COUNCIL ASSESSMENT REPORT

Panel Reference	PPS-2017SWC049
DA Number	DA 1331/2017/JPZ
LGA	The Hills Shire
Proposed Development	Staged concept masterplan to establish a revised heritage curtilage and Indicative Layout Plan to inform the eventual development of the site for residential flat buildings, mixed use/ shop top housing, multi dwelling housing, subdivision and dwelling houses
Street Address	Lot 1 DP 1235252, 10-32 Terry Road, BOX HILL
Applicant/Owner	McCall Gardens Community Ltd C/- DFP Planning Pty Ltd
Consultant/s	DFP Planning Consultants Hanna Newman Associates Pty Ltd Burton & Field McFadyen Architects Indesco Consulting Engineers SILK Consulting Landscape Architects AECOM WSP | Parsons Brinckerhoff Ramboll Environ Australia Pty Ltd Anderson Environmental Pty Ltd Thompson Stanbury Associates
Date of DA lodgement	7 March 2017
Number of Submissions	None
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Staged concept masterplan (no physical works) but relating to eventual development with a Capital Investment Value of more than $30,000,000.00
List of all relevant s4.15(1)(a) matters	• Section 2.12 of the Environmental Planning and Assessment Act 1979 • Section 4.15 of the Environmental Planning and Assessment Act 1979 • Section 4.22 of the Environmental Planning and Assessment Act 1979 • Section 4.46 of the Environmental Planning and Assessment Act 1979 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 – Appendix 11 The Hills Growth Centre Precincts Plan • North West Priority Growth Area Land Use and Infrastructure Implementation Plan • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No 2 – 1997) • Box Hill Growth Centre Precincts Development Control Plan

List all documents submitted with this report for the Panel's consideration	See list of attachments at the end of this report.
Clause 4.6 requests	Not applicable/ none provided
Summary of key submissions	No submissions received
Report prepared by	Gannon Cuneo Senior Town Planner
Report date	16 April 2020

Summary of s4.15 matters Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	**Yes**
Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? *e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*	**Yes**
Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	**Not Applicable**
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (S7.24)? *Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*	**Not Applicable**
Conditions Have draft conditions been provided to the applicant for comment? *Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*	**Yes**

EXECUTIVE SUMMARY

The key issues that need to be considered by the Panel in respect of this Development Application are:

- Heritage curtilage (and impacts on the Indicative Layout Plan)
- Proposed density (with respect to the draft North West Priority Growth Area Land Use and Infrastructure Implementation Plan)
- The information/ detail required to support a staged concept masterplan
- Biodiversity impacts
- Flooding and stormwater management

The Development Application is for a concept masterplan to amend the curtilage around the existing heritage item on the site (being Box Hill House, State Heritage Item 00613) and the Indicative Layout Plan from the Box Hill Growth Centre Precincts Development Control Plan (DCP) as a result. The Development Application includes a planned residential dwelling yield across the site that exceeds the draft maximum density proposed by the exhibited North West Priority Growth Area Land Use and Infrastructure Implementation Plan. The North West Priority Growth Area Land Use and Infrastructure Implementation Plan do not affect this Development Application because it was lodged just prior to the exhibition of that plan. It does affect the subsequent Development Applications for residential flat buildings, shop top housing/ mixed use developments, multi dwelling housing, subdivision and dwelling houses for which the Panel will be the consent authority for. The proposal does not include any physical works and will be undertaken as a staged development.

The subject site is identified as Lot 1 DP 1235252, 10-32 Terry Road, Box Hill. The subject site is located within the Box Hill Growth Centre Precinct and is subject to the requirements outlined in Appendix 11 The Hills Growth Centre Precincts Plan of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) and the DCP. The Development Application includes a number of non-compliances and variations to the relevant policies and development control plan including the Growth Centres SEPP, SEPP 55, SEPP 65 and the DCP. The Development Application as made is not considered satisfactory with regard to the above. However some aspects of the Development Application are worthy of support; namely the amendment to the curtilage around the existing heritage item on the site (being Box Hill House, State Heritage Item 00613) and the Indicative Layout Plan. The NSW Environment, Energy and Science Department (formerly known as the Office of Environment and Heritage) and the NSW Heritage Council are supportive of the change to the heritage curtilage.

The Development Application originally made included no information relating to the planned future built form on the various development lots. Rather it just included a planned residential yield of 1,452 dwellings across the entire subject site. In response to concerns raised by Council staff with the lack of detail and supporting information around this aspect of the Development Application the applicant revised this number to 1,538 dwellings and then 1,274 dwellings. They also provided some architectural detail and information relating to compliance with the Growth Centres SEPP, SEPP 65 and the DCP relating to the future planned built form. This additional information has been assessed and is still considered deficient with respect to the level of detail required for this to be considered a proper concept masterplan (and to justify the planned residential yields referred to). This detail relating to the planned future built form has only been provided for some of the development lots.

The draft North West Priority Growth Area Land Use and Infrastructure Implementation Plan applies to Development Applications lodged before 22 May 2017. This Development Application was lodged just prior to that exhibition on 7 March 2017 and seeks to rely on this savings provision to justify the planned residential yield even though the draft SEPP would be a relevant consideration for the subsequent Development Applications for residential flat buildings, shop top housing/ mixed use developments, multi dwelling housing, subdivision and dwelling houses for which the Panel will be the consent authority for. The concern from Council staff is that the Development Applications seeks to establish this planned residential yield without sufficient justification which will result in the issues later when the Development Applications for the actual built form are made. Under the maximum density bands included with the draft SEPP the maximum residential yield across the subject site is calculated to be 782 dwellings, almost half the yield proposed by the applicant. The applicant has also indicated that they are unsure whether they intend to actually develop the various development lots within the plan themselves or not. The Development Application seeks approval for staging however the applicant has been unable to provide any detail or certainty around this planned staging presumably as a result of this uncertainty.

For these reasons the planned residential yield of 1,264 dwellings across the entire subject site (and the associated limited architectural detail relating to this) as well as the staged component of the Development Application (absent any detail of the actual proposed staging) is not supported. Rather than refusing the Development Application outright it is proposed that the elements of the Development Application that are able to be supported as explained above be approved subject to conditions establishing this scope and extent.

The Development Application is integrated development under Section 4.46 of the Environmental Planning and Assessment Act 1979 as it seeks consent for development on land that contains identified aboriginal archaeological items and has the potential to impact on a heritage item listed on the State Heritage Register. The subject site is mapped as bush fire

prone land and includes the concept subdivision of land for residential purposes. The NSW Energy, Environment and Science Department and NSW Rural Fire Service have issued their general terms of approval which are included with the recommended conditions of consent below.

The Development Application was notified to nearby and adjoining properties between 16 March 2017 and 23 April 2017. The Development Application was advertised as nominated integrated development between on 23 March 2017. A site notice was erected during the advertising period. No submissions have been received.

The Development Application was lodged on 7 March 2017 and formal requests for information were issued on 21 June 2017 and 8 March 2019. The information submitted in response to these requests is not satisfactory and does not address the concerns raised by Council staff during the assessment.

On 8 October 2019, Council staff advised that the information submitted remains deficient with respect to the concerns raised and with respect to the necessary information required to support such a Development Application. Council staff advised that a concept masterplan with a reduced scope could be supported based on the information provided to date.

On 6 November 2019, the applicant confirmed that the Development Application would not be amended as recommended by Council staff and asked that it be reported to the Panel for determination.

BACKGROUND

A pre-lodgement meeting was held with the applicant on 24 March 2016 for a proposed subdivision creating 200 plus residential lots and a group home development. The advice provided through that meeting was that the planned development should have regard to the predetermined road pattern and road types from the Box Hill Growth Centre Precincts Development Control Plan.

A second pre–lodgement meeting was held on 18 January 2017 for a revised proposal for a concept masterplan for the subject site that did not involve any physical works, either building or subdivision.

The Development Application was lodged on 7 March 2017. The Development Application originally sought approval for a staged concept masterplan. The masterplan sought to include a potential yield of 1,452 dwellings across the subject site along with a revised heritage curtilage, Indicative Layout Plan and preliminary detail relating to future earthworks (in part linked to flooding), landscaping, services and contamination remediation.

On 28 April 2017, Council notified the Department of Planning, Industry and Environment of its resolution to prepare a Planning Proposal (6/2017/PLP) to amend the Floor Space Ratio (FSR) provisions for centres in the Box Hill and North Kellyville Growth Centre Precincts. The Planning Proposal only affects the R1 zoned land within the subject site as it is identified as part of the the 'Town Centre Interface Area'. In the Council Report of 13 December 2016, it was identified that amendments to FSR clauses are required to facilitate an appropriate scale of development that is consistent with the built form outcomes envisaged by the relevant Development Control Plans. This is discussed in further detail later in this report.

On 19 May 2017, the Explanation of Intended Effect (EIE) came into force which outlined the provisions relating to the proposed amendments to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 through the draft North West Priority Growth Area Land Use and Infrastructure Implementation Plan. The proposed amendments include amendment to the Residential Density Map to include a minimum and a maximum density for residential zoned sites. The amendments also include the provision of a minimum lot size to

be included on the Lot Size Map. The EIE states “a consent authority is not required to apply the provisions of the Explanation of Intended Effect to a DA lodged before Monday 22 May 2017”.

On 21 June 2017, Council staff requested additional information from the applicant and amendments to the Development Application. Concern was raised with the lack of information/ detail provided in relation to density/ the residential yields, subdivision, variations to the road network, orderly development, flooding, stormwater, roads, contamination remediation, salinity, dam dewatering, ecology, tree removal and heritage impacts. In particular, concern was raised with the lack of detail provided and ambiguity in relation to the extent of the proposed development. The proposal was unclear with regard to the staging and the sequence in which the actual works will be undertaken with future applications despite proposing staging. Council staff suggested that the Development Application be limited to the required changes to the heritage curtilage and Indicative Layout Plan creating a road pattern and super lots only consistent with the pre-lodgement advice above.

On 9 August 2017, a meeting was held between Council staff and the applicant (and their consultants). The purpose of the meeting was to discuss the information requested in Council’s letter dated 21 June 2017. The applicant reiterated in the meeting that they wanted to lock in a dwelling yield to protect against the density maximum sought to be introduced by the draft North West Priority Growth Area Land Use and Infrastructure Implementation Plan referred to above. Concern staff reiterated that there was insufficient information submitted to allow for a proper assessment of an actual staged concept masterplan.

On 18 October 2017, Council staff requested further additional information. Particular reference was made to the level of commentary and architectural detail provided being insufficient to allow for a proper staged concept masterplan.

On 28 September 2018, a response was provided by the applicant containing additional information. The package included a transmittal addressing each of the items requested in the letter dated 21 June 2017. The submission of additional information also included amendments to the application including road layout changes, building envelope plans, an increase in the proposed density from 1,452 dwellings to 1,538 dwellings and changes to the plans.

On 8 March 2019, Council staff requested further additional information primarily related to the proposed density. The initial requests raised concern with the proposed density and rather than amending the Development Application to address those concerns the density was been increased to 1,538 dwellings instead. Other concerns raised included building height, FSR, detail relating to the future built form, lot frontage, lot mix, road configuration, dwelling types and designs, engineering design and waste collection.

On 30 May 2019, the applicant submitted further preliminary plans for review.

On 20 June 2019, Council staff provided a response to the submission of preliminary plans advising that the concerns raised had not been addressed by the submission of preliminary plans and that the proposed density could not be supported. The applicant was encouraged to either amend the Development Application to only deal with the matters able to be dealt with based on the information provided relating to the heritage curtilage and Indicative Layout Plan or proceed with the staged concept masterplan proper, but support the Development Application with the necessary information (requested previously) required to support such a Development Application.

On 7 August 2019, the applicant confirmed their preference to proceed as per the second option. Additional information was provided with this confirmation.

On 8 October 2019, Council staff advised that the information submitted remains deficient with respect to the concerns raised and with respect to the necessary information required to support such a Development Application. Council staff reiterated that a concept masterplan with a reduced scope could still be supported based on the information provided to date.

On 6 November 2019, the applicant confirmed that the Development Application would not be amended as recommended by Council staff.

Rather than an outright refusal the application has been recommended for approval but subject to conditions limiting the scope of this approval to the matters able to be dealt with based on the information provided relating to the heritage curtilage and Indicative Layout Plan.

KEY ISSUES

Heritage curtilage (and impacts on the Indicative Layout Plan)

The proposal is for a concept master plan over the subject site which contains a State Heritage listed item being Box Hill House. The application was lodged with a road layout that complies with the Indicative Layout Plan which was referred to the Office of Environment and Heritage. The initial response from OEH dated 28 June 2017 raised concern with the location of ILP roads and the impact these roads would have on the heritage curtilage. The applicant submitted a revised proposed on 28 September 2018 with the ILP roads being relocated/ varied to address the concerns raised by OEH. The revised plans were referred to OEH on 9 October 2018 and General Terms of Approval (GTA's) were issued dated 19 March 2019.

Council has no objection to the proposed variation to the ILP/ road layout which increases the curtilage between the heritage item and the road network.

Proposed density (with respect to the draft North West Priority Growth Area Land Use and Infrastructure Implementation Plan)

The proposal has not adequately considered the provisions of the Draft amending SEPP. The draft density provisions were implemented by the Department of Planning on 19 May 2017 as a way to control the number of lots/ dwellings being constructed as a result of the minimum density provision for new release areas in the North West Growth Area.

Under the draft density provisions permitted by the amending SEPP, a maximum of 781.7 lots/ dwellings are permitted across the site. The proposal seeks to lock in a yield of 1,274 lots/ dwellings which is almost double the maximum density permitted by the draft SEPP. Council's request for information dated 9 March 2019 notes that the Explanation of Intended Effect states that "A consent authority is not required to apply the provision of the Explanation of Intended Effect to a DA lodged before Monday 22 May 2017", however the proposed development is for a concept master plan which will be subject to future applications for built form.

The applicant has not suitably addressed or justified the draft density requirement and the proposed yield is not supported. The applicants' letter dated 7 August 2019 in response to Council's request states that Council is not required to apply the draft provisions to the DA and is therefore not a matter for consideration under Section 4.15(1)(a) of the EP&A Act. This is incorrect as any draft Environmental Planning Instrument is required to be considered. Council's assessment of all applications in the release areas have consistently applied the draft provisions of the SEPP and where a variation is requested, suitable justification has been provided. In this instance, the application pre-empts future built form variations and justification of the exceedance to the density has not been provided.

Based on the above, a condition is recommended which removes all references to dwelling yield and future built form. Further detail is provided in the Reasons for Approval, Recommendations and Conditions sections of this report.

The information/ detail required to support a proper staged concept masterplan

The proposal is to include concept built form associated with the request to lock in density/ yield across the site. The plans submitted are insufficient to allow for a proper assessment to be undertaken. A review of the plans submitted also highlights a number of matters of concern associated with the proposal which are listed below and discussed in further detail throughout this report:

- Building heights have not been appropriately noted on plans with a number of buildings exceeding the permitted height limit. This sets a precedent for the future applications for the physical works/ built form and assumes Council is accepting of a variation to building height which is not the case;
- The most recent set of plans submitted do not include any details for proposed Lot 2, 3 and 8 and an assessment therefore cannot be undertaken for the proposed development on these lots.
- The proposed residential flat buildings do not comply with the design criteria outlined in SEPP 64 and the associated Apartment Design Guideline;
- The lots, building envelopes, setbacks and private open space are not dimensioned or adequately notated on the plans;
- The plans appear to show tree removal within the heritage curtilage area which would infer Council's support which is not the case.

Biodiversity Impacts

The proposal includes confirming the road layout associated with (albeit varied from) the ILP which would necessitate the removal of vegetation on land identified on the Biodiversity Values Map. Under the Biodiversity Conservation Act 2016, removal of vegetation on land identified on the BVM triggers entry into the biodiversity offsets scheme which requires assessment under Part 4 of the Environmental Planning and Assessment Act 1979.

In order to address this, a condition is recommended for deferred commencement of the consent until an application is lodged over the subject site for battering and tree removal associated with the ILP road. This is necessitated by the road design levels for Maunder Street which straddles the boundary with the adjoining development site to the west which also has a deferred commencement condition for battering and tree removal. The application for battering and tree removal will allow for an assessment under the Biodiversity Conservation Act 2016 to be undertaken and address the relevant requirements.

Flooding and Stormwater Management

Council's second letter dated 8 March 2019 raised concern for the matters not addressed in the first letter including flooding, new roads, stormwater management and retaining walls/ earthworks. In order for Council to be satisfied that the proposed number of dwellings is suitable, concept engineering details are required to ensure that there is sufficient capacity and ability for the existing and proposed levels/ stormwater treatment measures to cater for the proposed development.

The information submitted with the proposed development has not allowed for an assessment of the flooding and stormwater management impacts associated with the development. As such, a condition is recommended which removes any reference to future built form and a separate condition is recommended which requires the levels of all future roads to have consideration for flooding and stormwater management in line with the underlying reporting and modelling undertaken at the precinct planning stage and referred to in the DCP.

DETAILS AND SUBMISSIONS

Owner:	McCall Gardens Community Ltd
Zoning:	R1 General Residential R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential RE2 Private Recreation E2 Environmental Conservation
Area:	35.66 hectares
Existing Development:	McCall Gardens Community – Group Home and Support Services surrounded by vacant rural land
Section 7.11 Contributions	Contributions are not applicable as there is no development proposed. The Development Application is a concept masterplan and contributions will be levied with future Development Applications. Similar arrangements will apply to the Special Infrastructure Contribution also payable.
Exhibition:	Yes – Site notice installed and advertised in two local newspapers on 23 March 2017.
Notice Adj Owners:	Yes – between 16 March 2017 and 23 April 2017.
Number Advised:	15 adjoining properties notified.
Submissions Received:	None

PROPOSAL

The Development Applcation has changed from that first made as explained above. According to the most recent correspondence from the applicant dated 7 August 2019, the Development Application is for a staged concept masterplan for 1,274 dwellings. The proposal includes the design of the internal road network, public domain works, servicing/ infrastructure and remediation across a number of development lots as follows.

<u>Lot 1</u>
Six residential flat buildings ranging in height between four and six stories over an area of 10,932m^2 providing a total of 180 dwellings resulting in a density of 115 dw/ha.

<u>Lot 2</u>
The most recent set of plans submitted on 7 August 2019 do not include details for Lot 2. Based on the previous revision (submitted on 28 September 2018), the proposal for Lot 2 includes five residential flat buildings, six stories in height over an area of 13,007m^2 providing a total of 246 dwellings. The resultant density for Lot 2 is therefore 149 dw/ha.

<u>Lot 3</u>
As with Lot 2, the most recent set of plans submitted on 7 August 2019 do not include details for Lot 3. Based on the previous revision (submitted on 28 September 2018), the proposal for Lot 3 includes four residential flat buildings, six storeys in height over an area of 9,255m^2 providing a total of 180 dwellings. The resultant density for Lot 3 is therefore 195 dw/ha.

<u>Lot 4</u>
Six residential flat buildings ranging in height between four and six stories over an area of 10,772m^2 providing a total of 167 dwellings resulting in a density of 106 dw/ha.

Lot 5
Four residential flat buildings ranging in height between four and six stories over an area of 8,629m^2 providing a total of 120 dwellings resulting in a density of 92 dw/ha.

Lot 6
20 residential lots (24 dwellings) over an area of 9,508m^2 (NDA of 13,652m^2) resulting in a density of 17.6 dw/ha.

Lot 7
42 lots (45 dwellings) over an area of 19,335m^2 (NDA of 26,462m^2) resulting in a density of 17dw/ha.

Lot 8
As with Lots 2 and 3, the most recent set of plans submitted on 7 August 2019 do not include details for Lot 8. Based on the previous revision (submitted on 28 September 2018), the proposal for Lot 8 includes five residential flat buildings, six stories in height with a total of 168 dwellings over an area of 13,855m^2, resulting in a density of 121 dw/ha.

Lot 9
Seven residential flat buildings, four stories in height over an area of 12,141m^2 (NDA of 16,814m^2) providing a total of 56 dwellings, resulting in a density of 33 dw/ha.

Lot 10
19 lots (21 dwellings) over an area of 7,505m^2 (NDA of 12,268m^2) resulting in a density of 17.1 dw/ha.
The vacant lot at the southernmost portion of the site is not dimensions, numbered or provided with a lot area. There is no details provided relating to the future use/ development of this lot. The depth/ dimensions of lots is also unclear – for example, lot 10-09 is not dimensioned and appears to be a square which is unlikely to result in a suitable area for a dwelling.

Lot 11
Proposed Lot 11 includes McCall Gardens House. It is assumed the red dotted line on the plan is the proposed boundary; however there is no legend on the plan that confirms this. The plan also includes red and green dots which are also not included in the legend and it is unclear what these represent.

Lot 12
11 lots (11 dwellings) over an area of 7,540m^2 resulting in a density of 14.6 dw/ha. The NDA applies to residential zoned and Lot 11 (adjoining Lot 12) includes R2, RE2 and R4 zoned land. The plan submitted does not clearly outline the zone boundaries and the density calculation is therefore unable to be confirmed. Without a clear zoning boundary shown on the plan, it is unclear if the residential development component encroaches on RE2 zoned land which would be a prohibited form of development.

Lot 13
23 lots (29 dwellings) over an area of 10,665m^2 (NDA of 18,158m^2) resulting in a density of 16 dw/ha.

Lot 14
46 lots (54 dwellings) over an area of 18,853m^2 (NDA of 26,952m^2) resulting in a density of 20 dw/ha.

Lot 15
16 lots (19 dwellings) over an area of 6,157m^2 (NDA of 10,421m^2) resulting in a density of 18.2 dw/ha.

Lot 16
32 lots (36 dwellings) over an area of 12,328m^2 (NDA of 17,868m^2) resulting in a density of 20.1 dw/ha.

Lot 17
This lot is zoned E2 Environment Conservation is 40,431m^2 in area. This land would be subject to a Vegetation Management Plan (VMP) as required by Box Hill Development Control Plan 2018. A VMP has been submitted with the application.

Lot 18
This lot is zoned E2 Environment Conservation is 24,012m^2 in area. This land would be subject to a Vegetation Management Plan (VMP) as required by Box Hill Development Control Plan 2018. A VMP has been submitted with the application.

The calculations above are based on the figures submitted by the applicant on the plans. The areas provided are based on the areas noted on the plans. The Net Developable Area (NDA) has been noted on the most recent set of plans, however an NDA plan has not been submitted with the application. The NDA includes half the width of any adjoining roads and the plans submitted are unclear if the area of the lot includes the half width of the adjoining roads or if the area is purely based on land occupied by the development (i.e. private property and not proposed roads). An NDA plan would need to be submitted in order for Council to be certain of the density calculations provided and ensure these are consistent with the calculations used for all other developments within the Box Hill precinct.

It should be noted that the letter from the applicant dated 7 August 2019 states that a total of 1,274 dwellings are proposed, however based on the numbers outlined above a total of 1,356 dwellings are proposed. This is based on the plans submitted with the most recent set of plans, or previous plans where there was no updated plan submitted with the most recent set.

ISSUES FOR CONSIDERATION

1. Compliance with Environmental Planning and Assessment Act 1979

Section 2.12 of the Environmental Planning and Assessment Act 1979 (the Act) establishes that the Sydney Central City Planning Panel (the Panel) is the consent authority for the proposed development. The application is referred to the Panel for determination of the application following Council's assessment. This report will outline the particulars of the assessment and provide a recommendation as a result of the assessment.

Section 4.15 of the Act outlines the matters for consideration in determining a development application. This report outlines each of the matters for consideration that are relevant to the proposed staged concept master plan.

The proposed development is a staged concept masterplan to facilitate the subdivision and development of 12 individual lots within the subject site. The application is lodged pursuant to Section 4.21 of the Act which outlines the requirements for concept development applications.

Section 4.22(5) states that the consent authority does not need to consider the likely impacts of future development and only need to consider the likely impact of the concept proposal.

Clause 4.46 of the Act establishes the requirements for integrated development. The application is integrated with NSW Environment, Energy and Science (formerly known as Office of Environment and Heritage) and NSW Rural Fire Service. The requirements and responses are outlined in the referrals section of this report.

2. Compliance with SEPP (Infrastructure) 2007

Clause 104 of SEPP (Infrastructure) 2007 establishes the requirements relating to traffic-generating developments. Traffic-generating development is any development identified in Schedule 3 of the SEPP. Schedule 3 of the SEPP outlines that where a subdivision creates 200 or more allotments and includes the opening of a public road, that development is considered traffic-generating development and is to be referred to Transport for NSW (TfNSW - formerly known as Roads and Maritime Services).

The application has been referred to TfNSW with the following comments being provided:

No objection is raised to the proposed development subject to the conditions outlined below:

- The proposed subdivision should comply with the Box Hill and Box Hill Industrial Precincts Indicative Layout Plan (ILP);
- All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime; and
- It is advised that a bus route has been anticipated within the subject site as part of the public transport strategy for the Box Hill precincts. It is also noted from the submitted documents that a bus stop is proposed along the Terry Road in the vicinity of the site. The proponent should consult with Transport for NSW regarding the planned bus route and the proposed bus stop along Terry Road as part of the subject application.

The proposal complies with the requirements of SEPP (Infrastructure) by referring the application to TfNSW who have provided conditions. It is noted that the proposal does not comply with the first condition as the road layout is not in accordance with the ILP. Whilst Council has no objection to the variation to the road layout (this is discussed further later in this report), the proposal does not comply with the conditions provided by TfNSW. A copy of the conditions was provided to the applicant by email on 8 March 2019. A response to these conditions was not provided in the applicants response dated 7 August 2019, therefore it is assumed that no objection is raised by the applicant to the conditions provided by TfNSW.

3. Compliance with SEPP (State and Regional Development) 2011

Clause 20 of SEPP (State and Regional Development) 2011 and Schedule 2 of the Environmental Planning and Assessment Act 1979 outlines the referral requirements to a regional planning panel. The development application has a Capital Investment Value (CIV) of $472,531,600.00 and is therefore considered regionally significant development under the current legislated controls. Notwithstanding the above, the application was lodged on 16 October 2017 which is prior to the amendments to SEPP (State and Regional Development) on 7 March 2017 which identified regionally significant development as development with a CIV of more than $20 million. Nevertheless, the proposed development exceeds the CIV for regionally significant development and therefore the application has been referred to the Panel for determination.

4. Compliance with SEPP (Sydney Region Growth Centres) 2006 – Appendix 11 The Hills Growth Centre Precincts Plan

i. Permissibility

The proposal is a staged concept masterplan for a 35.6 hectare site in the Box Hill Growth Centre Precinct. The subject site has multiple zones including R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, RE2 Private Recreation and E2 Environmental Conservation. The applicant has not provided an updated overlay of the Land Zoning Map over the proposed development so it is unclear as to which zones apply to the relevant lot.

Based on an overview of the development and proposed variation to the Indicative Layout Plan (discussed in further detail later in this report), the most practical approach would be for a planning proposal to amend the zoning boundaries to provide a more structured and efficient approach.

The proposed staged concept masterplan is permissible in accordance with Clause 4.22 of the Act, as outlined above.

The proposal incorporates 'subdivision' which is permitted with consent under Clause 2.6 of the SEPP.

The applicant has not explicitly stated the future SEPP defined use/ development of each lot (e.g. the R2 land within the subject site appears to propose 'dwelling houses' and 'semi-detached dwellings' but there is no reference to these within any of the documentation submitted to date). On the basis of providing a preliminary assessment of the plans submitted, each of the zones are outlined below and the proposed development within each zone (assumed based on the plans submitted):

<u>R1 General Residential</u>
Shop top housing – permitted with consent – refer to Clause 6.8 under this section for further detail.

<u>R2 Low Density Residential</u>
Dual occupancies – permitted with consent
Dwelling houses – permitted with consent
Semi-detached dwellings – permitted with consent

<u>R3 Medium Density Residential</u>
Attached dwellings – permitted with consent
Dual occupancies – permitted with consent
Dwelling houses – permitted with consent
Multi dwelling housing – permitted with consent
Semi-detached dwellings – permitted with consent

<u>R4 High Density Residential</u>
Attached dwellings – permitted with consent
Dual occupancies – permitted with consent
Dwelling houses – permitted with consent
Manor homes – permitted with consent
Multi dwelling housing – permitted with consent
Residential flat buildings – permitted with consent
Semi-detached dwellings – permitted with consent
Shop top housing – permitted with consent

<u>RE2 Private Recreation</u>
Community facilities – permitted with consent
Recreation facilities (indoor) – permitted with consent

<u>E2 Environmental Conservation</u>
Environmental facilities – permitted with consent
Environmental protection works – permitted with consent

ii. Zone Objectives

The site covers land affected by a number of zones. The objectives of each zone are outlined and addressed below:

R1 General Residential

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To enable other land uses that support the adjoining or nearby commercial centres and protect the amenity of the adjoining or nearby residential areas.*

An area of approximately 1.7 hectares within the subject site is zoned R1 General Residential which interfaces with the proposed town centre. The plan submitted for the R1 zoned land shows 7 x 4 storey buildings and a note stating 'ground level plaza'. No details have been submitted outlining the future use or potential design of this area. Dimensions of the buildings are not shown on the plans and the floor area of approximately 400m^2 for each building cannot be confirmed.

R2 Low Density Residential

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow people to carry out a reasonable range of activities from their homes, where such activities are not likely to adversely affect the living environment of neighbours.*
- *To support the well-being of the community, by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low density residential environment.*

The proposed development seeks consent for a concept masterplan which involves subdivision of the R2 zoned land within the subject site into residential lots. The majority of lots within the subdivision are of a size/ area with dimensions that are suitable for future development. A number of lots have building envelopes which are not dimensioned and proposed dual occupancy/ semi-detached dwellings. The proposed setbacks to these dwellings appear to not be compliant. Further, a number of lots are shallow and have dual street frontage which is not conducive to a low density residential environment. Whilst the subdivision creates residential lots in a low density residential environment, there is opportunity to provide a better outcome for low density residential development of R2 land within the subject site.

R3 Medium Density Residential

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a medium density residential environment.*

The proposed development seeks consent for the subdivision of R3 land to create residential lots in a medium density residential environment. The proposal provides for a mix of lots ranging in area and dimensions.

Notwithstanding the above, the R3 zoned land covers a large portion of the subject site. It is expected that a subdivision layout be provided with regular shaped lots and a clear indication of dwelling type to ensure the proposal enables a variety of housing types. The plans submitted are not clear as to the future housing types proposed. The dwelling designs shown on the plans are not considered suitable. Support for the concept design on the plans submitted would set an undesirable expectation for future development of the site and the locality of Box Hill as a whole.

<u>R4 High Density Residential</u>

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

The proposed development includes the creation of five lots within the R4 High Density Residential zone with the intention of providing 1,061 dwellings. The development provides additional housing within a high density residential environment; however the information submitted with the application has not satisfactorily demonstrated that the future development of each lot provides a variety of housing types that are conducive to the high density zone.

<u>RE2 Private Recreation</u>

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

Part of the subject site is zoned RE2 Private Recreation. This land incorporates the existing heritage item on the site being Box Hill House (State Heritage Item 00613). The use of this building is for a group home and related support services and is an existing use on the site.

<u>E2 Environmental Conservation</u>

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*

The proposed development includes the creation of two lots which will be wholly contained to E2 zoned land. The two lots are subject to a Vegetation Management Plan submitted with the application which will be required to be implemented as part of the development. This will ensure the ongoing management and enhancement of the environmentally sensitive land.

The applicant has not identified a mechanism to ensure these works are undertaken. In the event that this development is supported, the lots subject to future development applications would be undertaken by stages. There is no indication to the staging of the development or the implementation of the VMP for the E2 zoned land. Without confirming the implementation of effect of the VMP, the development is not considered to comply with the objectives of the zone.

iii. Minimum lot size

Clause 4.1 of SEPP establishes the minimum lot size in association with the Lot Size Map. The size of any lot resulting from a subdivision of land must not be less than the minimum size shown on the Lot Size Map.

There is no lot size shown on the Lot Size Map and therefore no minimum lot size applies under Clause 4.1.

iv. Minimum lot sizes for residential development in certain residential zones

Clause 4.1A of the SEPP establishes the minimum lot sizes for residential development in the R2, R3 and R4 zones. The subject site is includes land zoned R2, R2 and R4. The proposal seeks to create future development lots including includes three forms of residential development; dwellings houses, semi-detached dwellings and attached dwellings.

In accordance with Clause 4.1A(3) the minimum lot size for a dwelling house on the subject site is 300m^2. The proposal seeks to construct dwellings on a lot with an area of 250m^2 which does not comply with this requirement. The proposed development relies on the provisions of Clause 4.1AC which is discussed below.

In accordance with Clause 4.1A(5), the minimum lot size for a semi-detached dwelling is 150m^2 if the dwelling density (per hectare) shown on the Residential Density Map in relation to the land is 18. The proposal includes dwellings on a lot size of 225.4m^2 or greater and therefore complies with this requirement.

v. Residential density

Clause 4.1B of the SEPP establishes the minimum density to be achieved in association with the Residential Density Map. The Residential Density Map aligns with the boundaries of the Land Zoning Map. The minimum required density and the proposed density are outlined in the table below.

R2	15 dwellings per hectare
R3	18 dwellings per hectare
R4	18 dwellings per hectare (30 dwellings per hectare for Lot 8).

At the time of lodgement, Contribution Plan No.15 – Box Hill Precinct (CP15) anticipated the following densities:
R1– 44 dwellings per hectare
A total of 73.92 dwellings are expected across 1.68 hectares.

R2 - 14 dwellings per hectare
A total of 72.94 dwellings are expected across 5.21 hectares.

R3 - 18 dwellings per hectare
A total of 131.04 dwellings are expected across 7.28 hectares.

R4 - 44 dwellings per hectare
A total of 413.6 dwellings are expected across 9.4 hectares.

On this basis, a minimum of 692 dwellings were anticipated/ required across the subject site. The proposal seeks to lock in a yield of 1,591 dwellings across the site.

The proposal complies with this requirement.

vi. Height of buildings

Clause 4.3 of the SEPP establishes the maximum height of any building permitted on the subject site in association with the Height of Buildings Map. The following maximum heights apply to the relevant zones:

R1 General Residential – 16m

R2 Low Density Residential – 8.5m

R4 High Density Residential – 21m

The site plans submitted for each block have a notation stating the maximum height permitted under the SEPP for that block. The elevation/ section plans submitted in the same package show an RL for the height of some buildings; however these RL's do not include the lift overrun. The lift overrun may result in the building exceeding the maximum height of buildings permitted by the SEPP.

For example, Drawing A124 illustrates a number of section drawings. The section at the top of the page is numbered Section 1 and Section 2 which is unclear in itself. The RL associated with the section shows an RL of buildings on Lot 9 as 53.00 and 54.600 respectively. This does not include the lift overrun and does not include the natural ground level of finished ground level. Without this detail, Council is unable to determine the actual height of buildings and associated RL.

Concern is raised with this as the plans do not accurately illustrate the maximum height of buildings anticipated across the site. Compliance with Clause 4.3 of the SEPP cannot be ascertained with the information submitted with this application which may be setting up non-compliant development applications for built form in the future.

vii. Floor Space Ratio

Clause 4.4 of the SEPP establishes the maximum floor space ratio (FSR) for a building on land shown on the Floor Space Ratio Map. The FSR map permits the following maximum FSR relative to zone:

<u>R1 General Residential – 1.25:1</u>

The plans submitted state that an FSR of 0.95:1 is proposed which incorporates the commercial and residential floor space of the development. Plans have not been submitted showing an FSR calculation.

<u>R4 High Density Residential – 2.0:1</u>

There are a total of six lots with the above FSR requirement and the proposed FSR is outlined below:
Lot 1 – 1.49:1
Lot 2 – not provided
Lot 3 – not provided
Lot 4 – 1.53:1
Lot 5 – 1.40:1
Lot 8 – not provided

As mentioned above in this section, an FSR plan has not been submitted for lots 1-5 and 8. Further, a lot layout plan/ site plan for lots 2, 3 and 8 have not been submitted. There is no indication of the proposed FSR or building locations on these lots. This further reinforces Council's position that the information submitted is not adequate to allow a proper assessment of the application.

viii. Heritage Conservation

Clause 5.10 of the SEPP establishes the requirements for conservation of heritage items and places of heritage significance. The proposed development involves development of the site within the environmental heritage of Box Hill House which is a State Heritage listed item. The proposal includes a variation to the ILP identified in Box Hill DCP which is generally supported by Council. The variation primarily includes relocation of a number of roads to provide a layout conducive to the topography of the site and heritage curtilage of Box Hill House. Support has been provided from the Office of Environment and Heritage (OEH) for the variation to the ILP and heritage curtilage. Council has no objections on heritage conservation grounds.

ix. Public utility infrastructure

Clause 6.1 of the SEPP establishes the requirements relating to the provision of public utility infrastructure. Council is to be satisfied that the infrastructure essential for the development is available or adequate arrangement have been made to make the infrastructure available when required.

A response from Sydney Water confirms that water and wastewater services are available in the vicinity of the proposed development. Provisions for power can be made available through consultation with the relevant agency. In the even that additional satisfactory information is submitted, conditions can be provided requiring the developer to liaise with the relevant authority.

Notwithstanding the above, the proposal has not clearly outlined the staging of the development and the areas which can or are required to be serviced by priority. On this basis, Council is not satisfied that the development has adequately considered the availability of services to each of the proposed lots/ dwellings within the development site.

x. Development controls—native vegetation retention areas and riparian protection areas

Clause 6.2 of the SEPP establishes the provisions relating to the protection of native vegetation as shown on the Native Vegetation Protection Map (NVP) and Riparian Protection Area Map (RPA). The subject site includes land on both maps.

The development includes roads being located within the RPA mapped area as shown in Attachment 12 below. Council's Ecology team have reviewed the Vegetation Management Plan and Flora and Fauna Assessment Report's submitted with the application and are not satisfied that the development has achieved compliance with these requirements. The reports submitted determine that the proposal is not likely to have a significant impact on Cumberland Plain Woodland, however the report has not accurately quantified the offset area required to compensate for the loss of critically endangered vegetation on the site.

On the basis of the above, Council is not satisfied that the proposal achieves the objectives and requirements of Clause 6.2.

xi. Development controls—existing native vegetation

Clause 6.3 of the SEPP establishes the requirements for managing existing native vegetation in accordance with the relevant legislative requirements. The site contains an area of existing native vegetation within the E2 zone along the southern boundary as shown in Attachment 10.

Clause 6.3 states that consent must not be granted to development where the proposal includes clearing of existing native vegetation. The proposal does not include any physical works and therefore complies with this requirement.

xii. Development on lots wholly or partly within Zone E2 Environmental Conservation

Clause 6.4 of the SEPP establishes the requirements relating to development in the E2 zone, particularly to ensure the rehabilitating/ revegetation of land in the E2 zone and ensure that land is managed and conserved in a holistic and sensitive manner.

The proposed master plan includes land zoned E2 however there are no works proposed in the E2 zone. A VMP has been submitted with the application; however the mechanism for the implementation and maintenance of the E2 zoned land is to burden the high density residential development through a scheme of strata and/or community title subdivision. An earlier comment in the Statement of Environmental Effects states “McCall Gardens would be left with the ownership and maintenance costs associated with this land, as well as public liability and security issues associated with holding unoccupied land within an urban area”. The two statements above create confusion in the maintenance and upkeep of the E2 zoned land and compliance with Clause 6.4 of the SEPP cannot be determined.

xiii. Additional controls relating to Shop top housing

Clause 6.8 of the SEPP establishes the controls relating to shop top housing in particular areas within the Box Hill precinct. The subject site includes land identified as “Area F” on the Key Sites Map and therefore the provisions of Clause 6.8(4) apply to that land.

Clause 6.8(4) states that development consent must not be granted to development on land identified as “Area F” for the purposes of shop top housing if less than 50% of the total floor area of the building will be used for non-residential purposes. This requirement was implemented as part of the amendment to the SEPP under 6/2017/PLP which was gazetted on NSW Legislation website on 20 December 2019.

Lot 9 is the only lot within the subject site that is identified as a key site. Lot 9 is wholly contained/ entirely affected by land identified on the Key Sites Map. The proposal includes shop top housing with two levels of residential accommodation over two levels of commercial space (ground and first floors).

Proposed lot 9 has an area of 12,141m2 which would therefore require 6,070.5m2 of floor space allocated to non-residential purposes. The plans submitted with the application include a total floor area on lot 9 of 11,548m2. Of this area, a minimum of 5774m2 is required as commercial floor space. The proposal includes a total of 6,063m2 of commercial floor space complying with this requirement.

Notwithstanding the above, the applicant has not submitted any plans showing a detailed calculation of the floor areas or dimensions of each. Whilst it is noted that this is a concept application, Council needs to be satisfied that the information submitted is correct and that it is possible to achieve the proposed floor areas. The information provided is not sufficient to allow for a proper calculation of the floor space for the development and therefore is not satisfactory for the purposes of Clause 6.8 of the SEPP.

The proposal has been considered against these provisions and does not satisfy each of the standards and objectives relating to each of the clauses.

5. Compliance with North West Priority Growth Area Land Use and Infrastructure Implementation Plan

The draft amendments to the SEPP propose to amend Clause 4.1B and the associated density maps to include both a minimum and maximum density for residential zoned land.

The proposed density band/ range for the relevant zones within the subject site are as follows:

R1 General Residential

- Minimum density control: 20 dwellings per hectare; and
- Maximum density control: 80 dwellings per hectare.

Lot 9 in the plan of subdivision is zoned R1 and proposes a total of 56 dwellings. With a net developable area of 1.68 hectares, the resultant density is 33.3 dwellings per hectare complying with the draft density provisions.

R2 Low Density Residential

- Minimum density control: 15 dwellings per hectare; and
- Maximum density control: 20 dwellings per hectare.

Lots 6, 7 and 12 in the plan of subdivision are zoned R2 and propose a total of 81 dwellings. With a net developable area of 5.21 hectares, the resultant density is 15.5 dwellings per hectare complying with the draft density provisions.

R3 Medium Density Residential

- Minimum density control: 15 dwellings per hectare; and
- Maximum density control: 30 dwellings per hectare.

Lots 10, 13, 14, 15 and 16 in the plan of subdivision are zoned R3 and propose a total of 137 dwellings. With a net developable area of 7.28 hectares, the resultant density is 18.8 dwellings per hectare complying with the draft density provisions.

R4 High Density Residential

There are two draft densities that apply to the R4 zoned land which are as follows:

- Minimum density control: 15 dwellings per hectare; and
- Maximum density control: 30 dwellings per hectare.

Lots 1, 2, 3, 4 and 5 in the plan of subdivision are zoned R4. The most recent set of revised plans submitted do not provide an indicative layout or number of dwellings proposed for lots 2 and 3. As a result, it is not possible to calculate the density for this portion of R4 land as the number of dwellings have not been proposed/ confirmed.

- Minimum density control: 30 dwellings per hectare; and
- Maximum density control: 100 dwellings per hectare.

Lot 8 in the plan of subdivision are zoned R4. The most recent set of revised plans submitted do not provide an indicative layout or number of dwellings proposed for lot 8. As a result, it is not possible to calculate the density for this portion of R4 land as the number of dwellings have not been proposed/ confirmed.

Based on the above calculations, a total of 781.7 dwellings would be permitted across the site. The proposal for 1,274 is significantly greater than draft density proposed. Sufficient justification for the extent of variation has not been provided.

Further to the above, the current contribution plan in force (adopted on 10 December 2019) being Contribution Plan No. 15 – Box Hill Precinct assumes the following based on the draft maximum density band (refer to Residential Density Map in Attachment 14):

Q – 80 dwellings per hectare anticipated
A total of 134.4 dwellings are anticipated across 1.68 hectares.

U – 100 dwellings per hectare
A total of 210 dwellings are anticipated across 2.1 hectares.

O2 – 30 dwellings per hectare
A total of 437.4 dwellings are anticipated across 14.58 hectares.

O – 20 dwellings per hectare
A total of 104.2 dwellings are anticipated across 5.21 hectares.

On this basis, a total of 886 dwellings are anticipated across the site under the contribution plan.

The proposed development seeks to lock in a yield of 1,274 dwellings across the site which is 705 dwellings more than anticipated by CP15. In order for Council to consider whether this exceedance is considered acceptable, sufficient information needs to be submitted for Council to assess. The information detailed on the plans does not provide certainty of the future built form outcome and the ability to provide for the best planning outcome possible on the site.

Based on the above and as discussed earlier in this report, the information submitted to date does not allow for a full and proper assessment of the application. The applicant is seeking approval of a concept master plan which confirms the density as proposed on the plans. The information that has been submitted to Council is insufficient. Approval of a development that has not provided the detail required for a full assessment will not be supported. Support for this standard of information would set an undesirable precedent for future applications of this type and would not be achieving the aims and objectives of Part 4 of the Environmental Planning and Assessment Act 1979.

6. 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 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.

A Combined Stage 1 and 2 Detailed Site Investigation (Project No. 2270171A-CLM-REP-002 RevC.docx dated 5 December 2016) has been undertaken by WSP Parsons Brinckerhoff Pty Ltd and submitted in support of the Development Application. The report concludes that “the site has been impacted by historical activities, primarily waste dumping and burning, which has resulting in exceedances of the adopted site criteria”. The report also states that the exceedances are largely contained to one area being Area of Environmental Concern 2 (AEC 2), without only limited presence of surficial impacts in other areas (see Attachment 33 for plan showing AEC’s).

A Remediation Action Plan (dated 5 December 2016) has been undertaken by WSP Parsons Brinckerhoff Pty Ltd and is submitted to address the findings and recommendations of the Detailed Site Investigation (DSI). The Remediation Action Plan (RAP) submitted with the application identifies the remediation strategy which includes excavation, encapsulation and disposal / removal. In particular, the report recommends AEC 2 is remediated through excavation, relocation and encapsulation / capping within the site.

A review of the RAP was undertaken by Council's Environmental Health Officer who raised concern with the proposed remediation strategy.

Encapsulation / capping on site is not a supported method of remediation within The Hills Shire Council, Local Government Area (THSC LGA) due to ongoing management until the contamination is eventually and successfully removed from the subject site. There is an opportunity to achieve a better long term outcome through removing contamination from the subject site and this is the approach that THSC expects and pursues for all development within THSC LGA.

A revised RAP (revision D, dated 27 August 2018) was submitted which proposes excavation (where required) and off-site disposal of all contaminated material from the site. This approach was again reviewed by Council's Environmental Health Officer who is satisfied that the site can be made suitable whilst achieving the best outcome for development with THSC LGA.

Whilst the reporting submitted has identified that the site can be made suitable, the application is unclear as to the process in which remediation and validation of the site is to be undertaken. The proposal does not involve any physical works and is a staged concept masterplan. The information submitted with the application states that remediation will be undertaken with the relevant stage.

Clause 7(1)(c) of SEPP 55 states "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". Remediation of the site will be required, but remediation of the site in a staged manner is not considered suitable. Remediation should be undertaken prior to any works other works on the site to ensure there is no potential for spread of any contaminated material between sites.

In this regard, it is considered that the site can be made suitable for the proposed development with regard to land contamination; however the information submitted with the application has not demonstrated the ways in which it can be made suitable. As the assessing authority, Council is required to ensure the provisions of SEPP 55 have been satisfied which has not been provided in this instance.

7. State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

The proposed concept master plan includes the provision of building envelopes for residential flat buildings on lots 1, 2, 3, 4, 5 and 8 and shop top housing on lot 9. Whilst it is noted there is no built form/ physical works proposed with this application, the proposal is for a master plan which sets the benchmark for future development applications for the built form on each of the lots within the master plan. As such, consideration has been given to SEPP 65 with regard to the Apartment Design Guide (ADG). A full assessment against the relevant controls is provided in Attachment 35, with the non-compliant matters discussed in further detail below.

<u>Separation</u>

Section 2F of the ADG establishes the minimum separation distance between buildings. In particular, the following provisions apply:

Up to four storeys (approximately 12m):
- *12m between habitable rooms/balconies*
- *9m between habitable and non-habitable rooms*
- *6m between non-habitable rooms*

The proposal includes buildings up to four storeys in height. There are a number of buildings which have a nil setback to adjacent buildings. For example, lot 4 includes construction of buildings 4.1, 4.2 and 4.3 which are provided with a nil setback to each other which therefore does not comply with this requirement.

There are no plans included for lots 2, 3 and 8 which cannot be assessed. Lots 1, 5 and 9 appear to comply with the separation requirement up to 4 storeys.

Five to eight storeys (approximately 25m):
- *18m between habitable rooms/balconies*
- *12m between habitable and non-habitable rooms*
- *9m between non-habitable rooms*

The proposed development does not comply with this requirement. A number of buildings are proposed six storeys in height and have facing habitable rooms with a separation less than 18 metres. For example, lot 1 includes four buildings, six storeys in height with a separation distance of 12 metres which does not comply with this minimum of 18 metres. The same applies to buildings on lot 4.

As noted above, plans have not been submitted for lots 2, 3 and 8 and therefore an assessment cannot be undertaken for these lots.

Nine storeys and above (over 25m):
- *24m between habitable rooms/balconies*
- *18m between habitable and non-habitable rooms*
- *12m between non-habitable rooms*

There are no buildings proposed which exceed six storeys in height.

<u>Visual Privacy</u>

As a result of the non-compliant separation distances noted above, concern is raised with visual privacy. The design criteria outlined in Objective 3F-1 of the ADG states that the minimum distances are to be provided to ensure visual privacy is achieved. Figure 3F.4 states that for buildings within the same site, minimum separation should combine the required separation distances.

For example, Objective 3F-1 requires facing habitable rooms and balconies to be setback 6 metres, which would therefore require a combined total of 12 metres which would also be in accordance with the separation distances required as outlined above. The non-compliance with the building separation requirements therefore leads to concerns being raised for visual privacy.

<u>Solar and daylight access</u>

The application includes construction of six storey buildings in close proximity to four storey, two storey and single storey buildings/ dwellings. Whilst it is noted that the likely impacts of future development applications are not to be considered with the concept application, the proposed concept development application is setting a benchmark for future development applications. The extent of the proposed buildings has the potential to limit solar and daylight access to adjoining buildings/ dwellings.

For example, lot 5 includes the construction of building 5.3 which is a six storey building. Located 12 metres directly to the south is a four storey building. As noted previously, the proposed building footprints set a potentially non-compliant development which would result in the master plan being required to be amended in the future. It is considered that this approach is unreasonable and should be addressed through the concept master plan to ensure future development of the site is compliant.

Ceiling heights

Section plans submitted with the application do not include floor to ceiling heights. Without the certainty of compliant floor to ceiling heights, there is no reasonable way to determine if the height of the building will actually be compliant.

8. Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997)

In accordance with Clause 3 of the Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997), the aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

The proposed development is a staged concept masterplan which does not involve any physical works. In the event that the application were to be approved, the development is unlikely to have detrimental impacts on the health of the environment of the Hawkesbury and Nepean River system.

9. Compliance with Box Hill Growth Centre Precincts Development Control Plan

An assessment of the controls outlined in Box Hill Development Control Plan is provided in Attachment 34; however the matters of concern relating to compliance with the DCP are outlined below:

Indicative Layout Plan

Section 2.2 of the Box Hill DCP provides the indicative layout plan for the Box Hill Growth Centre Precinct. The objective is to ensure the development of Box Hill is undertaken in a co-ordinated manner. Figure 2 of the DCP illustrates the indicative layout for the Box Hill precinct. An extract of the ILP for the subject site is provided in Attachment 3.

The proposed subdivision includes a variation to the ILP by shifting the roads around Box Hill House. The purpose of shifting the roads is to follow the topography of the land and provide an improved curtilage to the heritage item on the site. The application has been referred to the Heritage Council of NSW who has raised no concerns with the proposal, subject to compliance with the general terms of approved which are included with the recommended conditions for reference.

The proposed variation to the ILP has no implications on the development of adjoining properties. The amended road layout is entirely contained to the subject site and no objection is raised to the variation.

Minimum lot sizes

The plans submitted show all lots complying with the minimum lot size with the exception of proposed lot 12. No dimensions or lot sizes are shown on the plan and compliance with the minimum lot size requirement cannot be determined. Further, the plan does not actually have a reference to lot 12 in the same way that it does for lot 11. An assessment of the location, dimensions and area of lot 12 and the proposed lots within lot 12 cannot be determined and therefore compliance is uncertain.

Minimum frontage

As with the minimum lot size above, the plans submitted do not clearly indicate the frontages proposed for each lot. Whilst this may be considered a matter for future development applications, the frontage of each lot determines the yield that the applicant is seeking to lock-in with this application. If the proposed frontages do not comply, this application would be setting a benchmark for future non-compliant development applications which is not supported.

Lots fronting RE1/ SP2 land

Proposed lots 9, 10 and 13 have frontage to RE1 zoned land. As such, residential lots within these parent lots are required to have frontage to the RE1 zoned land. The proposed residential lots on parent lot 13 comply, however the land on lots 9 and 10 fronting the RE1 zoned land has no proposed use. It is understood that this land falls within the State Heritage Register curtilage; however the future intended use should be noted with this application.

Battle-axe lots

The proposal includes creation of a number of battle-axe lots within parent lot 14. The plans for these lots include (what appears to be) dual occupancies/ semi-detached dwellings. The dimensions of these lots are irregular and there is no certainty that these would comply with the relevant development controls or be supported with future built form applications. Support for the concept master plan application with a number of dwellings on irregular shaped battle-axe lots would set an unsuitable benchmark/ expectation for future development of this site and is therefore not supported.

Street network, design and hierarchy

As noted with the discussion under the ILP, the proposed street network, design and hierarchy is not in accordance with the DCP. The proposed variation is considered suitable within the context of the proposed master plan. The variation is compatible with the characteristics of the site and does not impose any adverse impacts on adjoining property owners.

Roads

The proposal includes the layout and design of the road network within the subject site. Details have not been submitted relating to the future construction of the roads in line with the staging. The applicant has confirmed that a staging plan will not be provided as the owner/ developer may elect to change the staging in the future. Without a staging plan confirming the staging of the development, concern is raised with staging of the future works associated with the development of the site. For example, if lot 7 is to be developed as a first stage, there is no clarification around who is responsible for the construction and dedication of roads. In order to comply with this requirement and ensure the orderly and economic development of the land, a staging plan should be submitted with the application.

Residue lots

The proposal is for a staged concept master plan. It is expected that with the staging of an application that there would be creation of residue lots. The DCP requires that any proposal that would create a residue lot demonstrate that each lot can be developed in the future. Whilst this has been provided, a staging plan showing the creation of residue lots has not been provided. In order for Council to be satisfied that the proposal achieves compliance with this requirement of the DCP, a staging plan would be required.

Stormwater management

Additional information has been requested throughout the assessment process relating to stormwater management. In order for Council to be satisfied that the development can

achieve the required levels and appropriate stormwater management, additional information was requested including cross-sections of the detention basins to ensure the design is compatible with the adjoining roads, watercourses, etc. The applicant provided a response dated 7 August 2019 confirming that the information will not be provided as this will be a matter for consideration/ assessment under future development applications. This is not a satisfactory response. The DCP requires that all development proposals are to provide for integrated stormwater management measures in accordance with the Water Cycle Management Strategy Report for Box Hill. The proposed development has not demonstrated compliance with this requirement.

Contamination management

The DCP reiterates the requirements of SEPP 55 by stating that prior to development consent being granted, Council must be satisfied that the site is suitable, or can be made suitable for the proposed use. The information submitted to date does not confirm that proposal can achieve the requirements of SEPP 55.

THE REGULATIONS

In accordance with Clause 54 of the Environmental Planning and Assessment Regulation 2000, a consent authority may request the application to provide additional information regarding the proposed development as considered necessary to enable consideration of the application. The application was requested to provide amended plans showing staging, concept buildings for each lot, etc. Pursuant to Clause 54(6), the applicant has provided unsatisfactory information therefore the proposed development does not comply with the requirements of the Environmental Planning and Assessment Regulation 2000.

Additionally, Clause 54(4) of the Environmental Planning and Assessment Regulation 2000, states that a development application under Section 4.12 of the Environmental Planning and Assessment Act 1979, must be accompanied by such matters as would be required under Section 81 of the Local Government Act 1993 if approval were sought under the Act. Pursuant to Section 81 of the Local Government Act 1993, the applicant was required to provide additional information to enable the assessment to proceed. The applicant has provided unsatisfactory information to date and therefore the proposed development does not comply with the requirements of Clause 50(4) of the Environmental Planning and Assessment Regulation 2000, Section 4.12 of the Environmental Planning and Assessment Act 1979 and Section 81 of the Local Government Act 1993.

The application has been referred to other departments within and external to Council. Support has not been provided for the proposed development. Inadequate information has been provided to demonstrate compliance with the relevant development controls and to allow for a full and proper assessment. The application is not worthy of support on this basis.

LIKELY IMPACTS

Section 2.22(5) of the Act states “the consent authority need only consider the likely impact of the concept proposals and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications”. Consideration has been given to the likely impacts of the concept master plan as well as the impact of the non-compliant aspects of the development.

Support for the proposed concept master plan in its current form would set an undesirable precedent for concept development applications. The information provided with the proposed development is not adequate in allowing a full and proper assessment of the impacts of the proposed development. Support for the proposed concept application in its current form would set a precedent for concept applications of this scale in the future.

The likely impacts of future development applications have been given consideration, particularly in relation to the proposed residential flat buildings. Reference is made to the ADG assessment within this report where the building separation proposed does not comply with the minimum requirements. Support for this non-compliance would result in future impacts on residents within the buildings on the site with regard to visual and acoustic privacy.

Based on the information provided with this application and the assessment undertaken based on that information, the likely impacts of the proposed concept development application and the likely impacts of future development on the site would be significant.

SUITABILITY OF THE SITE

The proposal is for a concept master plan to identify a blueprint for the future development of the site which is within close proximity to Box Hill Town Centre as identified in the DCP. The subject site is zoned for a multitude of uses and has a predetermined street network. The proposed development on the subject site has the ability to perform as a key site in the development of the Box Hill precinct. In its current form, the application is not satisfactory. The site may be considered suitable for the proposed development subject to the provision of satisfactory information and compliance with the objectives of each zone.

SUBMISSIONS/ PUBLIC INTEREST

In accordance with the Act and Regulations, consideration has been given to any necessary referrals and any submissions made.

The application was notified to nearby and adjoining properties between 16 March 2017 and 23 April 2017, advertised in the local newspapers on 23 March 2017 and a site notice installed on the subject site. No submissions were received in response.

REFERRALS

The application was referred to the following departments and their comments have formed part of the assessment:

SUBDIVISION ENGINEERING COMMENTS

The application is not satisfactory from an Engineering perspective. Additional information has been requested on numerous occasions with the most recent comments provided to the applicant on 8 March 2019 requesting information relating to flooding, new roads, stormwater management, retaining walls and earthworks.

In response to the flooding matters, the applicant considered it unnecessary to update Flood Storage Plans and provide a Flood Impact Assessment with the development application. Other matters have been addressed through the submission of amended plans. Conditions have not been provided and the application is not supported from an Engineering perspective.

HEALTH & ENVIRONMENTAL PROTECTION COMMENTS

The proposal includes submission of a DSI and RAP. The RAP submitted with the application included on-site disposal/ burial of contaminated waste. Council requested this be updated to have all contaminated material removed and disposed of at a lawful facility. The RAP has been updated to this effect. Any issues relating to salinity and dam dewatering are to be addressed with future built form applications. Concern remains regarding the staging of remediation and the timing in which the requirements of the RAP will be implemented.

TREE MANAGEMENT COMMENTS

The proposal includes tree removal as shown on the Demolition Plan submitted with the application. An Arborist Report prepared by a suitably qualified level 5 arborist was requested to be submitted. The report was not submitted.

ECOLOGY COMMENTS

A review of the Vegetation Management Plan and Flora and Fauna Assessment prepared by Anderson Ecological dated 8 May 2018 has been undertaken. The development was summited prior to the commencement of the Biodiversity Conservation Act 2016 and therefore falls under the Savings and Transition Provision arrangements and assessment of impacts to biodiversity is under the Threatened Species Conservation Act 1995.

The proposed development would remove the entire area of non-biodiversity certified Cumberland Plain Woodland (CPW) on the site. The Flora and fauna Assessment has determined that the proposal is not likely to have a significant impact on CPW or any other threatened entity. The loss of CPW is proposed to be offset by the retention and rehabilitation of land outside of the mapped SEPP Native Vegetation Protection Area (NVPA). The Hills Shire Council's Environment Team supports in principle the proposed offset however, some of the proposed offset area is located in the same location as the proposed roads.
As such, the reports need to be revised to accurately quantify the proposed additional offset area to determine if this adequately compensates for the loss of CPW from the non-biodiversity certified portion of the site. The updated reports must specifically quantify the amount of proposed CPW offset outside of the SEPP Native Vegetation Protection Area.

WASTE MANAGEMENT COMMENTS

The application has been reviewed by Council's Resource Recovery team. The proposed waste collection from laneways was not supported with the original set of plans submitted with the application. The applicant has amended the plans to remove laneways and have lots serviced from perimeter roads. No objection is raised from a waste collection perspective.

HERITAGE COMMENTS

The application has been reviewed by Council's Forward Planning team with regard to heritage. The comments provided from the officer state that the future proposed development in line with the masterplan would impact on the views to and from Box Hill House, which have been assessed as being of State significance. Development in Lots 8, 9, 10 and 13 would result in a further erosion of the grassed paddocks that maintain the rural character and support the landmark qualities of Box Hill House.

As a result, the applicant has amended the plans to vary the ILP which results in a better outcome from a heritage perspective. The site is within an urban release area as identified by the State government and the zoning of the site provides a suitable curtilage. On this basis, no objections are raised from a heritage perspective.

PROPERTY COMMENTS

There is no land within the subject site that is identified for acquisition under CP15. No objection is raised to the proposal from a property perspective.

PARKS/ RESERVES COMMENTS

No objection is raised from an open space/ recreation perspective. The proposal is to ensure there are no works undertaken on the RE1 zoned land adjacent to the site being McCall Parkway Reserve. It is noted there are no works proposed on this property.

TRANSPORT FOR NSW COMMENTS

The application was initially referred to Transport for NSW (formerly known as Roads and Maritime Services) on 16 March 2017 for comment on the proposed development. A response dated 20 April 2017 was provided by RMS raising no objections to the proposal subject to conditions. Their response is included with the recommended conditions below.

SYDNEY WATER COMMENTS

The application was initially referred to Sydney Water on 16 March 2017 for comment on the proposed development. A response dated 23 May 2017 was provided by Sydney Water stating that there are potable water and wastewater services available and are capable of servicing the proposed development. The response is included with the recommended conditions below.

INTEGRATED DEVELOPMENT

NSW RURAL FIRE SERVICE COMMENTS

In accordance with Section 4.46 of the Environmental Planning and Assessment Act 1979, the application was initially referred to NSW Rural Fire Service (RFS) on 13 November 2018 for assessment against the Rural Fires Act 1997. The proposal is for the concept approval for subdivision of land for residential purposes which is identified as integrated development. The application was referred during the assessment of the application as the bush fire prone land map had been updated and the subject site was identified as partly bush fire prone land.

A response dated 4 January 2019 was provided by NSW RFS which raised no objections, subject to conditions. A copy of the conditions/ bush fire safety authority is included with the recommended conditions below.

NSW ENVIRONMENT, ENERGY AND SCIENCE COMMENTS

In accordance with Section 4.46 of the Environmental Planning and Assessment Act 1979, the application was initially referred to NSW Environment, Energy and Science (formerly known as Office of Environment and Heritage (OEH)) on 15 March 2017 for assessment against the Heritage Act 1992. The application was referred to OEH as there are known aboriginal archaeological sites within the subject site.

An initial response was provided from OEH dated 24 March 2017 requesting additional information. Additional information was submitted by the applicant on 28 September 2018 which was referred to OEH. A response from OEH dated 22 October 2018 confirms no objection is raised subject to compliance with the general terms of approval which is included with the recommended conditions below.

NSW HERITAGE COUNCIL COMMENTS

In accordance with Section 4.46 of the Environmental Planning and Assessment Act 1979, the application was initially referred to NSW Environment, Energy and Science on 15 March 2017. The application was referred to NSW Heritage Council as the proposal includes a variation to the ILP which has the potential to impact the heritage item on the site known as Box Hill House which is listed on the State Heritage register.

An initial response dated 28 June 2017 requested additional information/ design amendments to the proposal. Additional information was not provided by the applicant. A response dated 28 May 2018 confirms the additional information was not provided, however general terms of approval were issued for the development. The GTA's provided by NSW Heritage Council included with the recommended conditions below.

DISTRICT PLAN

The Central City District Plan provides a 20-year plan to manage growth and achieve the 40-year vision, while enhancing Greater Sydney's liveability, productivity and sustainability into the future. The subject site falls within the Central City and the proposal has the ability to provide additional housing and employment opportunities in line with the objectives of the Central City District Plan.

CONCLUSION

The development application has been evaluated against the matters for consideration contained within Section 4.15 of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and the Box Hill Growth Centre Precincts Development Control Plan. All key issues raised through the assessment of the application have been identified but not addressed by the amendments made to the proposed development. The recommendations of this report outline an appropriate method of addressing the concerns raised by removing any reference to the built form and densities proposed. It is considered that the recommended conditions result in a satisfactory outcome for development of the site.

IMPACTS

Financial

This matter may have a direct financial impact upon Council's adopted budget as refusal of this matter may result in Council having to defend a Class 1 Appeal in the NSW Land and Environment Court.

Developer Contributions

The application is for a concept master plan and does not involve any physical works. Therefore, the proposal would not attract contributions and would not lock in a contribution rate. Contributions would be calculated and imposed at the time of approval of any future development applications that require the issue of a Construction Certificate or Subdivision Certificate.

The Hills Future – Community Strategic Plan

The Hills Future Community Strategic Plan outlines the aspirations of community residents for The Hills Shire region. Desired community outcomes include balanced urban growth, vibrant communities and a protected environment. The social and environmental impacts have been identified and addressed in the report.

RECOMMENDATION

The Development Application be approved for the reasons listed below and subject to the following conditions:

A. The site is considered suitable for a scaled-down form of the development proposed by removing any reference to built-form and dwelling yield which will be subject to assessment with future applications over each residue lot created by this staged concept masterplan.

B. The variation to the Indicative Layout Plan has no implications on the future development of adjoining properties and provides an improved outcome with regard to the State Heritage significance of Box Hill House.

C. The proposal will provide the Box Hill Growth Centre Precinct with infrastructure to service the needs of the growing population.

D. The proposal is in the public interest.

RECOMMENDED CONDITIONS

1. Approved Plan

The development must be carried out in accordance with the approved site plan prepared by McFadyen Architects Drawing A103 Revision C dated 07/06/2019. Specifically:

a) The road layout changes the Indicative Layout Plan included with the Box Hill Growth Centre Precincts Development Control Plan (DCP).

b) The road typologies from the DCP remain unaltered.

c) Gardiner Drive has been moved north so that it abuts the northern site boundary adjacent to 34 Terry Road.

d) Each Development Application lodged that includes the physical construction of any of the planned roads within the subject must comply with Council's Design Guidelines Subdivision/ Development and the DCP (including the need to address earthworks, flooding and stormwater management in accordance with the stormwater management report prepared by JWP referenced in the DCP).

2. Compliance with Masterplan

Approval is granted for the proposed masterplan in accordance with the stamped approved plan referred to under Condition 1 only. The other changes detailed in the plans and information provided specifically relating to density, building design, landscaping and subdivision works is not included as part of this development consent. All stages of work subject to the masterplan will require the submission and approval by the relevant authority of a Development Application as required by the relevant legislation (including the need for concurrence from the relevant/ applicable external authorities).

3. No Physical Works/ Facilitating Subdivision

No physical works are included in the scope of this approval.

4. Compliance with Heritage Council of NSW

Compliance with the requirements of the Heritage Council of NSW throughout all stages of the development as outlined in their letter dated 22 May 2018 reference DOC18/759596 attached to this consent as Appendix 1.

5. Compliance with Office of Environment and Heritage

Compliance with the requirements of the Office of Environment and Heritage throughout all stages of the development as outlined in their letter dated 22 October 2018 reference SF17/13756 attached to this consent as Appendix 2.

6. Compliance with Roads and Maritime Services

Compliance with the requirements of Roads and Maritime Services throughout all stages of the development as outlined in their letter dated 20 April 2017 reference SYD17/00360 (A17144615) attached to this consent as Appendix 3.

7. Compliance with Rural Fire Service

Compliance with the requirements of the Rural Fire Service throughout all stages of the development as outlined in their letter dated 4 January 2019 reference D18/7163 DA18111516080 AS attached to this consent as Appendix 4.

8. Compliance with Sydney Water

Compliance with the requirements of Sydney Water throughout all stages of the subdivision as outlined in their letter dated 23 May 2017 reference 162644 attached to this consent as Appendix 5.

9. Biodiversity Compliance

The subject site contains land identified on the Biodiversity Values Map. The requirements outlined in the Biodiversity Conservation Act 2016 are to be considered with any Development Applications including physical works on the subject site.

10. Contamination Requirements

The site is to be remediated in accordance with the details, strategies and recommendations outlined in the Remediation Action Plan prepared by WSP Parsons Brinckerhoff Reference 2270171A-CLM-Rep-003 Revision D dated 27 August 2018. The Remediation Action Plan is to be implemented and conditioned in each future built form application related to the concept masterplan approved by this consent.

Remediation of the site must occur prior to any works occurring with the first application involving any physical works.

A validation report shall be submitted to Council's Manager – Environment and Health and the Principal Certifier prior to an Occupation Certificate or Subdivision Certificate being issued. The validation report must reference the Combined Stage 1 and 2 Detailed Site Investigation prepared by WSP Parsons Brinckerhoff Reference 2270171A-CLM-REP-002 RevC.docx Revision C dated 5 December 2016 and the Remediation Action Plan prepared by WSP Parsons Brinckerhoff Reference 2270171A-CLM-Rep-003 Revision D dated 27 August 2018 and include the following:

- The degree of contamination originally present;
- The type of remediation that has been completed; and
- A statement which clearly confirms that the land is suitable for the proposed use.

11. Waste Management Plans Required

All future applications for subdivision or built form must be accompanied by a construction and operational Waste Management Plan.

12. Connection of the McCall Gardens Community Buildings to the Sewer

The existing McCall Gardens Community Buildings are to be connected to the public sewer within three months of the reticulated sewer becoming available as part of the first Development Application involving any physical works. Council is to be notified within thirty days of the connection.

APPENDIX 1

Heritage Council of New South Wales

Level 6, 10 Valentine Avenue
Parramatta NSW 2150
Locked Bag 5020
Parramatta NSW 2124

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599
heritagemailbox@environment.nsw.gov.au
www.heritage.nsw.gov.au

Our ref: DOC18/759596
Your ref: DA 1331/2017/JPZ

Mr Padraig Scollard
Planner
The Hills Shire Council
PO Box 7064
BAULKHAM HILLS BC NSW 2153

Via email: council@thehills.nsw.gov.au; pscollard@thehills.nsw.gov.au

Dear Mr Scollard

HERITAGE COUNCIL OF NSW – AMENDED GENERAL TERMS OF APPROVAL INTEGRATED DEVELOPMENT APPLICATION IDA/2017/137

Site:	8-32 Terry Road, Box Hill (Lots 1, 5, 6, 7, 8 and 12 in DP 27502) Box Hill House in the Grounds of McCall Gardens, SHR No. 00613
Proposal:	Concept masterplan to establish a road pattern and heritage curtilage and guide the staged creation of residential flat buildings, shop top housing, multi dwelling housing and dwelling houses via future subdivision and built form applications
Date General Terms of Approval granted:	22 May 2018
Date revised application received	9 October 2018

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the revised proposal to the above Integrated Development Application, received on 9 October 2018. In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following **amended** terms of approval are proposed to be granted:

1. APPROVED DEVELOPMENT

Development must be in accordance with:

a) Architectural drawings, prepared by McFadyen Architects as listed below:

Drawing No.	Title	Date	Rev
Project Name: Stage Concept DA - 10-32 Terry Road Box Hill			
A101	Cover Sheet	17/09/2018	A
A102	Site Analysis	17/09/2018	A
A103	Lot Plan	17/09/2018	A
A105	Lot Areas Yield Diagram	17/09/2018	A
A106	Building Envelopes Plan	17/09/2018	A

Drawing No.	Title	Date	Rev
A107	Road Network	17/09/2018	A
A110	Site Plan – Lot 11 and 12	17/09/2018	A
A111	Site Plan – Lot 7	17/09/2018	A
A112	Site Plan – Lot 6	17/09/2018	A
A113	Site Plan – Lot 16	17/09/2018	A
A114	Site Plan – Lot 14 and 15	17/09/2018	A
A115	Site Plan – Lot 13	17/09/2018	A
A116	Site Plan – Lot 10	17/09/2018	A
A117	Site Plan – Lot 2 and 3	17/09/2018	A
A118	Site Plan – Lot 1	17/09/2018	A
A119	Site Plan – Lot 4 and 5	17/09/2018	A
A120	Site Plan – Lot 8	17/09/2018	A
A121	Site Plan – Lot 9	17/09/2018	A
A122	Site Section – Ludgate Street	17/09/2018	A
A123	Site Section – Hordens Way	17/09/2018	A
A124	Site Section – Skinner Street	17/09/2018	A
A130	Aerial view looking west – Building Envelopes	17/09/2018	A
A131	Streetscapes R4 zone	17/09/2018	A
A132	Streetscapes R1 zone	17/09/2018	A

b) Landscape drawings, prepared by SILK Consulting Landscape Architects, as listed below:

Drawing No.	Title	Date	Rev
Project Name: McCall Gardens Box Hill			
LA-100	Landscape Master Plan	31.08.18	01
LA-400	Street Tree Planting	31.08.18	01

c) Statement of Environmental Effects, prepared by DFP, dated 7 March 2017;

d) Letter from DFP planning consultants titled 'Response to Council Request for Information' dated 28 September 2018; and

e) Statement of Heritage Impact, prepared by AECOM, dated 27 September 2018.

EXCEPT AS AMENDED by the following conditions of this approval:

2. HISTORIC DRIVEWAY

a) The driveway to Box Hill House within the State Heritage Register curtilage must be retained.
b) The alignment of the driveway to Box Hill House, outside of the State Heritage Register curtilage, must be retained and interpreted.
c) Further design resolution is required where the interpreted driveway intersects new roads and the car park.
d) Details of the changes to the whole driveway shall be submitted with the section 60 application for the proposal. This includes surfacing and finishes, location of plantings, retention of significant trees and fencing.

Reason: To allow the location of the historic driveway to be understood and appreciated.

3. APPROVAL REQUIRED FOR CHANGES IN SHR CURTILAGE

All development within the State Heritage Register curtilage will require approval under the *Heritage Act 1977*. This includes roads, infrastructure, earthworks, landscaping (including tree removal) and fencing.

Reason: To comply with legislation.

4. HERITAGE CONSULTANT

A suitably qualified and experienced heritage consultant must be nominated for this project to provide input into the design detail of the proposal.

Reason: To protect the item's heritage values.

5. HERITAGE INTERPRETATION

a) An Interpretation Strategy must be submitted for approval as part of the section 60 application for this proposal.
b) The Interpretation Strategy must detail how information on the history and significance of State Heritage Register Item *Box Hill House in the Grounds of McCall Gardens* will be provided for the public, including the timeframe for the implementation of the Strategy. The Interpretation Strategy must identify the indicative types and locations of interpretive devices that will be installed as part of this project.
c) The interpretation strategy must clearly identify the timing or staging of delivery of interpretive devices, with the approved strategy implemented in accordance with this timing.
d) A suitably experienced heritage interpretation practitioner must prepare the interpretation strategy in accordance with the *Heritage Council of NSW Interpreting Heritage Places and Items Guidelines (2005)*.

Reason: To communicate the history and heritage significance of the heritage item to residents and visitors to the site.

6. PHOTOGRAPHIC ARCHIVAL RECORDING

Prior to the commencement of any works on the site, a photographic archival recording of the site must be prepared and submitted to record significant buildings, landscape elements, setting, and views to and from Box Hill House, in accordance with the NSW Heritage Division publications: *Photographic Recording of Heritage Items using Film or Digital Capture*(2006). A digital copy of the archival record must be deposited with the Heritage Division, Office of Environment and Heritage, and a copy provided to The Hills Shire Council.

Reason: To record the appearance of the place prior to major development and to retain information for future research and reference.

7. **COMPLIANCE**
If requested, the applicant and nominated Heritage Consultant may be required to participate in audits of Heritage Council approvals to confirm compliance with conditions of consent.
Reason: To ensure the implementation of conditions of approval.

8. **SECTION 60 APPLICATION**
An application under section 60 of the *Heritage Act 1977* must be submitted to and approved by the Delegate of the Heritage Council of NSW, prior to the submission of subsequent development applications for the works.
Reason: To comply with legislation.

ADVICE

1. Archaeological potential has been identified within the State Heritage Register curtilage of Box Hill House. This potential should be managed in accordance with the *Heritage Act 1977* and will require the submission of archaeological management documents with future development applications.
2. For potential archaeological deposits outside the State Heritage Register curtilage of Box Hill House, additional approvals under section 139-140 of the *Heritage Act 1977* may be required.
3. Your attention is drawn towards the powers of entry and inspection under s.148 of the *Heritage Act 1977* for authorised persons. If entry and inspection are required, reasonable notice will be provided as per the Act. The owner could voluntarily agree to allow non-authorised persons, such as Heritage Division (Office of Environment and Heritage) staff who are acting in a supporting role to the authorised persons, to enter their property for the purpose of inspection. Owners may also voluntarily grant permission to take photograph, take samples or request records.

If you have any questions regarding the above Integrated Development Application for a Concept Masterplan surrounding Box Hill House, please contact Lily Chu, Senior Heritage Assessment Officer on (02) 9873 8595 or lily.chu@environment.nsw.gov.au.

Yours sincerely

19/03/2019

CHERYL BROWN
Regional Manager Heritage, North Region
Heritage Division
Office of Environment and Heritage
As Delegate of the Heritage Council of NSW

APPENDIX 2

NSW GOVERNMENT | Office of Environment & Heritage

Your reference: 1331/2017/JPZ
Our reference: SF17/13756
Contact: Sam Higgs, 9995 6824

Andrew Brooks
Manager – Subdivision & Development Certification
The Hills Shire Council
PO Box 7064
Norwest NSW 2153

Dear Mr Brooks,

Re: OEH General Terms of Approval for Integrated Development Application 1331/2017/JPZ
8-32 Terry Road, Box Hill

This letter contains Office of Environment and Heritage's (OEH) general terms of approval for Integrated Development Application 1331/2017/JPZ for those known Aboriginal sites which would require an Aboriginal Heritage Impact Permit (AHIP) pursuant to s.90 of the *National Parks and Wildlife Act 1974*.

OEH has reviewed the report McCall Gardens Community, Box Hill. Aboriginal Cultural Heritage Assessment. dated 21 September 2018, prepared by Aecom Australia Pty Ltd. The report has identified that Aboriginal objects will be impacted by the proposed works.

Considering the above, OEH provides the following Aboriginal cultural heritage general terms of approval:

- A s90 Aboriginal Heritage Impact Permit (AHIP) for the proposed works must be sought and granted prior to the commencement of works.
- The AHIP application must be accompanied by appropriate documentation and mapping as outlined on page 6 of *Applying for an Aboriginal Heritage Impact Permit, Guide for Applicants*.
- Consultation with the Aboriginal community undertaken as part of the AHIP application must be in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

If you have any further questions in relation to this matter, please email gs.ach@environment.nsw.gov.au.

Yours sincerely,

22/10/2018

Amy Dumbrell
A/Senior Team Leader Planning
Greater Sydney Branch
Office of Environment and Heritage

THE HILLS SHIRE COUNCIL
25 OCT 2018
No: .....

PO Box 644 Parramatta NSW 2124
Level 2, 10 Valentine Avenue, Parramatta NSW 2150
ABN 30 841 387 271
www.environment.nsw.gov.au

APPENDIX 3

Transport
Roads & Maritime
Services

20 April 2017

Our Reference: SYD17/00360 (A17144615)
Council Ref: DA 1331/2017/JPZ

The General Manager
The Hills Shire Council
PO Box 7064
BAULKHAM HILLS NSW 2153

Attention: Padraig Scollard

Dear Mr Edgar,

STAGED CONCEPT PROPOSAL FOR A 13 BLOCK MIXED-USE SUBDIVISION LOTS 1,5,6,7,8,12 DP 27502 - 10-32 TERRY ROAD, BOX HILL

Reference is made to Council's email dated 16 March 2017, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment.

Roads and Maritime has reviewed the submitted documentation and raises no objection to the proposed application subject to the following conditions:

1. The proposed subdivision should comply with the Box Hill and Box Hill Industrial Precincts Indicative Layout Plan (ILP).

2. All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime.

3. It is advised that a bus route has been anticipated within the subject site as part of the public transport strategy for the Box Hill precincts. It is also noted from the submitted documents that a bus stop is proposed along the Terry Road in the vicinity of the site. The proponent should consult with Transport for NSW regarding the planned bus route and the proposed bus stop along Terry Road as part of the subject application.

Any inquiries in relation to this application can be directed to Zhaleh Alamouti on 8849 2331 or by email at development.sydney@rms.nsw.gov.au

Yours sincerely

RJCumming

Rachel Cumming
Senior Land Use Assessment Coordinator
Network Sydney West Precinct

APPENDIX 4

All communications to be addressed to:

Headquarters
4 Murray Rose Ave
Sydney Olympic Park NSW 2127

Headquarters
Locked Bag 17
Granville NSW 2142

Telephone: 1300 NSW RFS
e-mail: records@rfs.nsw.gov.au

Facsimile: 8741 5433

The General Manager
The Hills Shire Council
PO Box 7064
BAULKHAM HILLS BC NSW 2153

Your Ref: 1331/2017/JPZ
Our Ref: D18/7163
DA18111516080 AS

ATTENTION: Padraig Scollard

4 January 2019

Dear Mr Scollard

Integrated Development Application - 1//1235252 - 11 Terry Road Box Hill 2765

I refer to your correspondence dated 4 September 2018 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the 'Environmental Planning and Assessment Act 1979', and a Bush Fire Safety Authority, under Section 100B of the 'Rural Fires Act 1997', are now issued subject to the following conditions:

Asset Protection Zones

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

1. At the issue of a subdivision certificate, and in perpetuity, the entire site (excluding protected vegetation identified in the State Environmental Planning Policy) shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. The existing facility grounds are also to be entirely managed as an IPA.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. The provision of water, electricity and gas services are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

- Fire hydrant spacing, sizing and pressures shall comply with Australian Standard AS 2419.1– 2005 'Fire Hydrant Installations'.
- Fire hydrants shall not be located within any road carriageway.

Access

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. To achieve this, the following conditions shall apply:

3. Public road access shall comply with section 4.1.3 (1) of 'Planning for Bush Fire Protection 2006'.

Design and Construction

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

4. The existing buildings to be retained within the development are required to be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.

Landscaping

5. Future landscaping to the site is required to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

General Advice – consent authority to note

This approval is for the subdivision of the land only. Any further development application for class 1, 2 & 3 buildings as identified by the 'Building Code of Australia' must be subject to separate application under section 4.14 of the 'Environmental Planning & Assessment Act 1979' and address the requirements of 'Planning for Bush Fire Protection 2006' (or equivalent).

The vegetation classification within the consultant's report is not agreed to in some locations. The vegetation within the protected corridors is assumed to be regenerated to Cumberland Dry Sclerophyll Forest. Setbacks to future residential buildings on the interface are to accommodate the appropriate setbacks to this vegetation based on this classification.

Should you wish to discuss this matter please contact Adam Small on 1300 NSW RFS.

Yours sincerely

Kalpana Varghese
A/Manager - Planning and Environment Services (East)

For general information on bush fire protection please visit www.rfs.nsw.gov.au

APPENDIX 5

Sydney WATER

23 May 2017 Our Ref 162644

Padraig Scollard
The Hills Shire Council
PO Box 7064
Baulkham hills BC NSW 2153

RE: Development Referral – 10-32 Terry Road box Hill
DA1331/2017/JPZ

Dear Padraig,

Thank you for notifying Sydney Water of the development application listed above. We have reviewed the application and provide the following comments for your consideration.

Water and Wastewater

The following information is provided to assist in planning the servicing needs of the development, based on the information supplied:

Strategic investigation shows that the trunk water and wastewater services are available and are capable of servicing the proposed development.

The subdivision will be served from the existing 450mm water main in Terry Road. Extensions from this main will be required to provide a point of connection for each proposed lot.

The subdivision generally drains to the north and south. The portion that drains north will be served from wastewater lead-ins to be provided by the developer from the existing Carrier that traverses the northern boundary of the site. The portion of the site that drains south will either require lead-ins from the Chain of Ponds Carrier Section 3 being delivered by Sydney Water by mid-2018 or through the neighbouring Mogul Stud development.

This advice is not a formal approval of our servicing requirements. Formal requirements for servicing the development will be determined as part of the Section 73 application. More information about the Section 73 application process is available on our web page in the *Land Development Manual*.

Sydney WATER

Sydney Water E-Planning

Sydney Water has an email address for planning authorities to submit statutory or strategic planning documents for review. This email address is urbangrowth@sydneywater.com.au.

Further advice and requirements for this proposal are at Attachment 1. If you require any further information, please contact Lulu Huang of Growth Planning and Development on 02 8849 4269 or e-mail lulu.huangl@sydneywater.com.au.

Yours sincerely,

Paul Mulley
Manager, Growth Planning and Development

Sydney WATER

Attachment 1

Sydney Water Servicing

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

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Building Plan Approval

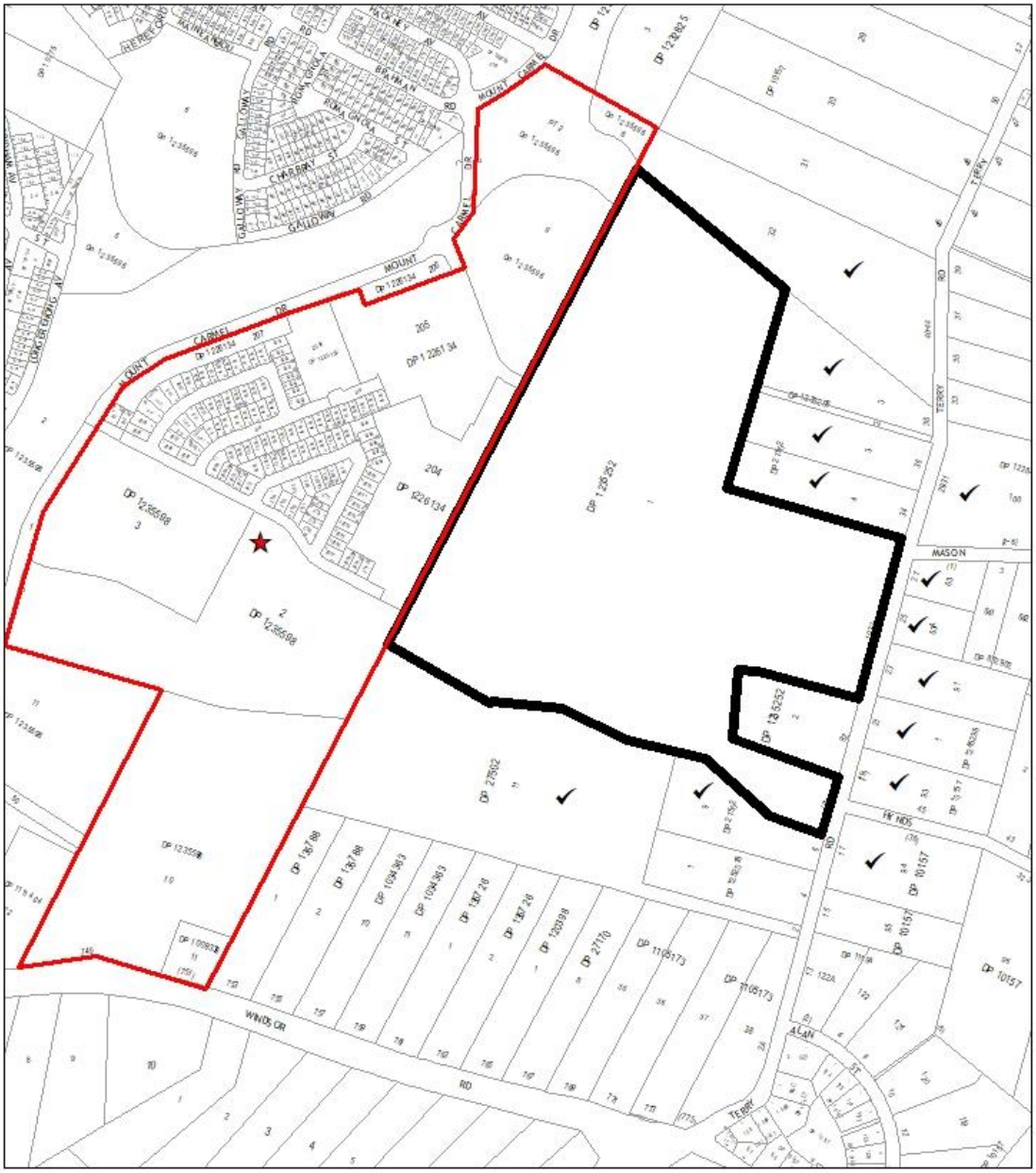
The developer must have building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. Water, sewer and stormwater mains).

For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see Plumbing, building and developing then Building over or next to assets).

ATTACHMENTS

1. Locality Plan
2. Aerial Photograph
3. Box Hill DCP Indicative Layout Plan
4. SEPP Land Zoning Map
5. SEPP Minimum Lot Size Map
6. SEPP Residential Density Map
7. SEPP Height of Buildings Map
8. SEPP Floor Space Ratio Map
9. SEPP Heritage Map
10. SEPP Existing Native Vegetation Area Map
11. SEPP Native Vegetation Retention Area Map
12. SEPP Riparian Area Protection Map
13. Draft SEPP Minimum Lot Size Map
14. Draft SEPP Residential Density Map
15. Site/ Building Envelopes Plan
16. Road Network Plan
17. Lot 1 Plan
18. Lots 4 and 5 Plan
19. Lot 6 Plan
20. Lot 7 Plan
21. Lot 9 Plan
22. Lot 10 Plan
23. Lots 11 and 12 Plan
24. Lot 13 Plan
25. Lots 14 and 15 Plan
26. Lot 16 Plan
27. Section Plan – Ludgate Street
28. Section Plan – Hordens Way
29. Section Plan – Skinner Street
30. Section Plan – Lots 1 to 5
31. Example Unit Plan
32. Aerial View Looking West – Building Envelopes
33. Contamination Assessment – Areas of Environmental Concern
34. Box Hill Development Control Plan Compliance Table
35. SEPP 65 Apartment Design Guide Compliance Table

ATTACHMENT 1 – LOCALITY PLAN



☐ **SUBJECT SITE**

✓ **PROPERTIES NOTIFIED**

★ **93-103 BOUNDARY ROAD IS A HISTORIC PROPERTY AND WAS NOTIFIED AT THE TIME OF LODGEMENT OF THE SUBJECT APPLICATION**

NO SUBMISSIONS RECEIVED. LOT 2 DP 1235252 WAS NOT NOTIFIED AS IT IS RE1 LAND ACQUIRED BY COUNCIL THROUGH THE ASSESSMENT PROCESS

THE HILLS Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

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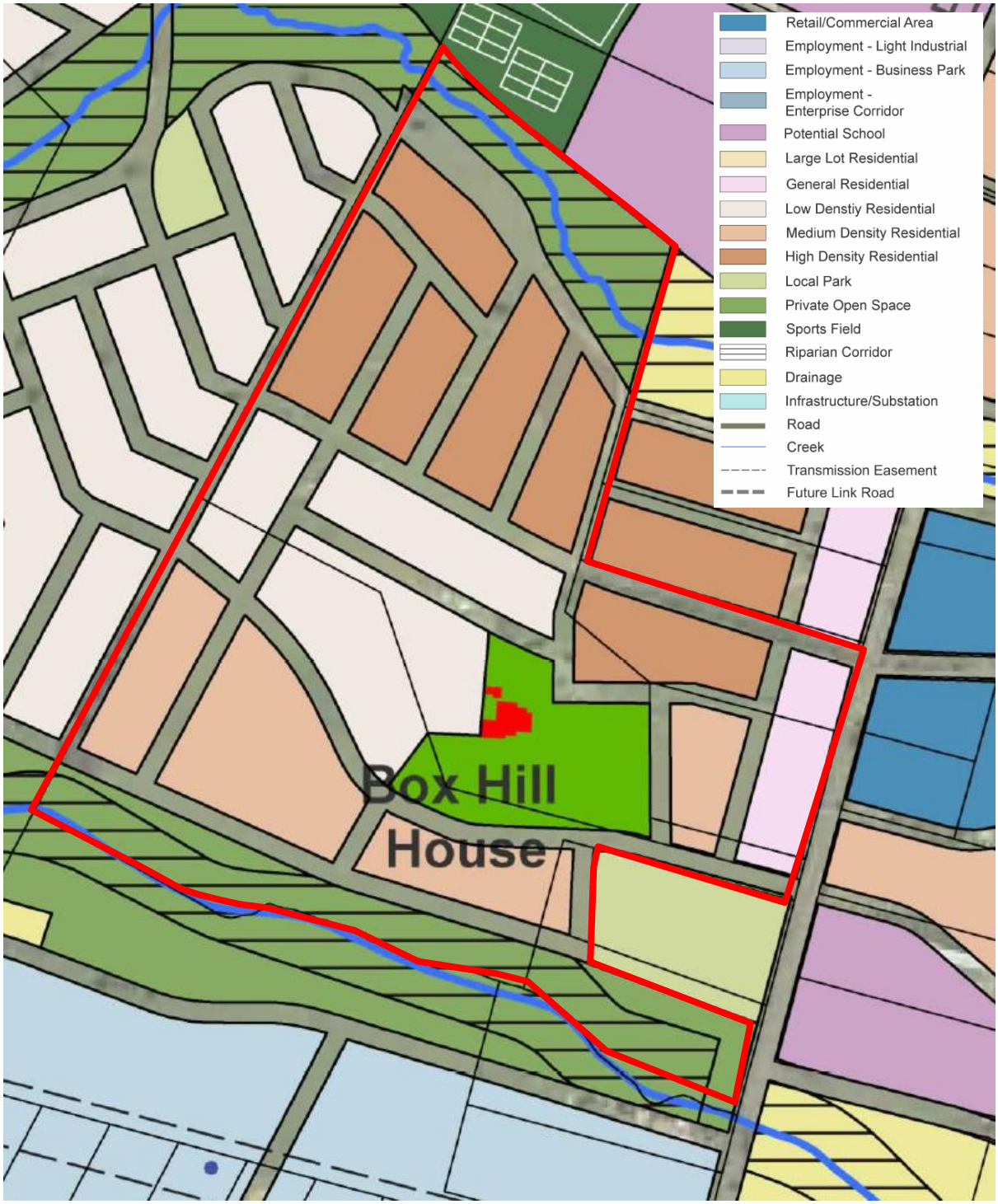
BASE CADASTRE COPYRIGHT LAND & PROPERTY INFORMATION NSW (LPI). CADASTRE UPDATE INCLUDING COUNCIL GENERATED DATA IS SUBJECT TO THSC COPYRIGHT.

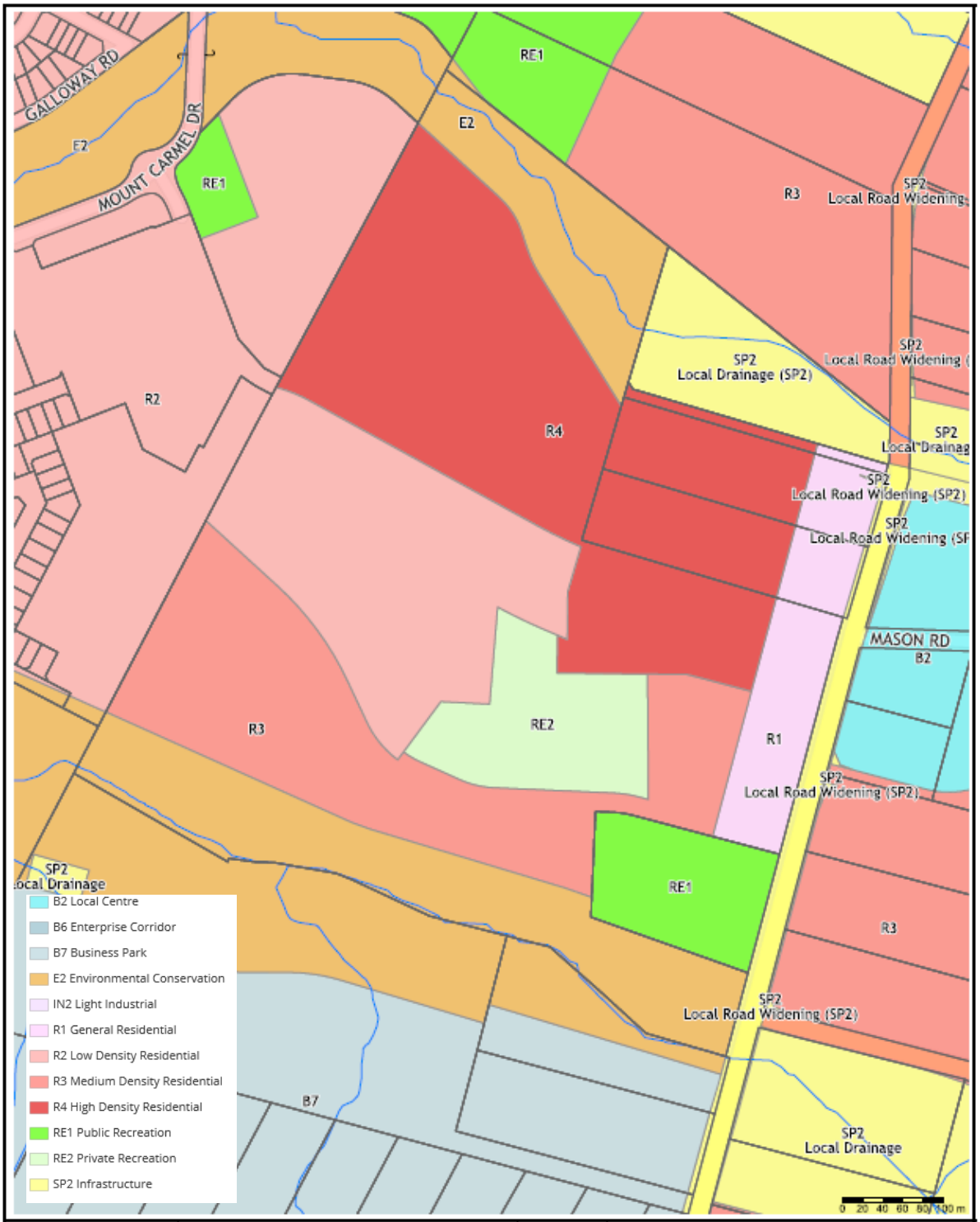
ATTACHMENT 2 – AERIAL PHOTOGRAPH

Red Outline – Subject Site

ATTACHMENT 3 – BOX HILL DCP INDICATIVE LAYOUT PLAN



ATTACHMENT 4 – SEPP LAND ZONING MAP



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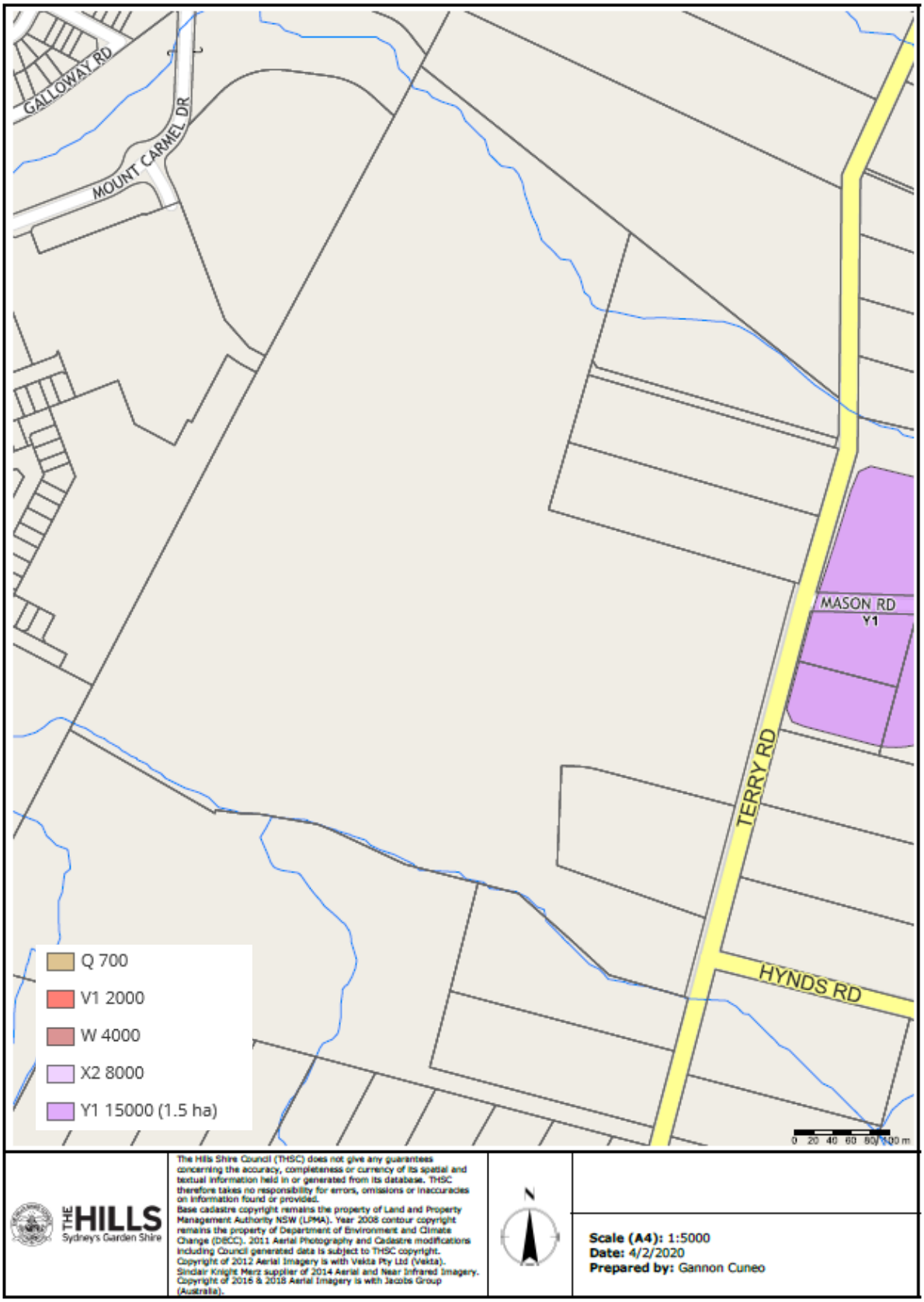
N

Scale (A4): 1:5000
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 5 – SEPP MINIMUM LOT SIZE MAP



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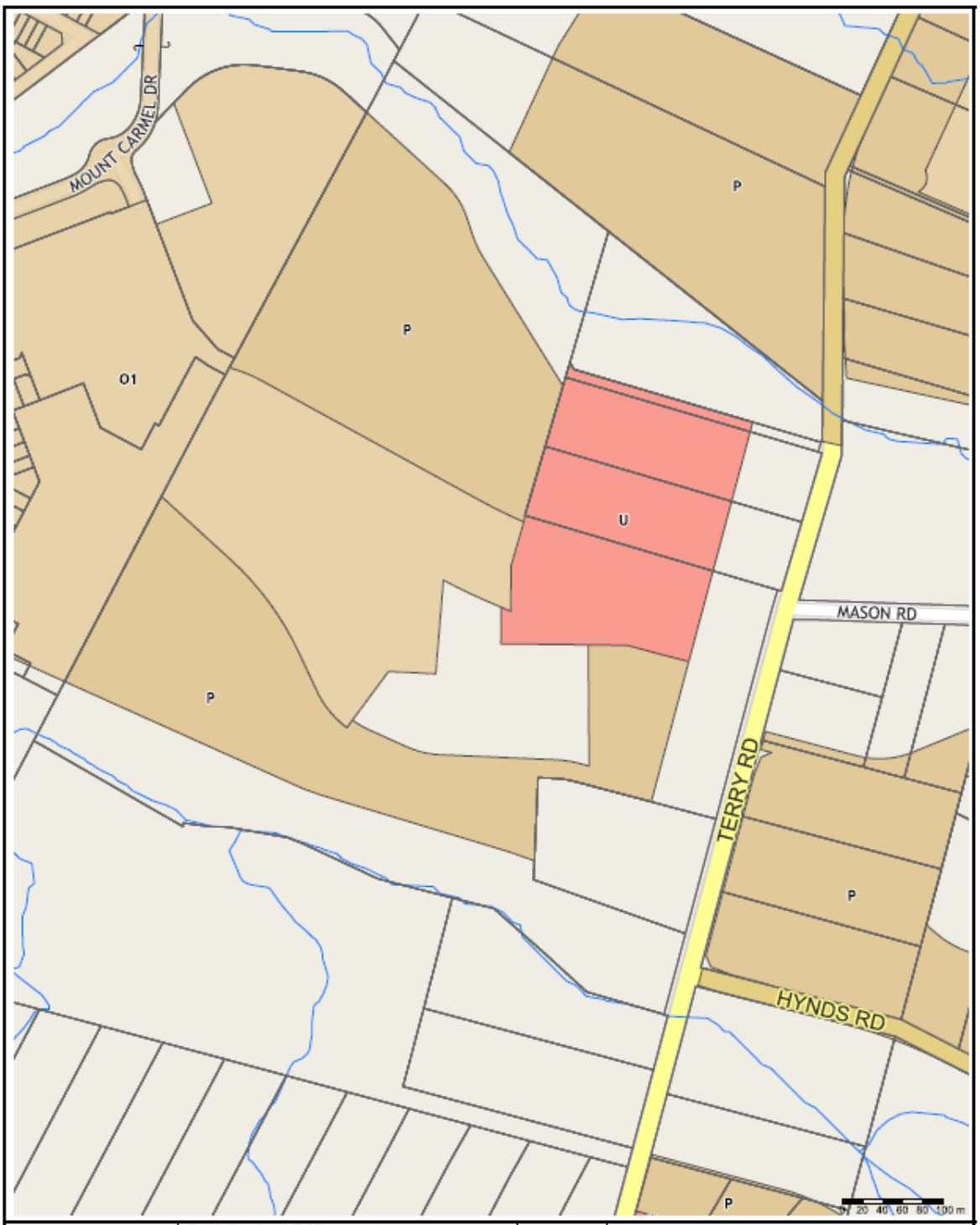
Scale (A4): 1:5000
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 6 - SEPP RESIDENTIAL DENSITY MAP



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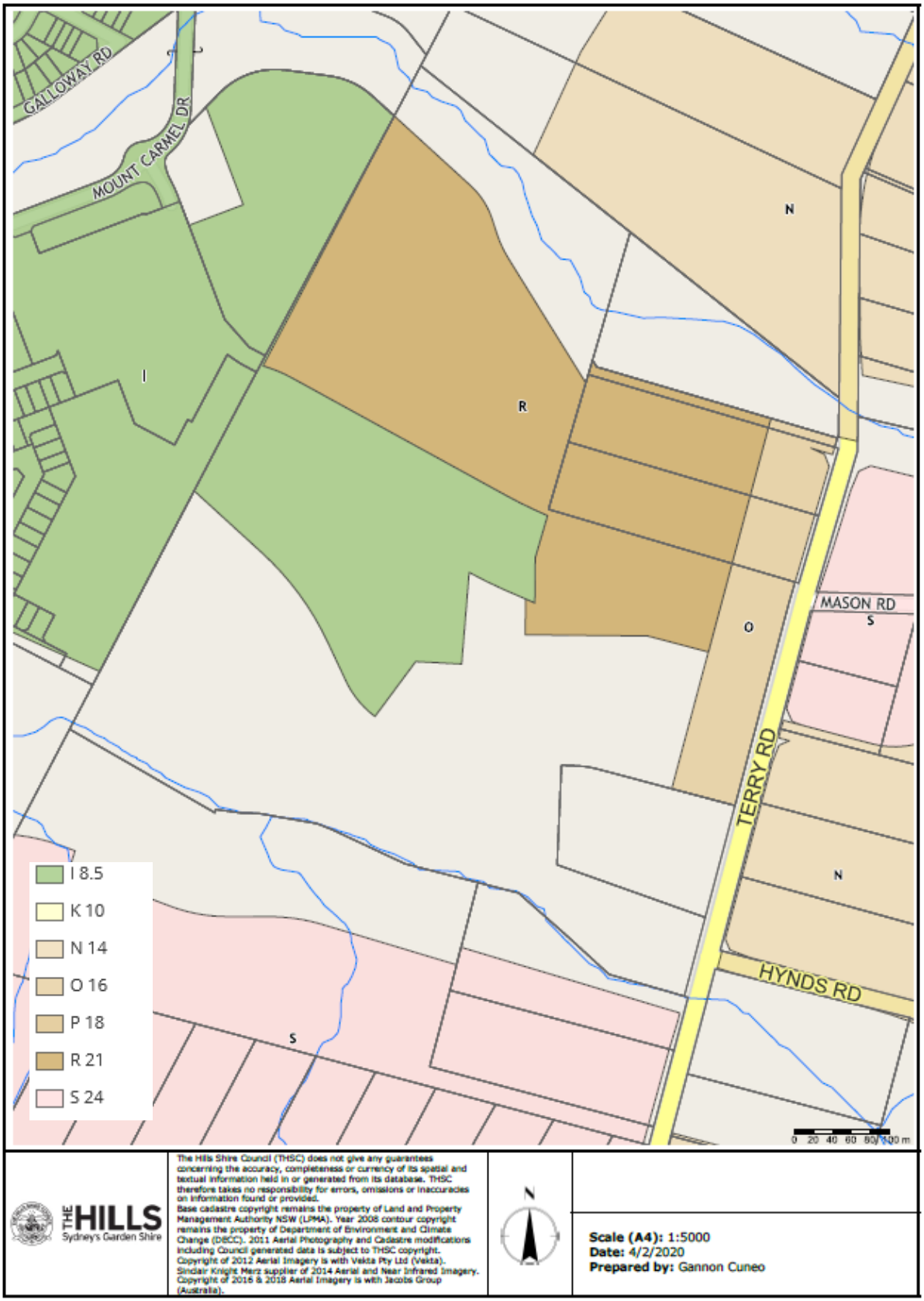
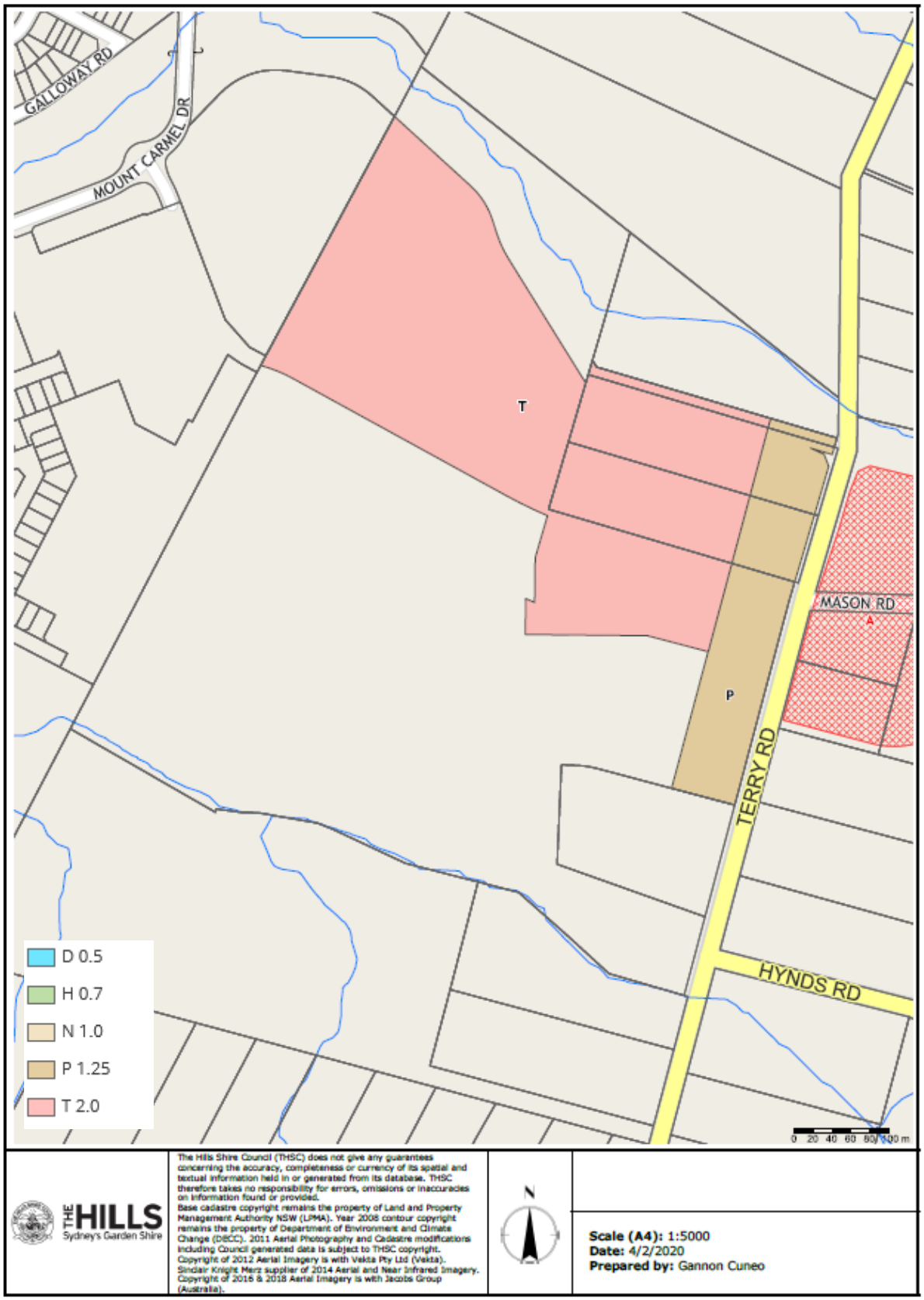
N

Scale (A4): 1:5172
Date: 4/3/2020
Prepared by: Gannon Cuneo

ATTACHMENT 7 – SEPP HEIGHT OF BUILDINGS MAP



ATTACHMENT 8 – SEPP FLOOR SPACE RATIO MAP



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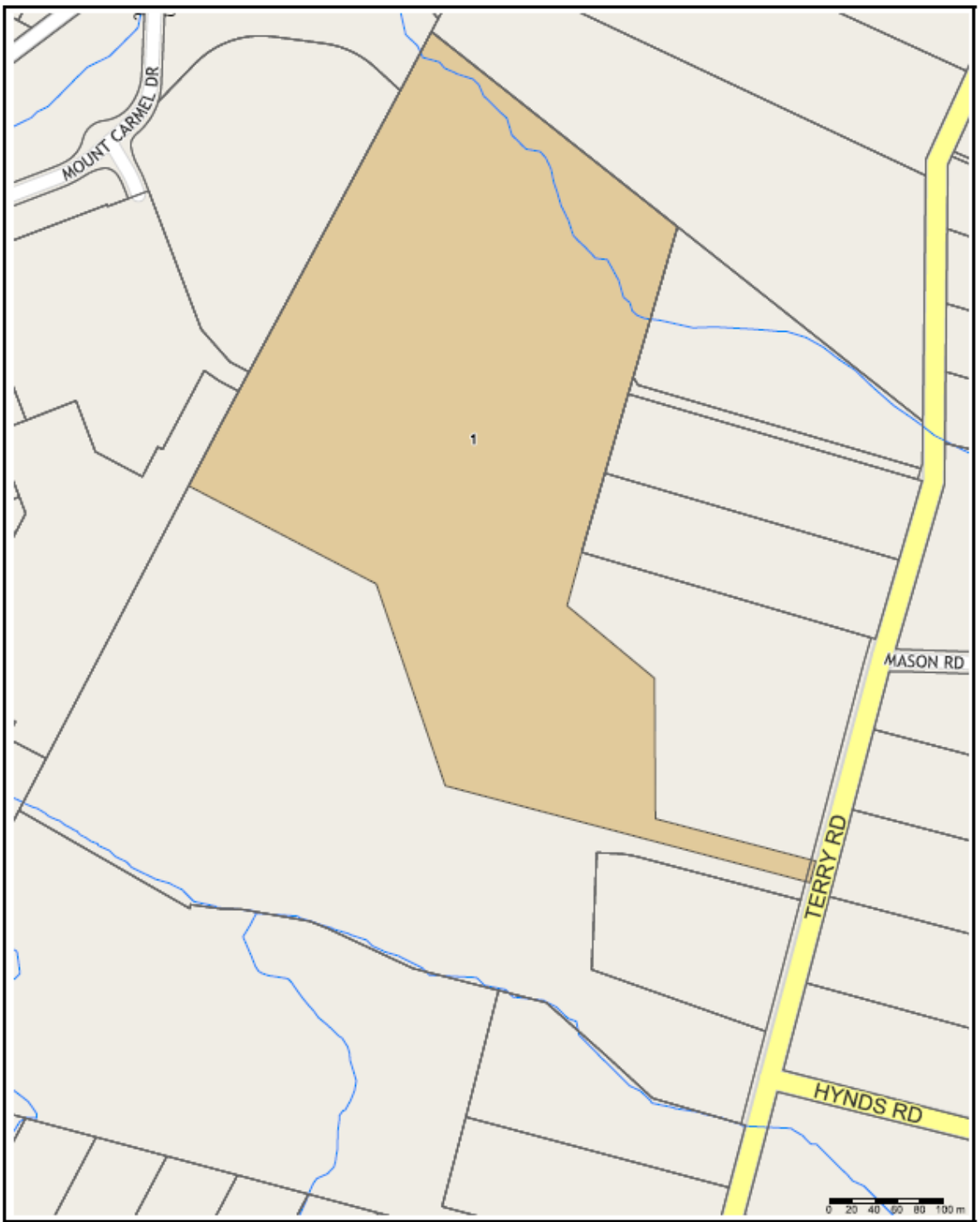
Scale (A4): 1:5000
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 9 – SEPP HERITAGE MAP



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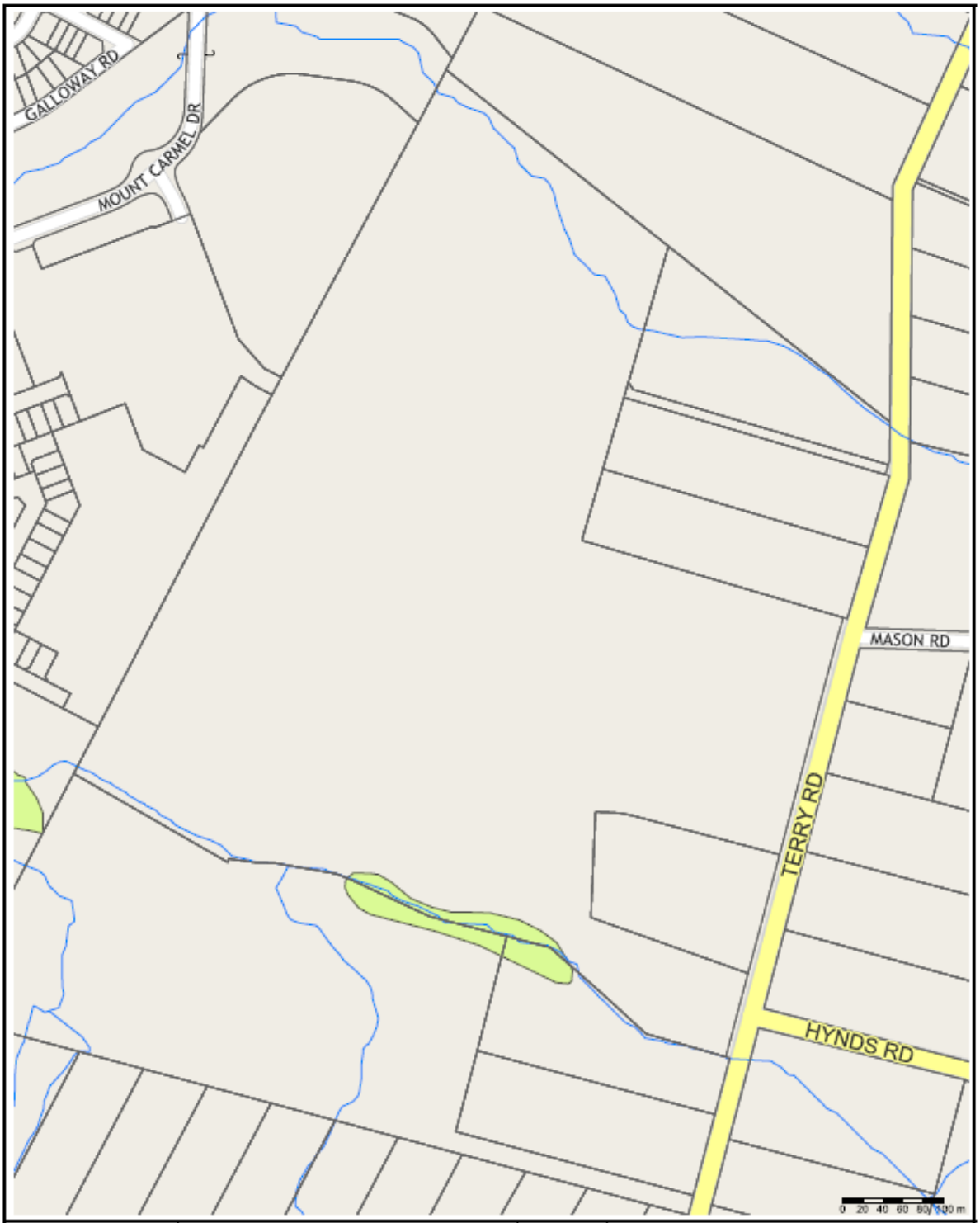
Scale (A4): 1:4514
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 10 – SEPP EXISTING NATIVE VEGETATION AREA MAP



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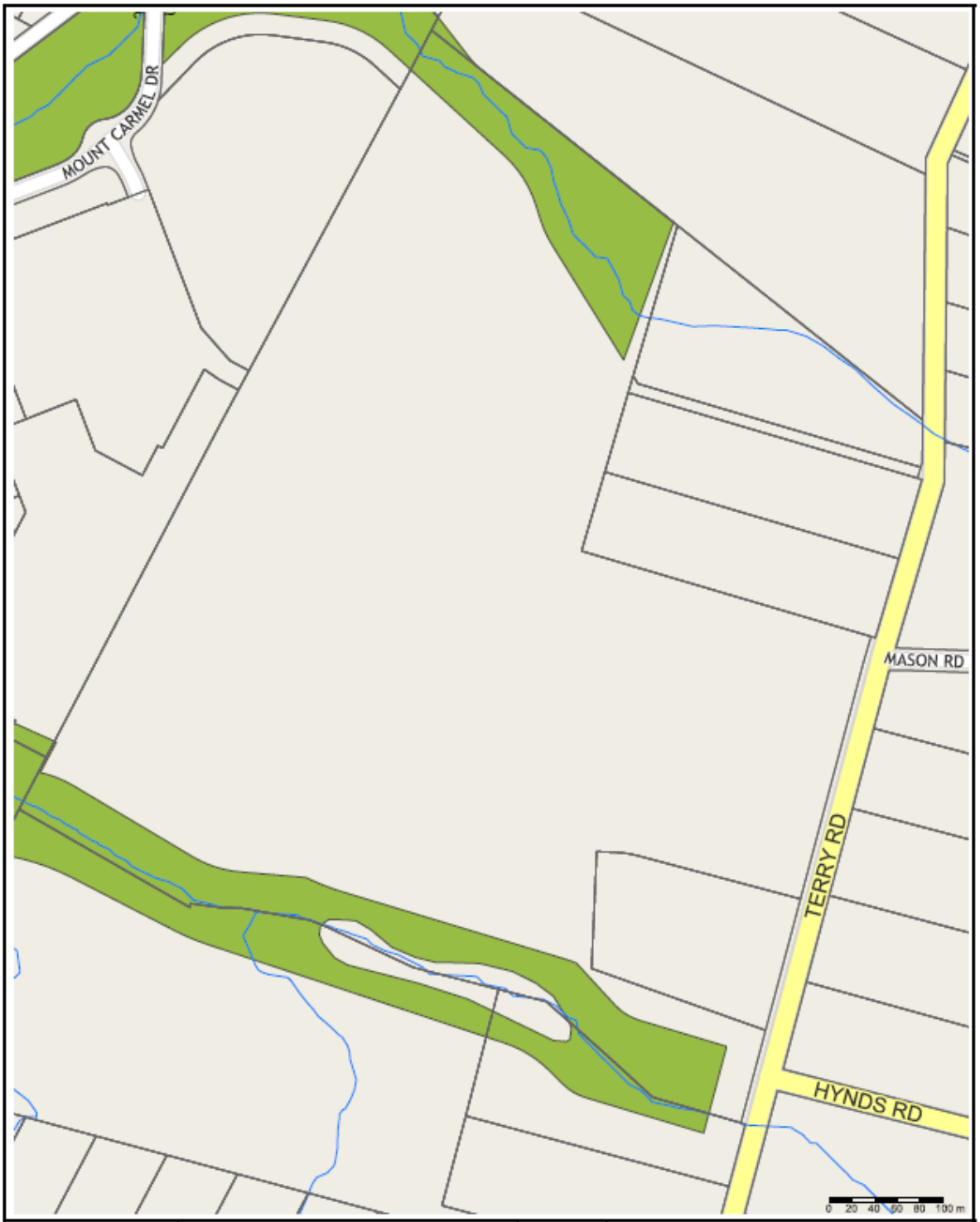
Scale (A4): 1:5000
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 11 – SEPP NATIVE VEGETATION RETENTION AREA MAP



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Scale (A4): 1:4514
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 12 – SEPP RIPARIAN AREA PROTECTION MAP

THE HILLS
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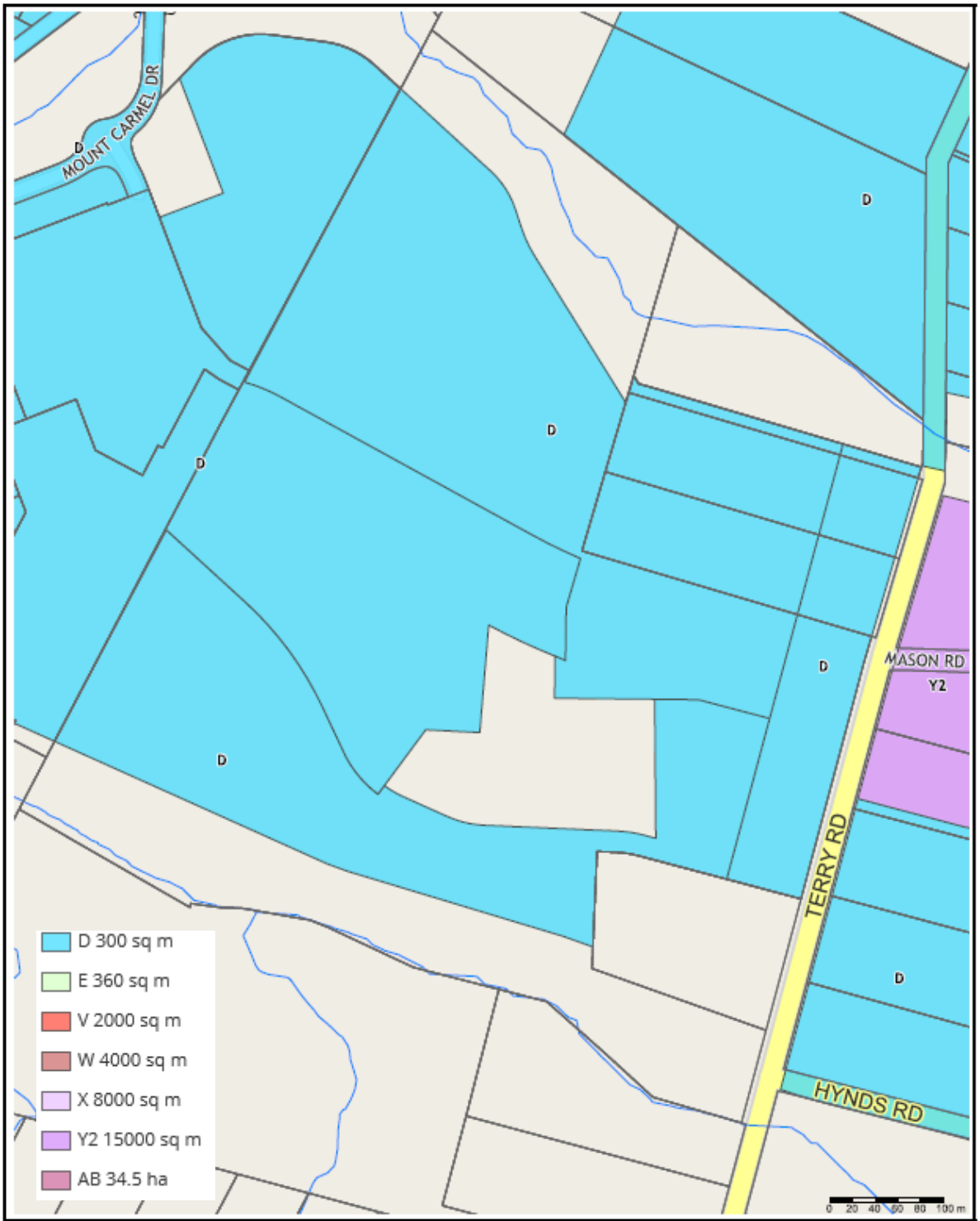
Scale (A4): 1:4514
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 13 – DRAFT SEPP MINIMUM LOT SIZE MAP



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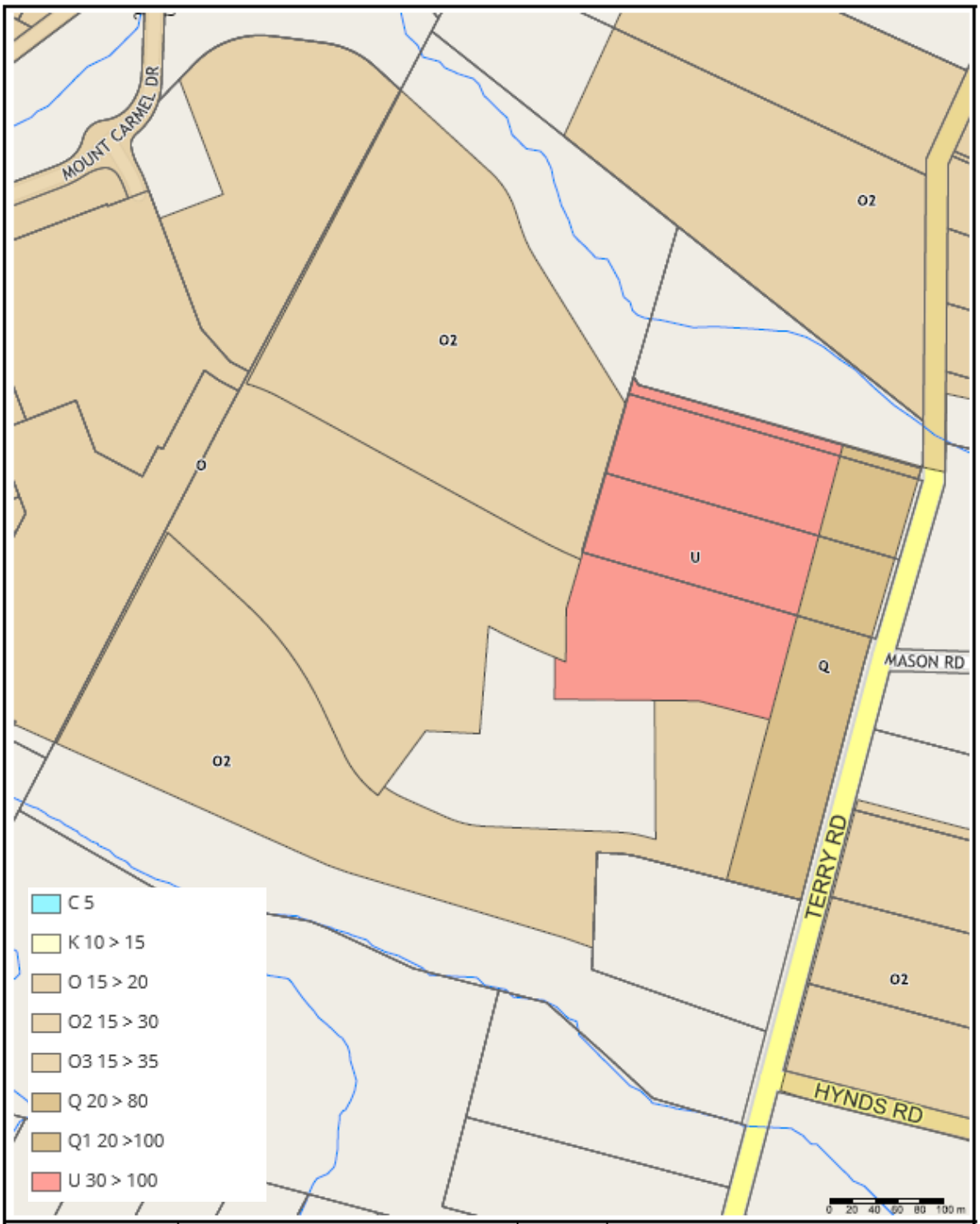
Scale (A4): 1:4514
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 14 – DRAFT SEPP RESIDENTIAL DENSITY MAP



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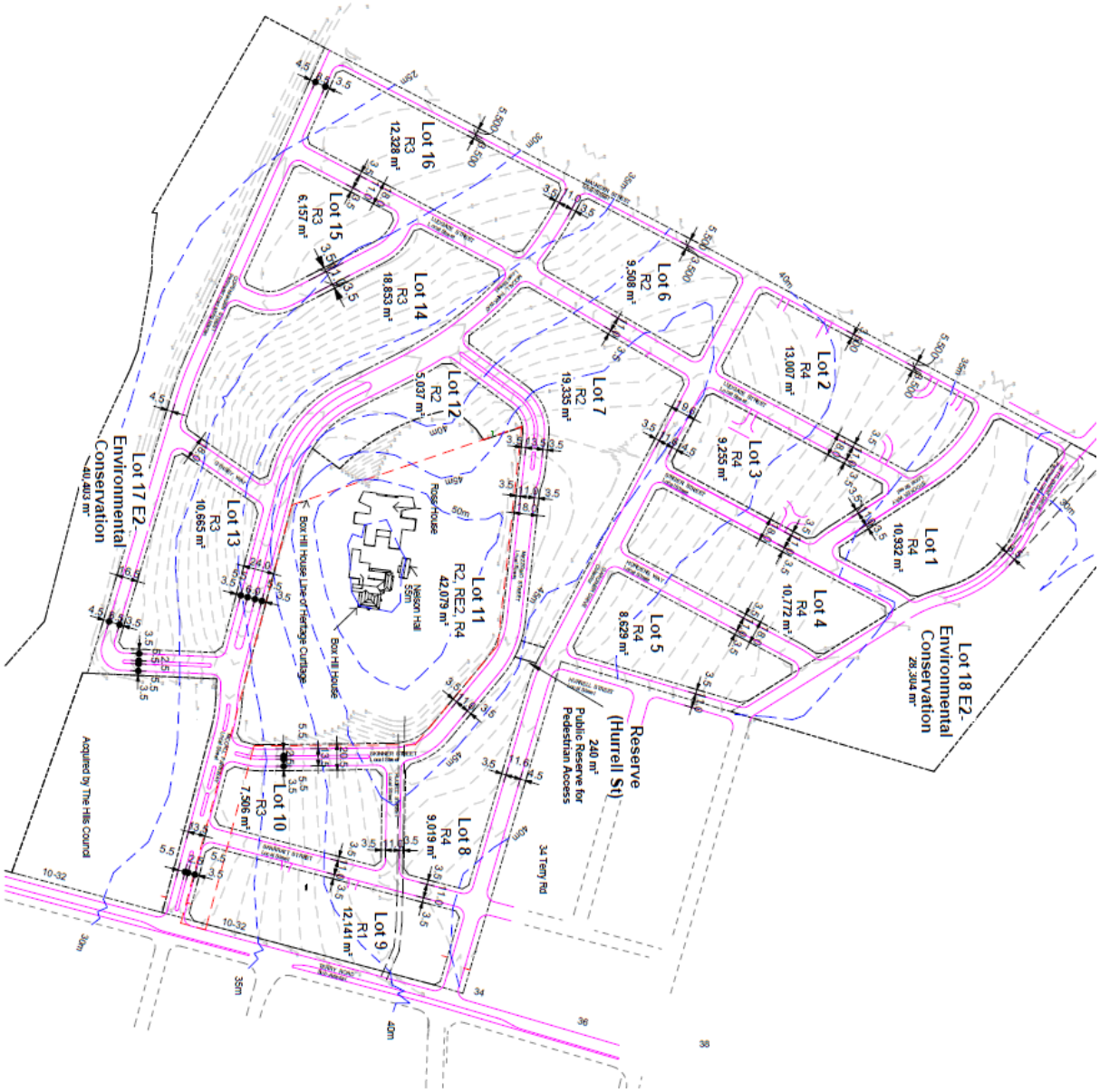
N

Scale (A4): 1:4514
Date: 4/2/2020
Prepared by: Gannon Cuneo

ATTACHMENT 15 – SITE/ BUILDING ENVELOPES PLAN

ATTACHMENT 16 – ROAD NETWORK PLAN



B 07/06/2019 Concept Master Plan revisions
A 17/08/2018 Determination Submission
Rev Date Description

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Road Network

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

mcfadyenarchitects
Peter McFadyen Nominated Registered Architect No.3041 ACN 76 002 505 383
thebay@mcfadyen.com.au 0411 705 710
PO Box 4052 WAGGA FFE NSW

Drawn:
Johnston Blair Studio
ACN 19 620 861 627
Michael Blair 0407 403772
Michael@jbstudio.com.au

1 : 3000 0 30m 60m 90m 150m

Checked: MB	Sheet: A3	
Job No:	Phase	Dwg No:	Rev
702	MP	A107	B

ATTACHMENT 17 – LOT 1 PLAN

Floor Area gross - Lot 1	
Floor Level	Area
Lot 1.1	
Floor level 1	613 m²
Floor level 2	613 m²
Floor level 3	613 m²
Floor level 4	613 m²
	2,451 m²
Lot 1.2	
Floor level 1	407 m²
Floor level 2	406 m²
Floor level 3	406 m²
Floor level 4	406 m²
Floor level 5	406 m²
Floor level 6	406 m²
	2,435 m²
Lot 1.3	
Floor level 1	762 m²
Floor level 2	762 m²
Floor level 3	762 m²
Floor level 4	762 m²
Floor level 5	762 m²
Floor level 6	762 m²
	4,572 m²
Lot 1.4	
Floor level 1	613 m²
Floor level 2	613 m²
Floor level 3	613 m²
Floor level 4	613 m²
Floor level 5	613 m²
Floor level 6	613 m²
	3,676 m²
Lot 1.5	
Floor level 1	762 m²
Floor level 2	762 m²
Floor level 3	762 m²
Floor level 4	762 m²
Floor level 5	762 m²
Floor level 6	762 m²
	4,572 m²
	17,707 m²

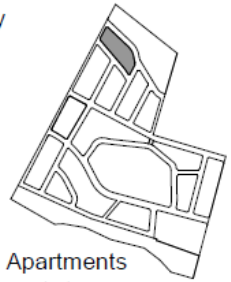
Lot 1 - Zone R4			
Site Area	Max Floor Area FSR 2:1	Max Site Coverage 50%	Min Landscaped area 30%
10,932 m²	21,864 m²	5,466 m²	3,280 m²

Building	Site Coverage
Lot 1.1	761 m²
Lot 1.2	506 m²
Lot 1.3	934 m²
Lot 1.4	761 m²
Lot 1.5	934 m²
5	3,896 m²

Apartments	Count	Floor Area
Lot 1.1		
Apartment 1 Bed	8	525 m²
Apartment 2 Bed	8	630 m²
Apartment 3 Bed	8	910 m²
	24	2,066 m²
Lot 1.2		
Apartment 1 Bed	12	788 m²
Apartment 3 Bed	6	666 m²
Apartment 3 Bed east	6	666 m²
	24	2,119 m²
Lot 1.3		
Apartment 1 Bed	12	788 m²
Apartment 2 Bed	24	1,843 m²
Apartment 3 Bed	12	1,331 m²
	48	3,962 m²
Lot 1.4		
Apartment 1 Bed	12	788 m²
Apartment 2 Bed	12	946 m²
Apartment 3 Bed	12	1,365 m²
	36	3,098 m²
Lot 1.5		
Apartment 1 Bed	12	788 m²
Apartment 2 Bed	24	1,843 m²
Apartment 3 Bed	12	1,331 m²
	48	3,962 m²
	180	15,207 m²

Totals	Count	Useable Floor Area
Apartment 1 Bed	56	3,676 m²
Apartment 2 Bed	68	5,262 m²
Apartment 3 Bed	50	5,603 m²
Apartment 3 Bed east	6	666 m²
	180	15,207 m²

Site key



Legend Apartments

- 1 Bedroom Apartment (66 sqm)
- 2 Bedroom Apartment (77 sqm)
- 3 Bedroom Apartment (114 sqm)
- Balcony (12sqm min)
- Lift, Egress stairs
- Public Corridor
- Commercial space (ground level)

Area Lot 1 Yield Measured to Road CL				
	Area	min.dw/p/h	Min required dwellings	proposed dwellings
Area - 1	15,589 m²	30	46	180

Lot 1 Summary

Site Area	11846	m2
Development Area (to street CL)	15589	m2
Proposed Dwelling density p/ha	115	dw/ha
Proposed Gross Floor Area (GFA)	17707.0	m2
Proposed Floor Space Ratio (FSR)	1.49 : 1	
Allowable FSR	2.00 : 1	
Allowable GFA (by FSR)	23692.0	m2
Proposed Site Coverage (max 50%)	4664	m2
Proposed Site Coverage actual % of site	39%	
Lscape Area req min 30% **req3554 Proposed**	3581	m2
1 Bed Apartments Proposed	31% 56	
2 Bed Apartments Proposed	38% 68	
3 Bed Apartments Proposed	31% 56	
Total Apartments Proposed	180	
Car Spaces required for Residents	208	
Car Spaces required for Visitors	36	
Bicycle parking required	60	

Rev	Date	Description
C	07/06/2019	Concept Master Plan revisions
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Plan - Lot 1
R4 Zone Concept Building Envelope

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

mcfadyenarchitects
Peter McFadyen Nominated Registered Architect No.5041 ACN 76 002 505 393
thebay@mcfadyen.com.au 0411 705 710
PO Box 4052 WAGSTAFFE NSW

Drawn:
Johnston Blair Studio
ACN 19 620 861 627
Michael Blair 0407 403772
Michael@jbstudio.com.au

1 : 1000
0 10m 20m 30m 50m

Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A118	C

ATTACHMENT 18 – LOTS 4 AND 5 PLAN

Lot 4 - Zone R4			
Site Area	Max Floor Area FSR 2:1	Max Site Coverage 50%	Min Landscaped area 30%
10,772 m²	21,544 m²	5,386 m²	3,232 m²

Building	Site Coverage
Lot 4.1	761 m²
Lot 4.2	347 m²
Lot 4.3	810 m²
Lot 4.4	500 m²
Lot 4.5	500 m²
Lot 4.6	761 m²
	3,679 m²

Apartments	Count	Floor Area
Lot 4.1		
Apartment 1 Bed	8	525 m²
Apartment 2 Bed	8	630 m²
Apartment 3 Bed	8	910 m²
	24	2,066 m²
Lot 4.2		
Apartment 1 Bed	6	394 m²
Apartment 2 Bed	12	905 m²
	18	1,299 m²
Lot 4.3		
Apartment 1 Bed	12	788 m²
Apartment 2 Bed	24	1,906 m²
Apartment 3 Bed	5	569 m²
	41	3,262 m²
Lot 4.4		
Apartment 1 Bed	12	788 m²
Apartment 3 Bed	12	1,331 m²
	24	2,119 m²
Lot 4.5		
Apartment 1 Bed	12	788 m²
Apartment 3 Bed	12	1,331 m²
	24	2,119 m²
Lot 4.6		
Apartment 1 Bed	12	788 m²
Apartment 2 Bed	12	946 m²
Apartment 3 Bed	12	1,365 m²
	36	3,098 m²
	167	13,963 m²

Totals	Count	Useable Floor Area
Apartment 1 Bed	62	4,070 m²
Apartment 2 Bed	56	4,386 m²
Apartment 3 Bed	49	5,506 m²
167	167	13,963 m²

Lot 4.1	
Floor level 1	613 m²
Floor level 2	613 m²
Floor level 3	613 m²
Floor level 4	613 m²
	2,451 m²

Lot 4.2	
Floor level 1	266 m²
Floor level 2	266 m²
Floor level 3	266 m²
Floor level 4	266 m²
Floor level 5	266 m²
Floor level 6	266 m²
	1,593 m²

Lot 4.3	
Floor level 1	644 m²
Floor level 2	644 m²
Floor level 3	644 m²
Floor level 4	644 m²
Floor level 5	644 m²
Floor level 6	644 m²
	3,862 m²

Lot 4.4	
Floor level 1	409 m²
Floor level 2	406 m²
Floor level 3	406 m²
Floor level 4	406 m²
Floor level 5	406 m²
Floor level 6	406 m²
	2,439 m²

Lot 4.5	
Floor level 1	409 m²
Floor level 2	406 m²
Floor level 3	406 m²
Floor level 4	406 m²
Floor level 5	406 m²
Floor level 6	406 m²
	2,439 m²

Lot 4.6	
Floor level 1	613 m²
Floor level 2	613 m²
Floor level 3	613 m²
Floor level 4	613 m²
Floor level 5	613 m²
Floor level 6	613 m²
	3,676 m²
	16,461 m²

Lot 5- Zone R4			
Site Area	Max Floor Area FSR 2:1	Max Site Coverage 50%	Min Landscaped area 30%
8,629 m²	17,258 m²	4,315 m²	2,589 m²

Totals	Site Coverage
Lot 5.1	883 m²
Lot 5.2	934 m²
Lot 5.3	761 m²
Lot 5.4	500 m²
	3,078 m²

Apartments	Count	Floor Area
Lot 5.1		
Apartment 1 Bed	8	525 m²
Apartment 2 Bed	8	603 m²
Apartment 3 Bed	12	1,331 m²
	28	2,460 m²
Lot 5.2		
Apartment 1 Bed	8	525 m²
Apartment 2 Bed	16	1,229 m²
Apartment 3 Bed	8	888 m²
	32	2,642 m²
Lot 5.3		
Apartment 1 Bed	12	788 m²
Apartment 2 Bed	12	946 m²
Apartment 3 Bed	12	1,365 m²
	36	3,098 m²
Lot 5.4		
Apartment 1 Bed	12	788 m²
Apartment 3 Bed	12	1,331 m²
	24	2,119 m²
	120	10,319 m²

Totals	Count	Useable Floor Area
Apartment 1 Bed	40	2,626 m²
Apartment 2 Bed	36	2,778 m²
Apartment 3 Bed	44	4,915 m²
	120	10,319 m²

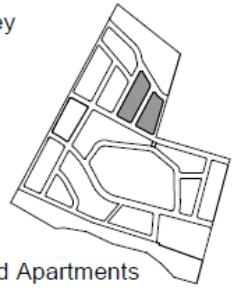
Lot 5.1	
Floor level 1	720 m²
Floor level 2	720 m²
Floor level 3	720 m²
Floor level 4	720 m²
	2,879 m²

Lot 5.2	
Floor level 1	762 m²
Floor level 2	762 m²
Floor level 3	762 m²
Floor level 4	762 m²
	3,048 m²

Lot 5.3	
Floor level 1	613 m²
Floor level 2	613 m²
Floor level 3	613 m²
Floor level 4	613 m²
Floor level 5	613 m²
Floor level 6	613 m²
	3,676 m²

Lot 5.4	
Floor level 1	409 m²
Floor level 2	406 m²
Floor level 3	406 m²
Floor level 4	406 m²
Floor level 5	406 m²
Floor level 6	406 m²
	2,439 m²
	12,042 m²

Site key



Legend Apartments

- 1 Bedroom Apartment (66 sqm)
- 2 Bedroom Apartment (77 sqm)
- 3 Bedroom Apartment (114 sqm)
- Balcony (12sqm min)
- Lift, Egress stairs
- Public Corridor
- Commercial space (ground level)

Rev	Date	Description
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens
Community

Drawing:
Site Plan - Lot 4 and 5
R4 Zone Concept Building Envelope

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

Lot 4 Summary

Site Area	10772 m2	
Development Area (to street CL)	15788 m2	
Proposed Dwelling density p/ha	106 dw/ha	
Proposed Gross Floor Area (GFA)	16461.0 m2	
Proposed Floor Space Ratio (FSR)	1.53 : 1	
Allowable FSR	2.00 : 1	
Allowable GFA (by FSR)	21544.0 m2	
Proposed Site Coverage (max 50%)	3418 m2	
Proposed Site Coverage actual % of site	32%	
Lscape Area req min 30% req3232 Proposed	3677 m2	
1 Bed Apartments Proposed	37%	62
2 Bed Apartments Proposed	34%	56
3 Bed Apartments Proposed	29%	49
Total Apartments Proposed		167
Car Spaces required for Residents		192
Car Spaces required for Visitors		33
Bicycle parking required		56

Area Lot 4 and 5 Yield Measured to Road CL				
	Area	min. dwellings density dw/p/h	Min required dwellings	proposed dwellings
Area - 4	15,788 m²	30	47	167
Area - 5	12,997 m²	30	39	120

Lot 5 Summary

Site Area	8629 m2	
Development Area (to street CL)	12997 m2	
Proposed Dwelling density p/ha	92 dw/ha	
Proposed Gross Floor Area (GFA)	12042.0 m2	
Proposed Floor Space Ratio (FSR)	1.40 : 1	
Allowable FSR	2.00 : 1	
Allowable GFA (by FSR)	17258.0 m2	
Proposed Site Coverage (max 50%)	2816 m2	
Proposed Site Coverage actual % of site	33%	
Lscape Area req min 30% req2589 Proposed	2907 m2	
1 Bed Apartments Proposed	33%	40
2 Bed Apartments Proposed	30%	36
3 Bed Apartments Proposed	37%	44
Total Apartments Proposed		120
Car Spaces required for Residents		142
Car Spaces required for Visitors		24
Bicycle parking required		40

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1 : 1000
0 10m 20m 30m 50m

Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A119	B

ATTACHMENT 19 – LOT 6 PLAN

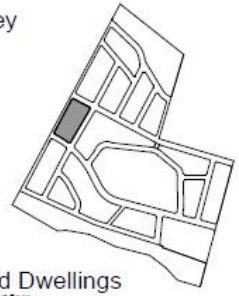
Lot 6-16 example front access 12.5m Frontage - 2 Storey - 3 Bedroom

	Proposed	Req./Allowed
Site Area	435.0m2	
Site FSR	0.5	1.25:1
House Ground Floor	116 m²	
House First Floor	89 m²	
Gross Floor Area (GFA)	205 m²	543.8
Site Coverage First Floor no more than 40% of Lot area	20.5% (FF A)	218 m²
Soft Landscaped Area req 15%	154 m²	65 m²
Principal Private Open Space	50 m²	16 m²
Solar Access	Yes	
Garage % of front facade	30%	40%
Garage width	6m	double front
Garage Area	40 m²	

Area Lot 6 Yield Measured to Road CL			
Name	Area	Dwellings actual	Dw/Ha
Area - 6	13,652 m²	24	17.6

Lot 6		
Sub Lot #	Area	dwellings
6-01	738 m²	2
6-02	351 m²	1
6-03	348 m²	1
6-04	346 m²	1
6-05	429 m²	1
6-06	425 m²	1
6-07	422 m²	1
6-08	418 m²	1
6-09	783 m²	2
6-10	504 m²	1
6-11	496 m²	1
6-12	751 m²	2
6-13	423 m²	1
6-14	427 m²	1
6-15	431 m²	1
6-16	435 m²	1
6-17	351 m²	1
6-18	354 m²	1
6-19	356 m²	1
6-20	720 m²	2
Grand total: 20	9,508 m²	24

Site key



Legend Dwellings
- Ground floor
- Second floor
- Articulation
- Principal private open space (PPOS)
- Soft landscape area
- Garage

Rev	Date	Description
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Plan - Lot 6

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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1 : 1000 — 0 10m 20m 30m 50m

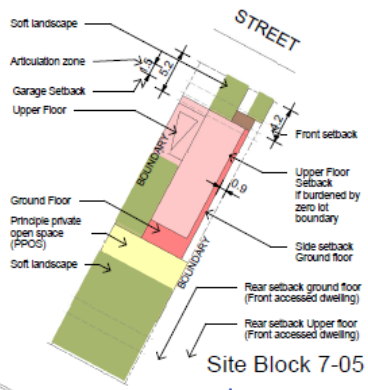
Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A112	B

ATTACHMENT 20 – LOT 7 PLAN

Lot 7-05 example 10m frontage - 2 storey 3 Bedroom + single front garage

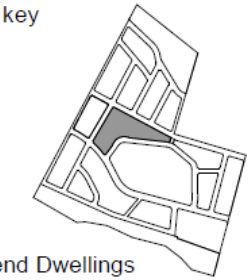
	Proposed	Req./Allowed
Site Area	383.0m2	
Site FSR	0.5	1.25:1
House Ground Floor	100 m²	
House First Floor	103 m²	
Gross Floor Area (GFA)	203 m²	478.8
Site Coverage First Floor no more than 40% of Lot area	26.9% (FF A)	192 m²
Soft Landscaped Area req 30%	177 m²	57 m²
Principal Private Open Space	40 m²	24 m²
Solar Access	Yes	
Garage % of front facade	Front	0%
Garage width	3m	3m
Garage Area	22 m²	



Site Block 7-05

Lot 7		
Sub Lot #	Area	Dwellings
7-01	843 m²	2
7-02	476 m²	1
7-03	479 m²	1
7-04	479 m²	1
7-05	383 m²	1
7-06	383 m²	1
7-07	383 m²	1
7-08	373 m²	1
7-09	354 m²	1
7-10	334 m²	1
7-11	389 m²	1
7-12	358 m²	1
7-13	327 m²	1
7-14	352 m²	1
7-15	307 m²	1
7-16	409 m²	1
7-17	355 m²	1
7-18	610 m²	1
7-19	394 m²	1
7-20	342 m²	1
7-21	316 m²	1
7-22	345 m²	1
7-23	371 m²	1
7-24	377 m²	1
7-25	400 m²	1
7-26	452 m²	1
7-27	678 m²	1
7-28	948 m²	1
7-29	795 m²	1
7-30	676 m²	1
7-31	356 m²	1
7-32	471 m²	1
7-33	773 m²	2
7-34	416 m²	1
7-35	435 m²	1
7-36	582 m²	2
7-37	453 m²	1
7-38	400 m²	1
7-39	400 m²	1
7-40	400 m²	1
7-41	320 m²	1
7-42	320 m²	1
7-43	320 m²	1
Grand total: 43	19,335 m²	46

Site key



Legend Dwellings

- Ground floor
- Second floor
- Articulation
- Principal private open space (PPOS)
- Soft landscape area
- Garage

Rev	Date	Description
C	07/06/2019	Concept Master Plan revisions
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Plan - Lot 7

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

Area Lot 7 Yield Measured to Road CL			
Name	Area	Dwellings proposed	Dw/Ha
Area - 7	26,462 m²	45	17.0

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1 : 1000 — 0 10m 20m 30m 50m

Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A111	C

ATTACHMENT 21 – LOT 9 PLAN

Floor Area gross - Lot 9

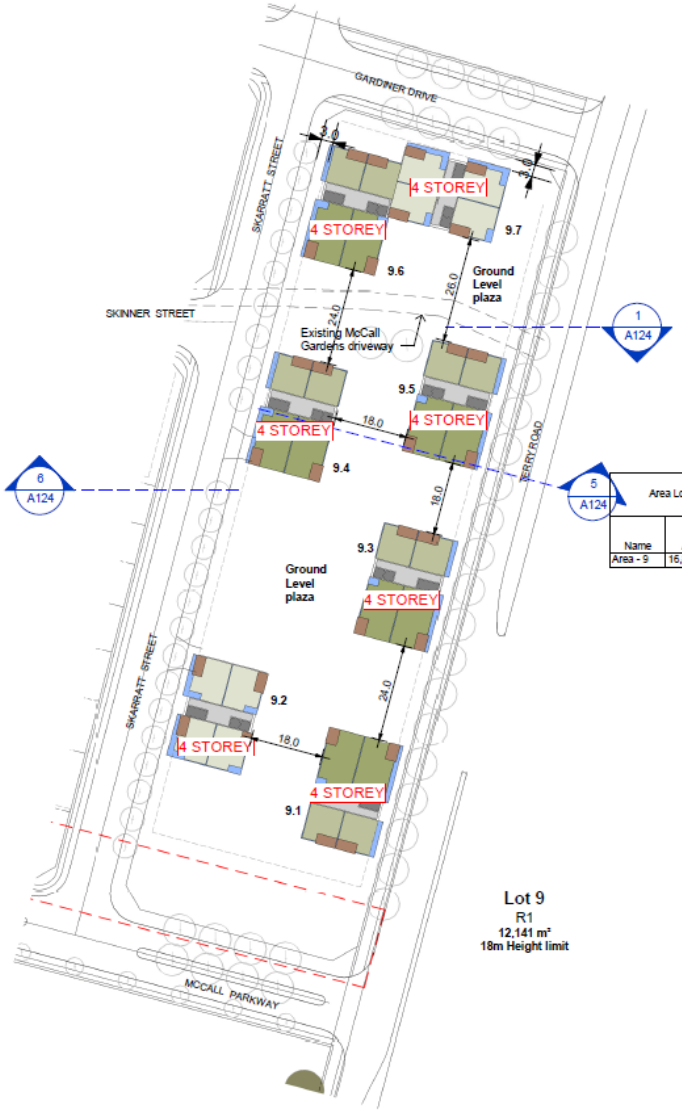
	Area
Lot 9.1	
Ground level Commercial	487 m²
Floor level 1 Commercial	406 m²
Floor level 2 Residential	406 m²
Floor level 3 Residential	406 m²
	1,706 m²
Lot 9.2	
Ground level Commercial	441 m²
Floor level 1 Commercial	356 m²
Floor level 2 Residential	356 m²
Floor level 3 Residential	356 m²
	1,510 m²
Lot 9.3	
Ground level Commercial	487 m²
Floor level 1 Commercial	406 m²
Floor level 2 Residential	406 m²
Floor level 3 Residential	406 m²
	1,706 m²
Lot 9.4	
Ground level Commercial	487 m²
Floor level 1 Commercial	406 m²
Floor level 2 Residential	406 m²
Floor level 3 Residential	406 m²
	1,706 m²
Lot 9.5	
Ground level Commercial	487 m²
Floor level 1 Commercial	406 m²
Floor level 2 Residential	406 m²
Floor level 3 Residential	406 m²
	1,706 m²
Lot 9.6	
Ground level Commercial	487 m²
Floor level 1 Commercial	406 m²
Floor level 2 Residential	406 m²
Floor level 3 Residential	406 m²
	1,706 m²
Lot 9.7	
Ground level Commercial	441 m²
Floor level 1 Commercial	356 m²
Floor level 2 Residential	356 m²
Floor level 3 Residential	356 m²
	1,510 m²
Grand total	11,548 m²

Floor Area gross - Lot 9 - Residential

	Area
Floor level 2 Residential	2,743 m²
Floor level 3 Residential	2,743 m²
Grand total	5,486 m²

Floor Area gross - Lot 9 commercial

	Area
Ground level Commercial	3,320 m²
Floor level 1 Commercial	2,743 m²
Grand total	6,063 m²



Area Lot 9 Yield Measured to Road CL

Name	Area	Min required dwellings	Dw/Ha	Dwellings Proposed
Area - 9	16,814 m²	20	33.3	56

Lot 9 - Zone R1

Site Area	Max Floor Area FSR 1:1	Max Site Coverage 50%	Min Landscaped area 30%
12,141 m²	12,141 m²	6,071 m²	3,642 m²

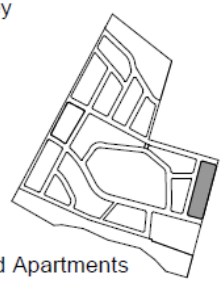
Apartments	Count	Floor Area
Lot 9.1		
Apartment 1 Bed	4	263 m²
Apartment 3 Bed	4	444 m²
	8	706 m²
Lot 9.2		
Apartment 2 Bed	8	603 m²
	8	603 m²
Lot 9.3		
Apartment 1 Bed	4	263 m²
Apartment 3 Bed	4	444 m²
	8	706 m²
Lot 9.4		
Apartment 1 Bed	4	263 m²
Apartment 3 Bed	4	444 m²
	8	706 m²
Lot 9.5		
Apartment 1 Bed	4	263 m²
Apartment 3 Bed	4	444 m²
	8	706 m²
Lot 9.6		
Apartment 1 Bed	4	263 m²
Apartment 3 Bed	4	444 m²
	8	706 m²
Lot 9.7		
Apartment 2 Bed	8	603 m²
	8	603 m²
	56	4,738 m²

Totals	Count	Useable Floor Area
Apartment 1 Bed	20	1,313 m²
Apartment 2 Bed	16	1,206 m²
Apartment 3 Bed	20	2,219 m²
56	56	4,738 m²

Lot 9 Calculations Summary

Site Area		12141 m2
Development Area (to street CL)		16,814 m² m2
Proposed Dwelling density p/ha		33 dw/ha
Proposed Residential Floor space		5486 m2
Proposed Commercial Floor space		6063 m2
Proposed Gross Floor Area (GFA)		11549 m2
Proposed Floor Space Ratio Res. (FSR)		0.45 : 1
Proposed Floor Space Ratio com. (FSR)		0.50 : 1
Proposed Floor Space Ratio overall (FSR)		0.95 : 1
Allowable FSR overall		1.00 : 1
Allowable GFA overall		12141 m2
Site Coverage req min 50%	Proposed	3908 m2
Proposed Site Coverage % of site		32%
Landscaped Area req min 30%		3642 m2
Proposed Landscaped Area		0 m2
1 Bed Apartments Proposed		20
2 Bed Apartments Proposed		16
3 Bed Apartments Proposed		20
Total Apartments Proposed		56
Car Spaces required for Residents		66
Car Spaces required for Visitors		11
Bicycle parking required		19
Car Spaces commercial 1 per 30sqm		202

Site key



Legend Apartments

- 1 Bedroom Apartment (66 sqm)
- 2 Bedroom Apartment (77 sqm)
- 3 Bedroom Apartment (114 sqm)
- Balcony (12sqm min)
- Lift, Egress stairs
- Public Corridor
- Commercial space (ground level)

Rev	Date	Description
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Plan - Lot 9
R1 Zone Concept Building Envelope

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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1 : 100
0 1m 2m 3m 5m

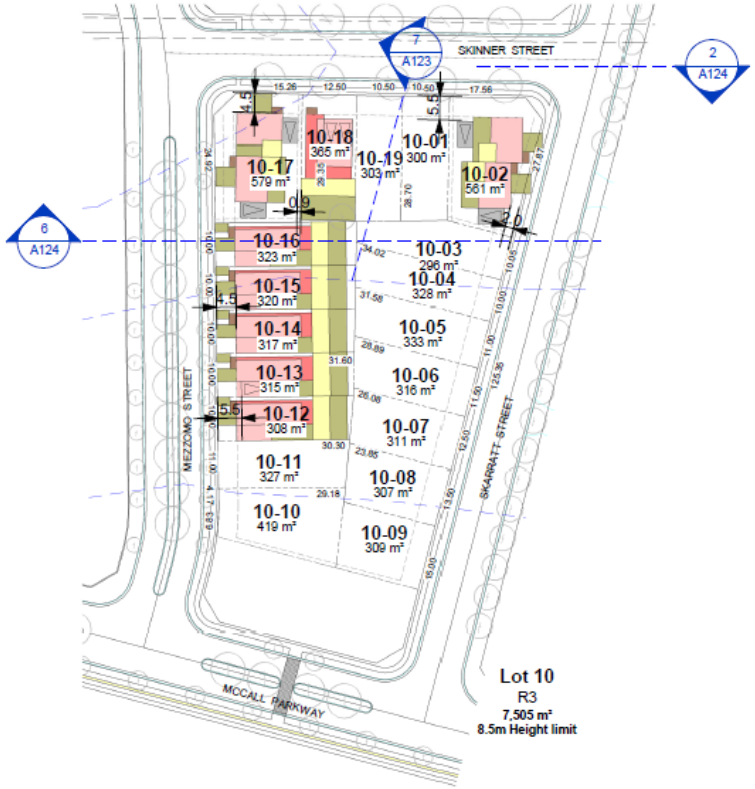
Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A121	B

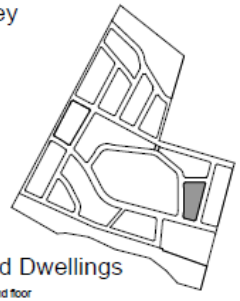
ATTACHMENT 22 – LOT 10 PLAN

Area Lot 10 Yield Measured to Road CL			
Name	Area	Dwellings actual	Dw/Ha
Area - 10	12,268 m²	21	17.1

Lot 10		
Sub Lot #	Area	dwellings
10-01	300 m²	1
10-02	561 m²	2
10-03	296 m²	1
10-04	328 m²	1
10-05	333 m²	1
10-06	316 m²	1
10-07	311 m²	1
10-08	307 m²	1
10-09	309 m²	1
10-10	419 m²	1
10-11	327 m²	1
10-12	308 m²	1
10-13	315 m²	1
10-14	317 m²	1
10-15	320 m²	1
10-16	323 m²	1
10-17	579 m²	2
10-18	365 m²	1
10-19	303 m²	1
Grand total: 19	6,637 m²	21



Site key



Legend Dwellings

- Ground floor
- Second floor
- Articulation
- Principal private open space (PPOS)
- Soft landscape area
- Garage

Rev	Date	Description
C	07/06/2019	Concept Master Plan revisions
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Plan - Lot 10

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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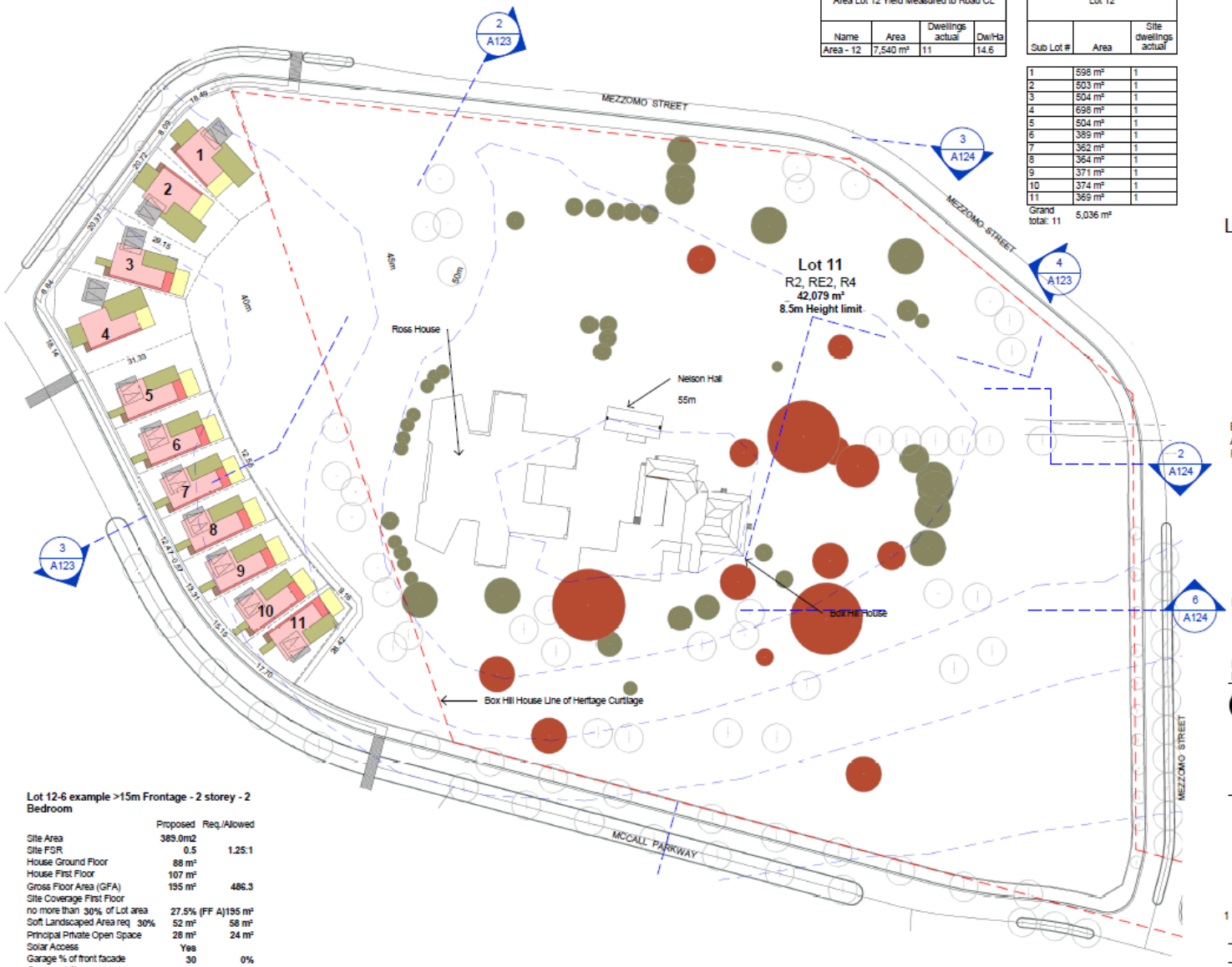
1 : 1000 — 0 10m 20m 30m 50m

Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A116	C

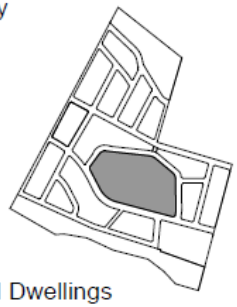
ATTACHMENT 23 – LOTS 11 AND 12 PLAN



Area Lot 12 Yield Measured to Road CL			
Name	Area	Dwellings actual	Dw/Ha
Area - 12	7,540 m²	11	14.6

Lot 12		
Sub Lot #	Area	Site dwellings actual
1	598 m²	1
2	503 m²	1
3	504 m²	1
4	698 m²	1
5	504 m²	1
6	389 m²	1
7	362 m²	1
8	364 m²	1
9	371 m²	1
10	374 m²	1
11	369 m²	1
Grand total: 11	5,036 m²	

Site key



Legend Dwellings

- Ground floor
- Second floor
- Articulation
- Principal private open space (PPOS)
- Soft landscape area
- Garage

Lot 12-6 example >15m Frontage - 2 storey - 2 Bedroom

	Proposed	Req./Allowed
Site Area	389.0m2	
Site FSR	0.5	1.25:1
House Ground Floor	88 m²	
House First Floor	107 m²	
Gross Floor Area (GFA)	195 m²	486.3
Site Coverage First Floor		
no more than 30% of Lot area	27.5% (FF A)	195 m²
Soft Landscaped Area req 30%	52 m²	58 m²
Principal Private Open Space	28 m²	24 m²
Solar Access	Yes	
Garage % of front facade	30	0%
Garage width	double	double
Garage Area	40 m²	

Rev	Date	Description
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Plan - Lot 11 and 12

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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1 : 1000
0 10m 20m 30m 50m

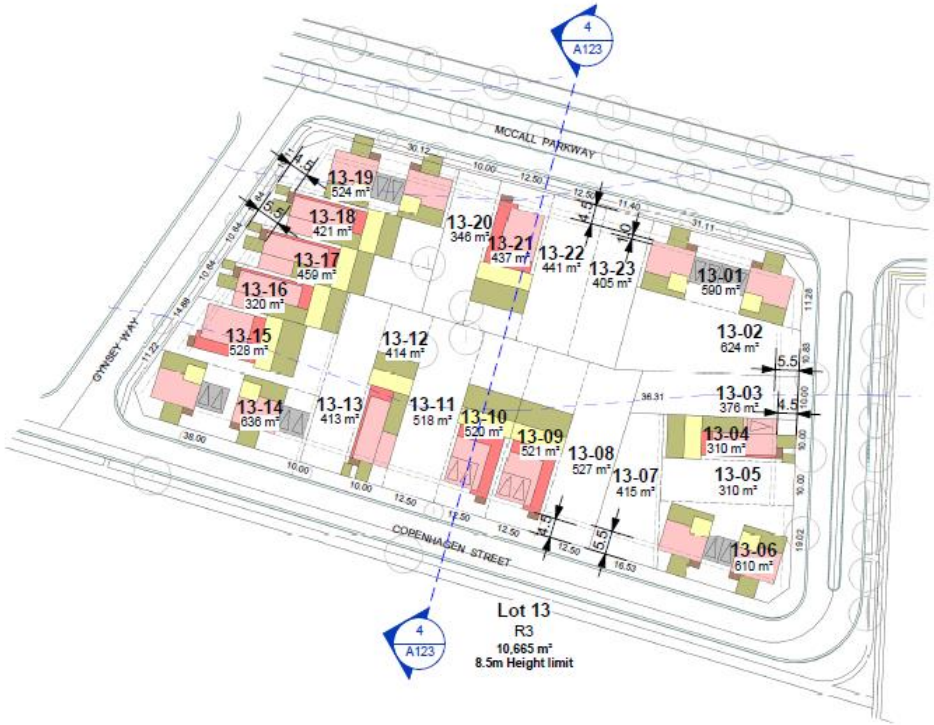
Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A110	B

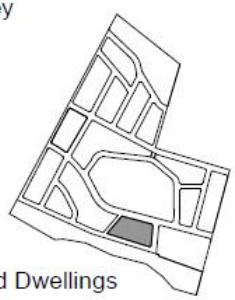
ATTACHMENT 24 – LOT 13 PLAN

Area Lot 13 Yield Measured to Road CL			
Name	Area	Dwellings actual	Dw/Ha
Area - 13	18,158 m²	29	16.0

Lot 13		
Sub Lot #	Area	Dwellings
13-01	590 m²	2
13-02	624 m²	2
13-03	376 m²	1
13-04	310 m²	1
13-05	310 m²	1
13-06	610 m²	2
13-07	415 m²	1
13-08	527 m²	1
13-09	521 m²	1
13-10	520 m²	1
13-11	518 m²	1
13-12	414 m²	1
13-13	413 m²	1
13-14	636 m²	2
13-15	528 m²	2
13-16	320 m²	1
13-17	459 m²	1
13-18	421 m²	1
13-19	524 m²	2
13-20	346 m²	1
13-21	437 m²	1
13-22	441 m²	1
13-23	405 m²	1
Grand total: 23	10,665 m²	29



Site key



Legend Dwellings

- Ground floor
- Second floor
- Articulation
- Principal private open space (PPOS)
- Soft landscape area
- Garage

Rev	Date	Description
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens
Community

Drawing:
Site Plan - Lot 13

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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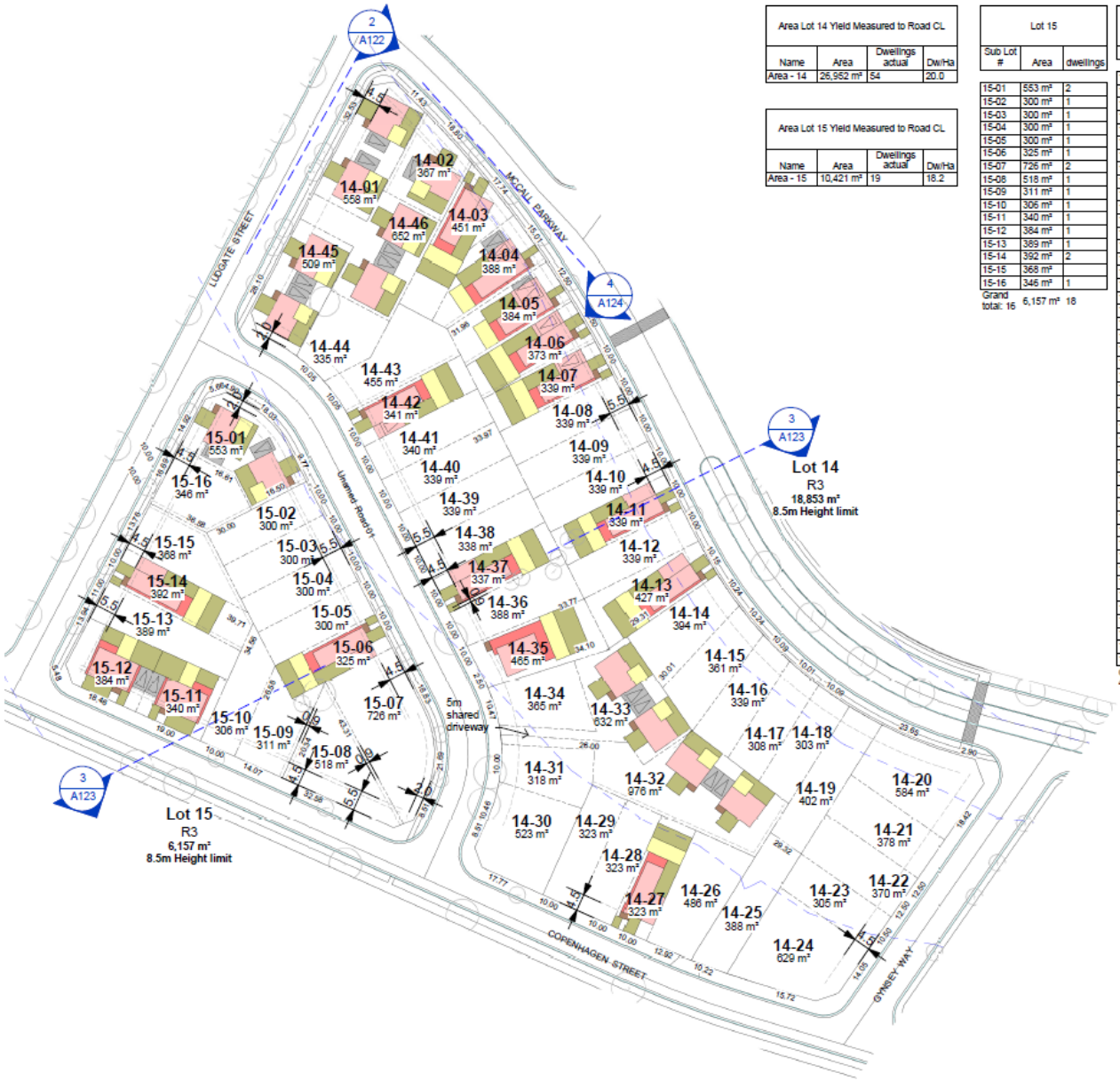
1 : 1000
0 10m 20m 30m 50m

Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A115	B

ATTACHMENT 25 – LOTS 14 AND 15 PLAN



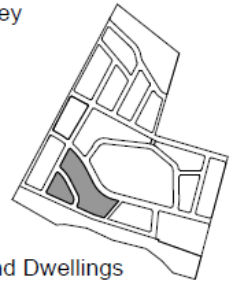
Area Lot 14 Yield Measured to Road CL			
Name	Area	Dwellings actual	Dw/Ha
Area - 14	26,952 m²	54	20.0

Area Lot 15 Yield Measured to Road CL			
Name	Area	Dwellings actual	Dw/Ha
Area - 15	10,421 m²	19	18.2

Lot 15		
Sub Lot #	Area	dwellings
15-01	553 m²	2
15-02	300 m²	1
15-03	300 m²	1
15-04	300 m²	1
15-05	300 m²	1
15-06	325 m²	1
15-07	726 m²	2
15-08	518 m²	1
15-09	311 m²	1
15-10	306 m²	1
15-11	340 m²	1
15-12	384 m²	1
15-13	389 m²	1
15-14	392 m²	2
15-15	368 m²	
15-16	346 m²	1
Grand total: 16	6,157 m²	18

Lot 14		
Sub Lot #	Area	dwellings
14-01	558 m²	1
14-02	367 m²	1
14-46	652 m²	1
14-03	451 m²	1
14-04	388 m²	1
14-05	384 m²	1
14-06	373 m²	1
14-07	339 m²	1
14-08	339 m²	1
14-09	339 m²	1
14-10	339 m²	1
14-11	339 m²	1
14-12	339 m²	1
14-13	427 m²	1
14-14	394 m²	1
14-15	361 m²	1
14-16	339 m²	1
14-17	308 m²	1
14-18	303 m²	1
14-19	402 m²	1
14-20	584 m²	2
14-21	378 m²	1
14-22	370 m²	1
14-23	305 m²	1
14-24	629 m²	2
14-26	486 m²	2
14-25	388 m²	1
14-27	323 m²	1
14-28	323 m²	1
14-29	323 m²	1
14-30	523 m²	2
14-31	318 m²	1
14-34	365 m²	1
14-32	976 m²	2
14-33	632 m²	2
14-35	465 m²	1
14-36	388 m²	1
14-37	337 m²	1
14-38	338 m²	1
14-39	339 m²	1
14-40	339 m²	1
14-41	340 m²	1
14-42	341 m²	1
14-43	455 m²	1
14-44	335 m²	2
14-45	509 m²	2
Grand total: 46	18,853 m²	54

Site key



Legend Dwellings

- Ground floor
- Second floor
- Articulation
- Principal private open space (PPOS)
- Soft landscape area
- Garage

Rev	Date	Description
C	07/06/2019	Concept Master Plan revisions
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens
Community

Drawing:
Site Plan - Lot 14 and 15

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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1 : 100
0 1m 2m 3m 5m

Checked: MB Sheet: A3

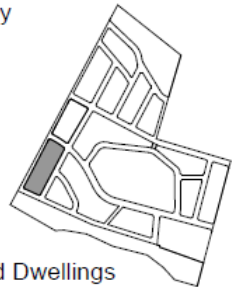
Job No:	Phase	Drwg No:	Rev
702	MP	A114	C

ATTACHMENT 26 – LOT 16 PLAN

Area Lot 16 Yield Measured to Road CL			
Name	Area	Dwellings actual	Dw/Ha
Area - 16	17,868 m²	36	20.1

Lot 16		
Sub Lot #	Area	dwellings
16-01	561 m²	2
16-02	378 m²	1
16-03	311 m²	1
16-04	318 m²	1
16-05	318 m²	1
16-06	397 m²	1
16-07	397 m²	1
16-08	317 m²	1
16-09	317 m²	1
16-10	317 m²	1
16-11	317 m²	1
16-12	317 m²	1
16-13	354 m²	1
16-14	719 m²	2
16-15	448 m²	1
16-16	423 m²	1
16-17	414 m²	1
16-18	719 m²	2
16-19	314 m²	1
16-20	317 m²	1
16-21	317 m²	1
16-22	317 m²	1
16-23	317 m²	1
16-24	317 m²	1
16-25	318 m²	1
16-26	397 m²	1
16-27	397 m²	1
16-28	398 m²	1
16-29	323 m²	1
16-30	332 m²	1
16-31	337 m²	1
16-32	587 m²	2
Grand total: 32	12,328 m²	36

Site key



Legend Dwellings

- Ground floor
- Second floor
- Articulation
- Principal private open space (PPOS)
- Soft landscape area
- Garage

Rev	Date	Description
B	29/05/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens
Community

Drawing:
Site Plan - Lot 16

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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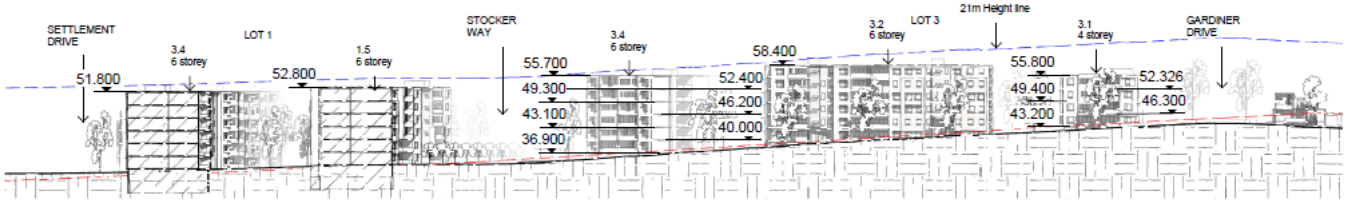
1 : 1000
0 10m 20m 30m 50m

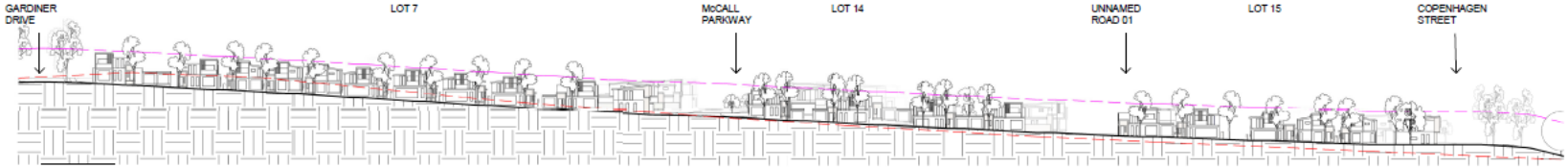
Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A113	B

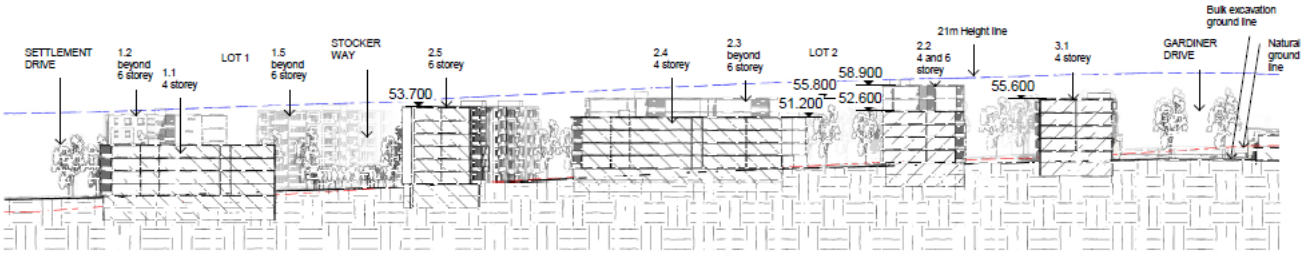
ATTACHMENT 27 – SECTION PLAN – LUDGATE STREET



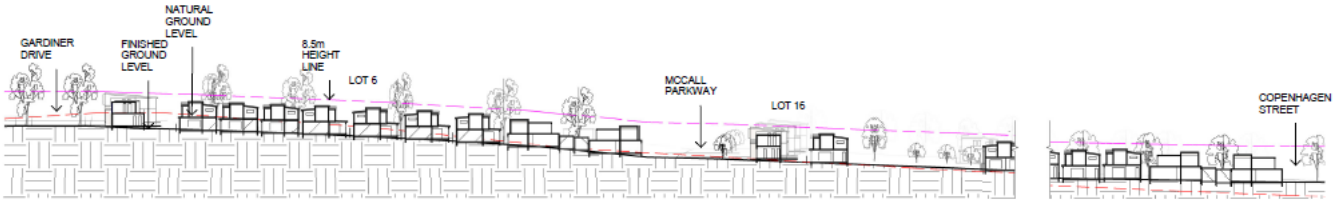
1. Section - Ludgate Lot 3 (North)



2. Section - Ludgate lot 7, 15 and 16 (Looking East)



3. Section - Lot 1, 2 (Looking East)



4. Section - Lot 6 (Looking East)

Rev	Date	Description
B	07/06/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Section - Ludgate St

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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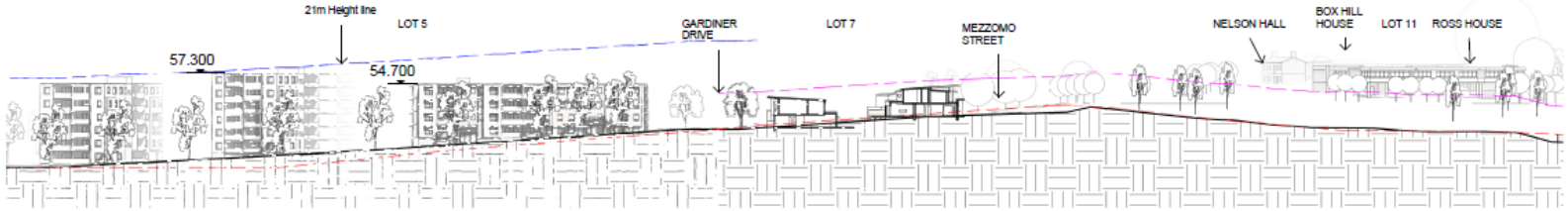
Michael@jbstudio.com.au

1 : 3000
0 30m 60m 90m 150m

Checked: MB Sheet: A3

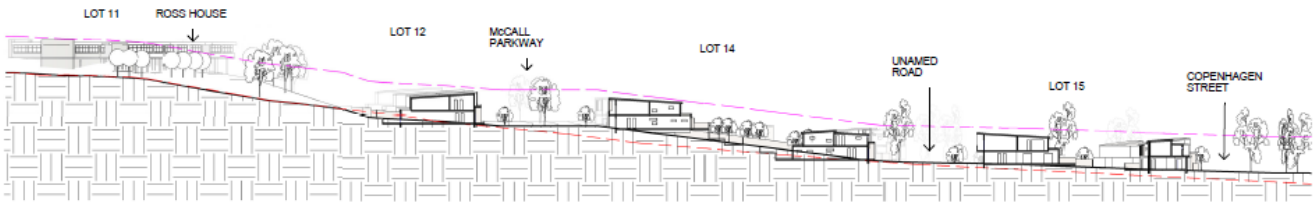
Job No:	Phase	Drwg No:	Rev
702	MP	A122	B

ATTACHMENT 28 – SECTION PLAN – HORDENS WAY

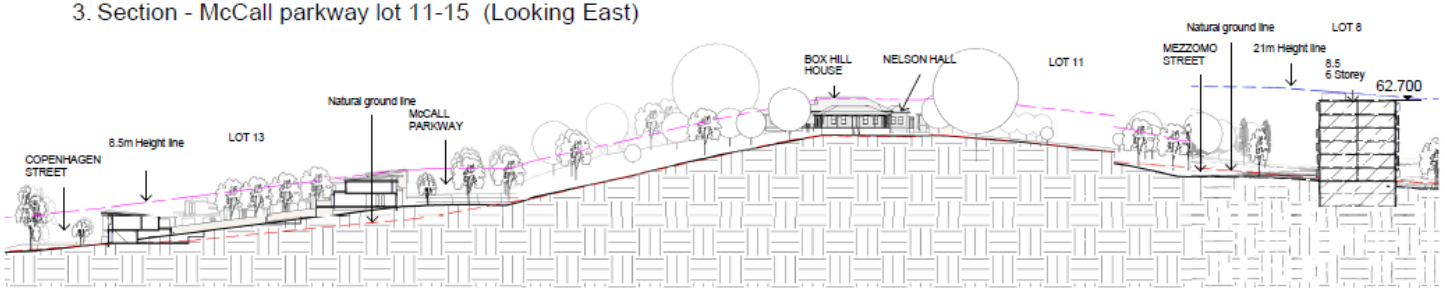


1. Section - Hordens Way lot 5 (Looking East)

2. Section - Lot 7 and 11

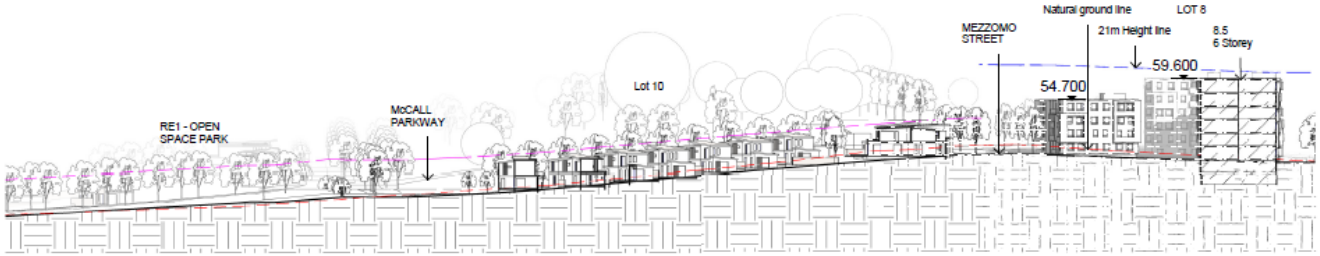


3. Section - McCall parkway lot 11-15 (Looking East)



4. Section - Lot 13 and 11 (Looking West)

5. Section - Lot 8 (Looking West)



7. Section - Lot 10 (Looking West)

6. Section - Lot 8 Skinner St (Looking West)

Rev	Date	Description
B	07/06/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Section - Hordens Way

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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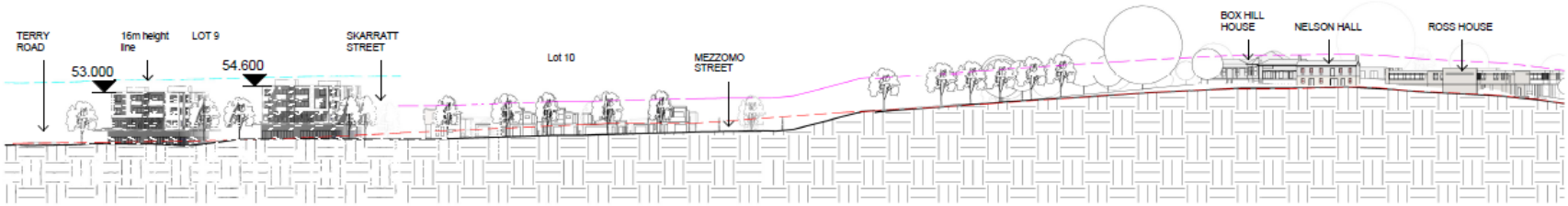
1 : 100 — 0 1m 2m 3m 5m

Checked: MB Sheet: A3

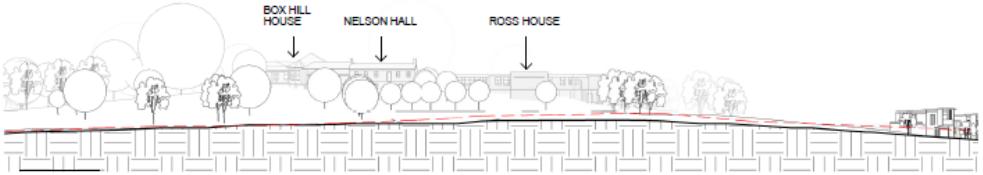
Job No:	Phase	Drwg No:	Rev
702	MP	A123	B

ATTACHMENT 29 – SECTION PLAN – SKINNER STREET



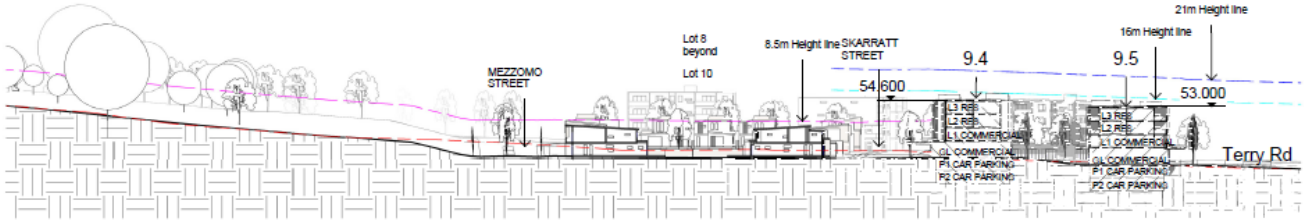
1. Section - Lot 9

2. Section - Skinner Street



3. Section - Mezzomo Street

4. Section - McCall Parkway



6. Section - Lot 10 (Looking North)

5. Section - Lot 9 Terry Rd

Rev	Date	Description
B	07/06/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens Community

Drawing:
Site Section - Skinner St

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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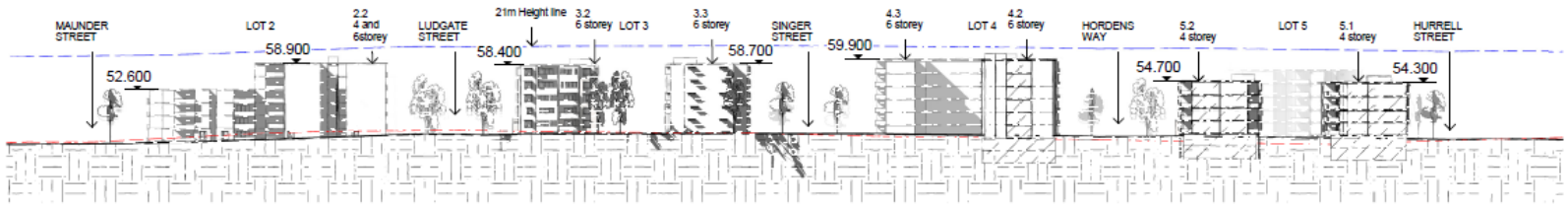
1 : 100 — 0 1m 2m 3m 5m

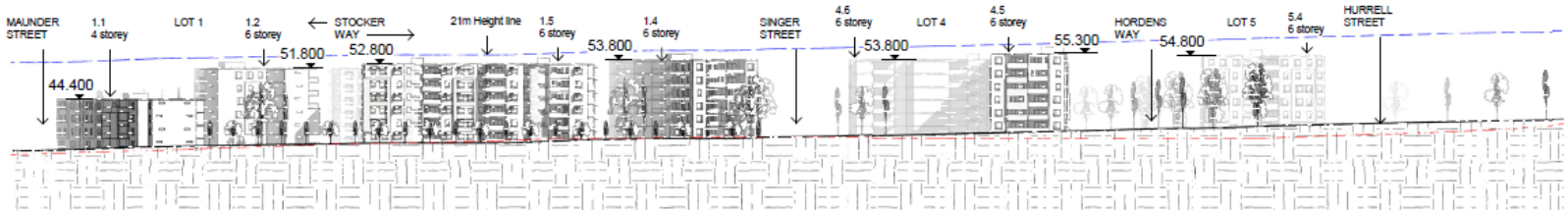
Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A124	B

ATTACHMENT 30 – SECTION PLAN – LOTS 1 TO 5



1. Section - Lot 2-5 (Looking North)



2. Section - Lot 1, 4 and 5 Stocker Way

Rev	Date	Description
A	07/06/2019	Concept Master Plan revisions

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens
Community

Drawing:
Site Section - Lots 1-5

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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1 : 100
0 1m 2m 3m 5m

Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A125	A

ATTACHMENT 31 – EXAMPLE UNIT PLAN

TYPICAL Building
Separation for
buildings
4 to 6 storeys
1:500

Example Apartment Plans

Legend Apartments

- 1 Bedroom Apartment (66 sqm)
- 2 Bedroom Apartment (77 sqm)
- 3 Bedroom Apartment (114 sqm)
- Balcony (12sqm min)
- Lift, Egress stairs
- Public Corridor
- Commercial space (ground level)

Rev	Date	Description
A	07/06/2019	Concept Master Plan revisions

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens
Community

Drawing:
Example Unit Plans

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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Michael Blair 0407 403772
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1 : 200
0 2m 4m 6m 10m

Checked: MB Sheet: A3

Job No:	Phase	Drwg No:	Rev
702	MP	A126	A

ATTACHMENT 32 – AERIAL VIEW LOOKING WEST – BUILDING ENVELOPES

Rev	Date	Description
B	07/06/2019	Concept Master Plan revisions
A	17/09/2018	Determination Submission

Project:
Stage Concept DA

10-32 Terry Road Box Hill

McCall Gardens
Community

Drawing:
Aerial view looking west -
Building Envelopes

Note: Building envelopes indicated to show applicable building density. Individual lots subject to future DAs

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Checked: Checker		Sheet: A3	
Job No:	Phase	Drwg No:	Rev
702	MP	A130	B

WSP | PARSONS BRINCKERHOFF

MCCALL GARDENS COMMUNITY
COMBINED STAGE 1 AND 2 DSI

Site Extent
AEC 1 - Operational area of site
AEC 2 - Area of filling and surficial waste dumping
AEC 3 - Effluent discharge area
AEC 4 - Area of surficial debris/waste
Previous borehole location (WSP, 2011)
Previous surface water sampling location (WSP, 2011)
Previous soil contamination sampling location (WSP, 2011)
Existing groundwater monitoring well (WSP, 2011)

Figure 3 Areas of Environmental Concern (AECs)
McCall Gardens, 10-32 Terry Road
Box Hill, NSW

ATTACHMENT 34 – BOX HILL DEVELOPMENT CONTROL PLAN COMPLIANCE TABLE

<table>
<tr><th>Control:</th><th>Proposal:</th><th>Compliance:</th></tr>
<tr><td colspan="3">2.0 – Vision and Character</td></tr>
<tr><td>2.2 – Indicative Layout Plan</td><td>The subdivision layout proposes a variation to the ILP.</td><td>No, but satisfactory.</td></tr>
<tr><td colspan="3">3.0 – Land Development</td></tr>
<tr><td>3.1.1 – Residential Density</td><td>The proposed development seeks consent for a master plan with a total of 1,274 dwellings over 35.6 hectares. The proposal exceeds the minimum density requirement.</td><td>Yes</td></tr>
<tr><td>3.1.2 – Block and Lot Layout</td><td>Lots 7 and 8 are one lot greater than 250m in length. A number of lots do not comply with the minimum frontage requirement.</td><td>No</td></tr>
<tr><td>3.1.2 (5) Minimum lot sizes for each dwelling type will comply with the minimum lot size provisions permitted by the Sydney Region Growth Centres SEPP, summarised here as Table 6. In certain density bands, variations to some lot sizes may be possible subject to clauses 4.1AC, 4.1AD and 4.1AE in the Sydney Region Growth Centres SEPP.
<table>
<tr><th></th><th>R3 Medium Density Residential</th></tr>
<tr><td>Minimum Net Residential Target (dwellings/Ha)</td><td>18</td></tr>
<tr><td>Dwelling House (base control)</td><td>300 square metres</td></tr>
<tr><td>With BEP</td><td>225 square metres</td></tr>
<tr><td>As Integrated DA</td><td>225 square metres</td></tr>
</table></td><td>All lots shown on the plans comply with the minimum lot size with the exception of Lot 12 which does not indicate lot sizes.</td><td>Uncertain/ unclear</td></tr>
<tr><td>3.1.2 (6) Minimum lot frontages applying to each density band will comply with Table 7. Lot frontage is measured at the street facing building line as indicated in Figure 7.
<table>
<tr><td></td><td>Net Residential</td></tr>
</table></td><td>Dimensions/ measurements have not been shown on the plans at the building line. All lots appear to be generally compliant with the frontage requirement.</td><td>Generally compliant but not entirely clear.</td></tr>
</table>

Density Target (dw/Ha)		
	15	20-45
Front Loaded	9m	7m
Rear Loaded	4.5m	4.5m

3.1.2 (7) A range of residential lot types (area, frontage, depth, zero lot and access) must be provided to ensure a mix of housing types and dwelling sizes and to create coherent streetscapes with distinctive garden suburban, suburban and urban characters across a neighbourhood.	A range of residential lot types are proposed – some of which are not considered suitable.	Yes, but not suitable.
3.1.2 (8) In areas with a minimum residential density of ≤20dw/ha no more than 40% of the total residential lots proposed in a street block may have a frontage of less than 10m wide.	The proposal complies with this requirement.	Yes
3.1.2 (9) In density bands ≤25dw/Ha, total lot frontage for front accessed lots greater than or equal to 7m and less than 9m should not exceed 20% of any block length due to garage dominance and on-street parking impacts.	The proposal complies with this requirement.	Yes
3.1.2 (10) Lots should be rectangular. Where lots are an irregular shape, they are to be large enough and oriented appropriately to enable dwellings to meet the controls in this DCP.	The majority of lots are regular in shape; however the lots that are irregular in shape are not suitable.	No – see discussion in the assessment report.
3.1.2 (11) Where residential development adjoins land zoned RE1 Public Recreation or SP2 Drainage, subdivision is to create lots for the dwelling and main residential entry to front the open space or drainage land.	The lots on parent lots 9 and 10 do not illustrate the future development of these lots. Lot 13 includes lots fronting RE1 zoned land.	Uncertain/ unclear
3.1.2 (15) The location of a zero lot line is to be determined primarily by topography and should be on the low side of the lot to minimise water penetration and termite issues. Other factors	Zero lot line easements are not shown on the plans and are not proposed with this application.	N/A

to consider include dwelling design, adjoining dwellings, landscape features, street trees, vehicle crossovers and the lot orientation as illustrated at Figure 39.		
3.1.2 (16) On all lots where a zero lot line is permitted, the side of the allotment that may have a zero lot alignment must be shown on the approved subdivision plan.	N/A	N/A
3.1.2 (17) Where a zero lot line is nominated on an allotment on the subdivision plan, the adjoining (burdened) allotment is to include a 900mm easement for single storey zero lot walls and 1200mm for two storey zero lot walls to enable servicing, construction and maintenance of the adjoining dwelling. No overhanging eaves, gutters or services (including rainwater tanks, hot water units, air-conditioning units or the like) of the dwelling on the benefited lot will be permitted within the easement. Any services and projections permitted under Clause 4.4 (6) within the easement to the burdened lot dwelling should not impede the ability for maintenance to be undertaken to the benefitted lot.	N/A	N/A
3.1.2 (18) The S88B instrument for the subject (benefited) lot and the adjoining (burdened) lot shall include a note identifying the potential for a building to have a zero lot line. The S88B instrument supporting the easement is to be worded so that Council is removed from any dispute resolution process between adjoining allotments.	N/A	N/A
3.1.2 (19) Shallow lots (typical depth 14-18m, typical area <200m2) intended for double storey dwellings should be	This does not apply here.	N/A

located only in locations where it can be demonstrated that impacts on adjoining lots, such as overshadowing and overlooking of private open space, satisfy the requirements of the DCP. For lots over 225m2 where development is not Integrated Assessment, the Building Envelope Plan should demonstrate in principle how DCP requirements such as solar access and privacy to neighbouring private open spaces will be satisfied.		
3.1.3 – Battle-axe Lots 3.1.3 (2) Subdivision layout should minimise the use of battle-axe lots without public frontage to resolve residual land issues.	A number of battle-axe lots are proposed. The layout and shape of the lots are not suitable.	No – see discussion in the assessment report.
3.1.4 – Corner Lots 3.1.4 (1) Corner lots, including splays and driveway location, are to be designed in accordance with AS 2890 and Council's Engineering Specifications.	Corner lots appear to be in accordance with AS 2890 and Council's engineering specifications.	Yes
3.3.1 – Street Network, Design and Hierarchy 3.3.1 (1) The street network and road hierarchy is to be provided generally in accordance with Figure 14 and Table 9	The proposal is not in accordance with the street network and design as outlined in the DCP.	No, but satisfactory. See discussion in the assessment report.
3.3.1 (2) Roads are to be at the cost of the developer unless the Section 94 plan makes provision for the road construction.	Road construction is not proposed with the concept master plan application. The applicant has not made it clear the staging of road construction or the development as a whole. No indication has been made regarding the future construction of the roads, other than a note that the roads will be constructed with future built form applications.	Unclear/ uncertain
3.5 – Residue Lots Any development proposal including creation of residue lots for future subdivision must:	The plans submitted with the application do not show any residue lots. Concern is raised with this	No. See discussion in the assessment report.

Include documentation demonstrating how the minimum density can be achieved across each residue lot through future subdivision. Demonstrate how the future development of each residue lot can be consistent with the character statement for the local area in terms of the built form, dwelling types, bulk and scale, height and other public domain considerations. Demonstrate that the residue lot can be serviced and accessed in accordance with Figure 2. Demonstrate that development of the residue lot can be undertaken without compromising the other objectives and controls of this DCP. Demonstrate that the residue lot shall be connected to the reticulated public sewer.	approach as the application is a staged concept master plan which would insinuate that the development is to be undertaken in stages with residue lots being created with each stage. A staging plan showing residue lots has not been submitted.	
4.0 – Residential Development		
4.1.1 Cut and Fill 4.1.1 (6) Retaining walls within residential allotments are to be no greater than 500 mm high at any point on the edge of any residential allotment. A combined 1 m maximum retaining wall height is permissible between residential lots (2 x 500 mm).	The proposal does not include any physical works. Earthworks would be considered under future applications where physical works are proposed.	Yes
7.0 – Managing the Environment		
7.1 – Integrated Stormwater Management (3) All stormwater drainage designs are to comply with the most up to date revision of council's "Design Guidelines Subdivision/ Developments".	Additional information has been requested through the assessment process relating to stormwater design and treatment. The information required in order for Council to be satisfied with the proposal has not been submitted.	No. See discussion in the assessment report.
7.2 – Aboriginal Heritage (5) Areas of moderate archaeological sensitivity as shown in Figure 53 warrant an Aboriginal archaeological due diligence assessment. This assessment is to be conducted in accordance with the relevant code of practice stipulated in the	An Archaeological Assessment of the site has been undertaken and the report concludes that no new aboriginal cultural heritage items were identified within the study area. A number of archaeological sites have been previously identified on the site and the relevant procedures	Yes

NPW Regulation.	would be required to be followed in consultation with NSW Environment, Energy and Science.	
7.4 – Bush Fire Management	The subject site is identified as partly bushfire prone land. A response has been provided by the RFS raising no objections to the proposed development subject to conditions.	Yes
7.6 – Contamination Management	A Contamination Assessment of the site has been undertaken and the report submitted to Council. The report concludes that the site is contaminated and requires remediation. The information submitted with the application has not satisfactorily addressed the contamination requirements.	No – see discussion under the SEPP 55 section of the assessment report.

ATTACHMENT 35 – SEPP 65 APARTMENT DESIGN GUIDE COMPLIANCE TABLE

Clause	Design Criteria	Compliance
Siting		
Communal open space	25% of the site, with 50% of the area achieving a minimum of 50% direct sunlight for 2 hours midwinter.	Yes – this will be assessed/ considered with future built form applications.
Deep Soil Zone	7% of site area. On some sites it may be possible to provide a larger deep soil zone, being 10% for sites with an area of 650-1500m^2 and 15% for sites greater than 1500m^2.	Yes – this will be assessed/ considered with future built form applications.
Separation	For habitable rooms, 12m for 4 storeys, 18m for 5-8 storeys and 24m for 9+ storeys.	No – see discussion in assessment report.
Visual privacy	Visual privacy is to be provided through use of setbacks, window placements, screening and similar.	No – see discussion in assessment report.
Carparking	Carparking to be provided based on proximity to public transport in metropolitan Sydney. For sites within 800m of a railway station or light rail stop, the parking is required to be in accordance with the RMS Guide to Traffic Generating Development which is: Metropolitan Sub-Regional Centres: 0.6 spaces per 1 bedroom unit. 0.9 spaces per 2 bedroom unit. 1.40 spaces per 3 bedroom unit. 1 space per 5 units (visitor parking).	Yes – this will be assessed/ considered with future built form applications.
Designing the Building		
Solar and daylight access	Living and private open spaces of at least 70% of apartments are to receive a minimum of 2 hours direct sunlight between 9am and 3pm midwinter.	Unclear/ uncertain. See discussion in the assessment report.
	A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	Unclear/ uncertain. See discussion in the assessment report.
Natural ventilation	At least 60% of units are to be naturally cross ventilated in the first 9 storeys of a building. For buildings at 10 storeys or greater, the building is only deemed to be cross ventilated if the balconies cannot be	Unclear/ uncertain. See discussion in the assessment report.

	fully enclosed. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	
Ceiling heights	For habitable rooms – 2.7m. For non-habitable rooms – 2.4m. For two storey apartments – 2.7m for the main living floor and 2.4m for the second floor, where it's area does not exceed 50% of the apartment area. For attic spaces – 1/8m at the edge of the room with a 30^0 minimum ceiling slope. If located in a mixed use areas – 3.3m for ground and first floor to promote future flexible use.	Unclear/ uncertain. See discussion in the assessment report.
Apartment size	Apartments are required to have the following internal size: Studio – $35m^2$ 1 bedroom – $50m^2$ 2 bedroom – $70m^2$ 3 bedroom – $90m^2$ The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal areas by $5m^2$ each. A fourth bedroom and further additional bedrooms increase the minimum internal area by $12m^2$ each.	This will be considered with future development applications. It is expected that future applications can comply with the minimum internal area required.
Apartment layout	Habitable rooms are limited to a maximum depth of 2.5 x the ceiling height. In open plan layouts the maximum habitable room depth is 8m from a window.	This will be considered with future development applications for the built form.
Balcony area	The primary balcony is to be: Studio – $4m^2$ with no minimum depth 1 bedroom – $8m^2$ with a minimum depth of 2m 2 bedroom – $10m^2$ with a minimum depth of 2m 3 bedroom – $12m^2$ with a minimum depth of 2.4m For units at ground or podium levels, a private open space area of $15m^2$ with a minimum depth of 3m is required.	Plans submitted show a balcony area of $12m^2$ for each apartment as a minimum. Any future application that proposes a balcony with an area less than this, a modification to the master plan would be required.

Storage	Storage is to be provided as follows: Studio – $4m^3$ 1 bedroom – $6m^3$ 2 bedroom – $8m^3$ 3+ bedrooms – $10m^3$ At least 50% of the required storage is to be located within the apartment.	This will be considered with future development applications.
Apartment mix	A variety of apartment types is to be provided and is to include flexible apartment configurations to support diverse household types and stages of life.	A variety of apartments is shown on the plans. The application has not demonstrated how a range of configurations can be accommodated. Further, accessible apartments have not been identified and it is anticipated that this would amend the number and design of apartments in the development.