb'.

As such the proposal is considered satisfactory and can be supported.

c) Internal Circulation

The RFDC requires that where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to eight. Proposed building A3 will contain three levels which exceed eight from a common corridor. Level 1 services 9 apartments whilst Levels 2 and 3 each have 11 apartments.

The RFDC stipulates that exceptions may be allowed provided that developments can demonstrate the achievement of the desired streetscape character and entry response in addition to providing a high level of amenity for common lobbies and corridors.

The footprint of the proposed development is driven by the context of the site, the alignment of the link road and the orientation of the majority of units which take advantage of the views to Norwest Lake. This results in an extensive footprint at the lower three levels of the development which results in 34 of the 77 units being provided below the 4th storey. Therefore, based on the yield of 77 units over 12 storeys, on average 6.4 units will be served from the lift core which is below the recommended maximum of 8 units.

A variation in this instance is considered to be satisfactory given that the building will achieve the desired streetscape character to the future link road and will ensure the road is activated with ground floor neighbourhood shops. Moreover, common corridors are considered to promote good amenity with natural light passages provided between units.

As such the proposal is considered satisfactory and can be supported.

d) Daylight Access

The RFDC requires 70% of apartments in a development to receive a minimum of three hours direct sunlight between 9am and 3pm in mid winter to living areas and private open spaces. The proposed development only achieves solar access for 64% of the apartments between 9am to 3pm in mid winter.

The applicant has provided the following justification to daylight access:

The building is configured with the majority of apartments orientated towards the north, east or west where good solar access and district views are available. However, the site also offers views in the southern quadrant, out over Norwest Lake and the communal open space within the site. The so called Kirribilli effect may be referenced, where the best solar orientation does not accord with the best view orientation. The building does feature a minority of apartments facing towards the Lake in order to capitalise upon a view that is likely to be highly valued by potential residents.

Notwithstanding this, 70% of the apartments receive 3 hours solar access in mid winter. Approximately 64% of the apartments receive three hours of sun between 9.00 and 3.00 pm on 21 June to living room glazing and private open spaces. A further 6% of the apartments receive 3 hours of sun between the extended hours of 7.30am and 11.00am

on 21 June to living room glazing and private open spaces. Refer to the Apartment Schedule provided as part of the DA submission.

The extended hours of consideration are considered appropriate in the site specific circumstances for the following reasons;

- *The solar access is available during normal waking hours and the majority of the solar duration occurs after 9.00am.*

- *The availability of Lake views in the southern quadrant makes the southern orientation of the remaining minority of apartments highly desirable and sought after.*

- *It should also be noted that the 70% solar access meets the RFDC criteria of 3 hours solar access and is in excess of the more recent Apartment Design Guide criteria of 2 hours.*

- *The built form creates a positive response to adjoining buildings, establishes a large consolidated communal open space between buildings, reinforces street alignments, including appropriate definition of corners and capitalizes upon views. District views are available to the north, east and west however in this instance highly valued views over Norwest Lake are also available to the south.*

The applicant has justified the variation on the premise that extending the hours during mid winter will provide an additional 6% of units with the required 3 hours solar access during mid winter. The extended hours are between 7:30am and 11:00am. Additionally, the applicant states that the design philosophy was to promote units with a southern orientation to capture views to Norwest Lake which contributes to units not achieving the required levels of solar access.

The variation in this instance is considered to be satisfactory for the following reasons:

- The apartments that are compliant achieve in excess of 3 hours given their predominant orientation to the north.
- The majority of south and east facing apartments are dual aspect and receive adequate natural ventilation.
- The south facing units that do not comply with solar access capitalise on views and vistas towards Norwest Lake and also are orientated to provide causal surveillance to the communal open space area.
- Only 5% of apartments are single aspect SE/SW facing apartments which is compliant with the RFDC.
- The east facing apartments that do not comply with solar access are orientated towards the south-east alignment of the new link road. Apartments fronting the new link road will provide casual surveillance to the street.
- Apartment sizes are considerably larger than required by the RFDC and are adequately ventilated.
- 70% of apartments will receive solar access during the extended period of mid winter between 7:30am and 3:00pm. The period between 7:30am and 9:00am is considered to be within a period of the morning where direct sunlight can be enjoyed by residents.
- The proposal would exceed the solar access requirements of 2 hours as contained within the recently adopted Apartment Design Guide.

Given the above, a variation of 6% or 5 units, is considered to be acceptable given the design philosophy of the building, the context of the site and the amenity provided to units within the entire development.

SEPP 65 Quality Design Principles

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

Principle 1: Context

The development responds and reflects the context into which it is placed. The site is located along Solent Circuit and the development conforms to the future desired character of the area being zoned for residential flat buildings. The context is likely to change over as adjoining sites are developed in context with the nature of the zoning.

Principle 2: Scale

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

The spatial relationship of buildings has been considered. The proposed building will maintain adequate separation with appropriate distances between residential flat buildings under construction to the west. The building separations and setbacks will provide sufficient landscaping to ensure privacy is maintained.

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

Principle 3: Built Form

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

Principle 4: Density

The proposed development for 77 units is considered to be appropriate for the site and locality and within the context of the master plan.

Principle 5: Resources, Energy and Water Efficiency

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

Principle 6: Landscape

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

Principle 7: Amenity

The building design has been developed to provide for the amenity of the occupants as well as the public domain. The key elements of the building design incorporates satisfactory access and circulation, apartment layouts, floor areas, ceiling heights, private open space, common open space, energy efficiency rating, adaptability and diversity, safety, security and site facilities for the enjoyment of residents.

Principle 8: Safety and Security

The development has been designed with safety and security concerns in mind having regard to the principles of Crime Prevention through Environmental Design. The common open spaces, balconies and windows provide opportunities for passive surveillance. Open spaces are designed to provide attractive areas for recreation and entertainment purposes. These open spaces are accessible to all residents and visitors whilst maintaining a degree of security. Private open spaces are clearly defined and screened.

Principle 9: Social Dimensions

The location of this development provides dwellings within a precinct that will provide in the future, a range of support services. The development provides an apartment mix to accommodate a range of budgets.

Principle 10: Aesthetics

The building mass is articulated to provide smaller scale forms, with variable setbacks, using colours, and a diversity of material textures which is sympathetic to the future character of the area.

2.6 Compliance with The Hills Development Control Plan 2012

The proposal has been assessed against the following provisions of The Hills Development Control Plan 2012:

- Part D Section 8 – Norwest Residential Precinct;
- Part B Section 5 – Residential Flat Buildings;
- Part C Section 1 – Parking; and
- Part C Section 3 – Landscaping

The proposal has been assessed against the relevant controls of Part D Section 8 – Norwest Residential Precinct as detailed in the table of compliance below:

3.1 - Density	**The maximum permitted population density for the site is 175 persons per hectare** with a desirable range between 150-175 persons per hectare. The density is based upon the following occupancy rates: 1 bedroom – 1.3 2 bedroom – 2.1 3 bedroom – 2.7 4 bedroom – 3.5 *Densities will therefore range from being generally lower than the allowable overall maximum site density in the West Precinct and*	The proposed development will comprise of the following unit mix: One bedroom:8 Two Bedroom: 42 Three Bedroom: 27 This equates to a density 169.4 persons for a 0.4 hectare site and 423 persons per hectare.	**No – variation proposed.**

	Higher in the East Precinct.		
3.2 – East Precinct Specific Controls			
3.2.1 Desire Future Character Statement	The East Precinct is to provide residential flat buildings in a landscaped parkland setting. The density of residential flat buildings is to reflect the scale of the commercial buildings located in the Norwest Business Park adjoining Solent Circuit.	The scale of the proposed development reflects the commercial buildings located within the Norwest Business Park.	Yes
	Setbacks are to complement the Norwest Business Park setting and contribute to the landscaped character while allowing flexibility in the siting of buildings. The setbacks of proposed buildings are to minimise adverse impacts such as overshadowing and privacy on adjacent and adjoining properties.	The proposed building setbacks are consistent with the revised master plan and are considered to respond sympathetically to the context of the site. The siting of the proposed buildings will not cause undue impact upon the future amenity of the locality.	Yes
	Residential flat building heights are to ensure that buildings reflect the scale and height of the adjoining business park development. Residential flat buildings have been sited to minimise overshadowing of adjoining properties and communal open space areas.	The adjacent land (B7) within Norwest Business Park is permitted to have a height of RL 116. The proposed development is under RL 116.	Yes
	Residential flat buildings have been placed (following the topography of the site) to provide transition in building scale and to provide natural ventilation, solar access, outlook to residential flat buildings and year round sunlight to communal open spaces.	The buildings are located in accordance with the DCP and given the orientation of the site, overshadowing will not adversely affect the communal open space areas of the development nor the living areas of buildings A1 and A2 currently under construction.	Yes
	Communal open space for residents is to be provided in a parkland setting in addition to	The proposed communal open space is consistent	Yes

	private open space being an extension of the main living areas of individual residential units. This open space should enhance the quality of the built environment by providing opportunities for landscaping in a parkland setting as well as providing a visual and active focus for the new residential community created through this development. All Communal open space areas are to accommodate appropriate facilities such as picnic and barbecue areas, children's play area and grassed areas for passive recreational use. Consideration should be given to the provision of a community building with recreational facilities such as a swimming pool, gymnasium and functional space to allow for resident meetings.	with the revised master plan. Communal facilities such as a swimming pool and community facility are being provided in addition to open landscaped areas around the curtilage of the proposed buildings for the enjoyment of future residents.	
	Car parking is to be sufficient and convenient for residents and visitors to residential flat buildings. Vehicles should be able to enter and leave residential flat buildings in a simple, safe and efficient manner.	Car parking and access from the new link road is satisfactory.	Yes
	Streetscapes are to be resident and visitor friendly in a landscaped setting associated with a street hierarchy that promotes a safe pedestrian and vehicular environment.	The proposed development will accommodate a resident and visitor friendly streetscape. Access for pedestrians is provided from the new link road with a minimum 6 metre landscape setback provided to the link road. The front setback will be embellished with appropriate landscaping treatment and will promote active uses through the placement of neighbourhood shops on the ground floor.	Yes
3.2.2 – Built Form Controls			

<table>
<tr><td></td><td></td><td></td><td></td></tr>
<tr><td>A. Site Planning</td><td>(a) Future development is to be located generally in accordance with Figure 3 in Appendix 1.

(b) The site coverage shall be a maximum of 50% of the site area.</td><td>(a) The proposal is located generally in accordance with the revised master plan under concurrent consideration (DA1347/2015/JP)

(b) Site coverage is 46.95%.</td><td>Yes

Yes</td></tr>
<tr><td>B. Residential Flat Building Size</td><td>Performance Criteria

(a) Residential flat buildings are to satisfy the Design Quality Principles listed in State Environmental Planning Policy No. 64 – Design Quality of Residential Flat Development.</td><td>Refer to discussion in Section 2.7 of this report.</td><td>Refer to discussion in Section 2.7 of this report.</td></tr>
<tr><td>C. Setbacks</td><td>Performance Criteria

(a) Setbacks are to complement the Norwest Business Park setting and contribute to the landscaped character of the precinct while allowing flexibility in the siting of buildings.

Development Control

(a) The setbacks for the Eastern Precinct shall be in accordance with the minimum setbacks outlined in Table 2.

Table 2 – SETBACKS
<table><tr><td>Solent Circuit</td><td>10 metres</td></tr><tr><td>North boundary</td><td>14 metres</td></tr><tr><td>East boundary</td><td>12 metres</td></tr><tr><td>West boundary</td><td>12 metres</td></tr></table></td><td>The proposed building setbacks are considered to compliment the setting of the Norwest Business Park despite non-compliance with the setback controls detailed below.

Solent Circuit: 8.75 metres

North Boundary: 8.2 metres apartments, 5.4 metres to plant on ground floor.

Western Boundary: N/A (Determined under DA936/2014/JP for buildings A1 and A2)</td><td>Yes

No – variation proposed.

No – variation proposed.

N/A</td></tr>
</table>

<table>
<tr>
<td></td>
<td>(b) The internal setbacks for the proposed residential flat buildings located in the East Precinct shall be in accordance with the minimum setbacks outlined in Table 3.

Table 3 – INTERNAL SETBACKS
<table><tr><td>Main entry road</td><td>8 metres</td></tr><tr><td>Access street</td><td>4 metres</td></tr><tr><td>Between buildings (balcony to balcony)</td><td>8 metres</td></tr></table></td>
<td>Eastern Boundary: 6 metres to future link road (Main Entry Road). 3.8 metres to balconies to ground and Level 1 only.

Between buildings (balcony to balcony): 14.9 metres</td>
<td>No – variation proposed.

Yes</td>
</tr>
<tr>
<td>D. Residential Flat Building Height</td>
<td>Performance Criteria

a) Building heights are to encourage a transition of scale form the lower scale Bella Vista Waters Residential Estate and West Precinct to the larger scale buildings on the eastern side of the Norwest Town Centre.

Development Controls

(a) The maximum number of storeys shall be in accordance with Figure 4 Appendix 1.

(b) The maximum building heights</td>
<td>The height of the building responds appropriately to the context of the site and the built form envisaged for the East Precinct. The site is separated from the central precinct by the Wetland Park and Detention basin to the west of the site and Building A1 and A2 will screen the proposed building from the Central Precinct.

Figure 4 of the DCP restricts the number of storeys to 6 for the subject site. The proposed development will be 12 storeys in height. It is noted that the height is consistent with the revised masterplan under consideration.

Building heights have</td>
<td>Yes

No – variation proposed.

Yes</td>
</tr>
</table>

	allowable on the site shall be measured vertically from natural ground level. Basement parking should protrude no more than one metre above natural ground level.	been measured vertically from natural ground level. The basement does not protrude more than 1 metre above natural ground level.	 Yes
E. Open Space	**Development Controls** **Landscaped Area** (a) A minimum of 50% landscaped area shall be provided over the entire precinct. **Private Open Space** (b) For residential flats at ground level, opportunity must be made available for courtyards where the topography permits. All ground level courtyards must have a minimum area of 24 square metres and minimum dimension of 4 metres. Courtyards are to be located directly in front of the dwelling's main living area and be capable of accommodating outdoor dining facilities and/or outdoor furniture. (c) Design techniques are encouraged to protect the privacy of ground floor courtyards from overlooking by above ground units, ground level communal areas and accessways. (d) Usable open space above ground floor is to be in the form of balconies adjacent to the main living area of the residential flat. Balconies are to have a total minimum area of 10 square metres with a minimum depth of 2.4 metres for balcony areas directly outside the main living	 The proposed development does not impact on the ability for compliant landscaping to be provided across the precinct. The proposed development provides ground level private open spaces with areas ranging between 24 and 190 square metres. Fencing with a height of 1.8 metres and embellished with landscaping are provided to screen ground floor private open spaces from communal areas. The proposal complies with the private open space areas and depths required for each unit.	 Yes Yes Yes Yes

	area of residential flat. Balconies must be capable of accommodating outdoor dining facilities and/or furniture. **Common Open Space** (e) To provide for the recreational needs of residents, common open space areas are to be provided in the locations as shown in Figure 5, Appendix 1.	The proposed development will be located adjacent to an identified common open space area that will be shared with Building A1 and A2. Building A3 will also be located in close proximity to the Wetland Detention Basin to the west.	Yes
F. Car Parking and Access	**Development Controls** (a) Refer to Part C Section 1 - Parking	DCP rates: One bedroom: 1 Space Two bedroom: 2 spaces Three bedroom: 2 spaces Visitor: 2 per 5 units Retail: 1 space per 18.5sqm Required parking: 31 visitor spaces 21 retail spaces **Total: 198 spaces** **178 spaces provided** However, the proposal complies with the car parking rate approved under the preceding master plan DA 910/2013/JP and the revised master plan DA	No – variation proposed.

		1348/2015/JP which reduced the car parking rate for 2 bedroom units to 1.5 spaces per unit.	
4. General Development Standards			
4.1 – Adaptable Housing	(a) All residential units required under this Section to be adaptable dwellings and those which cannot be directly accessed from ground level are to be served by a lift.	The proposed development will be serviced by a lift and is accessible to the front door of each unit.	Yes
	(b) Units with a lowest floor level within 1.5 metres of the natural ground must be accessible to the front door of each unit.	Satisfactory	Yes
	(c) At least one unit in each residential flat building with less than 20 units, or 5 percent of the units in any development of 20 or more units, must be either:	Overall, 4 adaptable units are provided which represents 5% of the overall yield and therefore complies.	Yes
	(i) An accessible unit to AS 1428 Part 2, suitable for occupation by a wheelchair user; or (ii) Meeting Class B adaptability provisions under AS 4299.	The 4 adaptable units meet Class B adaptability provisions.	Yes
	Each unit so provided above shall have an accessible car parking bay complying with AS 2890 for people with a disability, and be accessible to a pick-up and drop-off point. An accessible route between the unit's dedicated car parking spaces and unit shall be provided.	Satisfactory	Yes
	(d) All stairs intended for circulation between levels, whether external or internal, shall comply with AS 1428 Part 1, if they are located on common property.	Satisfactory	Yes
	(e) At least 10% of toilets (but not less than 1 male and 1 female toilet) provided on the common property must be wheelchair accessible.	Satisfactory	Yes

	(f) At least one entry to any common facilities on the common property must be wheelchair accessible.	Satisfactory	Yes
	(g) An accessible pick-up and drop-off point can be located on the public road (with Council or RMS permission) or on the site, but it must allow for vehicles up to a coaster size bus to pick up and drop off.	Satisfactory	Yes
	(h) Residential units are to be designed to permit adaptation of units so that they can change to meet future needs. Design features that might be included are: (i) Lightweight or non-load bearing walls that can be removed to re-configure rooms.	Satisfactory Satisfactory	Yes Yes
	(ii) Wall panels that can be easily removed to connect adjoining residential units and cater for larger extended families. Development applications should address provisions contained in Council's – Making Access For All Guidelines 2002.	Satisfactory	Yes
4.2 – Site Facilities	**Storage Facilities** (a) Storage for residential units is to be in accordance with Part B Section 5 – Residential Flat Buildings.	The DCP requires a minimum storage volume of $10m^3$ to be wholly contained within a lockable garage. The proposed development provides the required volume of storage for each unit however the storage areas will not be located adjacent to a car space. Rather, storage areas are proposed in communal areas on the lower ground floor and Level 1.	No – Variation proposed.
	(b) Storage for multi dwelling	N/A	N/A

	housing and small lot housing is to be provided at a rate of 10m3 per dwelling within a lockable garage not encroaching into the parking space, and with a minimum base area of 5m2 and a minimum width of 2 metres. **Laundry Facilities**		
	(c) All residential units are to be provided with internal laundry facilities and internal drying facilities.	Internal laundry facilities provided.	Yes
	(d) Laundries for multi dwelling housing and small lot housing shall be provided to each dwelling with a permanent or collapsible clothes line provided in a conveniently accessible courtyard.	N/A	N/A
	Waste and Recycling Bins **Waste and recycling bins** **Garbage**: An equivalent of 120 litres (minimum) available per unit per week (in the form of a shared 660 litre or 1.5m^3 bulk garbage bin) **Recycling**: For one bedroom units:1 x 240 litre bin per four units; For two bedroom units: 1 x 240 litre bin per three units; For three bedroom units: 1 x 240 litre bin per two units; For four bedroom units: 1 x 240 litre bin per unit	The proposed development complies with the waste bin requirements of the DCP. Further, Council's Resource Recovery Officer has reviewed the proposal and has raised no objections to waste management subject to conditions of consent.	Yes
	(e) Waste collection and separation facilities must be provided for each dwelling. Each dwelling should have a waste storage cupboard in the kitchen capable of holding at least a single days waste, and provision to enable separation of recyclable materials.	Satisfactory	Yes
	(f) Bin storage bay(s) are to be of adequate size to store the appropriate number of garbage and recycling bins required based on the following waste generation rates or as required by Council's Waste Management Department:	Satisfactory	Yes
	(i) incorporated into the landscape	Bin storage area	Yes

	design of the development in order to minimise visual impact.	located wholly within basement car park.	
	(ii) accessible by wheelchair (where dwellings do not have access to waste garbage shutes or recycling cupboards).	Satisfactory	Yes
	(iii) designed in accordance with The Hills Shire Council "Bin Storage Facility Design Specification".	Satisfactory	Yes
	(g) Where dwellings or residential flats do not have access to garbage shutes, recycling cupboards or centralised garbage storage rooms the location of the bin storage bay(s): - is to be convenient and accessible to the occupants of all dwellings. - must allow 240 litre bins to be wheeled to the street over flat or ramped surfaces with a maximum grade of 7% and not over steps, landscape edging or gutters. - must allow the bulk garbage bin(s) to be wheeled out and be serviced by the front loading garbage truck on a flat surface with a maximum grade of 5%, and not over steps, landscape edging or gutters. - must be in accordance with the Baulkham Hills Shire Council "Bin Storage Facility Design Specification".	Satisfactory	Yes
	(h) All service access roads must be designed in accordance with Council's engineering requirements. Applicants are encouraged to liaise with Council's Waste Management Department on truck sizes, required turning paths and access/servicing arrangements. **Waste Management Planning**	Satisfactory	Yes
	(i) Demolition and construction works must maximise the reuse and recycling of building/construction materials in accordance with Council's ESD	Satisfactory	Yes

	objectives and State and Federal Government waste minimisation targets.		
	(j) All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with Workcover Authority and EPA requirements.	Satisfactory	Yes
	(k) All Development Applications are to be accompanied by a Waste Management Plan that demonstrates appropriate project management and construction techniques for ensuring waste minimisation including the re-use of water on-site and off-site for recycling.	Satisfactory	Yes
	Mail Boxes		
	(l) Mail boxes are to be generally incorporated into front fences, landscaped areas or integrated with individual building entry design.	Mail box location adjacent to the stair/access ramp fronting the new link road.	Yes
	(m) Mail boxes should be in close proximity to the pedestrian entrance of all housing types, and be easily identifiable for ease of use.	Satisfactory	Yes
	(n) The location of mail boxes and mail drop-off points will need to be confirmed with Australia Post.	Location to be confirmed with Australia Post prior to issue of the Construction Certificate.	Yes
	Air Quality		
	(o) To improve the air quality of the locality, the installation of wood heaters is not permitted.	The proposal does not involve the installation of wood heaters.	Yes
4.3 – BASIX	All development applications will be required to demonstrate that they meet the BASIX targets.	BASIX Certificate is satisfactory	Yes
4.4 – Fencing	**Front Boundary**		
	(a) Front boundaries are to be defined through the use of	Landscaping treatment within	Yes

	hedging, plant massings, fencing or a combination of these elements.	front setback is considered to be satisfactory and will provide a soft interface to the proposed development.	
	(b) Multi dwelling housing and small lot housing fronting Solent Circuit and the internal road network within the Central and West Precincts shall have vertical fencing elements.	N/A	N/A
	(c) The height of the fence is to be 1- 1.5 metres.	N/A	N/A
	(d) Fencing is to incorporate natural stone or masonry piers with a rendered or bag washed and painted finish. Fencing may have a base of natural stone or masonry construction with a rendered or bag washed and painted to match piers. Piers and base as solid elements are to comprise less than 40% of the fence.	The proposed development will not include front fencing to Solent Circuit or the new link road.	Yes
	Side boundary		
	(e) Side boundaries to integrated small lots and multi dwelling housing are to be defined with lap and cap timber fencing. Fencing to be solid to 1.8 metres high or solid to 1.5 metres high with a 300mm partial screen to a total height of 1.8 metres. Side fencing is to be tapered down to meet the height of the front fence or returned to the face of the dwelling.	N/A	N/A
	(f) Fencing is to have a natural or stained finish.	Fencing will be consistent with the character and style of the proposal.	Yes
	(g) Side boundaries to residential unit ground floor courtyards are to be defined by masonry walls with a finish and colour to complement those of the building.	Fencing to ground floor units will complement the colours and finishes of the building.	Yes

	Rear boundary (h) Fencing to rear boundaries is to be as described above (side boundary, point i) or to be timber palisade to a height of 1.5 metres to provide for passive surveillance. (i) Fencing to have a natural or stained finish.	Fencing not proposed along northern boundary rather a landscaped buffer will be provided to the future road. Satisfactory	Yes Yes
4.5 – Access, Safety and Security	(a) Stairs and ramps are to have reasonable gradients and non-slip even surfaces. Refer to Australian Standard 1428.1 – 1988 Design for Access and Mobility and supplementary AS 1428.2 – 1992. (b) Access to dwellings is to be direct and without unnecessary barriers. For example, use ramps instead of stairs/steps, consider the height and length of handrails and eliminate changes in level between ground surfaces. (c) Development applications should address provisions contained in Council's "Safer by Design Guidelines" 2002. (d) Private areas in a development are to be clearly recognisable.	The Development Application was accompanied by an Access Report prepared by Accessible Building Solutions. The report identifies measures to ensure compliance with the Disability Discrimination Access Code 2010 and relevant Australian Standards. Accordingly, a condition of consent will be imposed to ensure compliance with the recommendations of the report.	Yes – subject to conditions.
4.6 – Solar Access	**Performance Criteria** a) All dwellings are to be orientated to promote direct sunlight. Buildings should be sited to allow adequate provision for access of direct sunlight into dwellings, private open space and communal open space. b) Living areas of dwellings shall be orientated towards the north wherever possible. c) Small lot housing and multi dwelling housing should be sited	The proposed development provides for adequate solar access to dwellings, private open spaces and communal open space. Living areas have been orientated towards the north where possible. N/A	Yes Yes N/A

	to maximise the amount of direct sunlight available to private open space.		
	d) Where winter solar access is not optimum the use of double-glazing, high performance glass or heavyweight curtains and pelmets is strongly encouraged.	Satisfactory	Yes
	e) Windows to living areas or bedrooms are to have suitable overhangs, shading, or other solar controls to avoid summer overheating and are to be integrated into the overall elevation design.	Satisfactory	Yes
	f) The use of horizontal shading devices (for north facing windows) including eaves, verandahs, pergolas, awnings and external horizontal blinds to allow low winter sun whilst providing shade from high summer sun is strongly encouraged.	Horizontal shading devices have been incorporated into the design to mitigate the ferocity of the summer sun.	Yes
	g) Where relevant, development applications should have regard to the requirements contained in the Australian Model Code of Residential Development (AMCORD) and Better Urban Living – Guidelines for Urban Housing in NSW.	Satisfactory	Yes
	Development Controls		
	Common Open Space		
	(a) Common open space areas must receive at least 4 hours of sunlight between 9am and 3pm in midwinter.	The communal open space area will receive 4 hours of sunlight between 9 am and 3pm however only 60% of the communal space area will receive direct solar access.	No – variation proposed.
	Residential Flat Buildings		
	(b) Living rooms and private open spaces for at least 70% of residential units should receive a minimum of 3 hours direct	A solar access report has been prepared which indicates that 64% of units receive	No – variation proposed.

	sunlight between 9am and 3pm in midwinter.	at least 3 hours of solar access between 9am and 3pm.	
4.7 – Visual and Acoustic Privacy	**Performance Criteria** a) The effective location of windows and balconies is preferred to the use of screening devices, high sills or obscured glass. Where these are used, they should have minimal negative effect on resident or neighbour amenity.	The proposal includes an interface with Building A1 and A2 however the building separation exceeds the requirements of the RFDC and DCP.	Yes
	b) Direct views from the living rooms of dwellings into private open space or the interior of other dwellings should be obscured with landscaping, architectural detail and building design (refer to AMCORD).	Internal balconies have been designed to ensure they are not directly facing each other. These balconies generally service living areas and are surplus to primary balconies required for private open space.	Yes
	c) Where minimum separation distances cannot be practically met, windows should be placed to minimise direct viewing between dwellings.	Balconies and windows are adequately spaced apart.	Yes
	d) In general, dwellings are to be designed to limit the potential for noise transmission to living and sleeping areas of adjacent existing and future developments. Consideration should be given to minimising noise emissions from air conditioners, driveways and the like. This can be achieved by complying with the Building Code of Australia requirements.	Car parking is contained within a basement car park with the entrance off the link road. The noise impact of vehicles is therefore minimised. Air conditioning and other services are contained within a plant area providing reasonable acoustic separation.	Yes
	Development Controls (a) Minimise direct overlooking of main internal living areas and private open space of dwellings both within and of adjoining development through building	The proposed building will not result in undue overlooking given adequate building	Yes

	design, window locations and sizes, landscaping and screening devices.	separation. is satisfactory.	
	(b) Consider the location of potential noise sources within the development such as common open space, service areas, driveways, road frontage and provide appropriate measures to protect acoustic privacy by the careful location of noise sensitive rooms (bedrooms, main living areas) and double glazed windows.	Satisfactory	Yes
	(c) The location of the plant and equipment for residential flat buildings should be designed so that the noise level does not exceed the background noise level. This is to reduce background noise level creep.	Satisfactory	Yes
	(d) In regards to the multi dwelling housing and small lot housing, ideal positions or specifically designed positions for any air conditioners should be provided in the plans at development application stage.	N/A	Yes
	(e) Air conditioners shall be located a minimum of three metres from any property boundary and must not exceed 5dB(A) above the background noise level or alternatively if there is no other option and the air conditioner is located within three metres of any property boundary it must not exceed the background noise level.	N/A	Yes
	(f) Private areas in a development are to be clearly recognisable.	Satisfactory	Yes
4.8 – Public Roads	**Performance Criteria** a) Extension of Fairway Drive and main East Precinct Access into the Balmoral Road Release Area will provide additional public thoroughfares into the Norwest Business Park.	The proposal will involve the construction of a link road between the Norwest Business Park and the Balmoral Road	Yes

	Currently the land is in private ownership and the long term use of the roads for public use must be recognised.	Release Area. The alignment of this road has been the subject of a concurrent master plan and is considered to be satisfactory provided that it results in a four way intersection with the adjoining land to the north currently the subject of a planning proposal. The link road is intended to be constructed and dedicated to Council as public road. It is noted that a temporary turning head is proposed as an interim measure until such time as the land to the north is redeveloped and the road connection occurs.	
	b) In recognition of the Fairway Drive and main East Precinct access extension being used as public thoroughfares, the roads are to be dedicated to the Hills Shire Council as a public road and at no cost to Council.	Yes, the link road is intended to be dedicated as public road at no cost to Council.	Yes
	Development Controls		
	(a) Fairway Drive is to be designed and constructed as a Enhanced Collector road as defined in Part D Section 7 – Balmoral Road Release Area. The extension of Fairway Drive is to be constructed from the Northern Boundary of Lot 301 DP 819129 to the intersection of Solent Circuit as shown in Figure 15 in Appendix 4.	N/A	N/A
	(b) The extension of the main East Precinct access road is to be designed and constructed as an Access Street as defined in Part D Section 7 – Balmoral Road Release	Yes, the road will be constructed as an Access Street with a 15.5 metre wide carriageway including	Yes

	Area and located as shown in Figure 15 in Appendix 4.	two lanes of traffic and footpath verges on each side.	
4.9 – Geotechnical	(a) All development applications submitted to Council shall be accompanied by geotechnical appraisal report from a suitably qualified experienced Geotechnical Engineer. (b) The geotechnical appraisal report must satisfy Council that the possibility of soil movement or slip will not affect the proposed development of the site and outline recommendations to ameliorate any geotechnical impacts.	A Geotechnical Statement prepared by an appropriately qualified Geotechnical Engineer accompanied the Development Application. The statement confirms that the proposed development will not have adverse impacts on soil movement or slip subject to recommendations which will be imposed as a condition of consent.	Yes – subject to conditions of consent.
4.10 – Pedestrian and Cycleway Linkages	(a) Pedestrian and cycleway linkages are to be generally in accordance with Figure 17 in Appendix 5.	The proposed link road will provide for pedestrian connectivity between Norwest Business Park and the Balmoral Road release area.	Yes
4.11 – Stormwater Management	**Performance Criteria** a) Drainage systems are to be designed and constructed in accordance with the design guidelines set out in "Design Guidelines for Subdivisions and Developments" published by Baulkham Hills Shire Council and "Australian Rainfall and Runoff" published by Institution of Engineers, Australia (1987). b) Where a site adjoins natural creeks or watercourses, all residential development shall be clear of the 100 year ARI flood extents. c) On-site detention systems, where required, are to be	The proposed stormwater management of the site is considered to be satisfactory. Council's Development Engineer has reviewed the proposal and raised no objections subject to conditions of consent. Satisfactory Satisfactory	Yes Yes Yes

	designed in accordance with (i) above. d) Water Sensitive Urban Design elements are to be designed and constructed in accordance with the "Water Sensitive Urban Design Technical Guidelines for Western Sydney" published by the Upper Parramatta River Catchment Trust (May 2004).	Satisfactory	Yes

Variations to the DCP have been identified and are addressed as follows:

a) Density

The density of the proposed development exceeds the maximum of 175 persons per hectare permitted by the DCP. The proposed development will provide for 423 persons per hectare once the lot containing the apartment building is excised from the Eastern Precinct. Overall, a density of 171 persons per hectare across the Eastern Residential Precinct is proposed if the remainder is developed in accordance with the master plan.

The masterplan consent proposed a density of 171 persons per hectare for the East Precinct. The applicant has indicated that based on the original 2006 master plan, the overall density for the central, west and east precincts will be increased to 131.3 persons per hectare as a result of the development, which is below the maximum density permitted by the DCP.

The proposed development relates solely to the western portion of the East Precinct and given the subdivision of the site will result in a density of 423 persons per hectare on the excised lot.

It is noted that the masterplan consent involves a mix of dwelling types with the west and east edges of the development accommodating higher forms of density. The master plan envisages multi dwelling housing for the central portion of the East Precinct and it is likely that the density will be stabilised to be more in line with the DCP. Notwithstanding, the proposed development is generally consistent with the built form established with the masterplan. It is considered that the site is capable of supporting higher unit yields given the proximity to the Norwest Business Park and future train station. In this regard, a variation to density is considered to be satisfactory.

Whilst the density for the subject site is considered to be satisfactory, the subject application does not foreshadow a further increase to the density for the remainder of the East Precinct. The density of the East Precinct will be further considered with subsequent stages of development.

b) Building Setbacks

The proposal includes variations to the Eastern Residential Precinct setback controls as outlined in the following table:

	DCP	Master Plan	Proposed Building Setbacks
Solent Circuit (South Boundary)	10 metres	10 metres	8.75 metres
Northern	14 metres	6 metres	8.5 metres (6 metres to plant and

Boundary			equipment)
Link Road	8 metres	6 metres	6 metres (3.8 metres to balconies)

The proposal will result in variations to Solent Circuit, the new link road and the northern boundary.

It is noted that the western boundary and eastern boundary setback controls do not apply as the proposal relates to a portion of the Eastern Residential Precinct that does not interface with the east and west boundaries of the site.

The DCP provides the following objectives relating to building setbacks:

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

The applicant has provided the following justification:

Setbacks are consistent with the masterplan DA 1347/2015/JP and seek a variation to the DCP setbacks.

The DCP provides the following setbacks:

Solent Circuit: 10m
Northern boundary: 14m
East boundary: 12m
West boundary: 12m

Solent Circuit

Council noted that the setback from Solent Circuit should be 10m in accordance with the DCP and the proposed architectural plans identified a setback of 6.7m. Council requested that the setback be increased in order to be consistent with the building setback approved for Building A2 under DA 936/2014/JP. This setback has been increased accordingly so that it is consistent with the building setback approved for Building A2 which is 8.75m.

Northern Boundary (plant on ground floor only)

The setback encroachment to the northern boundary is due to the location of the hot water tank/fire control room. The setback has been increased from 5.4m to 6.0m by reducing the plant enclosure on the north eastern corner of the building and the free standing triangular mechanical exhaust element has been relocated to integrate within the building. The design of the north east corner of the building has been enhanced in the revised architectural drawings.

Eastern Boundary

The eastern boundary setback was proposed at 6m to the future link road and 3m from balcony. Council has requested that an 8m setback from the link road be incorporated into the layout. A variation of 2m to incorporate a setback of 6m is sought as an alternative considering that 8m is not appropriate for the Site; the link road is in an urban setting, public area on private land and the proposed setback is appropriate to stimulate retail activation to the Link Road frontage.

Solent Circuit Setback

The setback to Solent Circuit is proposed to be 8.75 metres which is consistent with the building setback approved for Building A2 under DA936/2014/JP. The setback of 8.75 metres to Solent Circuit is proposed for the ground and first floor with the setback increasing given the offset in the building form at upper levels. Additionally the building line is in a curvature form which is reflective of the proposed corner created by the link road and Solent Circuit. The setback is considered to be satisfactory given that the ground floor will comprise of neighbourhood shops which are intended to provide a ground level designed for active uses to promote pedestrian activity. The building setback is considered to provide a uniform alignment with Building A2 and the building line follows the curvature of Solent Circuit.

The variation to the street setback of Solent Circuit is considered to be satisfactory.

Northern Boundary Setback

The proposed residential flat buildings do not comply with the 14 metre northern boundary setback requirement, proposing a minimum 6 metre setback to the building line and 5.4 metres to plant and equipment. The proposed north boundary will interface to a future road as identified as part of the Balmoral Road Land Release Area. Given the topography of the land which rises to the north, the proposed building will not result in a significant visual impact and will be of a comparable form to development proposed to the north. The setback will also be embellished with landscaping to soften the base of the building from the future road. Further, the alignment of the northern setback is consistent with Building A1 currently under construction. Moreover, given the encroachment is to the north, the solar impact is satisfactory and primarily over the subject site. As detailed in this report, the overshadowing is not unreasonable and provides suitable solar access to both the proposed units and adjoining open space areas.

The variation to the northern boundary is considered to be satisfactory.

Link Road Setback (Eastern Boundary)

The proposal provides an internal setback to the link road of 6 metres and 3.8 metres to balconies on ground and level 1 only which does not comply with the 8 metre requirement. The primary objective of the reduced setback is to promote the active uses of the neighbourhood shops fronting the new link road on the ground floor. The reduced setback is designed to draw activity through the site from the new link road in order to provide a public domain area on private land. Additionally, the reduced setback will preserve vistas down to Norwest Lake when walking towards the Business Park.

The proposed façade to the link road being the primary frontage incorporates design measures to integrate the proposal with the setting of the Norwest Business Park. The proposal includes articulation through a stepped building form with a setback increasing to 7.1 metres on Level 3 and 9 metres on Level 4 and above. The building form is considered to soften the visual impact of the development. Other notable design measures include curved balconies and landscaping which promote a vibrant streetscape and contribute to the high aesthetic quality of the Norwest Residential Precinct and Norwest Business Park.

The setback to the link road is considered to be satisfactory in order to stimulate retail activation to the Link Road frontage. Additionally, the setback will not result in any amenity impacts to adjoining residential properties.

Overall, the proposed setbacks for the proposed development are considered to be satisfactory.

c) Building Height

The DCP stipulates that the maximum number of storeys shall be in accordance with Figure 4 Appendix 1. Figure 4 details a building height of 6 storeys for the portion of the subject site to which the development is proposed. In this regard, the proposal provides a building with a height of 9 storeys or 33.3 metres which exceeds the DCP.

A Clause 4.6 Variation to the building height permitted by the LEP has been previously discussed in this report. Furthermore, it is noted that the masterplan foreshadowed a variation to the DCP height control of 6 storeys by approving a concept building height of 7 storeys.

The proposed departure to the building height of 6 storeys will not cause undue impact on the amenity of adjoining properties with respect to overshadowing, privacy, view loss and perceived bulk and scale. The overall massing of the site was predetermined as part of the masterplan and the proposed buildings are considered to respond appropriately to the interface of adjoining land.

The height and massing of the development is considered to respond appropriately to the topography of the site and consistent with the built form envisaged within Norwest Business Park directly adjacent to the south which comprises a building height of RL 116. Furthermore, a planning proposal (10/2013/PLP) of the site directly to the north known as Lot 101 DP 1176747 is being considered for high density residential development with a proposed height ranging between 16-41 metres across the subject site.

It is noted that a building height of RL 116 for the subject site is currently being considered under an LEP housekeeping amendment (13/2013/PLP). The proposal comprises a building height of RL 115.95 which is considerably below the height envisaged for the subject site.

In this regard, a variation to the DCP height control is considered to be satisfactory.

d) Solar Access

The DCP stipulates minimum requirements for the provision of solar access to common open space areas and to apartments. The DCP requirements are below:

Common Open Space

(a) Common open space areas must receive at least 4 hours of sunlight between 9am and 3pm in midwinter.

The communal open space area will receive 4 hours of sunlight between 9 am and 3pm however only 60% of the communal space area will receive direct solar access.

The applicant has provided the following justification to the solar access requirements for common open space:

Total COS Area = 1,745m2
The solar access to this space during mid winter ranges from 517m2 sunlight at 9.00am representing 30% of the space up to 1,287m2 and 1256m2 sunlight at 2.00pm and 3.00pm respectively representing 74% and 72% of the space.

Importantly, an average of 54% of the space receives sunlight throughout the day and an average of 60% of the space is in sunlight during the 4 hour period between 11.00am and 3.00pm, spanning across the important lunch time hours.

The proposed common open space will receive 4 hours of solar access between 11:00am to 3:00pm for 60% of the communal open space area. Whilst this is not for the entirely of the common open space area, the access to sunlight during the period is considered to be satisfactory for the following reasons:

- 54% of the common open space area will receive solar access between 9am to 3pm during mid winter.
- 60% of the common open space area that receives 4 hours solar access between 9am and 3pm occurs during lunch periods where the space is likely to be more frequently used.
- Building A3 complies with the height limit of RL 116 envisaged under a draft LEP amendment and has been designed to maximise solar access within the communal open space area.
- The proposed development will provide for communal facilities including a pool and function room providing active and passive uses within the building itself.
- The proposal would exceed the solar access requirements of 2 hours for 50% of the communal open space area as contained within the recently adopted Apartment Design Guide.

Given the above, a variation to the solar access requirements for the common open space area is considered to be acceptable.

Residential Units

(b) Living rooms and private open spaces for at least 70% of residential units should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter.

The proposed development only achieves solar access for 64% of the apartments between 9am to 3pm in mid winter.

The applicant has provided the following justification to daylight access:

The building is configured with the majority of apartments orientated towards the north, east or west where good solar access and district views are available. However, the site also offers views in the southern quadrant, out over Norwest Lake and the communal open space within the site. The so called Kirribilli effect may be referenced, where the best solar orientation does not accord with the best view orientation. The building does feature a minority of apartments facing towards the Lake in order to capitalise upon a view that is likely to be highly valued by potential residents.

Notwithstanding this, 70% of the apartments receive 3 hours solar access in mid winter. Approximately 64% of the apartments receive three hours of sun between 9.00 and 3.00 pm on 21 June to living room glazing and private open spaces. A further 6% of the apartments receive 3 hours of sun between the extended hours of 7.30am and 11.00am on 21 June to living room glazing and private open spaces. Refer to the Apartment Schedule provided as part of the DA submission.

The extended hours of consideration are considered appropriate in the site specific circumstances for the following reasons;

- *The solar access is available during normal waking hours and the majority of the solar duration occurs after 9.00am.*

- *The availability of Lake views in the southern quadrant makes the southern orientation of the remaining minority of apartments highly desirable and sought after.*

- *It should also be noted that the 70% solar access meets the RFDC criteria of 3 hours solar access and is in excess of the more recent Apartment Design Guide criteria of 2 hours.*

- *The built form creates a positive response to adjoining buildings, establishes a large consolidated communal open space between buildings, reinforces street alignments, including appropriate definition of corners and capitalizes upon views. District views are available to the north, east and west however in this instance highly valued views over Norwest Lake are also available to the south.*

The applicant has justified the variation on the premise that extending the hours during mid winter will provide an additional 6% of units with the required 3 hours solar access during mid winter. The extended hours are between 7:30am and 11:00am. Additionally, the applicant states that the design philosophy was to promote units with a southern orientation to capture views to Norwest Lake which contributes to units not achieving the required levels of solar access.

The variation in this instance is considered to be satisfactory for the following reasons:

- The apartments that are compliant achieve in excess of 3 hours given their predominant orientation to the north.
- The majority of south and east facing apartments are dual aspect and receive adequate natural ventilation.
- The south facing units that do not comply with solar access capitalise on views and vistas towards Norwest Lake and also are orientated to provide causal surveillance to the communal open space area.
- Only 5% of apartments are single aspect SE/SW facing apartments which is compliant with the RFDC.
- The east facing apartments that do not comply with solar access are orientated towards the south-east alignment of the new link road. Apartments fronting the new link road will provide casual surveillance to the street.
- Apartment sizes are larger than required with high ceilings and are adequately ventilated.
- 70% of apartments will receive solar access during the extended period of mid winter between 7:30am and 3:00pm. The period between 7:30am and 9:00am is considered to be within a period of the morning where direct sunlight can be enjoyed by residents.
- The proposal would exceed the solar access requirements of 2 hours as contained within the recently adopted Apartment Design Guide.

Given the above, a variation of 6% or 5 units, is considered to be acceptable given the design philosophy of the building, the context of the site and the amenity provided to units within the entire development.

e) Storage Facilities

The Norwest DCP requires that storage facilities are provided in accordance with DCP 2012 Part B Section 5 – Residential which states:

At least 10m^3 must be provided for storage per dwelling within a lockable garage. It must not encroach into the parking space, and must cover a minimum area of 5m2 with a minimum dimension of 2 metres required. The storage space shall be adjacent to a car space and not overhead.

The proposal provides the required volume of storage however does not provide the store area adjacent to a car space. The applicant has submitted the following justification regarding storage:

10m³ is to be provided for storage space per dwelling within a lockable garage (adjacent to a car space not overhead). This area is to have a minimum area of 5m² with a minimum dimension of 2 metres required. The volume of storage required is provided in storerooms located in a number of accessible areas by lift within the building, predominantly located in lower ground level and level 1 above and below the loading dock. A variation is sought to the DCP control in respect of the location of the storage space, that it is required adjacent to a car space. The proposed development includes storage within storerooms due to a couple of reasons.

The Site's shape is such that provision of the storage immediately adjacent to the car parking spaces would result in a highly inefficient basement design. In addition to this consideration, the site's topography is such that the basement levels, established beneath the lower levels of the site, result in additional partial floor levels above the basements that remain below ground at the north -east portion of the site and as such are not suitable for habitable spaces. In recognition of these factors, the spaces that are above the basements, yet below ground in the north eastern quadrant of the building are utilised for servicing infrastructure such as the loading dock, toilets, garbage store as well as the storage spaces for each apartment. It is on the above basis that Council support this variation

The objectives of the DCP aim to ensure units have reasonable private storage space either within the dwelling or in a secure garage contrary to the control which limits storage to basement car parking areas. Overall the proposal provides the required volume of storage which are located in separate stores and not adjacent to car spaces. In this instance, a variation is considered to be acceptable given the shape of the allotment and the constraints with respect to the basement car park footprint. Furthermore, store areas are located within accessible, convenient and central areas within the development. It is also noted that the units also contain store areas through the provision of linen cupboards and internal laundries.

f) Car Parking

The proposed development has been assessed against DCP 2012 Part C Section 1 – Parking as required by the Norwest Residential DCP. The proposal provides 178 car parking spaces where the DCP requires 198 spaces.

The proposal relies on the master plan consent 910/2013/JP which approved a lesser car parking rate for 2 bedroom units being 1.5 spaces per unit in future built form applications. It is noted that a concurrent revised master plan seeks to maintain the same parking rates.

Based on the above rate the proposal would be required to provide 177 car parking spaces in total. The proposal provides a surplus of 1 space when using the parking rates approved by the master plan.

The reasons for supporting a reduced parking rate primarily included close proximity to existing and planned transport infrastructure. The quality of the public transport infrastructure both existing and under construction has not changed from the time of the master plan application.

Given the proposal is not inconsistent with the master plan approval, a reduced rate is considered satisfactory in this instance.

g) Pre-determined DCP Road Layout

The Norwest Town Centre Residential DCP contains a street hierarchy and layout as detailed in Appendix 1 of the DCP. The proposed through site link to the Balmoral Road Release Area is required as it will increase traffic and pedestrian permeability between the adjoining Balmoral Road Release Area and the Norwest Town Centre.

The alignment of the through site link varies from that which was approved under the previous master plan and the DCP. Figures 1 and 2 show the intended road layout proposed in the Balmoral Road Release Area DCP and the Norwest Town Centre Residential DCP.

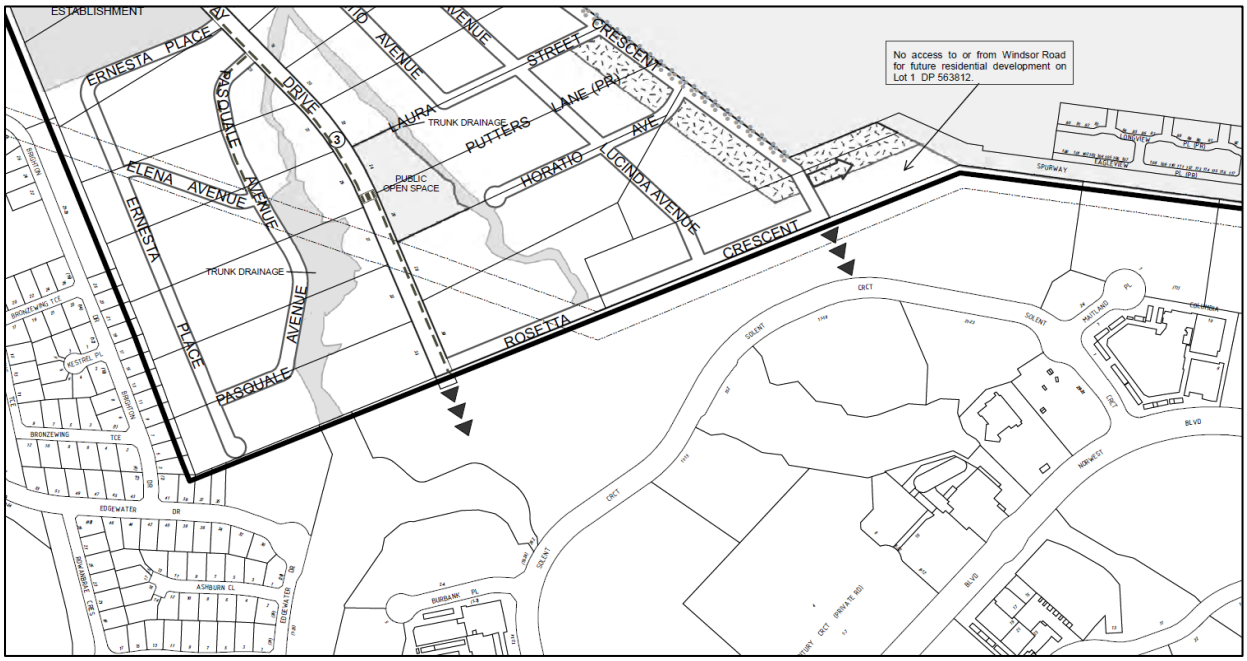


Figure 1
Extract from Balmoral Road Release Area DCP Map

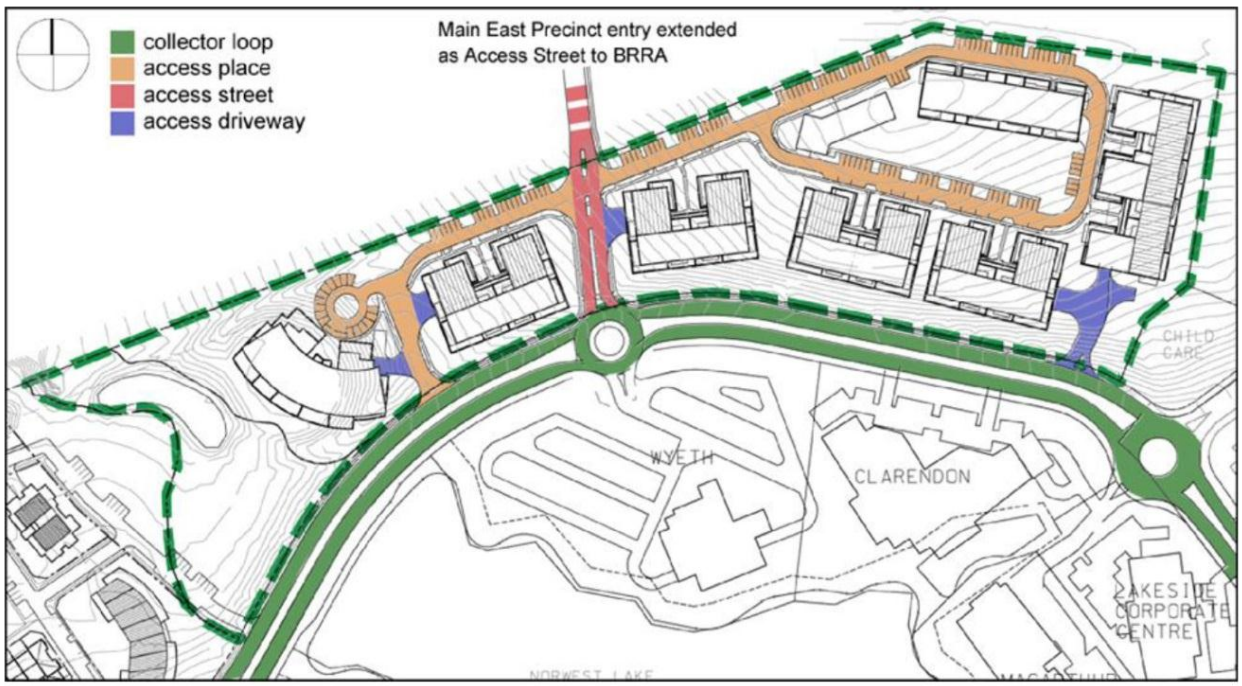


Figure 2
Extract from Norwest Town Centre Residential Development DCP Map

The revised master plan under concurrent consideration (DA1348/2015/JP) seeks to realign the through site link as detailed in Figure 3 below:

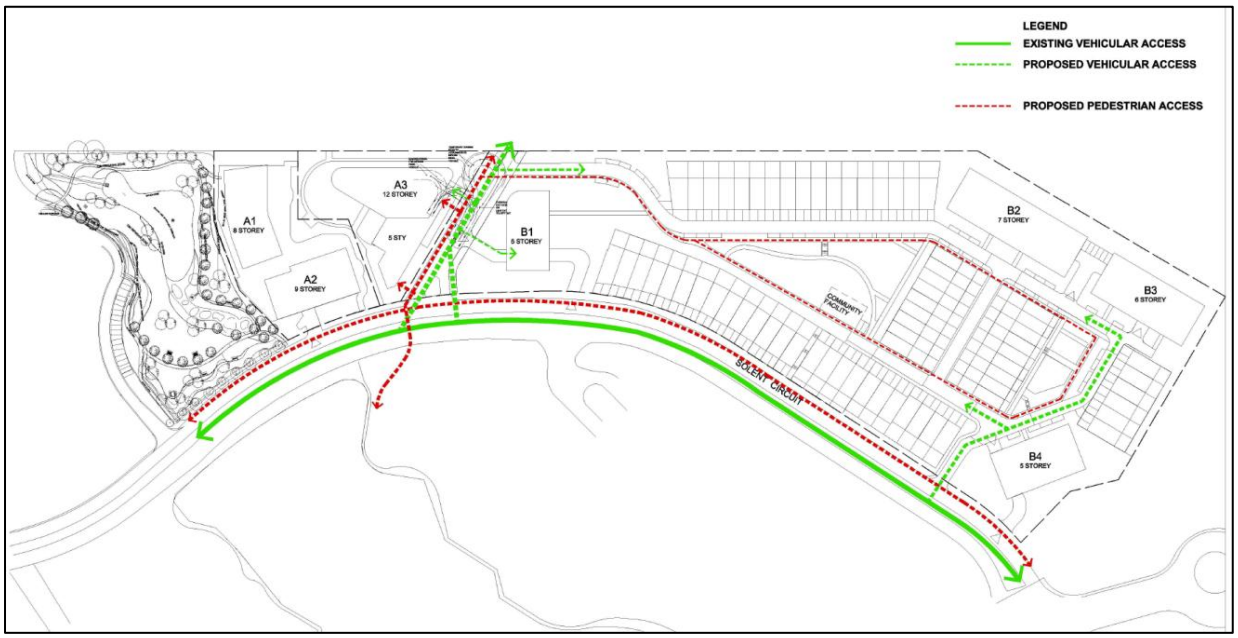


Figure 3
Extract from the architectural plans/maps submitted by the applicant

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

> *Council has requested that the alignment of the new Link Road proposed within the DA be amended so that the road is in accordance with the Balmoral Road Release Area DCP and the Norwest Town Centre Residential DCP. Council has stated that the proposed alignment creates an undesirable road layout pattern, creating a new T-intersection in close proximity to two other T-intersections, requiring vehicles and pedestrians to make additional turns. However, we dispute Council's statements as there are no traffic grounds that require this road to be re-aligned with the future proposed Rosetta Crescent due to the following reasons:*
>
> - *The distances between the proposed T-intersection of the new Link Road and Rosetta Crescent and the two planned T-intersections either side is considered satisfactory from a traffic perspective. The new Link Road intersection is approximately halfway between the future proposed Lucinda Avenue and Rosetta Crescent (as shown in Figure 1 on the following page).*
>
> - *The new Link Road as proposed is a left in, left out type intersection.*
>
> - *The location shown on the Balmoral layout is very steep and road grading is a concern, supporting the proposed location of the new Link Road which is more appropriate to the land form.*

The proposed development involves the construction of a through site link that does not align appropriately with the Balmoral Road Release Area DCP road layout. However it is noted that Council is in receipt of a concept plan as part of a separate planning proposal for the adjacent site (RMB 47 and Lots 32 and 33 DP 247442, Spurway Drive

10/2013/PLP) that depicts a variation to this DCP road layout that would align with the proposed masterplan (Figure 4).

Figure 4
Proposed masterplan and concept for adjacent property (Spurway Drive)

It should be noted that Council did not support the concept for the Spurway Drive planning proposal in its entirety and that no amendments to the Balmoral Road DCP were made in relation to this road alignment in conjunction with the planning proposal. However, as both applicants have identified a variation in the road layout, it is appropriate that a variation to the DCP be managed as part of the Development Application process. In order to maintain the permeability of the road network in this area, the variation to the DCP is only considered appropriate where a 4 way intersection is delivered at the corner of Rosetta Crescent and the Spurway Drive extension.

Moreover, the road alignment has been reviewed by Council's Manager Infrastructure and Transport Planning who raised no objection to the road alignment and the permeability of the street network provided that the approaches were redesigned so as to prevent acute angles at the intersections. Accordingly, the approaches to Solent Circuit and future Spurway Drive have been redesigned in order to provide safer approaches with desirable sightlines.

In this regard, a variation to the road alignment is considered to be satisfactory.

The proposal has been assessed against the relevant controls of Part B Section 5 – Residential Flat Building. It is noted that where there are any inconsistencies between Part B Section 5 'Residential Flat Building' and Part D Section 8 'Norwest Town Centre', the latter will prevail. In this regard, controls that are silent within Part D Section 8 'Norwest Town Centre' have been considered in the table of compliance below:

DEVELOPMENT STANDARD (CLAUSE NO.)	BHDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
1.1 Permissible Zones	R1 General Residential, R4 High Density Residential, B2 Local Centre, B4 Mixed Use	The proposed residential flat buildings are permissible in	Yes

		the R4 High Density Residential zone.	
3.1 Site Requirements	The minimum lot size for residential flat buildings is specified in Clause 4.1A of The Hills Local Environmental Plan 2012, as follows: **Within:** R1 General Residential – 4,000m^2 R4 High Density Residential – 4,000m^2 B2 Local Centre – 4,000m^2 B4 Mixed use – 4,000m^2 Min. road frontage – 30m A residential flat building shall not isolate adjoining lots so that they are incapable of multi dwelling housing development, meaning there will be sufficient area to meet the minimum site area requirement in Clause 4.1A Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings of the LEP 2012.	Building A3 is proposed to be excised from the remaining portion of the Eastern Residential Precinct within an allotment of 4,000 square metres which complies with Clause 4.1A of the LEP. New Link Road Frontage – 82 metres	Yes
3.5 Building Separation and Treatment	12m	Minimum - 14.9 metres	Yes
3.7 Building Length	Max. 50m	Building A3 will have a building length of approximately 70 metres to the new link road and 60 metres to the northern boundary.	No – variation proposed.
3.11 Unit Layout and Design	Apartment Mix (a) No more than 25% of the dwelling yield is to comprise either studio or one bedroom apartments. (b) No less than 10% of the dwelling yield is to comprise apartments with three or more	 A maximum of 10% of units will be one bedroom apartments. 35% of the unit yield will be three bedroom	 Yes Yes

<table>
<tr><td></td><td>bedrooms.

Residential Flat Development (30 or more units) (d) The minimum internal floor area for each unit, excluding common passageways, car parking spaces and balconies shall not be less than the following:

<table>
<tr><th>Apartment Size Category</th><th>Apartment Size</th></tr>
<tr><td></td><td></td></tr>
<tr><td colspan="2">Type 1</td></tr>
<tr><td>1 bedroom</td><td>50m²</td></tr>
<tr><td>2 bedroom</td><td>70m²</td></tr>
<tr><td>3 or more bedrooms</td><td>95m²</td></tr>
<tr><td></td><td></td></tr>
<tr><td colspan="2">Type 2</td></tr>
<tr><td>1 bedroom</td><td>65m²</td></tr>
<tr><td>2 bedroom</td><td>90m²</td></tr>
<tr><td>3 or more bedrooms</td><td>120m²</td></tr>
<tr><td></td><td></td></tr>
<tr><td colspan="2">Type 3</td></tr>
<tr><td>1 bedroom</td><td>75m²</td></tr>
<tr><td>2 bedroom</td><td>110m²</td></tr>
<tr><td>3 or more bedrooms</td><td>135m²</td></tr>
</table>

Type 1 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.

Type 2 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.

All remaining apartments are to comply with the Type 3 apartment sizes.</td><td>apartments.

Type 1
1 Bedroom = 50m² (8 units provided)
2 bedroom = 70m² (1 unit provided)
3 + bedroom = 95m² (0 unit provided)

Type 2
1 Bedroom = 65m² (0 unit provided)
2 bedroom = 90m² (34 units provided)
3 + bedroom = 120m² (0 unit provided)

Type 3
1 Bedroom = 75m² (0 unit provided)
2 bedroom = 110m² (7 units provided)
3 + bedroom = 135m² (27 units provided)

12% of units are Type 1.

44% of units are type 2.

44% of units are type 3.</td><td>Yes

No – variation proposed.

Yes</td></tr>
<tr><td>3.16 Lighting</td><td>- Lighting to be in accordance with the Building Code of Australia.
- Adequate lighting to ensure the security and safety of residents and visitors.
- Maximise the use of natural lighting through window placement and skylights.
- In common areas lights are to</td><td>Adequate lighting will be provided to ensure the security and safety of residents and visitors.

Where possible, window placement has</td><td>Yes</td></tr>
</table>

	be time switched and energy efficient fitting should be used. - Motion detectors are to be used for unit entries, lobbies and outdoor security. - Incorporate dimmers, motion detectors, and automatic turn-off switches where appropriate. - Provide separate switches for special purpose lights.	had regard to the orientation of the sun.	
3.24 Services	- Development consent not to be granted until satisfactory arrangements are made with relevant authorities for the provision of services. - Pump out sewage management systems not acceptable for apartment building developments. - Site services and facilities (such as letterboxes, clothes drying facilities and garbage facility compounds shall be designed so as: - To provide safe and convenient access by residents and the service authority; and - Visually integrated with the development and have regard to the amenity of adjoining development and streetscape. - All electricity and telephone services on site must be underground. - Laundries shall be provided to each dwelling.	A condition of consent will be imposed to ensure that satisfactory arrangements are made with the relevant authorities for the provision of services.	Yes
3.28 Developer Contributions	In accordance with the current Section 94 rate – to be conditioned.	S94 contributions have been levied in accordance with Contributions Plan No. 8. A condition has been imposed requiring payment prior to the issue of the Construction Certificate.	Yes

Variations to the DCP have been identified and are addressed as follows:

a) Building Length

The DCP limits the length of buildings to a maximum of 50 metres. Building A3 will have a building length of approximately 70 metres to the new link road and 60 metres to the northern boundary.

The applicant has submitted the following justification for providing storage in accordance with the RFDC and not the DCP:

The maximum linear length of any residential flat building is to be 50 metres. The northern and eastern facades exceed 50m in linear length. A variation to this control is sought on the basis of the architectural design of Building A3 that these facades do not appear in a continuous form. Building A3 is tiered with the development stepped reducing in area and length as the levels increase. The facades are also modulated architecturally, with recessive elements and varying setbacks so that the façade does not appear to be in a continuous linear form. This variation should be supported by Council. The Architectural Design Statement provides additional details attached at Appendix A

The objective of the control is to minimise the bulk and scale of the building and to ensure each unit achieves good residential amenity. The proposed building will comprise of a building form where the upper floor plates of the development are offset from the floor below creating a tiered effect. The perceived bulk and scale of the development is considered to be satisfactory given that the building is not in a continuous horizontal form and therefore accords with the objectives of the control.

The units are also considered to respond appropriately to the objectives regarding amenity. Unit sizes are larger than required with functional floor layouts. Units will receive adequate solar access, natural ventilation and will capitalise on views to Norwest Lake. It is also noted that the proposed length will not result in adverse shadowing impacts to residential properties.

b) Apartment Sizes

The proposed apartment sizes are inconsistent with the minimum apartment sizes required by the DCP. The proposal will provide for the following apartment sizes:

- One Bedroom: 53m^2 to 59m^2
- Two Bedroom: 74m^2 to 110m^2
- Three Bedroom: 137m^2 to 191m^2

The table below details the unit size of each unit and their DCP typology as follows:

Unit No.	No. of Beds	Size (m^2)	DCP Typology
ALG01	3	140	3
ALG02	2	74	1
ALG03	1	60	1
AG01	3	137	3
AG02	2	99	2
AG03	2	102	2
AG04	2	110	3
AG05	2	110	3
AG06	3	147	3
AG07	2	98	2
AG08	2	110	3

A101	3	137	3
A102	2	99	2
A103	2	102	2
A104	1	56	1
A105	2	108	2
A106	2	108	2
A107	3	147	3
A108	2	98	2
A109	2	110	3
A201	3	137	3
A202	2	99	2
A203	2	102	2
A204	1	56	1
A205	2	92	2
A206	3	145	3
A207	2	94	2
A208	1	55	1
A209	3	143	3
A210	2	98	2
A211	2	110	3
A301	3	137	3
A302	2	99	2
A303	2	102	2
A304	1	56	1
A305	2	92	2
A306	3	145	3
A307	2	94	2
A308	1	55	1
A309	3	143	3
A310	2	98	2
A311	2	110	3
A401	3	137	3
A402	2	99	2
A403	2	102	2
A404	1	56	1
A405	2	92	2
A406	3	145	3
A407	2	96	2
A408	3	141	3
A501	3	137	3
A502	2	99	2
A503	2	102	2
A504	1	56	1
A505	2	92	2
A506	3	145	3
A507	2	96	2
A508	3	141	3
A601	3	139	3
A602	2	100	2
A603	2	92	2
A604	3	145	3
A605	2	110	3
A701	3	139	3
A702	2	100	2
A703	2	92	2

A704	3	145	3
A705	2	110	3
A801	3	139	3
A802	2	100	2
A803	2	92	2
A804	3	145	3
A805	2	110	3
A901	3	173	3
A902	3	159	3
A903	3	173	3
A904	3	191	3

With respect to compliance, 12% of units comply with the DCP for Type 1 whilst 44% of units are Type 2 and the remaining 44% of units will be Type 3. In this regard, the proposal exceeds the Type 2 apartment size requirement by 14%.

The applicant has provided the following justification for the variation to apartment size:

Type 1
1 Bedroom = 50m² (8 units provided)
2 bedroom = 70m² (1 unit provided)
3 + bedroom = 95m² (0 unit provided)

Type 2
1 Bedroom = 65m² (0 unit provided)
2 bedroom = 90m² (34 units provided)
3 + bedroom = 120m² (0 unit provided)

Type 3
1 Bedroom = 75m² (0 unit provided)
2 bedroom = 110m² (7 units provided)
3 + bedroom = 135m² (27 units provided)

Council also requested the following to be addressed:

- *Type 1 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments*

  Comment: Yes, 12% of Type 1 units provided.

- *Type 2 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments*

  Comment: 44% of Type 2 units are provided. A minor variation is sought to this DCP control. The number of Type 2 apartments exceed the control by 14%. This should be supported by Council as the apartment mix within Building A3 is supporting larger apartment sizes, as demonstrated by combining Type 1 and Type 2 apartments not exceeding 60% of the apartment mix.

- *All remaining apartments are to comply with the Type 3 apartment sizes.*

  Comment: Yes, the proposal complies.

The departure to the apartment size is the result of the proposed development exceeding the type 2 apartment provision by 14%. It is considered that the exceedance is counter balanced by virtue of there being only 12% of type 1 apartments where 30% is

permitted. In this regard, the unit sizes proposed in the development are considerably larger on average than what is permitted through type 1 or within the RFDC. Furthermore, the combined type 1 and 2 apartments equate to 56% where the maximum combined by the DCP is 60%. The remaining 44% of units are type 3 which is 4% more than required. In this regard, the development provides larger apartment sizes which is commensurate with the objectives of the DCP to provide family orientated living with functional floor layouts.

The applicant has also justified the variation by relying upon the minimum apartment size requirements of the Residential Flat Design Code.

In this regard, SEPP 65 contains the following minimum apartment sizes:

1 bedroom unit – $50m^2$
2 bedroom unit – $70m^2$
3 bedroom unit – $95m^2$

It is also noted that Clause 30A of SEPP 65 '*Standards that cannot be used as grounds to refuse development consent for residential flat buildings'* states that apartment size cannot be a reason for refusal if the proposed area for each apartment is equal to, or greater than, the recommended internal area and external area for the relevant apartment type set out in Part 3 of the Residential Flat Design Code. The apartment sizes all exceed the minimum requirements of the SEPP.

The apartments are satisfactory in regard to the minimum unit sizes required by SEPP 65 and are designed to take advantage of views, solar access and cross ventilation. Additionally, a large proportion of units comprise a balcony area that exceeds the minimum area requirement of the DCP. The varied apartment designs will allow a range of choice for future residents.

Additionally, the applicant has indicated that a variation can be supported on the premise that the site exhibits the characteristics of a transit orientated development which typically includes a greater density of housing and a variety of sizes and configurations. Furthermore, the close proximity of the site to the future train station and employment opportunities within the Norwest Business Park supports higher density housing.

It should be acknowledged that the master plan consent foreshadowed variations to the DCP for apartment sizes and deferred further consideration of any proposed variation to the respective built form Development Applications.

On this basis, it is considered that the proposed apartment sizes are satisfactory given the efficiency of the layout, the attainment of solar access and natural ventilation.

2.7 Multi-Unit Housing Guidelines

i. Character of the Area
The development integrates with the future built form character of the surrounding area and is consistent with the preceding master plan for the subject site. The proposed development responds to the zone objective and is considered satisfactory with respect to the desired character of the area.

ii. Site Analysis and Design
The development has provided satisfactory private open space areas maximising solar access where possible. The dwellings therefore have been designed having regard to the contours and orientation of the site. The design of the buildings is considered satisfactory.

iii. Building Envelope and Siting
The massing of the built form provides a development which is considered appropriate to both surrounding properties and future residential character of the locality.

iv. Setbacks
The buildings are articulated to provide visual interest when viewed from all adjoining interfaces. The proposed setbacks in front of the building are sufficient to provide high quality landscaping to complement the building form and enhance the landscape character of Solent Circuit. The proposed setbacks are considered satisfactory as outlined previously in this report.

v. Building Height
The height of the buildings exceeds that permitted by the DCP and LEP however is consistent with the intended height limit of RL 116 which is a matter of consideration under a planning proposal. Nevertheless, the merits of a variation to the height limit is considered to be satisfactory as detailed previously in this report.

vi. Communal and Private Open Space
Private open space is provided to all dwellings and is located so as to be an extension of the living area of the dwelling either at ground level or by way of balconies.

vii. Landscaping
The proposal provides landscaping for the enjoyment of future residents. Council's Tree Management Section has reviewed the landscape plan, and has raised no objection, subject to conditions.

viii. On-Site Car Parking and Access
The proposed car parking is considered satisfactory as outlined previously within this report. Council's Subdivision Coordinator has reviewed the proposal and has no objection to the proposed access subject to conditions of consent.

ix. Solar Access
The proposed development ensures acceptable levels of solar access are provided to all private open space areas within the site and ensures that the proposed development does not result in adverse overshadowing for adjoining properties.

x. Resource, Energy and Water Efficiency
The development application was accompanied by a Basix Certificate meeting the thermal comfort, water and energy rating requirements.

xi. Security
The location of buildings and associated balconies provides an opportunity for informal surveillance to improve the safety of future residents. It is considered that there is a clear definition of spaces and transition areas. The design of the development encourages passive to publicly visible areas.

xii. Ecological Sustainable Design
The development will provide a high energy efficiency rating for each dwelling. The dwellings will be designed to provide good thermal efficiency and adequate cross-ventilation.

xiii. Building Design
The development provides a high level of amenity to future residents by means of the provision of private and common open space, and visual and acoustic privacy.

3 Internal Referral Comments

Subdivision Engineering Comments

The Development Application was referred to Council's Development Engineer to review the design of car parking, vehicular access points, stormwater management and civil road construction. No objections were raised to the proposed development subject to conditions of consent.

Waterways Comments

The Development Application was referred to Council's Waterways Section to review the MUSIC Modelling. No objections were raised to the proposed development subject to conditions of consent.

Forward Planning Comments

The Development Application was referred to Council's Forward Planner to review the previous master plan application, density, building height, and the through site link to Balmoral Road Release Area. No objection was raised to the proposal.

Traffic Management Comments

The Development Application was referred to Council's Traffic Engineer to review traffic generation and the design of the through site link. No objections were raised to the proposed development.

Tree Management Comments

The Development Application was referred to Council's Tree Management Officer has to review the landscape plan. No objections were raised subject to conditions of consent.

Ecology Comments

The Development Application was referred to Council's Biodiversity Officer has to review the landscape plan. No objections were raised subject to conditions of consent.

Environment and Health Comments

The Development Application was referred to Council's Environmental Health Officer to review land contamination and acoustic design. No objections were raised to the proposed development subject to conditions of consent.

Resource Recovery Comments

The Development Application was referred to Council's Resource Recovery Officer to review waste management. No objections were raised to the proposed development subject to conditions of consent.

Heritage Comments

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

Land Information Services Comments

The Development Application was referred to Council's Land Information Officer to review house numbering. No objections were raised subject to conditions of consent.

4 External Referral Comments

Police Comments

The proposal was referred to The Hills Local Area Command, NSW Police in accordance with the requirements of "Safer by Design Guidelines" prepared by the NSW Police in conjunction with the Department of Planning and the in accordance with the memorandum of understanding between the Hills Shire Council and The Hills Local Area Command, NSW Police.

Comments and recommendations from the NSW Police form part of the conditions of consent.

Office of Water Comments

The proposal is defined as 'Nominated Integrated Development' under the provisions of Section 91 of the Environmental Planning and Assessment Act, 1979. General Terms of Approval dated have been received from the Office of Water under the provisions of the Water Management Act 2000.

CONCLUSION

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

The proposal will provide additional housing choice for residents of the Shire. The external and internal design of the apartment buildings is satisfactory and will result in an appropriate streetscape outcome for the future character of the area.

The proposal was advertised and notified to adjoining property owners for a period of 30 days and no submissions were received.

The proposal is recommended for approval subject to conditions.

RECOMMENDATION

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

GENERAL MATTERS

1. Development in Accordance with Submitted Plans

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

REFERENCED PLANS AND DOCUMENTS

DRAWING NO.	DESCRIPTION	ISSUE	DATE
A01	Site Plan prepared by krikis taylor	13	23/09/2015

	architects		
A02	Site Analysis prepared by krikis taylor architects	13	23/09/2015
A03	Basement 3 prepared by krikis taylor architects	13	23/09/2015
A04	Basement 2 prepared by krikis taylor architects	13	23/09/2015
A05	Basement 1 prepared by krikis taylor architects	13	23/09/2015
A06	Lower Ground Floor Plan prepared by krikis taylor architects	13	23/09/2015
A07	Ground Level Floor Plan prepared by krikis taylor architects	13	23/09/2015
A08	Level 1 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A09	Level 2 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A10	Level 3 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A11	Level 4 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A12	Level 5 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A13	Level 6 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A14	Level 7 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A15	Level 8 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A16	Level 9 Floor Plan prepared by krikis taylor architects	13	23/09/2015
A17	Level 10 Floor Plan prepared by krikis taylor architect	13	23/09/2015
A18	Roof Plan prepared by krikis taylor architects	13	23/09/2015
A40	North Elevation prepared by krikis taylor architects	11	08/09/2015
A41	East Elevation prepared by krikis taylor architects	11	08/09/2015
A42	South Elevation prepared by krikis taylor architects	11	08/09/2015
A43	West Elevation prepared by krikis taylor architects	11	08/09/2015
A50	Site Section prepared by krikis taylor architects	11	08/09/2015

A51	East-West Cross Section prepared by krikis taylor architects	11	08/09/2015
A70	Materials Board prepared by krikis taylor architects	11	08/09/2015
A71	Perspectives prepared by krikis taylor architects	11	08/09/2015
A72	Perspectives prepared by krikis taylor architects	11	08/09/2015
100	Landscape Masterplan prepared by Site Image Landscape Architects	C	29/07/2015
101	Landscape Plan prepared by Site Image Landscape Architects	C	29/07/2015
501	Landscape Details prepared by Site Image Landscape Architects	C	29/07/2015
502	Indicative Plant Schedule prepared by Site Image Landscape Architects	C	29/07/2015

No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required.

2. Building Work to be in Accordance with BCA

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

3. Construction Certificate

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

4. Approved Plan

The subdivision must be carried out in accordance with the approved plan of subdivision prepared by Mark John Andrew Drawing Ref 150521 DSUB dated 3 September 2015 Issue 4 and other supporting documentation except where amended by other conditions of consent.

5. Provision of Parking Spaces

The development is required to be provided with 178 off-street car parking spaces. 125 spaces are to be allocated to residential parking, 31 spaces are to be allocated for residential visitors and 22 spaces are to be allocated to neighbourhood shops. These car parking spaces shall be available for off street parking at all times.

6. Separate application for signs

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

7. Compliance with NSW Office of Water Requirements

Compliance with the requirements of the Office of Water attached as Appendix (A) to this consent and dated 28 July 2015.

8. Compliance with NSW Police Requirements

The applicant shall consider the recommendations of the NSW Police as outlined below:

- Surveillance

It is not stated that any Close Circuit TV (CCTV) will be installed. CCTV is highly recommended at entry points into the car park, exit points and scattered thought out the car parks themselves.

Security access should be utilised at the entrance of the basement parking. This is highly recommended by use of fob, remote or code access. It is also recommended that a fob or wall-mounted pass code be used to exist the car park. This may stop or deter any persons of interests from stealing a vehicle within the car park and exiting the car park with ease. Police suggest CCTV cameras to cover entry and exits of the car park including fire doors as well as the areas where there is motor cycle parking.

- Lighting and Technical Supervision

  Police would also suggest the implementation of height indicator stickers on the entrance/exit doors. These used in conjunction with CCTV, can give police an indication of an offender's height as they enter or exit and in turn may assist in the identification of possible offenders.

- Territorial Reinforcement
- Environmental Maintenance
- Access Control

  Warning signs should be strategically posted around the building to warn intruders of what security treatments have been implemented to reduce opportunities for crime. EG. 'Warning, trespasser will be prosecuted.' Or Warning, these premises are under electronic surveillance

  Police recommend that all fire doors are alarmed so that no unauthorised access is permitted. A magnetic strip is also recommended so that the door will shut closed. Signage is recommended on all fire doors to show that doors are alarmed and to only be used in emergencies.

  Police recommend that the development avoid creating outer ledges capable of supporting hands/feet and balustrades should not provide anchor points for ropes. Also, for any fencing proposed for the development Police would recommend palings are placed vertically to stop unauthorised access by persons using horizontally placed palings as a ladder to access ground floor units. If spacing is left between each paling, it should be at a width that limits physical access.

9. Accessibility Requirements

The recommendations of the Statement of Compliance Access for People with a Disability and Report prepared by Accessible Building Solutions, dated 27 May 2015 and submitted as part of the Development Application are to be implemented as part of this approval.

10. Geotechnical Requirements

The recommendations of the Geotechnical Advice prepared by Geotechnique, dated 13 May 2015 and submitted as part of the Development Application are to be implemented as part of this approval.

11. Signalisation of Norwest Boulevard/Solent Circuit (East)

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

12. Planting Requirements

All trees, shrubs & groundcovers planted as part of the approved landscape plan are to be local provenance stock native to Cumberland Plain woodland and River flat eucalyptus forest.

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

The responsibility for property numbering is vested solely in Council.

Approved numbering is as follows:

Building A2 Units 1-51/38 Solent Circuit Baulkham Hills

Building A1 Units 52-99/38 Solent Circuit Baulkham Hills

Building A3 Units 100-181/ - Proposed Road, Baulkham Hills (see below)

Supplied Plan Numbering	Approved Numbering (to be applied)
Lower Ground Retail:	
Retail Unit No. 1	100
Retail Unit No. 2	101
Retail Unit No. 3	102
Retail Unit No. 4	103

Supplied Plan Numbering	Approved Numbering (to be applied)
Apartments	
Lower Ground	
ALG01	104
ALG02	105
ALG03	106
Ground	
AG01	107
AG02	108
AG03	109
AG04	110
AG05	111
AG06	112
AG07	113
AG08	114
Level 1	
A101	115
A102	116
A103	117
A104	118
A105	119
A106	120
A107	121
A108	122
A109	123
Level 2	
A201	124
A202	125
A203	126
A204	127
A205	128
A206	129
A207	130
A208	131
A209	132
A210	133

A211	**134**

Level 3

A301	**135**
A302	**136**
A303	**137**
A304	**138**
A305	**139**
A306	**140**
A307	**141**
A308	**142**
A309	**143**
A310	**144**
A311	**145**

Level 4

A401	**146**
A402	**147**
A403	**148**
A404	**149**
A405	**150**
A406	**151**
A407	**152**
A408	**153**

Level 5

A501	**154**
A502	**155**
A503	**156**
A504	**157**
A505	**158**
A506	**159**
A507	**160**
A508	**161**

Level 6

A601	**162**
A602	**163**
A603	**164**
A604	**165**
A605	**166**

Level 7

A701	**167**
A702	**168**
A703	**169**
A704	**170**
A705	**171**
A706	**172**

Level 8

A801	**173**
A802	**174**
A803	**175**
A804	**176**
A805	**177**

Level 9

A901	**178**
A902	**179**
A903	**180**
A904	**181**

Approved Unit numbering for A1-A2 is as per Drawing Number DA801 dated 24 November 2014. Building A3 is to commence from unit 100 and be numbered in conjunction with previous numbering of Buildings A1 & A2 as the whole development has shared open areas and walkways.

A Street number will be issued to the proposed road when road name is approved. Unit numbers, unless otherwise approved by Council in writing, are to be displayed clearly on all door entrances.

Clear and accurate external directional signage is to be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors, lift and lobby entry doors. It is essential that all numbering signage throughout the complex is clear to assist emergency service providers locate a destination with ease and speed.

14. Acoustic Requirements

The recommendations of Acoustic Logic's *'Norwest Town Centre – Building A3, The Greens DA Acoustic Assessment'* project number 20150602.1 document reference 20150602.1/2005A/R1/JD dated 20 May 2015 submitted as part of the Development Application are to be implemented as part of this approval. In particular: section 6 recommendations and section 7 mechanical plant noise emission from the project site.

15. Adherence to Waste Management Plan

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

16. Management of Construction and/ or Demolition Waste

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

17. Surplus Excavated Material

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

18. Commencement of Domestic Waste Service

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

19. Construction of Separate Waste Storage Areas

The building(s) must incorporate separate waste storage areas constructed in accordance with Council's 'Bin Storage Facility Design Specifications', to facilitate the separation of commercial waste and recycling from residential waste and recycling. Storage facility for the residential component of the development must be provided for a minimum number of 16 x 660l bulk garbage bins and 44 x 240l recycling bins. Storage for the commercial component must be provided for a minimum number of 3 x 660l bins. A copy of the specifications is available at **www.thehills.nsw.gov.au**

20. Construction Certificate

Before any works are carried out a Construction Certificate must be obtained. The plans and accompanying information submitted with the Construction Certificate must comply with the conditions included with this consent.

21. Subdivision Certificate Pre-Lodgement Meeting/ Check

Prior to the submission of a Subdivision Certificate application a draft copy of the final plan, administration sheet and Section 88B instrument (where included) must be submitted in order to establish that all conditions have been complied with.

Street addresses for the lots within this subdivision will be allocated as part of this preliminary check process, for inclusion on the administration sheet.

22. Proposed Street Naming

A written application for street naming must be submitted to Council for approval, along with the applicable fee as per Council's Schedule of Fees and Charges. The street names proposed must comply with requirements of the NSW Geographical Names Board and Council.

The application must nominate three suggested names per street, in order of preference, and the source of the names proposed.

23. Street Trees

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

The establishment of street tree planting is included in the maintenance bond required to be paid. Alternatively, street trees can be planted by Council subject to payment of the applicable fee as per Council's Schedule of Fees and Charges.

24. Water Sensitive Urban Design Handover Process

An operations and maintenance plan must be prepared for all WSUD proposals. The operations and maintenance plan must include:

a) The location and type of each WSUD element, including details of its operation and design;

b) A brief description of the catchment characteristics, such as land uses, areas etc;

c) Estimated pollutant types, loads and indicative sources;

d) Intended maintenance responsibility, Council, landowner etc;

e) Inspection method and estimated frequency;

f) Adopted design cleaning/ maintenance frequency;

g) Estimate life-cycle costs;

h) Site access details, including confirmation of legal access, access limitations etc;

i) Access details for WSUD measure, such as covers, locks, traffic control requirements etc;

j) Description of optimum cleaning method and alternatives, including equipment and personnel requirements;

k) Landscape and weed control requirements, noting that intensive initial planting is required upfront to reduce the requirement for active weed removal;

l) A work method statement;

m) A standard inspection and cleaning form.

All constructed WSUD elements within public areas, being roads or drainage reserves, are to be transferred to Council at the end of the project. The following is required in order to facilitate this handover process:

n) The developer will be responsible for the maintenance of the item for a defined maintenance period agreed to by Council. For example, the consultation draft document entitled Managing Urban Stormwater: Urban Design prepared by the SMCMA and the then NSW DECCW suggests that the developer maintain WSUD elements within a subdivision until a given proportion of the dwellings on the lots created, say 80%, are erected and occupied.

o) The operations and maintenance plan for this element (above) is submitted to Council for review/ revision and subsequent approval.

p) Council staff inspects the WSUD measure to confirm that it is being maintained in accordance with the approved maintenance plan.

q) A whole of life assessment is provided for the WSUD measure which is based upon the expenses incurred during the maintenance period, and documentation is provided to confirm these expenses.

r) WAE drawings and any required engineering certifications are provided to Council.

s) Where water quality monitoring has been determined by Council as being required, monitoring results must be submitted to Council for review.

t) Details of all incidents including OHS incidents, public safety, WSUD performance and complaints received should be provided.

If Council determines that the WSUD measure is not complying with the conditions of this approval or monitoring identifies that it is not performing as anticipated, Council may request that alterations be made to the WSUD element prior to transfer.

For the purposes of complying with the above a WSUD treatment system is considered to include all functional elements of the system as well as any landscaped areas directly surrounding the system.

25. Separate Application for Strata Subdivision

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

26. Protection of Public Infrastructure

Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public

infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site.

27. Vehicular Access and Parking

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

a) AS/ NZS 2890.1

b) AS/ NZS 2890.6

c) AS 2890.2

d) Council's DCP Part C Section 1 – Parking

e) Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

i. All driveways and car parking areas must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.

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

iii. All driveways and car parking areas must be concrete or bitumen. The design must consider the largest design service vehicle expected to enter the site. In rural areas, all driveways and car parking areas must provide for a formed all weather finish.

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

28. External Finishes

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

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

29. Approved Plans to be Submitted to Sydney Water

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

Please telephone 13 20 92 or refer to the website www.sydneywater.com.au for:

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

and

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

30. Section 94 Contribution

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

Payments comprise of the following:-

	1br per Unit	*2br per Unit*	*3br per Unit*	*1 Bedroom: 8*	*2 Bedroom: 42*	*3 Bedroom: 27*	*Total Section 94*
Open Space - Land	$ 3,553.01	$ 5,739.47	$ 7,379.32	$ 28,424.08	$ 241,057.74	$ 199,241.64	$ 468,723.46
Open Space - Capital	$ 1,461.34	$ 2,360.62	$ 3,035.08	$ 11,690.72	$ 99,146.04	$ 81,947.16	$ 192,783.92
Community Facilities - Land	$ 76.56	$ 123.68	$ 159.02	$ 612.48	$ 5,194.56	$ 4,293.54	$ 10,100.58
Community Facilities - Capital	$ 662.84	$ 1,070.75	$ 1,376.67	$ 5,302.72	$ 44,971.50	$ 37,170.09	$ 87,444.31
Studies and Administration	$ 101.93	$ 164.65	$ 211.70	$ 815.44	$ 6,915.30	$ 5,715.90	$ 13,446.64
Roadworks - Land	$ 585.41	$ 945.66	$ 1,215.85	$ 4,683.28	$ 39,717.72	$ 32,827.95	$ 77,228.95
Roadworks - Capital	$ 1,391.80	$ 2,248.29	$ 2,890.66	$ 11,134.40	$ 94,428.18	$ 78,047.82	$ 183,610.40
Total	$ 7,832.89	$ 12,653.12	$ 16,268.30	$ 62,663.12	$ 531,431.04	$ 439,244.10	$ 1,033,338.26

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

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

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

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

31. Protection of Internal Noise Levels (Residential Unit Development)

An acoustic statement is required to be submitted to Council's Manager - Environment and Health prior to the issue of a construction certificate certifying that the design of the development on the construction plans ensures the following noise levels will be achieved:

- 35 dB (A) in any bedroom between 10pm and 7am.
- 40dB (A) anywhere else (other than garage, kitchen, bathroom and hallway) at any time.

In particular the acoustic statement shall detail that all recommendations contained within Acoustic Logic's *'Norwest Town Centre – Building A3, The Greens DA Acoustic Assessment'* project number 20150602.1 document reference 20150602.1/2005A/R1/JD dated 20 May 2015 have been included in the construction plans of the development.

The acoustic statement is also to address the recommendations made in section 7 of the abovementioned report; mechanical plant noise emission from the project site. Specific detail regarding the mechanical plant is to be provided on the construction plans and how the project specific noise criteria can be achieved.

A written response will be provided by Council's Manager – Environment and Health in response to the submission of the above prior to the issuing of the construction certificate.

32. Erosion & Sediment Control Plan

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

a) Allotment boundaries

b) Location of the adjoining roads

c) Contours

d) Existing vegetation

e) Existing site drainage

f) Critical natural areas

g) Location of stockpiles

h) Erosion control practices

i) Sediment control practices

j) Outline of a maintenance program for the erosion and sediment controls

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

33. Internal Pavement Structural Design Certification

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

34. Security Bond Requirements

A security bond may be submitted in lieu of a cash bond. The security bond must:

a) Be in favour of The Hills Shire Council;

b) Be issued by a financial institution or other accredited underwriter approved by, and in a format acceptable to, Council (for example, a bank guarantee or unconditional insurance undertaking);

c) Have no expiry date;

d) Reference the development application, condition and matter to which it relates;

e) Be equal to the amount required to be paid in accordance with the relevant condition;

f) Be itemised, if a single security bond is used for multiple items.

Should Council need to uplift the security bond, notice in writing will be forwarded to the applicant 14 days prior.

35. Referral to Endeavour Energy

Prior to the issue of a construction certificate the works are to be referred to Endeavour Energy to ensure that the propose construction is congruent with the undergrounded infrastructure cables.

36. Sediment and Erosion Control Plan

A sediment and erosion control plan prepared in accordance with Council's Works Specification Subdivision/ Developments must be submitted. The plan must include:

a) Allotment boundaries;

b) Adjoining roads;

c) Contours;

d) Existing vegetation;

e) Existing site drainage;

f) Critical natural areas;

g) Location of stockpiles;

h) Erosion control practices;

i) Sediment control practices; and

j) A maintenance program for the erosion and sediment controls.

37. Stormwater Pump/ Basement Car Park Requirements

The stormwater pump-out system must be designed and constructed in accordance with AS/ NZS 3500.3:2015 - Plumbing and Drainage - Stormwater drainage. The system must be connected to the Onsite Stormwater Detention system before runoff is discharged to the street (or other point of legal discharge) along with the remaining site runoff, under gravity. All plans, calculations, hydraulic details and manufacturer

specifications for the pump must be submitted with certification from the designer confirming compliance with the above requirements.

38. Security Bond – Road Pavement and Public Asset Protection

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, a security bond of $89,250 is required to be submitted to Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction works. The above amount is calculated at the rate of $85.00 per square metre based on the road frontage of the subject site plus an additional 50m on either side (150m) multiplied by the width of the road (7m).

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

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

39. Engineering Works and Design

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

a) Council's Design Guidelines Subdivisions/ Developments

b) Council's Works Specifications Subdivisions/ Developments

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

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

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

   a) A completed application form.

   b) An electronic copy of the design plans and accompanying documentation.

   c) Payment of the applicable application and inspection fees.

   d) Payment of any required security bonds.

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

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

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

   This certification must be included with the documentation approved as part of any Construction Certificate. The designer of the engineering works must be qualified, experienced and have speciality knowledge in the relevant field of work.

The following engineering works are required:

i. Full Width Road Construction

The full width construction of the roads listed below is required, including footpath paving and other ancillary work to make this construction effective:

Road Name:	Formation: (Footpath/ Carriageway/ Footpath) (m)
Proposed Access Road	Road Type: DCP Access Street 3.5m/ 8.5m/ 3.5m (15.5m Total) Pavement Design: Access/ Local (Design Guidelines Section 3.12)

The design must incorporate a standard kerb return radius of 7.5m based on a 4m splay corner unless otherwise directed by Council.

ii. Temporary Turning Heads

A temporary cul-de-sac turning head must be provided at the end of all roads that will be extended into adjoining properties if/ when they are developed. The cul-de-sac must have a diameter of 19m measured from the edge pavement.

A temporary turning head is required at the end of the Access Road.

iii. Street Names Signs

Street name signs and posts are required in accordance with the above documents and Council's Standard Drawing 37. Details for all signage and line-marking must be submitted to Council for checking prior to works commencing.

iv. Footpath Verge Formation

The grading, trimming, topsoiling and turfing of the footpath verge fronting the development site is required to ensure a gradient between 2% and 4% falling from the boundary to the top of kerb is provided. This work must include the construction of any retaining walls necessary to ensure complying grades within the footpath verge area. All retaining walls and associated footings must be contained wholly within the subject site. Any necessary adjustment or relocation of services is also required, to the requirements of the relevant service authority. All service pits and lids must match the finished surface level.

v. Concrete Footpath

A 1.2m wide concrete footpath, including access ramps at all intersections, must be provided on one side of the new road in accordance with the DCP and the above documents.

vi. Gutter Crossings

Gutter crossings to each of the proposed new lots are required.

vii. Disused Layback/ Driveway Removal

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

viii. Service Conduits

Service conduits to each of the proposed new lots, laid in strict accordance with the relevant service authority's requirements, are required. Services must be shown on the engineering drawings.

ix. Earthworks/ Site Regrading

Earthworks are limited to that shown on the approved plans. Where earthworks are not shown on the approved plan the topsoil within lots must not be disturbed.

x. Water Sensitive Urban Design Elements

Water sensitive urban design elements, consisting of gross pollutant tanks, stormfilters, enviropods and rainwater tanks, are to be located generally in accordance with the plans and information submitted with the application.

Detailed plans for the water sensitive urban design elements must be submitted for approval. The detailed plans must be suitable for construction, and include detailed and representative longitudinal and cross sections of the proposed infrastructure. The design must be accompanied, informed and supported by detailed water quality and quantity modelling. The modelling must demonstrate a reduction in annual average pollution export loads from the development site in line with the following environmental targets:

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

All model parameters and data outputs are to be provided.

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

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

PRIOR TO WORK COMMENCING ON THE SITE

40. Erosion and Sedimentation Controls

Erosion and sedimentation controls shall be in place prior to the commencement of site works and maintained throughout construction activities, until the site is landscaped and/or suitably revegetated. These requirements shall be in accordance with *Managing Urban Stormwater – Soils and Construction (Blue Book)* produced by the NSW Department of Housing.

This will include, but not be limited to a stabilised access point and appropriately locating stockpiles of topsoil, sand, aggregate or other material capable of being moved by water being stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

41. Erosion & Sediment Control Plan Kept on Site

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

42. Traffic Control Plan

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

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

43. Erection of Signage – Supervision of Work

In accordance with Clause 98A(2) of the Environmental Planning and Assessment Regulations 2000, a sign is to be erected in a prominent position displaying the following information:

a) The name, address and telephone number of the Principal Certifying Authority;

b) The name and telephone number (including after hours) of the person responsible for carrying out the works;

c) That unauthorised entry to the work site is prohibited.

This signage must be maintained while the subdivision work is being carried out and must be removed upon completion.

44. Contractors Details

In accordance with Section 109E(3) of the Environmental Planning and Assessment Act 1979, the contractor carrying out the subdivision works must have a current public liability insurance policy with an indemnity limit of not less than $10,000,000.00. The policy must indemnify Council from all claims arising from the execution of the works. A copy of this insurance must be submitted to Council prior to works commencing.

45. Sediment and Erosion Control

The approved sediment and erosion control measures, including a stabilised all weather access point, must be in place prior to works commencing and maintained during construction and until the site is stabilised to ensure their effectiveness. For major works, these measures must be maintained for a minimum period of six months following the completion of all works.

46. Service Authority Consultation – Subdivision Works

Before subdivision works commence:

a) Documentary evidence must be submitted confirming that satisfactory arrangements have been made for the relocation, undergrounding and/ or provision of electrical services for the non-residue lots created by the subdivision.

b) Documentary evidence, including a notice of requirements from Sydney Water, must be submitted confirming that satisfactory arrangements have been made for the provision of water and sewerage facilities.

c) Consultation with the relevant telecommunications provider authorised under the Telecommunications Act regarding the installation of telephone conduits is required. The design and construction of these works must comply with current NBN standards, where applicable.

47. Public Infrastructure Inventory Report

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

a) Planned construction access and delivery routes; and

b) Dated photographic evidence of the condition of all public assets.

48. Management of Building Sites – Builder's Details

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

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

49. Consultation with Service Authorities

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

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

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

50. Principal Certifying Authority

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

51. Approved Temporary Closet

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

52. Erosion and Sedimentation Controls

Erosion and sedimentation controls shall be in place prior to the commencement of site works; and maintained throughout construction activities until the site is landscaped and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

53. Stabilised Access Point

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

54. Builder and PCA Details Required

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

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

DURING CONSTRUCTION

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

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

Details of noise mitigation measures and likely duration of the activity will also be required to be submitted to Council's Manager – Environment and Health within seven (7) days of receiving notice from Council.

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

The report is to be submitted to Council's Manager – Environment and Health for review prior to works recommencing on site.

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

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

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

60. Critical Stage Inspections – Subdivision/ Civil Works
The subdivision/ civil works must be inspected by Council in accordance with the schedule included in Council's Works Specification Subdivisions/ Developments. A minimum of 24 hour's notice is required for inspections. No works are to commence until the first inspection has been carried out.

61. Subdivision Earthworks – Lot Topsoil
Where earthworks are not shown on the engineering drawings, the topsoil within lots must not be disturbed. Where earthworks are shown, a 150mm deep layer of topsoil must be provided, suitably compacted and stabilised in accordance with Council's Works Specification Subdivisions/ Developments.

62. Aboriginal Archaeological Sites or Relics
If, during activities involving earthworks and soil disturbance, any evidence of an Aboriginal archaeological site or relic is found, all works on the site are to cease and the NSW Office of Environment and Heritage must be notified immediately.

63. National Parks and Wildlife Act 1974
Should any artefacts be uncovered in the course of any works, all works should cease and comply with Part 6 of the National Parks and Wildlife Act 1974, in particular Section 90 regarding permits to destroy.

64. European Sites or Relics
If, during the earthworks, any evidence of a European archaeological site or relic is found, all works on the site are to cease and the NSW Office of Environment and Heritage must be contacted immediately. All relics are to be retained in situ unless otherwise directed by the NSW Office of Environment and Heritage.

65. Working Hours
All work must be restricted to between the hours of 7.00am and 5.00pm, Monday to Saturday. No work can occur outside the hours specified above on Sundays or public holidays. The contractor must instruct sub-contractors regarding the hours of work.

66. Hours of Work
Work on the project to be limited to the following hours: -

Monday to Saturday - 7.00am to 5.00pm;

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

The builder/contractor shall be responsible to instruct and control sub-contractors regarding the hours of work.

67. Survey Report
Survey Certificate to be submitted to the Principal Certifying Authority at footings and/or formwork stage. The certificate shall indicate the location of the building in relation to all boundaries, and shall confirm the floor level prior to any work proceeding on the building.

68. Compliance with BASIX Certificate
Under clause 97A of the Environmental Planning and Assessment Regulation 2000, it is a condition of this Development Consent that all commitments listed in BASIX Certificate No. 634065M be complied with. Any subsequent version of this BASIX Certificate will supersede all previous versions of the certificate.

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

69. Compliance with Critical Stage Inspections and Other Inspections Nominated by the Principal Certifying Authority
Section 109E(3)(d) of the Act requires certain specific inspections (prescribed by Clause 162A of the Regulations) and known as "Critical Stage Inspections" to be carried out for building work. Prior to permitting commencement of the work, your Principal Certifying Authority is required to give notice of these inspections pursuant to Clause 103A of the Regulations.

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

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

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

PRIOR TO ISSUE OF AN OCCUPATION AND/OR SUBDIVISION CERTIFICATE

70. Landscaping Prior to Issue of Occupation Certificate

Landscaping of the site shall be carried out prior to issue of the Final Occupation Certificate (within each stage if applicable) in accordance with the approved plan.

71. Acoustic Compliance Report

The acoustic consultant shall progressively inspect the installation of the required noise suppressant components as recommended in report Acoustic Logic *'Norwest Town Centre – Building A3, The Greens DA Acoustic Assessment'* project number 20150602.1, document reference 20150602.1/2005A/R1/JD dated 20 May 2015 and any other acoustic report or statement approved by Council's Manager – Environment and Health. Certification is to be provided to Council's Manager – Environment and Health that project specific noise criteria has been met as well as the site specific internal noise requirements for residential developments.

72. Internal Pavement Construction

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

73. Final Inspection of Waste Storage Area(s)

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

74. Agreement for Onsite Waste Collection

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

75. Completion of Subdivision Works

A Subdivision Certificate cannot be issued prior to the completion of all subdivision works covered by this consent.

76. Works as Executed Plans

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

The plans must be accompanied by pavement density results, pavement certification, concrete core test results, site fill results, structural certification, CCTV recording, signage details and a public asset creation summary, where relevant.

77. Performance/ Maintenance Security Bond

A performance/ maintenance bond of 5% of the total cost of the subdivision works is required to be submitted to Council. The bond will be held for a minimum defect liability period of six months from the certified date of completion of the subdivision works. The minimum bond amount is $5,000.00. The bond is refundable upon written application to Council and is subject to a final inspection.

78. Confirmation of Pipe Locations

A letter from a registered surveyor must be provided with the WAE plans certifying that all pipes and drainage structures are located within the proposed drainage easements.

79. Section 73 Compliance Certificate

A Section 73 Compliance Certificate issued under the Sydney Water Act 1994 must be obtained from Sydney Water confirming satisfactory arrangements have been made for the provision of water and sewer services. Application must be made through an authorised Water Servicing Coordinator. The certificate must refer to this development consent and all of the lots created.

Sydney Water's guidelines provide for assumed concurrence for the strata subdivision of a development approved by an earlier consent covered by a compliance certificate.

80. Provision of Electrical Services

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

81. Provision of Telecommunication Services

Submission of a telecommunications infrastructure provisioning confirmation certificate issued by the relevant telecommunications provider authorised under the Telecommunications Act, or a design compliance certificate and an as-built compliance certificate from the company engaged to design and construct the pit and pipe infrastructure, confirming satisfactory arrangements have been made for the provision, or relocation, of telecommunication services including telecommunications cables and associated infrastructure. This must include the under-grounding of the existing telecommunication services fronting the site and removal of all redundant poles and cables, unless otherwise approved by Council in writing. The certificate must refer to this development consent and all of the lots created.

82. Subdivision Certificate Application

When submitted, the Subdivision Certificate application must include:

a) Three copies of the final plan.

b) The original administration sheet and Section 88B instrument, along with one copy of each.

c) All certificates and supplementary information required by this consent.

d) An AutoCAD copy of final plan (GDA 1994 MGA94 Zone56).

83. Site/Lot Classification Report

A site/lot classification report prepared by a suitably qualified geotechnical engineer must be prepared and submitted following the completion of all subdivision works confirming that all residential lots are compliant with AS 2870 and are suitable for development. The report must be accompanied by a table which summarises the classification of all lots created as part of the subdivision.

84. Stormwater CCTV Recording

All piped stormwater drainage systems and ancillary structures which will become public assets must be inspected by CCTV. A copy of the actual recording must be submitted electronically for checking.

85. Public Asset Creation Summary

A public asset creation summary must be submitted with the WAE plans. A template is available on Council's website.

86. Release of Subdivision Certificate

A Subdivision Certificate cannot be issued for this subdivision before the Occupation Certificate for the residential flat building which is part of the subject consent has been released.

87. Final Plan and 88B Instrument

The final plan and Section 88B Instrument must provide for the following. Council's standard recitals must be used.

i. Dedication – New Road

The dedication of the proposed public roads must be included on the final plan in accordance with the undertaking submitted relating to dedication.

ii. Easement – Temporary Public Access

A temporary public access easement must be created over the temporary cul-de-sac turning head using the "temporary public access easement" terms included in the standard recitals, where the turning head formation is outside the road reserve.

iii. Restriction – Rainwater Tanks

All residential lots must be burdened with a restriction using the "rainwater tanks" terms included in the standard recitals.

iv. Restriction/ Positive Covenant – Water Sensitive Urban Design

Lot 2106 must be burdened with a restriction and a positive covenant that refers to the WSUD elements referred to earlier in this consent using the "water sensitive urban design elements" terms included in the standard recitals.

v. Positive Covenant – Stormwater Pump

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

vi. Restriction – Neighbourhood Shops

The subject site must be burdened with a restriction to ensure that the four ground floor tenancies identified on the approved plans are occupied and used for 'Neighbourhood Shops' in accordance with the Hills Local Environmental Plan 2012.

88. Security Bond – Temporary Turning Head

A $20,000.00 security bond must be provided in order to guarantee the maintenance and subsequent removal of the temporary cul-de-sac turning head. The bond is refundable upon written application to Council and is subject to a final inspection. If Council is required to maintain or remove the temporary cul-de-sac turning head these costs will be deducted from the security bond. If these costs exceed the value of the bond Council will issue an invoice for the recovery of the outstanding amount.

This bond is not required if the temporary cul-de-sac turning head is not required to be constructed.

89. Completion of Engineering Works

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

90. Public Infrastructure Inventory Report - Post Construction

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

91. Pump System Certification

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

92. Water Sensitive Urban Design Certification

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

a) WAE drawings and any required engineering certifications;

b) Records of inspections;

c) An approved operations and maintenance plan; and

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

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

THE USE OF THE SITE

93. Final Acoustic Report

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

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

94. Lighting

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

95. Offensive Noise - Acoustic Report

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

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

96. Waste and Recycling Management

To ensure the adequate storage and collection of waste from the occupation or use of the premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area, which includes provision for the storage of all waste generated on the premises between collections. Arrangement must be in place in all areas of the development for the separation of recyclable materials from garbage. All waste storage areas must be screened from view from any adjoining residential property or public place. Ideally waste storage containers should be kept inside the unit(s) and under no circumstances should waste storage containers be stored in locations that restrict access to any of the car parking spaces provided onsite.

97. Waste and Recycling Collection

All waste generated onsite must be removed at regular intervals and not less frequent than once weekly for garbage and once fortnightly for recycling. The collection of waste and recycling must not cause nuisance or interfere with the amenity of the surrounding area. Garbage and recycling must not be placed on public property for collection without the formal approval of Council. Waste collection vehicles servicing the development are not permitted to reverse in or out of the site.

98. Waste and Recycling Collection

A caretaker must be engaged by the Owners Corporation to move all bins to and from the waste storage areas and the collection point on the allocated days of collection as

determined by Council. All waste servicing instructions from Council must be complied with at all times. Caretakers should also be responsible for washing bins and the waste storage areas and arranging for the prompt removal of dumped rubbish. Appropriate signage is available upon request.

99. Maintenance of Landscaping Works

The landscaping works, associated plantings and construction of retaining walls are to be effectively maintained at all times and throughout the life of the development.

APPENDIX A

Department of Primary Industries
Water

Contact: Nicole Hely
Phone: 02 8838 7546
Fax: 02 8838 7554
Email: nicole.hely@dpi.nsw.gov.au

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

Our ref: 10 ERM2015/0529
Your Ref: DA2015/1560/JP

Attention: James McBride

28 July 2015

Dear Sir/Madam

Re: Proposed Development / Controlled Activity Approval
38 Solent Circuit Baulkham Hills – A twelve Storey Residential Flat Building containing 77 units

Reference is made to your request for a response in relation to the proposed development described as 38 Solent Circuit Baulkham Hills and also identified as DA 1560/2015/JP.

The Department of Primary Industries, Water advises that, in addition to requiring development consent, parts of the development that intercept or extract groundwater might also require an authorisation under the *Water Management Act 2000*. The information requirements for such an authorisation are explicitly detailed in the *NSW Aquifer Interference Policy*—including the need for the applicant to provide calculations of the volumes likely to be extracted. As defined in that policy, such requirements apply to activities interfering with *all aquifers*, including low yielding and saline groundwater systems.

General Terms of Approval appropriate for the proposed development as it has been reported are provided in the attachment.

Please direct all related correspondence to the following address.

Water Regulation Group - South
NSW DPI Water
Locked Bad 5123
Parramatta NSW 2124

BATCH NO:
TIME:

31 JUL 2015

THE HILLS SHIRE COUNCIL

Yours sincerely

Nicole Hely
Water Regulatory Officer
Water Regulatory Operations, Water Regulatory Operations South
NSW Department of Primary Industries – Water

Indicative General Terms of Approval:

General

1. If for any reason the take of groundwater during construction or occupation is expected to exceed 3 ML in a 12 month period, then an authorisation is to be obtained from DPI Water to permit the activity.
2. Construction methods and materials used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of groundwater.

Ongoing monitoring

3. Monitoring (measurement and recording) of discharge volumes arising from groundwater extraction must be undertaken on a monthly basis for the life of the building using a method compliant with the NSW Water Extraction Monitoring Policy (e.g. pumping diary, pump revolution meter, operating hour meter, electricity meter or flow meter).

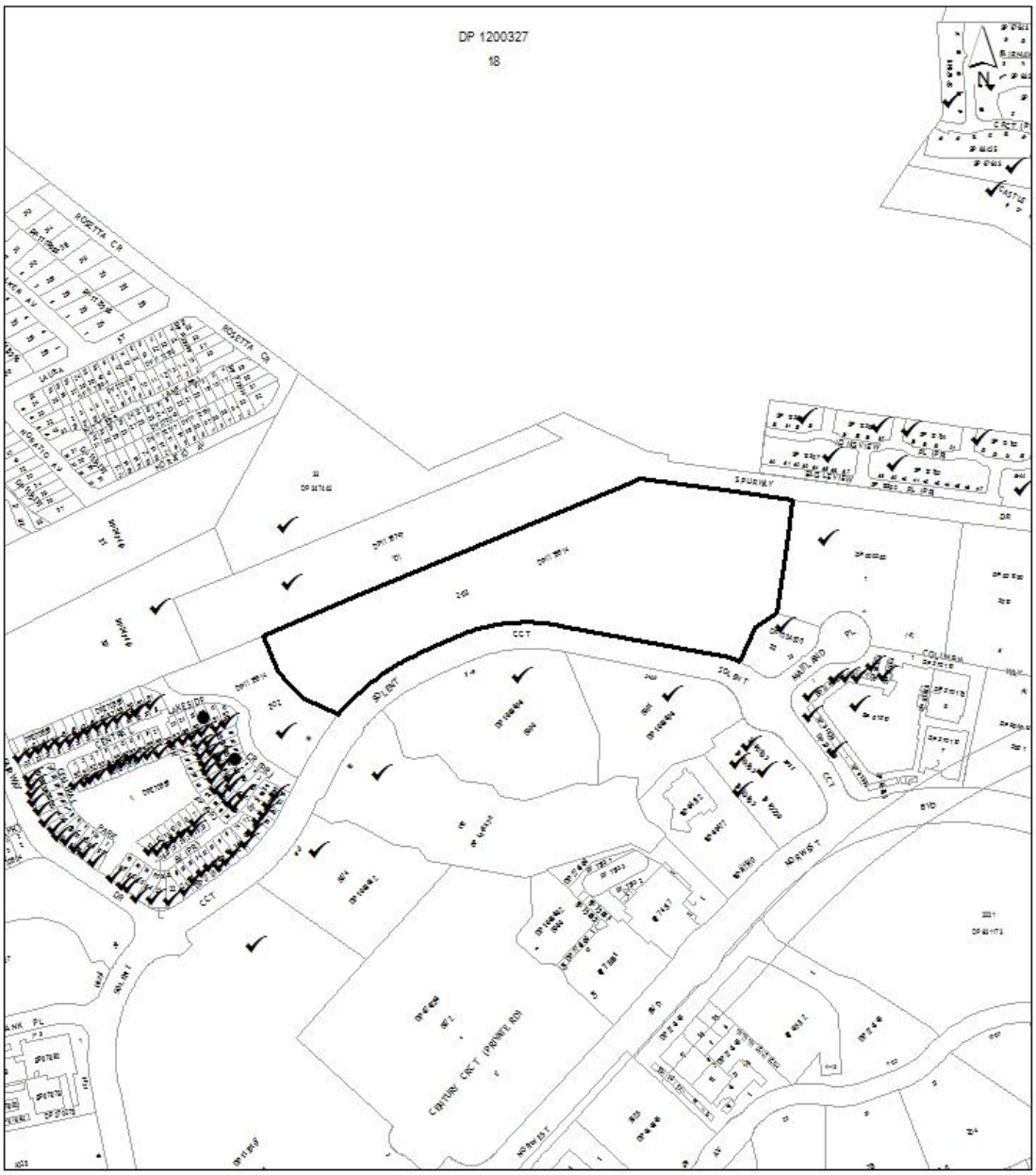
   Note: The design of the drainage system to isolate groundwater inflows from other sources is the responsibility of the proponent of the development (i.e. the developer).
4. All monitoring records are to be maintained by the building management for the life of the development to demonstrate the actual take of groundwater is consistent with the volumes anticipated in the design of the project.

   Note: Where sump pumps have not been operated during the calendar month this must nevertheless be identified in the monitoring record (e.g. as a 'nil' entry).
5. A copy of the written permission from the relevant controlling authority for the selected method of disposal of any pumped groundwater shall be retained by building management with the monitoring records.

ATTACHMENTS

1. Locality Plan
2. Aerial Photograph
3. Zoning Map
4. Site in Context of Revised Master Plan
5. Site Plan
6. Elevations
7. Section Plan
8. Shadow Diagram
9. Materials Board
10. Perspectives
11. Landscape Plan

ATTACHMENT 1 – LOCALITY PLAN



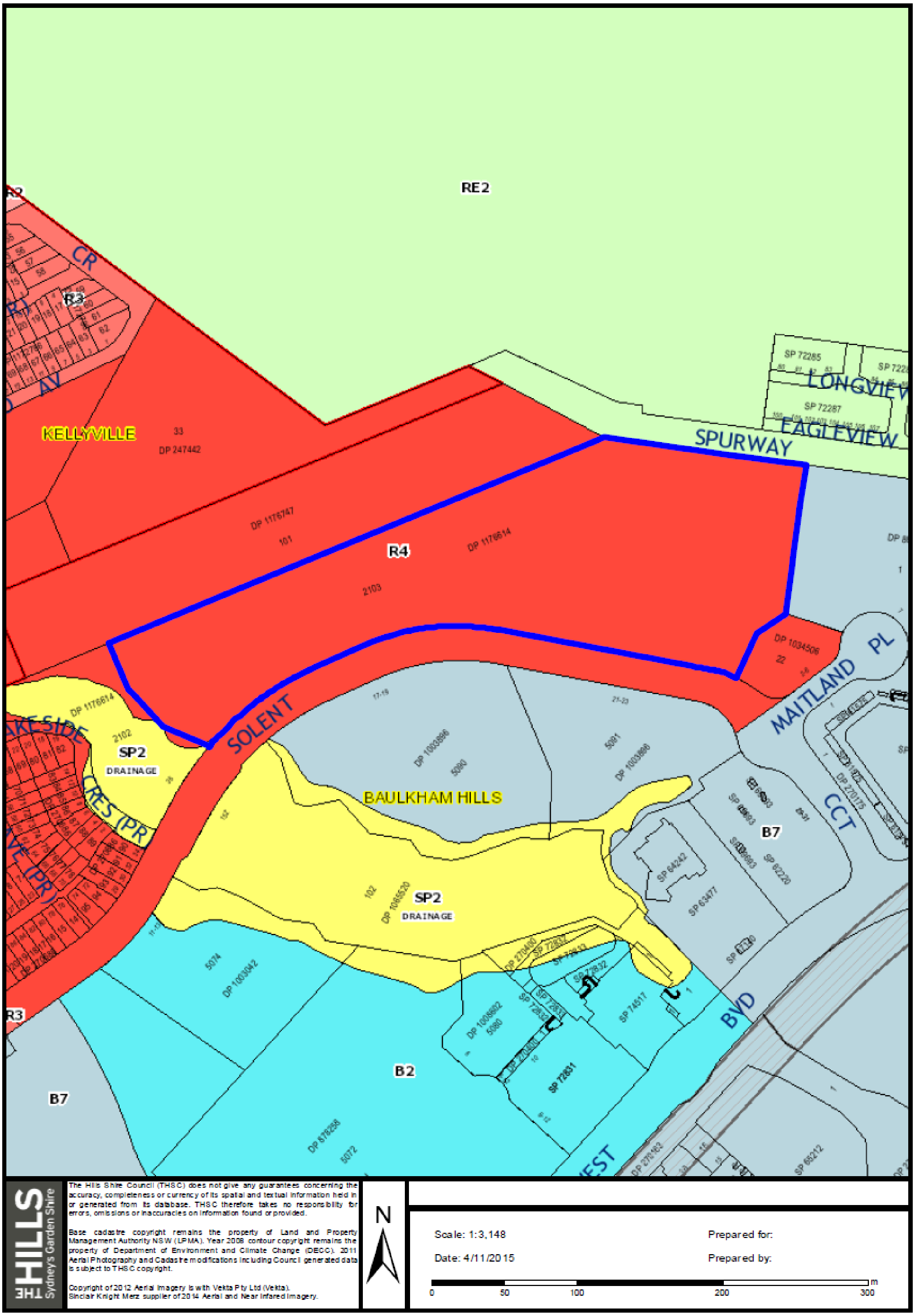
SUBJECT SITE

✓ PROPERTIES NOTIFIED

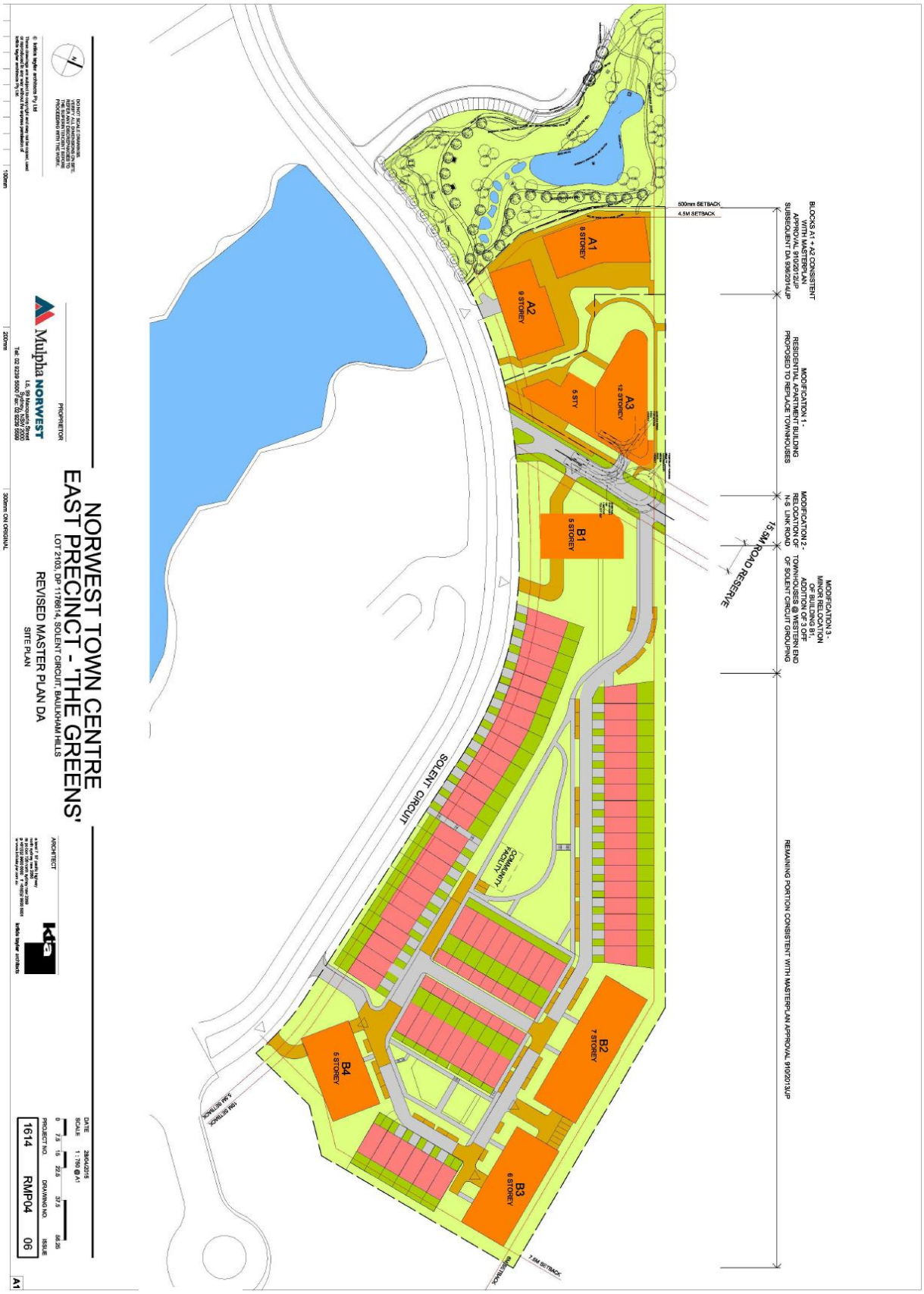
THE HILLS Sydney's Garden Shire

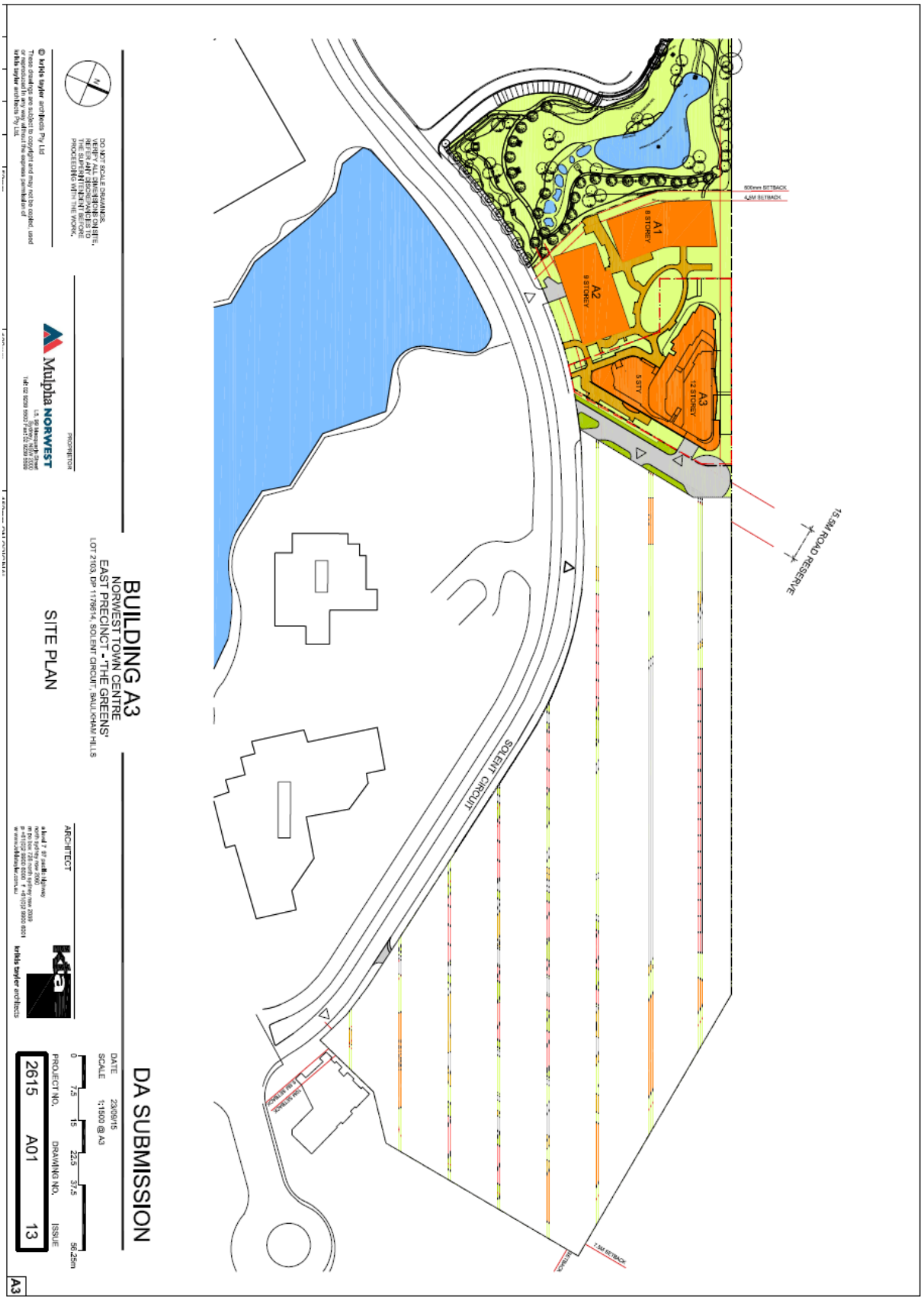
THE HILLS SHIRE COUNCIL

ATTACHMENT 2 – AERIAL PHOTOGRAPH

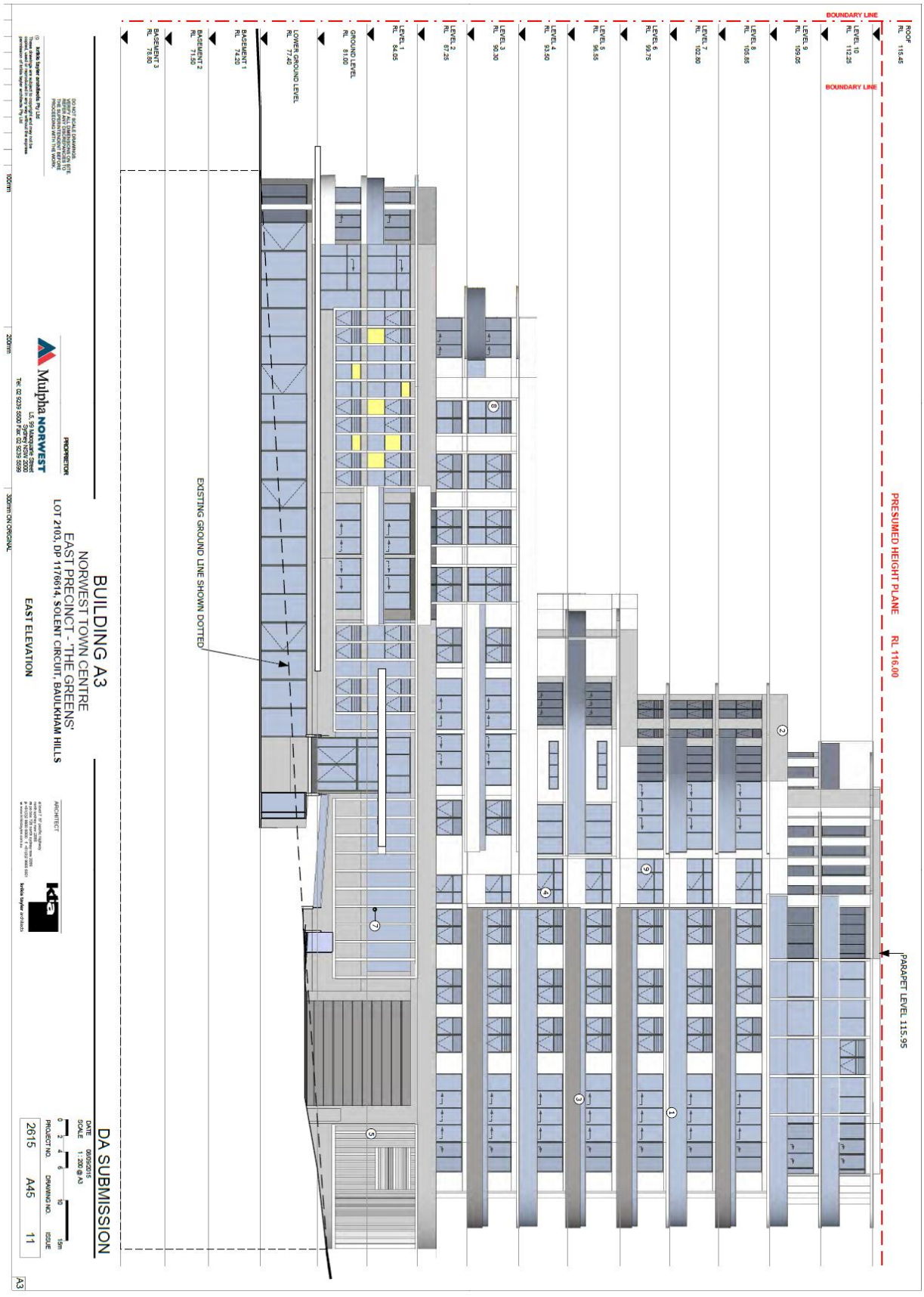

RE2
R3
R4
KELLYVILLE
BAULKHAM HILLS
SP2
DRAINAGE
B2
B7
SPURWAY
LONGVIEW
EAGLEVIEW
SOLENT
MAITLAND PL
CCT
BVD
DP 247442
DP 1176747
DP 1176614
DP 1034506
DP 1003896
DP 1065520
DP 1003042
DP 1003902
DP 876228
SP 72285
SP 72287
SP 72831
SP 74517
SP 64242
SP 63477
SP 60220
The Hills Shire Council (THSC) does not give any guarantees concerning the accuracy, completeness or currency of its spatial and textual information held in or generated from its database. THSC therefore takes no responsibility for errors, omissions or inaccuracies on information found or provided.
Base cadastre copyright remains the property of Land and Property Management Authority NSW (LPMA). Year 2008 contour copyright remains the property of Department of Environment and Climate Change (DECC). 2011 Aerial Photography and Cadastre modifications including Council generated data is subject to THSC copyright.
Copyright of 2012 Aerial Imagery is with Vekta Pty Ltd (Vekta).
Sinclair Knight Merz supplier of 2014 Aerial and Near Infared Imagery.
N
Scale: 1:3,148
Date: 4/11/2015
Prepared for:
Prepared by:
0
50
100
200
300
m

ATTACHMENT 4 – SITE IN CONTEXT OF REVISED MASTER PLAN

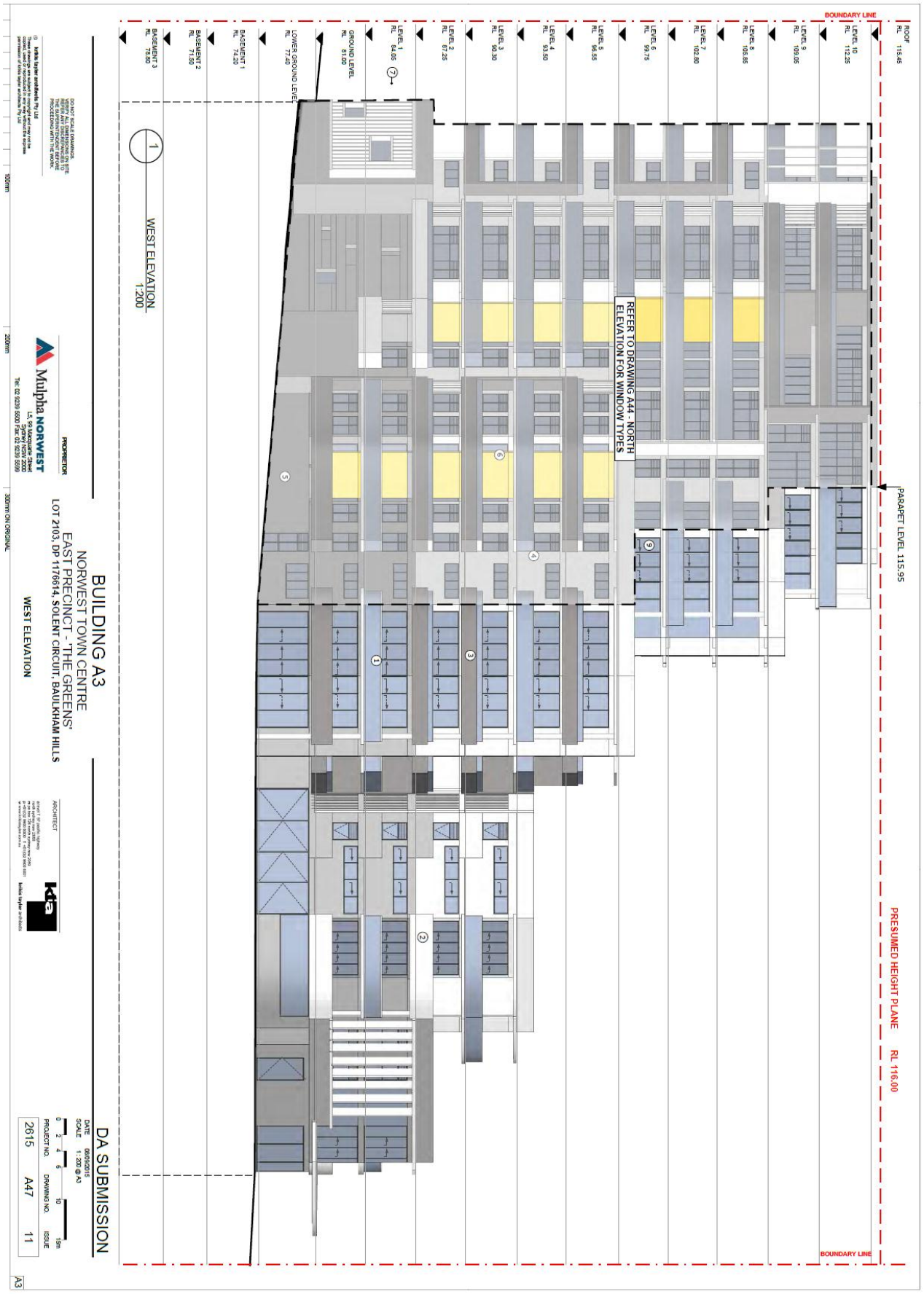


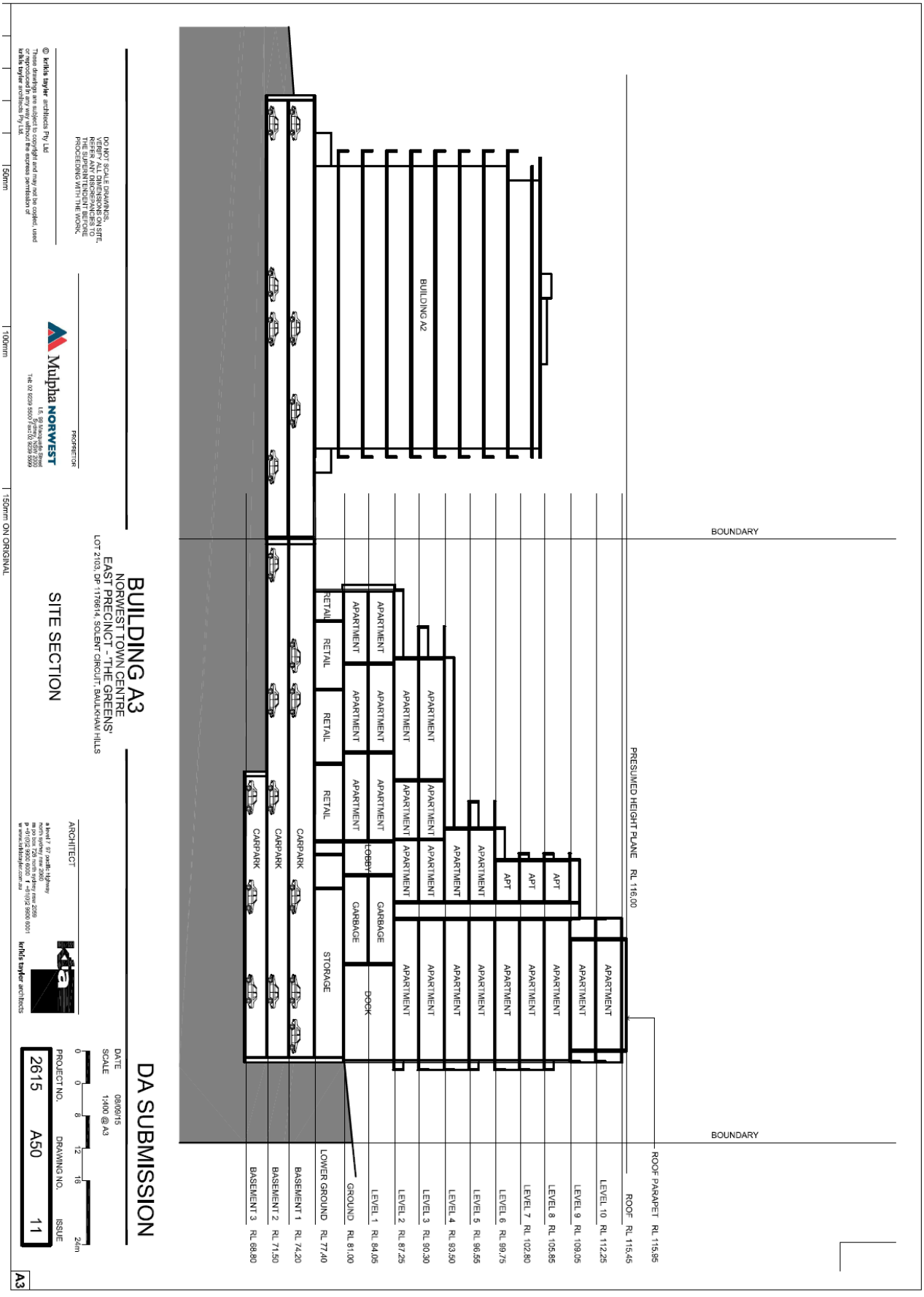

A1
8 STOREY
A2
9 STOREY
A3
12 STOREY
5 STY
500mm SETBACK
4.5M SETBACK
15.5M ROAD RESERVE
SOLENT CIRCUIT
7.5M SETBACK
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1178614, SOLENT CIRCUIT, BAULKHAM HILLS
SITE PLAN
DA SUBMISSION
DATE 23/09/15
SCALE 1:1500 @ A3
PROJECT NO. 2615
DRAWING NO. A01
ISSUE 13
0 7.5 15 22.5 37.5 56.25m
PROPRIETOR
Mulpha NORWEST
ARCHITECT
krila
krila taylor architects
© krila taylor architects Pty Ltd
A3


ROOF RL 115.45
LEVEL 10 RL 112.25
LEVEL 9 RL 109.05
LEVEL 8 RL 105.85
LEVEL 7 RL 102.65
LEVEL 6 RL 99.75
LEVEL 5 RL 96.55
LEVEL 4 RL 93.50
LEVEL 3 RL 90.30
LEVEL 2 RL 87.25
LEVEL 1 RL 84.05
GROUND LEVEL RL 81.00
LOWER GROUND LEVEL RL 77.40
BASEMENT 1 RL 74.20
BASEMENT 2 RL 71.00
BASEMENT 3 RL 71.50
BOUNDARY LINE
PARAPET LEVEL 115.95
PRESUMED HEIGHT PLANE RL 116.00
BOUNDARY LINE
NORTH ELEVATION
1:200
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1176614, SOLENT CIRCUIT, BAULKHAM HILLS
NORTH ELEVATION
DA SUBMISSION
DATE 08/05/2015
SCALE 1:200 @ A3
PROJECT NO. 2615
DRAWING NO. A44
ISSUE 11
PROPRIETOR
Mulpha NORWEST
L5, 99 Macquarie Street
Sydney NSW 2000
Tel: 02 9235 5000 Fax: 02 9235 5099
ARCHITECT
kda
krikis tayler architects
DO NOT SCALE DRAWINGS.
VERIFY ALL DIMENSIONS ON SITE
REPORT ANY DISCREPANCIES TO
THE BUILDING DESIGNER BEFORE
PROCEEDING WITH THE WORK.
A3


BOUNDARY LINE
BOUNDARY LINE
PRESUMED HEIGHT PLANE RL 116.00
PARAPET LEVEL 115.95
EXISTING GROUND LINE SHOWN DOTTED
ROOF RL 115.45
LEVEL 10 RL 112.25
LEVEL 9 RL 109.05
LEVEL 8 RL 105.85
LEVEL 7 RL 102.60
LEVEL 6 RL 99.75
LEVEL 5 RL 96.55
LEVEL 4 RL 93.50
LEVEL 3 RL 90.30
LEVEL 2 RL 87.25
LEVEL 1 RL 84.05
GROUND LEVEL RL 81.00
LOWER GROUND LEVEL RL 77.40
BASEMENT 1 RL 74.20
BASEMENT 2 RL 71.50
BASEMENT 3 RL 78.80
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1176614, SOLENT CIRCUIT, BAULKHAM HILLS
EAST ELEVATION
DA SUBMISSION
PROPRIETOR
Mulpha NORWEST
ARCHITECT
DATE
SCALE 1:200 @ A3
PROJECT NO. 2615
DRAWING NO. A45
ISSUE 11
A3

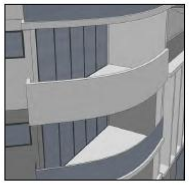

BOUNDARY LINE
PARAPET LEVEL 115.95
SOUTH ELEVATION
1:200
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1176614, SOLENT CIRCUIT, BAULKHAM HILLS
SOUTH ELEVATION
DA SUBMISSION
NEW LINK ROAD
EXISTING SUBSTATION SHOWN IN FOREGROUND SCREENED BY PLANTING - REFER TO LANDSCAPE PLAN
Mulpha NORWEST
2615
A46
11


BOUNDARY LINE
ROOF RL 115.45
LEVEL 10 RL 112.25
LEVEL 9 RL 109.05
LEVEL 8 RL 105.85
LEVEL 7 RL 102.80
LEVEL 6 RL 99.75
LEVEL 5 RL 96.55
LEVEL 4 RL 93.50
LEVEL 3 RL 90.30
LEVEL 2 RL 87.25
LEVEL 1 RL 84.05
GROUND LEVEL RL 81.00
LOWER GROUND LEVEL RL 77.40
BASEMENT 1 RL 74.20
BASEMENT 2 RL 71.00
BASEMENT 3 RL 78.80
PARAPET LEVEL 115.95
REFER TO DRAWING A44- NORTH ELEVATION FOR WINDOW TYPES
PRESUMED HEIGHT PLANE RL 116.00
BOUNDARY LINE
1 WEST ELEVATION 1:200
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1176614, SOLENT CIRCUIT, BAULKHAM HILLS
WEST ELEVATION
DA SUBMISSION
DATE 08/09/2015
SCALE 1:200 @ A3
PROJECT NO. 2615
DRAWING NO. A47
ISSUE 11
PROPRIETOR
Mulpha NORWEST
L5, 99 Macquarie Street
Sydney NSW 2000
Tel: 02 9239 5500 Fax: 02 9235 0599
ARCHITECT
krta
krtaa taylor architects
DO NOT SCALE DRAWINGS.
ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE ANY CONSTRUCTION IS TO COMMENCE OR SHOP DRAWINGS ARE PREPARED.
REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
© krta taylor architects Pty Ltd
These drawings are subject to copyright and may not be reproduced in any manner without the written permission of krta taylor architects Pty Ltd.
100mm
200mm
300mm ON ORIGINAL
A3


BUILDING A2
BOUNDARY
PRESUMED HEIGHT PLANE RL 116.00
BOUNDARY
ROOF PARAPET RL 115.95
ROOF RL 115.45
LEVEL 10 RL 112.25
LEVEL 9 RL 109.05
LEVEL 8 RL 105.85
LEVEL 7 RL 102.80
LEVEL 6 RL 99.75
LEVEL 5 RL 96.55
LEVEL 4 RL 93.50
LEVEL 3 RL 90.30
LEVEL 2 RL 87.25
LEVEL 1 RL 84.05
GROUND RL 81.00
LOWER GROUND RL 77.40
BASEMENT 1 RL 74.20
BASEMENT 2 RL 71.50
BASEMENT 3 RL 68.80
APARTMENT
APT
RETAIL
LOBBY
GARBAGE
STORAGE
DOCK
CARPARK
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1176614, SOLENT CIRCUIT, BAULKHAM HILLS
SITE SECTION
DA SUBMISSION
DATE 08/09/15
SCALE 1:400 @ A3
PROJECT NO. 2615
DRAWING NO. A50
ISSUE 11
ARCHITECT
krikis taylor architects
PROPRIETOR
Mulpha NORWEST
DO NOT SCALE DRAWINGS. VERIFY ALL DIMENSIONS ON SITE. REFER ANY DISCREPANCIES TO THE SUPERINTENDENT BEFORE PROCEEDING WITH THE WORK.
© krikis taylor architects Pty Ltd
A3

01 21 JUNE - 9AM
PLANNED EXTENSION OF SPURWAY DRIVE
A1
A2
A3
COMMUNAL OPEN SPACE
NEW LINK ROAD
SOLENT CIRCUIT
NORWEST LAKE
02 21 JUNE - NOON
PLANNED EXTENSION OF SPURWAY DRIVE
A1
A2
A3
COMMUNAL OPEN SPACE
NEW LINK ROAD
SOLENT CIRCUIT
NORWEST LAKE
03 21 JUNE - 3PM
PLANNED EXTENSION OF SPURWAY DRIVE
A1
A2
A3
COMMUNAL OPEN SPACE
NEW LINK ROAD
SOLENT CIRCUIT
NORWEST LAKE
N
DO NOT SCALE DRAWINGS. USE FIGURED DIMENSIONS ONLY. REFER ALL DIMENSIONS ON SITE. REPORT ANY DISCREPANCIES TO THE SUPERINTENDENT BEFORE PROCEEDING WITH THE WORK.
© krikis tayler architects Pty Ltd
These drawings are subject to copyright and may not be copied, used or reproduced by any means without the express permission of krikis tayler architects Pty Ltd.
PROPRIETOR
Mulpha NORWEST
L6, 88 Jerusalem Street
Tel: 02 8239 5500 Fax: 02 8239 5599
PROJECT
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1178614, SOLENT CIRCUIT, BAULKHAM HILLS
SHADOW DIAGRAMS
WINTER SOLSTICE
DA SUBMISSION
ARCHITECT
krikis tayler architects
level 1 / 70 pacific highway
north sydney nsw 2060
po box 726 north sydney nsw 2059
ph (02) 9929 5007 fax (02) 9929 5099
w www.krikistayler.com.au
DATE 08/06/15
SCALE N.T.S.
0
PROJECT NO. 2615
DRAWING NO. A61
ISSUE 11
A3
15mm
1:1@mm
1:5@mm ON ORIGINAL

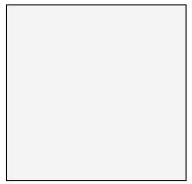
1
glazed balustrade with aluminium frame to nominal 1100mm AFL



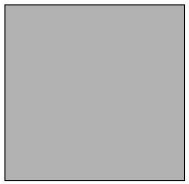
2
texture coated masonry balustrade to nominal 1100mm AFL

3
texture coated masonry balustrade to nominal 800mm AFL with glazed and/or aluminium frame to nominal 1100 AFL

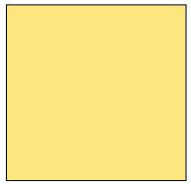
BALUSTRADES



4
DULUX 'natural white' B1



5
DULUX 'flooded gum' GR12

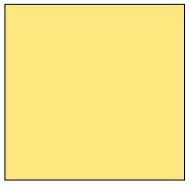


6
DULUX 'pale daffodil' A206

TEXTURE COATED MASONRY

7
prefinished powder coated aluminium blades
DULUX 'eternity citi pearl matt' 9007024Q

BLADES



8
colour backed glazing

GLAZING

9
glazed windows/doors with aluminium frame

1 VIEW FROM SOUTH EAST - NEW LINK ROAD INTERSECTION AT SOLENT CIRCUIT
N.T.S

DO NOT SCALE DRAWINGS.
VERIFY ALL DIMENSIONS ON SITE.
REFER ANY DISCREPANCIES TO THE SUPERINTENDENT BEFORE PROCEEDING WITH THE WORK.

100mm 200mm 300mm ON ORIGINAL

PROPRIETOR
Mulpha NORWEST
L5, 99 Macquarie Street
Sydney NSW 2000
Tel: 02 9239 5500 Fax: 02 9239 5599

BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1176614, SOLENT CIRCUIT, BAULKHAM HILLS

MATERIALS BOARD

ARCHITECT
krtkis tayler architects
a level 7 57 pacific highway
north sydney nsw 2060
m po box 726 north sydney nsw 2059
p +61(0)2 9660 6000 f +61(0)2 9660 6001
w www.krtkistayler.com.au

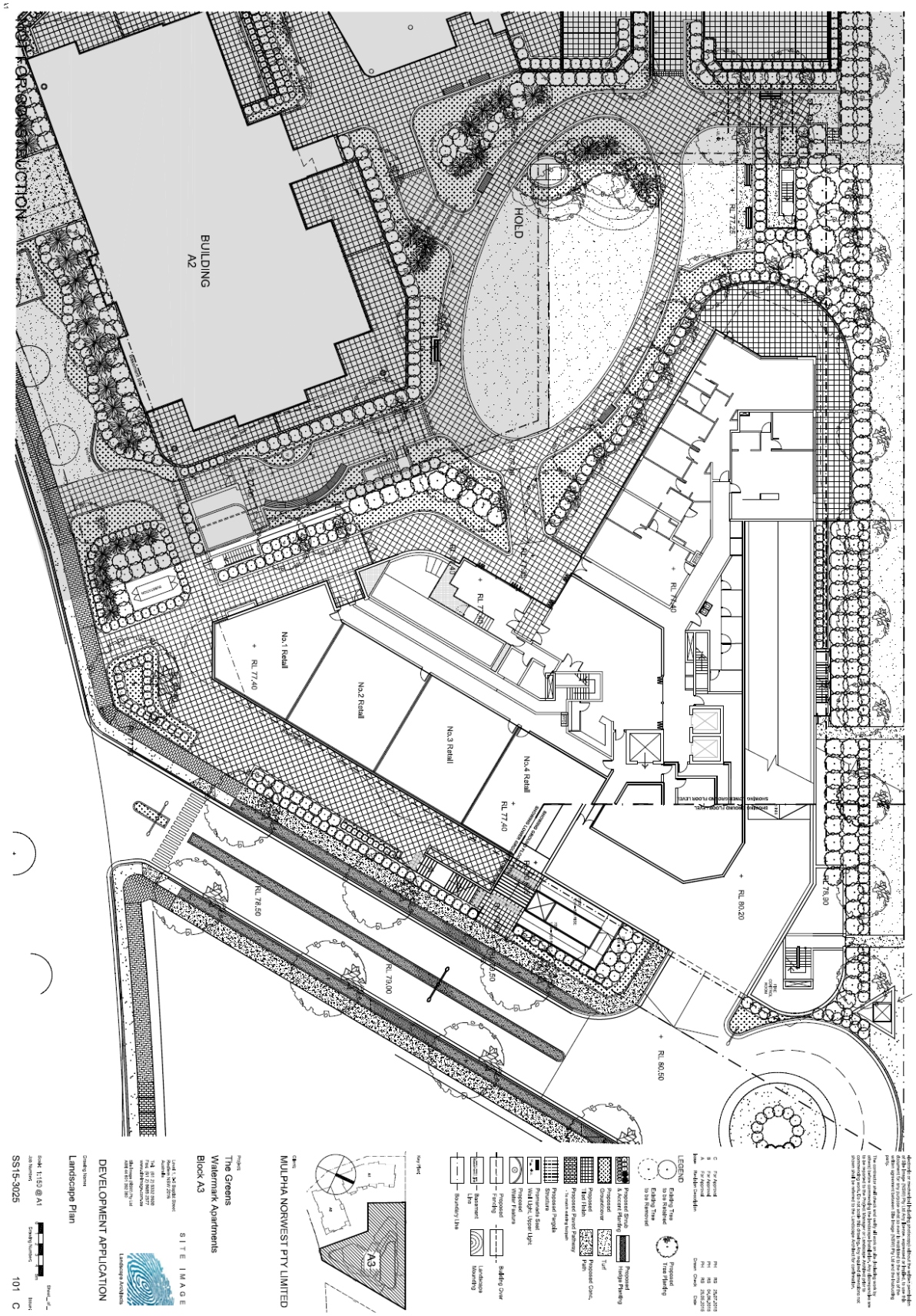
DA SUBMISSION
DATE 08/09/2015

PROJECT NO.	DRAWING NO.	ISSUE
2615	A70	11

A3

1
VIEW FROM NORTH-WEST LOOKING UP SPURWAY DRIVE
N.T.S
2
VIEW FROM NORTH-EAST LOOKING DOWN INTERSECTION OF SPURWAY DRIVE AND NEW LINK ROAD
N.T.S
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1176614, SOLENT CIRCUIT, BAULKHAM HILLS
PERSPECTIVES
DA SUBMISSION
DATE 06/05/2015
PROJECT NO. 2615
DRAWING NO. A71
ISSUE 11
PROPRIETOR
Mulpha NORWEST
L5 99 Macquarie Street
Sydney NSW 2000
Tel: 02 9239 5500 Fax: 02 9239 5599
ARCHITECT
kta
mike taylor architects
DO NOT SCALE DRAWINGS.
CONTRACTOR TO CHECK ALL SITE DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
150mm
200mm
300mm ON ORIGINAL
A3

1
VIEW FROM SOUTH-WEST LOOKING UP TO COMMUNAL SPACE
N.T.S
DO NOT SCALE DRAWING
VERIFY ALL DIMENSIONS ON SITE
THE SUBCONTRACTOR SHALL NOTIFY THE SUPERINTENDENT BEFORE PROCEEDING WITH THE WORK.
© krikis taylor architects Pty Ltd
These drawings are subject to copyright and may not be reproduced in any form without the written permission of krikis taylor architects Pty Ltd
100mm
200mm
300mm ON ORIGINAL
PROPONENT
Mulpha NORWEST
L5, 99 Macquarie Street
Sydney NSW 2000
Tel: 02 9239 5500 Fax: 02 9239 5599
BUILDING A3
NORWEST TOWN CENTRE
EAST PRECINCT - 'THE GREENS'
LOT 2103, DP 1176614, SOLENT CIRCUIT, BAULKHAM HILLS
PERSPECTIVES
ARCHITECT
krikis taylor architects
DA SUBMISSION
DATE 08/05/2015
0
PROJECT NO. 2615
DRAWING NO. A72
ISSUE 11
A3


BUILDING A2
HOLD
No.1 Retail
No.2 Retail
No.3 Retail
No.4 Retail
RL 77.40
RL 78.50
RL 79.00
RL 80.20
RL 80.50
LEGEND
Existing Tree to be Retained
Existing Tree to be Removed
Proposed Tree Planting
Proposed Shrub & Accent Planting
Proposed Groundcover
Proposed Turf
Proposed Hedge Planting
Proposed Paved Pathway
Proposed Pergola Structure
Proposed Wall Light - Upper Light
Proposed Water Feature
Proposed Planting
Building Over
Basement Line
Landscape Mounding
Boundary Line
Key Plan
A3
MULPHA NORWEST PTY LIMITED
The Greens
Watermark Apartments
Block A3
DEVELOPMENT APPLICATION
Landscape Plan
SS15-3025
101 C