

COUNCIL ASSESSMENT REPORT

Panel Reference	2018SWC022
DA Number	DA 1252/2018/JPZ
LGA	The Hills Shire Council
Proposed Development	Multi dwelling housing development creating 67 residential units and accompanying subdivision creating one community title development lot including new road
Street Address	Lot 92 DP 10157, Lot 89, 90A and 90 DP 11104 21 Terry Road and 39-43 Hynds Road, Box Hill NSW 2765
Applicant/Owner	Eden Box Hill 43 Pty Ltd Fortune Land Holdings Pty Ltd
Consultant/s	Project Manager and Town Planning: Craig & Rhodes Architect: Rothelowman Landscape Architect: Arcadia Engineering: Craig & Rhodes Surveyor: Craig & Rhodes Arborist: Naturally Trees Arboricultural Consulting Aboriginal Heritage: Niche Environment and Heritage Accessibility: ABE Consulting Environmental Health: GeoEnviro Consultancy Pty Ltd Quantity Surveyor: MBMpl Pty Ltd Geotechnical: Network Geotechnics Traffic: PTC Consultants Waste: Waste Audit and Consultancy Services
Date of DA lodgement	21 December 2017
Number of Submissions	Nil
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Capital Investment Value in excess of \$20 Million
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011. • State Environmental Planning Policy (Sydney Region Growth Centres) 2006. • State Environmental Planning Policy No 55 — Remediation of Land. • Sydney Region Environmental Plan No. 20 (Hawkesbury-Nepean River) No. 2 - 1997 • State Environmental Planning Policy – Building Sustainability Index (BASIX) 2009. • Draft Amendment to SEPP (Sydney Region Growth Centres) 2006 (North West Priority Growth Area Land Use and Infrastructure Implementation Plan). • Central City District Plan. • Box Hill Precincts Development Control Plan.
List all documents submitted with this report for the Panel's	Refer to Attachments

consideration	
Report prepared by	Padraig Scollard Senior Town Planner
Report date	20 June 2018

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? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	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?	NA
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (S94EF)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	Yes
Conditions Have draft conditions been provided to the applicant for comment?	Yes

EXECUTIVE SUMMARY

The Development Application is for a multi dwelling housing development comprising of 67 x four bedroom town houses and accompanying subdivision creating one community title development lot and new road (Pictor Street). The development includes an internal, private loop road accessed from proposed Pictor Street which will provide access to all town houses and allow for waste collection to occur within the development. The townhouse component of the proposal would be subject to a separate application for strata subdivision at a later date.

The proposed development is the third DA in a broader community title scheme over land at 21 Terry Road and 39-41 Hynds Road, Box Hill comprising a total of 223 dwellings and common open space. Stage 1 (DA No. 896/2018/JPZ) was approved under delegated authority on 1 May 2019, while Stage 2 (DA 984/2018/JP) is concurrently being report to the Sydney Central City Planning Panel. The subject development application for Stage 3 relies on the realignment of Rubidea Street and super lot subdivision under Stages 1 and 2.

The proposed development has been assessed against the relevant State Environmental Planning Policies (SEPPs), including SEPP (Sydney Region Growth Centres) 2006 and satisfies the requirements of these plans with respect to building height, minimum density, minimum lot size, site servicing, remediation, and Aboriginal and European heritage. The proposed development is also consistent with the relevant Directions for Liveability contained within the Central City District Plan under A Metropolis of Three Cities – the Greater Sydney Region Plan.

The proposed development has been assessed against the provisions of the Box Hill Development Control Plan 2017 in relation to multi dwelling housing. Variations to the extent of cut and fill (retaining walls and dwellings) and the Indicative Layout Plan (ILP) with regard to the realignment of Pictor Street and the deletion of Sirius Way are proposed and are considered acceptable as detailed in this report.

The application was notified for 35 days and no submissions were received.

The Development Application is recommended for approval.

DETAILS AND SUBMISSIONS

Owner:	Eden Box Hill 43 Pty Ltd Fortune Land Holdings Pty Ltd
Zoning:	R3 Medium Density Residential
Area:	2.019ha (proposed Lot 7 and Pictor Street)
Existing Development:	Rural dwelling houses an associated structures
Section 94 Contribution	\$2,640,000.00
Exhibition:	12 January 2018 to 23 February 2018 15 June 2018 to 6 July 2018
Notice Adj Owners:	Yes
Number Advised:	10
Submissions Received:	Nil

BACKGROUND

The subject development application is the third DA (known as DA3) in a three-stage development comprising a total of 223 dwellings to be constructed over land at No. 21 Terry Road and No's. 39-43 Hynds Road, Box Hill (legally described as Lot 92 DP 10157 Terry Road and Lots 89, 90 and 90A DP 1101 Hynds Road, Box Hill). Stages 1, 2 and 3 are proposed to be bound by a Community Development Scheme, sharing two centrally located common open space areas which were approved under the Stage 1 application.

The approved and proposed Community Plan Lot Layout plans for Stages 1, 2 and 3 are provided in Attachment 6, 7 and 8 respectively. A plan of the overall three stage development is provided in Attachment 9. A brief description of Stages 1 and 2 are provided below:

Stage 1 – DA 896/2018/JPZ – Approved 1 May 2019

Stage 1 was for the demolition of existing structures and the construction of a multi dwelling housing development comprising of 46 x 4 bedroom townhouses, 92 resident car parking spaces and 10 visitor car parking spaces. Stage 1 created four Lots. Lot 1 contains the community association property which provides two areas of communal open space and includes a pool, BBQ, communal dining area and children's play areas. The residential component of the development is wholly contained within Lot 2 and will be subject to a separate application for strata subdivision. Lot 3 is a residue lot over which Stages 2 and 3 are proposed. The remaining lot is for road widening to Terry Road.

Stage 2 – DA 984/2018/JP – Reported Concurrently

Stage 2 proposes the re-subdivision of approved residue Lot 3, created within Stage 1. The re-subdivision will create Lot 5, upon which 110 townhouses, a private road, common open space, 110 residential parking spaces and 22 visitor parking spaces will be constructed. The

application also proposes the construction and dedication of Rubidea Street, and the creation of Lot 6, upon which Stage 3 of the development is proposed. The strata subdivision of the townhouses contained within Lot 5 is included as part of this development application.

Stage 3 – DA 1252/2018/JPZ – Subject Development Application

The subject Development Application seeks to subdivide residue Lot 6 created in Stage 2 DA 984/2018/JP into a development lot (Lot 7), upon which the 67 townhouses are proposed, together with the construction of Pictor Street. Proposed Lot 7 has an area of 1.818ha. The townhouse component contained within Lot 7 would be subject to a separate application for strata subdivision.

The subject Development Application was lodged on 21 December 2017. When lodged, the application originally sought consent for 65 attached dwellings and 2 detached dwellings. The original description of development is provided below:

Small lot housing development and subdivision creating 67 community title residential lots containing 65 attached dwellings and two dwelling houses including new road and contamination remediation over five stages.

The proposal resulted in significant variations with the built form requirements of the Box Hill DCP with regard to attached and detached dwellings. On 16 May 2018 the applicant formally amended the application to a multi dwelling housing development comprising of 67 units. Following this amendment the application was renotified between 15 June 2018 and 6 July 2018.

On 13 August 2018 a request for additional information was issued to the applicant. The issues raised related to building setbacks, car parking, the extent of cut and fill, BCA compliance and the engineering design. Additional information and amended plans were submitted by the applicant on 7 September 2018. Further amendments were requested on 23 November 2018.

Council Officers met with the applicant on 26 November 2018 to discuss the status of development applications for Stages 1, 2 and 3.

On 10 April 2019 the applicant submitted amended plans and information including but not limited to architectural, civil, landscaping and subdivision plans and a revised Statement of Environmental Effects.

Final information and amended plans were submitted to Council on 21 and 23 May 2019

PROPOSAL

The Development Application is a multi-dwelling housing development comprising of 67 townhouse dwellings, 134 resident car parking spaces (two per dwelling) and 17 visitor car parking spaces. Each of the proposed townhouses provides four bedrooms. The application also includes all associated civil works including an internal private loop road and the full width reconstruction of Hynds Road.

ISSUES FOR CONSIDERATION

1. SEPP State and Regional Development 2011

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

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

The proposed development has a Capital Investment Value of \$21,902,023 thereby requiring referral to and determination by the SCCPP. The application was referred to and listed with the SCCPP for determination.

2. State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No 55 – Remediation of Land contains guidelines and prescriptive measures with regard to site contamination and remediation requirements for all land-based development across the State. In considering a development application for new development, the consent authority is to have regard for the prescriptive requirements of Clause 7 of the SEPP provided below:

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

The applicant submitted a Phase 1 and 2 Contamination and Salinity Assessment and a Remediation Action Plan prepared by GeoEnviro Consultancy Pty Ltd. These reports have been reviewed by Council's Environmental Health Team who are satisfied the site can be made suitable for the proposed residential use of the site subject to the imposition of conditions.

3. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The application has been assessed against the requirements of State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004. This Policy provides State-wide planning controls to promote and guide the achievement of energy efficiency and ecological sustainability in all new development.

The applicant has addressed this requirement through the preparation of a Multi-Dwelling BASIX Certificate. This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability.

4. 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.

Subject to the imposition of the recommended development consent conditions, which include erosion and sediment control measures, the development is unlikely to have detrimental impacts on the health of the environment of the Hawkesbury and Nepean River system.

5. State Environmental Planning Policy (Sydney Region Growth Centres) 2006

(i) Permissibility

The land is zoned R3 Medium Density Residential under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP Growth Centres). The proposal is defined as multi dwelling housing:

***multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building or a manor home.*

Pursuant to the Land Use Table in Appendix 11 of SEPP Growth Centres, multi dwelling housing is a use that is permitted with consent within the R3 Medium Density Residential zone.

(ii) Zone Objectives

The site is zoned R3 Medium Density Residential. The objectives of the R3 zone are:

- *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 proposal is considered to be consistent with the stated objectives of the zone, in that:

- The proposed development has a built form that is consistent with the desired future character of the locality, adding to the variety of housing typologies within the area;
- The proposal will not inhibit the provision of other land uses that provide facilities or services to meet the day to day needs of residents; and

- The proposal is located in a medium density setting, in close proximity to public transport routes on Terry Road and Mason Road.

(iii) Development Standards

The following table addresses the relevant principal development standards of the SEPP:

CLAUSE	REQUIRED	PROVIDED	COMPLIES
4.1A Minimum lot sizes for residential development in certain zones	Multi dwelling housing – 1,500m ²	R3 Multi-Dwelling Site Area: 1.818ha (18,180m ²)	Yes
4.1B Residential Density	Minimum residential density - 18 dwellings per hectare	Net Developable Area = 2.231ha Minimum requirement = 40dw/ha Proposed = 67 dwellings	Yes
4.3 Height of buildings	14 metres	10.6m	Yes
4.4 Floor space ratio	N/A	N/A	N/A

(iv) Miscellaneous Provisions

Clause 5.9 – Preservation of Trees

Clause 5.9 seeks to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation. Council's Tree Management Officer has reviewed the application and considered the impacts of the proposed development to be acceptable subject to the imposition of conditions. The consent of the adjoining owner at 39 Hynds Road has been obtained with regard to the required removal of trees as a result of proposed cut adjoining the neighbouring property.

Clause 5.10 – Heritage

Clause 5.10 of the SEPP requires the consent authority to be satisfied that proposals do not significantly or adversely impact upon known European or Aboriginal items or places of heritage significance. The subject site does not contain any heritage items nor is it located within the immediate vicinity of any heritage items or conservation areas.

With regard to Aboriginal heritage, the Box Hill DCP identifies the site as containing low to medium sensitive Aboriginal archaeological areas. The applicant has submitted an Aboriginal Heritage Due Diligence Assessment, prepared by Niche Environment and Heritage, which concludes as follows:

No Aboriginal heritage constraints were identified for the proposed activity and no further investigation or impact assessment is required.

Based on the above it is considered that the proposed development will not adversely impact on any aboriginal heritage items of places of heritage significance. Nonetheless, a condition of consent has been recommended which requires that all work cease on site should an unexpected item of Aboriginal heritage be found at the site (refer to Conditions 70 and 71).

(v) Additional Local Provisions

Clause 6.1 – Public utility infrastructure

Clause 6.1 specifies that consent must not be granted for development unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required. The site is located within a release area. Conditions of consent will be imposed requiring that service utility infrastructure is suitably arranged prior to the release of a Subdivision Certificate.

6. Draft Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006

In May 2017, the Department of Planning released the draft North West Land Use and Infrastructure Implementation Plan. In addition to a new growth centres structure plan and an infrastructure schedule the package proposes a draft amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and associated draft changes to the DCP. The proposed changes include the introduction of density bands (rather than only minimum density) and reinstatement of minimum lot sizes for all residential areas (that were removed as part of the 2014 Housing Diversity changes).

The Explanation of Intended Effect states that *“a consent authority is not required to apply the provisions of the Explanation of Intended Effects to a DA lodged before May 22 2017”*. The subject Development Application was lodged on 20 December 2017. The proposed amendments are required to be taken into consideration pursuant to Section 4.15 of the EP&A Act, being a *“proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority ...”*

Clause 4.1B ‘Residential Density’ in Appendix 11 ‘The Hills Growth Centres Precinct Plan’ of the SEPP (SRGC) 2006 states the following:

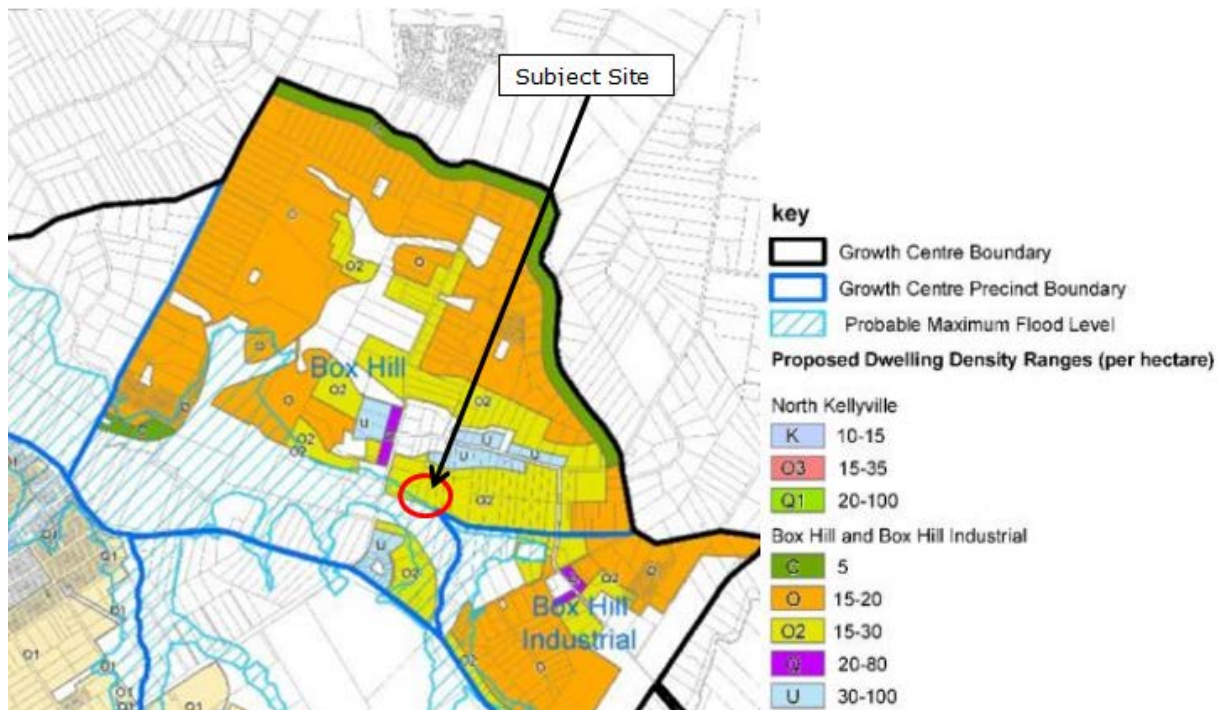
- “(1) The objectives of this clause are as follows:
 - (a) to establish minimum density requirements for residential development within the Box Hill Precinct or Box Hill Industrial Precinct,*
 - (b) to ensure that residential development makes efficient use of land and infrastructure, and contributes to the availability of new housing,*
 - (c) to ensure that the scale of residential development is compatible with the character of the precincts and adjoining land.**
- (3) The density of any development to which this clause applies is not to be less than the density shown on the Residential Density Map in relation to that land.*
- (4) In this clause:*
density *means the net developable area in hectares of the land on which the development is situated divided by the number of dwellings proposed to be located on that land.*

net developable area means the land occupied by the development, including internal streets plus half the width of any adjoining access roads that provide vehicular access, but excluding land that is not zoned for residential purposes.”

Clause 4.1B is proposed to be amended to introduce a minimum and maximum density band. The ‘Explanation of Intended Effect’ published by the Department of Planning which accompanies the proposed amendments to the Growth Centres SEPP states the following proposed density bands in the Box Hill and Box Hill Industrial Precincts:

Zone	Existing minimum density (dw/ha)	Proposed minimum density (dw/ha)	Proposed maximum density (dw/ha)
R1	-	20	80
R2	5	-	-
This applies to a defined area along Old Pitt Town Road. Density is controlled by the 2000m minimum lot size requirement therefore, the minimum density requirement will be removed.			
R2	15	15	20
R3	18	15	30
R4	20	20	80
This range would be applied in the R4 zoned land around the neighbourhood centre. This proposed density range reflects the lower height and floor space ratio controls in this area.			
R4	30	30	100

Appendix 1 of the ‘Explanation of Intended Effect’ provides an amended Residential Density Map for the North West Priority Land Release Area, which confirms that the subject site is to be located in the 15-30 dwelling density range (per hectare).



The Growth Centres SEPP currently specifies a minimum density provision of 18 dwellings per hectare. The draft amendment to impose a maximum density range of between 15-30 dwellings per hectare equates to a minimum of 33 and maximum of 66.9 dwellings being permitted on the site.

The proposal for 67 units would result in a density of 30.03 dwellings per hectare, being a minor variation of 0.03 units to the proposed maximum density.

As outlined in this report, the subject application is Stage 3 within a three-stage development across No's. 37-43 Hynds Road consisting of the following:

- Stage 1 - DA No. 896/2018/JPZ – 46 town houses, approved under delegated authority on 1 May 2019 with a density of 28.48 dwellings per hectare; and
- Stage 2 – DA No. 984/2018/JPZ – 110 town houses, currently under consideration, with a proposed density of 65.3 dwellings per hectare.

Across all three stages the proposed density is 41.26 dwellings per hectare (refer to Attachment 9).

By way of additional comparison, the following development applications for multi dwelling housing have been approved in the vicinity of the subject site:

Development Application	Dwellings	Density p/ha (Min. 18)	Status / Approval
47 Hynds Road 709/2017/JP	90 town houses	53.8	Approved (SCCPP), 12 January 2018
27 Hynds Road 1184/2018/ZE	14 detached dwellings and 28 semi-detached dwellings	32.5	Appeal lodged
29 Hynds Road	78 town	37-43	Under evaluation

1103/2018/JP	houses across three lots		
21 Hynds Road 1102/2018/HA	40	32-43	Under evaluation
19 Hynds Road 606/2018/HA	30 town houses	28.2	Approved (Delegated Authority), 19 March 2018

When considered in isolation the subject application is considered to be consistent with the draft density controls and objectives of Clause 4.1B of the Growth Centres SEPP. In particular, the proposed development makes efficient use of land and infrastructure, contributes to the availability of new housing, and despite the minor variation to the draft density controls, the scale of the proposed development is generally consistent with the desired character of the precinct.

When considered in the context of related Stages 1 and 2, the combined density of 41.26 dwellings per hectare across all three sites is generally consistent with recent approvals within the R3 Medium Density zone in the Box Hill Precinct. This matter is addressed in greater detail under DA 984/2018/JP.

7. A Metropolis of Three Cities – the Greater Sydney Region Plan

The Central City District Plan contains 'Directions for Liveability' which include:

- Housing the City – Planning Priority C5 - Providing housing supply, choice and affordability with access to jobs, services and public transport; and
- A City of Great Places – Planning Priority C6 – Creating and renewing great places and local centres, and respecting the District's heritage.

The plan seeks to provide housing supply which is diverse and affordable and which meets the needs of residents and which bring people together. The plan seeks to provide housing in locations which are easily accessible by public transport to reduce commuting time. Housing should be located in places which are liveable, walkable and cycle friendly. Housing should also respond to the changing needs of residents and consider single person and ageing households. Great places are defined as areas which have a unique combination of local people, built form and natural features which reflect shared community values and which attract residents, workers and visitors. Local centres act as a focal point for neighbourhoods and provide essential access to day to day goods and services.

Implementation and monitoring of the Plan and the potential indicators are as follows:

Direction 4: Housing the City: Providing ongoing housing supply and a range of housing types in the right locations will create more liveable neighbourhoods and support Greater Sydney's growing population. Housing affordability is also a challenge that can affect job and lifestyle choices.

Direction 5: A City of Great Places: The creation and renewal of great places for people, together with better local accessibility through walking and cycling, will achieve local liveability that attracts and retains residents and workers. Great places exhibit design excellence and start with a focus on open spaces and a people-friendly realm.

The proposed development meets the intent of the Plan as follows:

- The proposal together with Stages 1 and 2 will provide a range of unit types which will assist in meeting housing demands;
- The site is located in an area to be increasingly serviced by public transport (buses); and
- The Stage 3 development will form part an overall community plan which incorporates a pool, BBQ, communal dining area and children's play areas that were approved under Stage 1 (DA 896/2018/JPZ).

The proposal is considered satisfactory in regard to the Central City District Plan.

7. Compliance with Box Hill Development Control Plan

The Box Hill Growth Centres Precincts Development Control Plan (Box Hill DCP) applies to the subject DA. Specifically, Part 3 of the DCP addresses land development/ subdivision, Part 4 of the DCP establishes controls for residential development and Part 5 provides specific controls for multi dwelling housing. An assessment of the key controls established under the DCP for the site is provided in the below table.

Control	DCP Requirement	Proposed Development	Compliance
2.0 – Vision and Character			
Indicative Layout Plan	All development is to be undertaken generally in accordance with the Indicative Layout Plan	The application seeks to relocate Pictor Street further west and to delete Sirius Way.	Variation proposed – see report
3.0 – Land Development			
Street Network, Design and Hierarchy	The street network and road hierarchy is to be provided generally in accordance with Figure 14 and Table 9	The application seeks to relocate Pictor Street further west and to delete Sirius Way.	Variation proposed – see report
4.0 – Residential Development			
Cut and Fill	Retaining walls within residential allotments are to be no greater than 500mm high at any point on the edge of any residential allotment. A combined 1m maximum retaining wall height is permissible between residential lots (2 x 500mm).	Max height to Rubidea Street – 1.5m Max height to 39 Hynds Road – 1.18m Max height to Hynds Road – 1.48m Max height to Pictor Street – 1.15m Max height to 47 Hynds Road – 1.3m Max height internally	Variation proposed – see report

Control	DCP Requirement	Proposed Development	Compliance
		between rear of lots – 1.35m	
5.0 – Additional Controls For Certain Development Types – Multi Dwelling Housing			
Site coverage	50% (max)	36.4%	Yes
Landscaped area	30% (min)	30.5%	Yes
Principle Private Open Space	16m ² with 3m dimension 10m ² per dwelling if provided as balcony or rooftop with 2.5m dimension	Dwelling Type C, D, E and J are provided with PPOS at ground floor level in excess of 16m ² with a minimum dimension of 3m. Dwelling Type K is provided with balconies accessed from the main living area with area of 11m ² and a minimum dimension of 3m.	Yes
Front setback	4.5m to building façade line; and 3m articulation zone	Dwelling Type C and J provide a minimum front setback of 4.5m to Rubidea Street and Pictor Street respectively. Minimum articulation zone setback of 3m provided for both Dwelling Type C and J.	Yes
Corner lots secondary setbacks	2m	Dwelling Type C and J provide a minimum 2m minimum side setback to Pictor Street and Rubidea Street respectively.	Yes
Side setback	0.9m ground floor 0.9m upper floor	Minimum 1.5m provided.	Yes
Rear setback	4m (excluding rear lane garages or studio dwellings) 0.5m to rear lane (garages or studio dwellings)	Dwelling Type J provides a minimum rear setback of 4.4m and 6m to the communal open space at ground and first floor level respectively. Dwelling Type D	Yes

Control	DCP Requirement	Proposed Development	Compliance
		<p>provides a minimum rear setback of 5.9m to 6.52m.</p> <p>Given the rear boundary interfaces with Hynds Road, which is a collector road, these dwellings have been designed to provide an appropriate streetscape presentation and passive surveillance of the street.</p>	
Zero lot line	Not permitted on adjacent lot boundaries (except rear lane garages and studio dwellings)	N/A	N/A
Internal building separation distance	5m (unless dwellings are attached by a common wall)	Each dwelling is provided with an internal building separation distance greater than 5m.	Yes
Car parking spaces	<p>1 car parking space per dwelling, plus 0.5 spaces per 3 or more bedroom dwelling, plus 1 visitor space per 5 dwellings.</p> <p>Car parking spaces to be behind building line or garages fronting the street to be set back a minimum of 1m from the building setback.</p> <p>Where garages front the street, the maximum width of a garage door is 6m and each garage is to be separated by a dwelling façade or landscaped area.</p>	<p><u>Regular Spaces</u> Required: $67 \times 1.5 = 100$ spaces Provided: 134 spaces (i.e. 2 per dwelling)</p> <p><u>Visitor Spaces</u> Required: $67 / 5 = 13.7$ spaces Provided: 17 spaces</p> <p>Garage doors proposed are less than 6m wide</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Garages and car parking dimensions	<p>Covered: 3m x 5.5m</p> <p>Uncovered: 2.5m x 5.2m</p> <p>Aisle widths must comply with AS 2890.1</p> <p>1-2 bedroom dwellings</p>	All lots comply	Yes

Control	DCP Requirement	Proposed Development	Compliance
	will provide at least 1 car space. 3 bedroom or more dwellings will provide at least 2 car spaces.		
5.5 – Adaptable Housing			
Adaptable Housing	10% of all multi dwelling housing are to be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995).	The applicant has submitted an Adaptable Housing Review, prepared by ABE Consulting and dated 4 April 2019, which confirms that Dwelling Type C can achieve compliance with Australian Adaptable Housing Standard (AS 4299-1995). 16 dwellings are proposed as dwelling type C, which equates to 23.8% of dwellings within the development.	Yes

Variations – Indicative Layout Plan and Street Network

The Stage 1 and 2 applications (896/2018/JPZ and 984/2018/JP) propose to realign Rubidea Street further to the north as it traverses the site from west to east (refer to Attachment 5 showing an extract of the Indicative Layout Plan (ILP) over the site). The purpose of this amendment is to facilitate the future development of Stages 2 and 3. This amendment to the ILP and street network is considered acceptable as:

- It will not adversely impact on traffic flows; and
- It will not adversely impact on the orderly development of adjoining properties. In particular, the alignment of Rubidea Street is in the location specified in the ILP where it connects with adjoining property to the east (No. 37 Hynds Road).

The subject application (Stage 3) proposes to relocate Pictor Street further to the west while Sirius Way is proposed to be deleted. The relocation of Pictor Street is considered acceptable as:

- It will not adversely impact on traffic flows as a north-south connection is still provided;
- It will not adversely impact on residential amenity of the proposed townhouses approved over the adjoining property to the west (No. 45 Hynds Road) as adequate setback together with a vegetated landscape strip is proposed which will provide adequate screening.

The deletion of Sirius Way is acceptable as:

- The purpose of Sirius Way is to provide local access to residential lots which would have direct frontage to and be accessed from this road. However, given the proposed private road configuration, Sirius Way is no longer needed;
- The removal of Sirius Way will not impact upon the orderly development of the adjoining property to the east (No. 37 Hynds Road) as it retains access from Ida Street.

It is further noted that none of the adjoining properties have raised an objection to the proposed amendments to the ILP.

Variations – Retaining Walls

The topography of the site falls from Rubidea Street to Hynds Road by approximately 10m which equates to approximately 9%. The applicant has sought to manage the topography of the site by:

- Designing dwellings to be split level (refer to dwelling types C, D and K); and
- The introduction of retaining walls.

As illustrated in Attachment 10, the retaining walls are generally below 1m in height and therefore comply. However, there are pinch points where retaining walls in excess of 1m are proposed. These retaining walls have been designed in a manner to minimise their visual impact through the use of landscaping or tiered landscaped retaining walls (refer to Attachment 11).

Solar Access

The Box Hill DCP does not specify solar access standards for multi dwelling housing and does not refer to the provisions of The Hills DCP 2012 for multi dwelling housing, therefore solar access within the development is to be assessed on merit, with reference to similar controls.

Under The Hills DCP 2012, 80% of town houses in a multi dwelling development are required to achieve 3 hours of sunlight to 50% of required private open space areas in mid-winter. Due to the stacked nature of dwellings within the subject development application, it is also appropriate to consider the provisions of the Apartment Design Guide. Under the ADG, the 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.

The proposed development provides both at-grade courtyards and balconies for private open space according to dwelling type. According to shadow diagrams provided by the applicant, 59.7% of dwellings within the development achieve at least 3 hours of sunlight to private open space areas.

Due to the significant slope of the land, the orientation of the site, and the terracing of land required to accommodate the proposed dwellings, the ability for the development to achieve the required solar access is limited. The development provides significantly larger private open space areas than is required by the DCP (16m² at grade and 10m² balconies), ranging

between 42.9m² and 198.2m² and with 11m² balconies. This will ensure that residents are provided with generous outdoor living spaces together with extensive areas of communal open space. 59.7% of dwellings are able to achieve the required solar access and in this instance is considered reasonable taking into consideration site constraints.

BUILDING COMMENTS

No objections are raised to the proposal subject to conditions.

SUBDIVISION ENGINEERING COMMENTS

No objections are raised to the proposal subject to conditions.

TRAFFIC MANAGEMENT COMMENTS

No objections are raised to the proposal subject to conditions.

TREE MANAGEMENT COMMENTS

No objections are raised to the proposal subject to conditions.

HEALTH & ENVIRONMENTAL PROTECTION COMMENTS

No objections are raised to the proposal subject to conditions.

WASTE MANAGEMENT COMMENTS

No objections are raised to the proposal subject to conditions.

HERITAGE COMMENTS

No objections are raised to the proposal subject to conditions.

NEW SOUTH WALES RURAL FIRE SERVICE

General Terms of Approval provided and conditioned as part of the consent (refer to Condition 3 and Appendix A).

SYDNEY WATER

No objections are raised to the proposal subject to conditions (refer to Condition 4 and Appendix B).

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, SEPP (Growth Centres) 2006, the North West Priority Growth Area Land Use and Infrastructure Implementation Plan and The Box Hill Precincts Development Control Plan. All key issues have been identified, addressed or suitably conditioned and is considered satisfactory.

IMPACTS:

Financial

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

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 subject to the following conditions:

GENERAL MATTERS

1. Approved Subdivision Plan

The subdivision must be carried out in accordance with the approved plan of subdivision prepared by Craig & Rhodes Drawing 106-16G L03 [08] – Stage 3 Revision 8 dated 01/04/2019 and other supporting documentation including the undertaking dated 27 May 2019 submitted relating to the dedication of public road to Council except where amended by other conditions of consent.

2. Approved Building Plans

The development must be carried out in accordance with the approved plans and other supporting documentation listed below, except where amended by other conditions of consent:

Drawing:	Description:	Prepared:	Revision:	Date:
TP00.20	Cover Sheet	Rothelowman	B	04/04/19
TP00.21	Development Summary & Site Location Plan	Rothelowman	B	04/04/19
TP00.22	Overall Site Survey	Rothelowman	A	04/04/19
TP00.23	Overall Site Demolition Plan	Rothelowman	B	04/04/19
TP00.24	Site Facilities Plan	Rothelowman	B	04/04/19
TP00.25	Soft Areas & Soft Landscaping Site Plan	Rothelowman	B	04/04/19
TP01.03	Proposed Overall Site Master Plan	Rothelowman	B	04/04/19
TP02.20	Southern Precinct – Ground Detailed Master Plan Part 1	Rothelowman	E	20/05/19
TP02.21	Southern Precinct – Ground Detailed Master Plan	Rothelowman	D	04/04/19

	Part 2			
TP02.22	Southern Precinct – Level 1 Detailed Master Plan Part 1	Rothelowman	B	04/04/19
TP02.23	Southern Precinct – Level 1 Detailed Master Plan Part 2	Rothelowman	B	04/04/19
TP02.31	Southern Precinct – Overall Roof Detailed Master Plan Part 1	Rothelowman	B	04/04/19
TP02.32	Southern Precinct – Overall Roof Detailed Master Plan Part 2	Rothelowman	B	04/04/19
TP03.20	Southern Precinct – Elevations – Sheet 1	Rothelowman	C	20/05/19
TP03.21	Southern Precinct – Elevations – Sheet 2	Rothelowman	B	04/04/19
TP03.22	Southern Precinct – Elevations – Sheet 3	Rothelowman	B	04/04/19
TP03.23	Southern Precinct – Elevations – Sheet 4	Rothelowman	C	20/05/19
TP03.24	Southern Precinct – Elevations – Sheet 5	Rothelowman	B	20/05/19
TP04.20	Southern Precinct – Site Sections	Rothelowman	B	04/04/19
TP05.20	Southern Precinct – Solar Analysis Sheet 1		A	04/04/19

TP05.21	Southern Precinct – Solar Analysis Sheet 2	Rothelowman	A	04/04/19
TP05.22	Southern Precinct – Solar Analysis Sheet 3	Rothelowman	A	04/04/19
TP05.23	Southern Precinct – Solar Analysis Sheet 4	Rothelowman	A	04/04/19
TP05.24	Southern Precinct – Solar Analysis Sheet 5	Rothelowman	-	04/04/19
TP05.25	Southern Precinct – Solar Analysis Sheet 6	Rothelowman	-	04/04/19
TP05.26	Southern Precinct – Solar Analysis Sheet 7	Rothelowman	-	04/04/19
TP05.27	Southern Precinct – Solar Analysis Sheet 8	Rothelowman	-	04/04/19
TP07.05	Type C – Floor Plans	Rothelowman	D	23/05/19
TP07.06	Type C (End Type) – Floor Plans	Rothelowman	C	23/05/19
TP07.06A	Type C – Light Court Section	Rothelowman	-	04/04/19
TP07.07	Type D – Floor Plans	Rothelowman	C	23/05/19
TP07.08	Type D (End Type) – Floor Plans	Rothelowman	C	23/05/19
TP07.09	Type E – Floor Plans	Rothelowman	C	23/05/19
TP07.10	Type E (End Type) – Floor Plans	Rothelowman	C	23/05/19
TP07.19	Type J – Floor Plans – Ground Floor	Rothelowman	G	23/05/19
TP07.20	Type J – Floor	Rothelowman	F	20/05/19

	Plans – Level 1			
TP08.01	Type K – Floor Plans	Rothelowman	B	23/05/19
006	Masterplan	Arcadia	E	April 2019
007	Landscape Masterplan Stage 3	Arcadia	E	April 2019
008	Street + Landscape Plan	Arcadia	E	April 2019
009	Landscape Masterplan Detail Plan	Arcadia	E	April 2019
010	Landscape Section – West of Pictor Street	Arcadia	E	April 2019
011	Landscape Section – Hynds Road Treatment	Arcadia	E	April 2019
012	Landscape Section – Transition Stage 1	Arcadia	E	April 2019
013	Landscape Section – Rubidea Street Treatment	Arcadia	E	April 2019
014	Landscape Section – Eastern Private Driveway	Arcadia	E	April 2019
015	Backyard Typical – Type C	Arcadia	E	April 2019
016	Backyard Typical – Type D	Arcadia	E	April 2019
017	Backyard Typical – Type E + Type K	Arcadia	E	April 2019
018	Backyard Typical – Type J	Arcadia	E	April 2019
019	Indicative Planting Palette	Arcadia	E	April 2019
20	Plant Schedule	Arcadia	E	April 2019
100	Landscape	Arcadia	E	April 2019

	Materplan			
200	Landscape Softworks Plan	Arcadia	E	April 2019
201	Landscape Softworks Plan	Arcadia	E	April 2019
202	Landscape Softworks Plan	Arcadia	E	April 2019
203	Landscape Softworks Plan	Arcadia	E	April 2019
204	Landscape Softworks Plan	Arcadia	E	April 2019
205	Landscape Softworks Plan	Arcadia	E	April 2019
206	Landscape Softworks Plan	Arcadia	E	April 2019
207	Landscape Softworks Plan	Arcadia	E	April 2019
208	Landscape Softworks Plan	Arcadia	E	April 2019
209	Landscape Softworks Plan – Lot Type C	Arcadia	E	April 2019
210	Landscape Softworks Plan – Lot Type D	Arcadia	E	April 2019
211	Landscape Softworks Plan – Lot Type D	Arcadia	E	April 2019
212	Landscape Softworks Plan – Lot Type D	Arcadia	E	April 2019
213	Landscape Softworks Plan – Lot Type E	Arcadia	E	April 2019
214	Landscape Softworks Plan – Lot Type E	Arcadia	E	April 2019
215	Landscape Softworks Plan – Lot Type J North	Arcadia	E	April 2019
216	Landscape Softworks Plan – Lot Type J South	Arcadia	E	April 2019

217	Landscape Softworks Plan – Lot Type K	Arcadia	E	April 2019
218	Landscape Softworks Plan – Lot Type K	Arcadia	E	April 2019
219	Landscape Softworks Plan – Lot Type K	Arcadia	E	April 2019
220	Landscape Softworks Plan – Lot Type C	Arcadia	E	April 2019
221	Landscape Softworks Plan – Lot Type C	Arcadia	E	April 2019
222	Landscape Details	Arcadia	E	April 2019

The above plans are to be amended as follows:

- The Dwelling location and associated setbacks for Dwelling Type J are incorrect on Drawing No. TP02.20, TP02.22 and TP02.31. Both Dwelling Type J units are to be sited in accordance with TP07.19 and TP.20.
- The visitor car parking shown on the landscape plans proposes turf/ cell planting. This form of car parking treatment is not supported as it does not comply with the relevant Australian Standards or Council's Driveway Specifications. These car parking spaces are to be concrete or bitumen in accordance with Condition 35 below.

Where a Construction Certificate is required, no work is to be undertaken before it has been issued.

3. Compliance with Rural Fire Service Requirements

Compliance with the requirements of the Rural Fire Service throughout all stages of the subdivision as outlined in their letter dated 7 May 2019 Reference D18/6719 attached to this consent as Appendix A.

4. Compliance with Sydney Water Requirements

Compliance with the requirements of Sydney Water throughout all stages of the subdivision as outlined in their letter dated 22 March 2018 Reference 169821 attached to this consent as Appendix B.

5. Subdivision Certificate Preliminary Review

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

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

6. Process for Council Endorsement of Legal Documentation

Where an encumbrance on the title of the property is required to be released or amended and Council is listed as the benefiting authority, the relevant release or amendment documentation must be submitted along with payment of the applicable fee as per Council's Schedule of Fees and Charges. Sufficient time should be allowed for the preparation of a report and the execution of the documents by Council.

7. Association Lot

All lots or dwellings within the scheme must be entitled to utilise the association lot and share in the costs associated with its upkeep.

The association lot will be allocated a separate specific street address by Council as part of this preliminary check process (above), and a physical mailbox must be installed as part of the subdivision works for that address to enable the delivery of mail to the site.

If a strata/ community manager has not been appointed by the time the Subdivision Certificate is applied for, the applicant for the subdivision must notify Council (in writing) once a manager has been appointed and the strata/ community association has been formed. The details of the manager must be included with that written notice. Should the manager change over time, the strata/ community association must notify Council (in writing) of the new details.

8. External Finishes

External finishes and colours must comply with the details submitted with the development application and approved with this consent.

9. Australia Post Mailbox Requirements

Australia Post has specific requirements for mail deliveries on private roads. Separate approval from Australia Post is required before installing individual mailboxes for this development.

The association lot will be allocated a separate specific street address by Council as part of this preliminary check process (above), and a physical mailbox must be installed as part of the subdivision works for that address to enable the delivery of mail to the site.

Australia Post has advised that they cannot guarantee that mail will be delivered to the front of individual lots in a community plan in rural areas. For all subdivisions in rural areas that include a private road a bank of grouped letterboxes and a stopping bay in front must be provided for as part of the subdivision works. Where applicable, this includes the mailbox for the association lot required above.

10. Provision of Parking Spaces

The development is required to be provided with 17 visitors and 134 residents off street car parking spaces (two per dwelling). These car parking spaces must be available for off street parking at all times.

11. BCA Compliance

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

12. Demolition Notification

Both Council and any adjoining properties must be notified in writing five days before demolition works commence.

13. Demolition Inspections (Subdivision Applications)

Before demolition works commence a pre-demolition inspection must be arranged with Council's Construction Engineer. All conditions required to be addressed before works commence must be satisfied. Once demolition works are complete, a post demolition inspection must be arranged with Council's Construction Engineer.

14. Tree Removal and Fauna Protection

Approval is granted for the removal of trees required for the approved subdivision. All other trees are to remain. Trees in the vicinity of subdivision works that are to be kept must be suitably identified and protected during any work to ensure they are not inadvertently damaged during construction works.

During any tree removal, an experienced wildlife handler is to be present to re-locate any displaced fauna that may be disturbed during this activity. Any injured fauna is to be appropriately cared for and released on site when re-habilitated.

Trees shall be lopped to minimise the risk of injury or mortality to fauna, such as top-down lopping, with lopped sections gently lowered to the ground, and/or by lowering whole trees to the ground with the “grab” attachment of a machine.

15. Imported Waste Derived Fill Material

The only waste derived fill material that may be received at the development site is:

- Virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); or
- Any other waste-derived material the subject of a resource recovery exemption under clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014 that is permitted to be used as fill material.

Any waste-derived material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material’s compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

16. Contamination Assessment and Site Remediation

The recommendations of the Remediation Action Plan dated November 2017 and Phase 1 and 2 Contamination and Salinity Assessment proposed residential subdivision development Lots 89, 90A and 90 DP 11104 and Lot 92 DP 10157, Nos 29, 41 and 43 Hynds Road and No 21 Terry Road, Box Hill by GeoEnviro Consultancy Pty Ltd referenced as JC17280A-r1 and dated May 2017 and submitted as part of the subdivision are to be implemented as part of this approval. In addition:

- PAH contaminated soil is not permitted to be bio remediated onsite.
- Dam water shall not be discharged to any stormwater system or local waterway. All dam water is to be disposed of onsite, via land application.
- The encapsulation, capping/ containment or similar of contamination or waste on site is not permitted.

17. Air Conditioner Location

The installation of an Air-conditioning unit must comply with the following standards:

An air-conditioner must:

- a) Not be located on the wall or roof of a building that faces the primary road, or forward of the building line to the primary road, and
- b) Be located at least 450mm from each lot boundary, and
- c) Be attached to the external wall of a building or ground mounted, and
- d) Be not higher than 1.8m above ground level (existing), and
- e) Not involve work that reduces the structural integrity of the building, and
- f) Not reduce the existing fire resistance level of a wall, and
- g) Be designed so as not to operate:
 - Between 7am and 10pm — at a noise level that exceeds 5 dB(A) above the ambient background noise level measured at any property boundary, or
 - Between 10pm and 7am — at a noise level that is audible in habitable rooms of adjoining residences.

This may require the provision of an acoustic barrier adjacent to the air-conditioner.

18. Construction Certificate

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

19. Building Work to be in Accordance with BCA

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

20. Management of Construction and Demolition Waste

Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to its reuse onsite or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. A separate dedicated bin must be provided onsite by the builder for the disposal of waste materials such as paper, containers and food scraps generated by all workers. Building waste containers are not permitted to be placed on public property at any time unless a separate application is approved by Council to locate a building waste container in a public place.

Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act 1997 and only to a place that can lawfully be used as a waste facility. The separation and recycling of the following waste materials is required: metals, timber, masonry products and clean waste plasterboard. This can be achieved by source separation onsite, that is, a bin for metal waste, a bin for timber, a bin for bricks and so on. Alternatively, mixed waste may be stored in one or more bins and sent to a waste contractor or transfer/ sorting station that will sort the waste on their premises for recycling. Receipts of all waste/ recycling tipping must be kept onsite at all times and produced in a legible form to any authorised officer of the Council who asks to see them.

Transporters of asbestos waste (of any load over 100kg of asbestos waste or 10 square metres or more of asbestos sheeting) must provide information to the NSW EPA regarding the movement of waste using their WasteLocate online reporting tool:

www.wastelocate.epa.nsw.gov.au

21. Disposal of Surplus Excavated Material

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

22. Commencement of Domestic Waste Service

A separate domestic waste service must be commenced with Council and its Contractor for every lot. The service must be arranged no earlier than two days prior to occupancy and no later than seven days after occupancy of individual units. All requirements of Council's domestic waste management service must be complied with at all times. Contact Council's Resource Recovery Team on (02) 9843 0310 to commence a domestic waste service.

23. Provision of Domestic Waste Storage and Presentation Areas

Every lot requires a separate dedicated bin storage area in the in the garage sized for at least 2 x 240 litre bins (Architectural Plans TP07.05 – TP02.20 and TP08.01). The dimensions of a 240 litre bin are 735mm (d), 580mm (w) and 1080mm (h). An unobstructed nature strip length of 1.66m must be dedicated for bin presentation for every lot (Architectural Plan TP00.24).

24. Construction of Communal Green Waste Area

A fully screened communal area for shared garden organics bins must be established (refer to Architectural Plan TP00.24 for location). The area must be sized for a minimum of 15 x 240 litre bins. Screening must ensure that the bins are not visible from any lots or from the private road. The dimensions of a 240 litre bin are 735mm deep, 580mm wide and 1080mm high.

25. Provision of Bin Presentation Plaques

Weatherproof plaques or similar alternative indicating the street numbers of all Type D and E lots must be provided along the kerb of the private driveway to ensure communal bin presentation occurs in accordance with Architectural Plan TP00.24. Every Type D and E lot must be dedicated 1.66m of unobstructed nature strip length, formalised by means of physically branding the kerb.

26. Internal Access for Waste Collection

Minimum vehicle access must be designed and provided on site in accordance with Australia Standard 2890.2-2002 for the standard 12.5m long Heavy Rigid Vehicle. All widths and bends of the internal loop road must be designed to accommodate all movements of waste collection vehicles within the trafficable carriageway.

27. Tree Removal

Approval is granted for the removal of tree 6-37 and 68-75 as numbered in Arboricultural Impact Appraisal prepared by Naturally Trees dated 22 August 2017.

All other trees are to remain and are to be protected during all works. Suitable replacement trees are to be planted upon completion of construction.

28. Planting Requirements

All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers are to be planted at 5/m².

29. Proposed Street Naming – Private Road

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

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

30. Approved Street Naming – Pictor Street

Street naming must comply with Council's approved map which can be found on Council's website.

31. Street Trees

Street trees must be provided for the section of Pictor Street and Hynds Road within or fronting the development site spaced between 7m and 10m apart and with a minimum of one tree per lot frontage. For corner lots, except with separately approved, there should be one tree on the primary frontage and two trees on the secondary frontage. The location of street trees must be considerate of driveways, services, drainage pits and sight lines at intersections. The species and size of street trees must comply with the requirements of Council. This includes a street tree masterplan where one exists (check Council's website for details). Details demonstrating compliance with the above must be submitted for approval before any street trees are planted.

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

32. Recycled Water – Rouse Hill/ Sydney Water

The subject site must be connected to Sydney Water's Rouse Hill Recycled Water Scheme, unless written evidence from Sydney Water is submitted advising that this service is not available.

33. Road Opening Permit

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

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

34. Protection of Public Infrastructure

Adequate protection must be provided prior to work commencing and maintained during building operations so that no damage is caused to public infrastructure as a result of the works. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site. The certifier is responsible for inspecting the public infrastructure for compliance with this condition before an Occupation Certificate is issued. Any damage must be made good in accordance with the requirements of Council and to the satisfaction of Council.

35. Vehicular Access and Parking

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

- AS/ NZS 2890.1
- AS/ NZS 2890.6
- AS 2890.2
- DCP Part C Section 1 – Parking
- Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

- All driveways and car parking areas must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.
- All driveways and car parking areas must be concrete or bitumen. The design must consider the largest design service vehicle expected to enter the site.
- All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

36. Separate Application for Strata Subdivision

The strata title subdivision of the development is not included. A separate development application or complying development certificate application is required.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

37. Section 7.11 Contribution

The following monetary contributions must be paid to Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979, to provide for the increased demand for public amenities and services resulting from the development.

Payments comprise of the following:

	<i>Purpose: Dwellings</i>	<i>Purpose: Credit</i>	<i>No. of Dwellings: 67</i>	<i>No. of Credits: 1</i>	<i>Total S7.11</i>
Open Space - Land	\$15,030.59	\$15,030.59	\$ 1,007,049.53	\$ 15,030.59	\$ 992,018.94
Open Space - Capital	\$7,290.11	\$7,290.11	\$ 488,437.37	\$ 7,290.11	\$ 481,147.26
Transport Facilities - Land	\$1,157.78	\$1,157.78	\$ 77,571.26	\$ 1,157.78	\$ 76,413.48
Transport Facilities - Capital	\$4,095.35	\$4,095.35	\$ 274,388.45	\$ 4,095.35	\$ 270,293.10
Water Management - Land (KCP)	\$6,624.70	\$6,624.70	\$ 443,854.90	\$ 6,624.70	\$ 437,230.20
Water Management - Capital (KCP)	\$5,581.99	\$5,581.99	\$ 373,993.33	\$ 5,581.99	\$ 368,411.34
Administration	\$219.48	\$219.48	\$ 14,705.16	\$ 219.48	\$ 14,485.68
Total	\$ 40,000.00	\$ 40,000.00	\$ 2,680,000.00	\$ 40,000.00	\$ 2,640,000.00

The contributions above are applicable at the time this consent was issued. Please be aware that Section 7.11 contributions are updated quarterly.

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

This condition has been imposed in accordance with Contributions Plan No 15.

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

38. Western Sydney Growth Areas – Payment of Special Infrastructure Contribution

A special infrastructure contribution is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011, as in force when this consent becomes operative.

Information about the special infrastructure contribution can be found on the Department of Planning and Environment website:

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

Please contact the Department of Planning and Environment regarding arrangements for the making of a payment.

39. Acoustic - Protection of Internal Noise Levels

An acoustic report is required to be submitted for review and approval to Council's Manager – Environment and Health prior to the issue of a Construction Certificate certifying that the design of the development on the construction plans does ensure the following noise levels will be achieved:

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

The acoustic report is also to consider the noise levels associated with the adjoining areas of communal open space approved under DA 896/2018/JPZ. Any recommendations directed by Council's Manager – Environment and Health with regard to noise management of the communal open space areas are to be incorporated into the community management statement.

Should any restrictions need to be imposed on the Final Plan and Section 88B Instrument this will be required prior to the issue of a subdivision certificate.

40. Internal Pavement and Turntable Structural Design Certification

Prior to a Construction Certificate being issued, a Certified Practising Engineer (CPEng) must submit a letter to Council confirming the structural adequacy of the internal pavement design. The pavement design must be adequate to withstand the loads imposed by a loaded 12.5m long heavy rigid waste collection vehicle (i.e. 28 tonne gross vehicle mass) from the boundary to the waste collection point including any manoeuvring areas.

41. Security Bond Requirements

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

- Be in favour of The Hills Shire Council;
- Be issued by a financial institution or other accredited underwriter approved by, and in a format acceptable to, Council (for example, a bank guarantee or unconditional insurance undertaking);
- Have no expiry date;
- Reference the development application, condition and matter to which it relates;
- Be equal to the amount required to be paid in accordance with the relevant condition;
- Be itemised, if a single security bond is used for multiple items.

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

42. Erosion and Sediment Control/ Soil and Water Management Plan

The detailed design must be accompanied by an Erosion and Sediment Control Plan (ESCP) or a Soil and Water Management Plan (SWMP) prepared in accordance with the Blue Book and Council's Works Specification Subdivision/ Developments.

A SWMP is required where the overall extent of disturbed area is greater than 2,500 square metres, otherwise an ESCP is required.

An ESCP must include the following standard measures along with notes relating to stabilisation and maintenance:

- Sediment fencing.
- Barrier fencing and no-go zones.
- Stabilised access.
- Waste receptacles.
- Stockpile site/s.

A SWMP requires both drawings and accompanying commentary (including calculations) addressing erosion controls, sediment controls, maintenance notes, stabilisation requirements and standard drawings from the Blue Book.

An SWMP is required for this development.

43. Construction Management Plan (Staged Applications)

A construction management plan must be submitted demonstrating how the potential for conflict between resident and construction traffic is to be minimised and managed throughout all stages of the development. The construction management plan must be submitted before a Construction Certificate is issued and complied with for the duration of works.

44. Works on Adjoining Land

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

45. Security Bond – Road Pavement and Public Asset Protection

In accordance with Section 4.17(6) of the Environmental Planning and Assessment Act 1979, a security bond of \$175,000.00 is required to be submitted to Council to guarantee the protection of the road pavement and other public assets in the vicinity of the site during construction works. The above amount is calculated at the rate of \$88.00 per square metre based on the Rubidea Road frontage of the subject site plus an additional 50m on one side (181m) multiplied by the width of the road (11m).

The bond must be lodged with Council before a Construction Certificate is issued for the building works.

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

46. Security Bond – External Works

In accordance with Section 4.17(6) of the Environmental Planning and Assessment Act 1979, a security bond is required to be submitted to Council to guarantee the construction, completion and performance of all works external to the site. The bonded amount must be based on 150% of the tendered value of providing all such works. The minimum bond amount is \$10,000.00. The bond amount must be confirmed with Council prior to payment.

The bond must be lodged with Council before a Construction Certificate is issued for the building works.

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

47. Engineering Works and Design

The design and construction of the engineering works listed below must be provided for in accordance with Council's Design Guidelines Subdivisions/ Developments and Works Specifications Subdivisions/ Developments.

Engineering works can be classified as either "subdivision works" or "building works". Works within an existing or proposed public road, or works within an existing or proposed public reserve can only be approved, inspected and certified by Council in accordance with the Roads Act 1993 and the Local Government Act 1993 respectively.

The following engineering works are required:

a) Full Width Road Construction

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

Road Name:	Formation: (Footpath/ Carriageway/ Footpath) (m)
Hynds Road	Road Type: Collector Road 3.5m/ 11.6m/ 4.5m (19.6m) Pavement Design: Collector Road (Design Guidelines Section 3.12)

Pictor Street	Road Type: Local Street 3.5m/ 11m/ 3.5m (18m) Pavement Design: Access/ Local Street (Design Guidelines Section 3.12)
Private Road Driveway 5	Road Type: Private Road 2m/ 6m/ 2m (10m) Pavement Design: Access/ Local (Design Guidelines Section 3.12)

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

The wider 4.5m verge must be located on the southern side of Hynds Road correlating with the cycleway required at this location.

The full width reconstruction of Hynds Road is required because of the SP2 Local Drainage zoning of the properties on the opposite side of Hynds Road, as per the DCP.

Roll kerb is to be used for all public roads other than sub-arterial roads or roads fronting a park or creek corridor.

All public roads are to have a two-way cross fall with a crown in the middle of the carriageway.

Council has commissioned a detailed concept design for Terry Road that needs to be used in preparing the detailed design for these works. Contact Council's Construction Engineer for a copy of this design.

Hynds Road and Pictor Street profiles must be consistent to the adjoining road profiles either already constructed or approved on either side of the development.

With respect to private roads, the intersection needs to delineate the public road from the private road using a gutter crossing rather than kerb returns, pavement threshold treatment or similar.

b) Signage and Line Marking Requirements/ Plan

A signage and line marking plan must be submitted with the detailed design. This plan needs to address street name signs and posts, regulatory signs and posts (such as no parking or give way signs), directional signs and posts (such as chevron signs), speed limit signs and posts and line marking, where required.

Thermoplastic line marking must be used for any permanent works. Any temporary line marking must be removed with a grinder once it is no longer required, it cannot be painted over.

Details for all signage and line-marking must be submitted to Council's Construction Engineer for checking prior to works commencing. For existing public roads, signs and line marking may require separate/ specific approval from the Local Traffic Committee.

Street name signs and posts must be provided in accordance with the above documents and Council's Standard Drawing 37. With respect to street name signs specifically, all private roads must include a second sign underneath which reads "private road".

c) Concrete Footpath

A 1.2 wide concrete footpath, including access ramps at all intersections, must be provided on one side of Pictor Street and on the northern side of Hynds Road in accordance with the

DCP and the above documents. The footpath on Hynds Road needs to be 1.5m wide (minimum).

d) Concrete Cycleway/ Shared Path

A 2.5m wide concrete cycleway/ shared path, including access ramps at all intersections, must be provided on the southern side of Hynds Road in accordance with the DCP and the above documents.

e) Gutter Crossings

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

Gutter crossings are not required where roll kerb has been provided/ permitted.

f) Disused Layback/ Driveway Removal

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

g) Service Conduits

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

h) Earthworks/ Site Regrading

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

Retaining walls are limited to those locations and heights shown on the Retaining Wall Plan Drawing No. 106-16C-DA-S3-0801 prepared by Craig & Rhodes Revision C dated 09/04/2019.

Retaining walls between lots must be located on the high side lot that is being retained, save the need for easements for support on the low side lot adjacent.

i) Stormwater Drainage – Temporary Works

Tail out drains over adjoining properties are required to be provided, where necessary, of sufficient length and width to dissipate stormwater flows to an acceptable level from the end of all stormwater outlets.

Grassed swale drains or temporary piped drainage must be installed to intercept, control and redirect surface stormwater runoff from upstream undeveloped properties.

Specifically, the tail-out drain from Hynds Road over 17 Terry Road Box Hill shown on the Road and Drainage Plans prepared by Craig & Rhodes Revision C dated 09/04/2019 requires written consent from that landowner.

j) Stormwater Drainage – Creek Outlets

Piped stormwater outlets/ connections to a natural watercourse must comply with the requirements of Council, the Natural Resources Access Regulator (even where the receiving waterbody is not a natural watercourse) and Sydney Water, in the case of stormwater management land.

k) Inter-allotment Stormwater Drainage

Piped inter-allotment stormwater drainage catering for the entire area of each lot must be provided. Each lot must be uniformly graded to its lowest point where a grated surface inlet pit must be provided. All collected stormwater is to be piped to an approved constructed public drainage system.

I) Stormwater Drainage – Temporary Management (Box Hill)

Temporary stormwater management in the form of a bio-retention system and detention basin has been built within the subject development pursuant to the Stage 2 of the development DA 984/2018/JP. The detailed design of the basin must be revised to ensure the compatibility of the constructed or approved construction drawings of Hynds Road and Pictor Street. The construction certification documentation must include the following:

- i. A revised DRAINS model for the complete network reflective of the detailed/ final stormwater design ensuring that amount of outflow directed over the downstream property is to be maintained equivalent to the pre-development flow rate. This may require revision of the basin volume nominated on the approved concept plan.
- ii. All of the street drainage system is to be designed to Council's minor and major design criteria, which requires the pipe network for up to 10 year ARI, 20 year ARI in sag and the flow above to be managed by overland flow within the road carriageway.
- iii. The drainage system is to be designed to convey the flow at ultimate and at interim conditions as described below.

The ultimate conditions include:

- Site fully developed.
- Site temporary OSD basin decommissioned.
- Upstream catchments fully developed.
- Upstream catchment temporary OSD basin decommissioned.

The interim conditions include:

- Site fully developed and the temporary OSD basin being active.
 - This OSD basin is designed to attenuate the post-development flows to pre-existing peak flows at the discharge point.
 - The OSD must be designed to manage the internal and external catchment that currently flowing through the subject land.
 - If upstream catchment is considered to be fully developed, then it could be assumed that a temporary OSD basin provided in the upstream is active and attenuating the post-development flows to pre-existing peak flows.
- iv. OSD Basin shall be redesigned to have discharge control pit(s) with orifice and weir/(s) on the pit to release controlled runoff during minor storm events (5 to 20 year ARI) whilst weirs on OSD basin bund walls controlling the flows at major storm events (20 to 100 year ARI).
 - v. OSD bund walls fronting to public footpath verge must be designed to incorporate rip-rap measures to protect damages on public infrastructure.
 - vi. Overland flow behaviour (vxd product) on any street and particularly at the sag point (at all storm events) must be maintained less than 0.4 in order to ensure the public protection.

Electronic copy of the revised hydrology and hydraulic models and stormwater management report must be accompanied with the construction certificate documentation.

The purpose of the temporary stormwater management measures is to ensure there is no impact downstream between the pre-development and post development conditions, both with respect to the volume and quality of runoff, for a range of storm events. The cost of removing these temporary stormwater management measures and all associated re-work to

pits and pipes must be determined at the detailed design stage, with a bond for 150% of the cost of these works submitted to ensure this occurs when the permanent basin/ rain garden planned on the opposite side of Hynds Road is constructed and runoff from the subject site is/ can be connected to the same. The bond amount must be confirmed with Council prior to payment.

Where the design of any temporary stormwater management measure relies on steep batters; the design must incorporate whatever stabilisation methods are recommended by a geotechnical engineer in consultation with Council's Construction Engineer.

PRIOR TO WORK COMMENCING ON THE SITE

48. Builder and PCA Details

The builders name, address, telephone and fax numbers must be submitted to the Principal Certifying Authority (PCA) before building works commence. Where Council is not the PCA, Council must be notified of the PCA in writing two days before building works commence in accordance with the Regulations.

49. Erosion and Sedimentation Controls

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

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

50. Soil and Water Management Plan

A Soil and Water Management Plan is to be prepared. The plan shall be in accordance with "Managing Urban Stormwater - Soils and Construction" (Blue Book) produced by the NSW Department of Housing. The plan is to be kept on site at all times and made available upon request.

The plan is to include a plan of management for the treatment and discharge of water accumulated in open excavations. Water containing suspended solids greater than 50 mg/L shall not be discharged to the stormwater system.

51. Notification of Asbestos Removal

Prior to commencement of any demolition works involving asbestos containing materials, all adjoining neighbours and Council must be given a minimum five days written notification of the works.

52. Demolition Works and Asbestos Management

The demolition of any structure is to be carried out in accordance with the Work Health and Safety Act 2011. All vehicles transporting demolition materials offsite are to have covered loads and are not to track any soil or waste materials on the road. Should demolition works obstruct or inconvenience pedestrian or vehicular traffic on adjoining public road or reserve, a separate application is to be made to Council to enclose the public place with a hoard or fence. All demolition works involving the removal and disposal of asbestos must only be undertaken by a licenced asbestos removalist who is licenced to carry out the work. Asbestos removal must be carried out in accordance with the SafeWork NSW, Environment Protection Authority and Office of Environment and Heritage requirements. Asbestos to be disposed of must only be transported to waste facilities licenced to accept asbestos. No asbestos products are to be reused on the site.

53. Discontinuation of Domestic Waste Services

Council provides a domestic waste service to the property subject to this Development Application. This service must be cancelled prior to demolition of the existing dwelling or where the site ceases to be occupied during works, whichever comes first. You will continue to be charged where this is not done. No bins provided as part of the domestic waste service are to remain on site for use by construction workers, unless previous written approval is obtained from Council. To satisfy this condition, the Principal Certifying Authority must contact Council on (02) 9843 0310 at the required time mentioned above to arrange for the service to be discontinued and for any bins to be removed from the property by Council.

54. Construction and Demolition Waste Management Plan Required

Prior to the commencement of works, a Waste Management Plan for the construction and demolition phases of the development must be submitted to and approved by Principal Certifying Authority. The plan should be prepared in accordance with The Hills Development Control Plan 2012 Appendix A. The plan must comply with the waste minimisation requirements in the relevant Development Control Plan. All requirements of the approved plan must be implemented during the construction and demolition phases of the development.

55. Traffic Control Plan

A Traffic Control Plan is required to be prepared and approved. The person preparing and approving the plan must have the relevant accreditation to do so. A copy of the approved plan must be submitted to Council before being implemented. Where amendments to the plan are made, they must be submitted to Council before being implemented.

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

56. Erection of Signage – Supervision of Subdivision Work

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

- The name, address and telephone number of the Principal Certifying Authority;
- The name and telephone number (including after hours) of the person responsible for carrying out the works;
- That unauthorised entry to the work site is prohibited.

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

As per the Environmental Planning and Assessment Act 1979, only Council can issue a Subdivision Certificate which means only Council can be appointed as the Principal Certifying Authority for subdivision works.

57. Contractors Details

The contractor carrying out the subdivision works must have a current public liability insurance policy with an indemnity limit of not less than \$10,000,000.00. The policy must indemnify Council from all claims arising from the execution of the works. A copy of this insurance must be submitted to Council prior to works commencing.

58. Erosion and Sediment Control/ Soil and Water Management

The approved ESCP or SWMP measures must be in place prior to works commencing and maintained during construction and until the site is stabilised to ensure their effectiveness. For major works, these measures must be maintained for a minimum period of six months following the completion of all works.

59. Service Authority Consultation – Subdivision Works

Before subdivision works commence documentary evidence must be submitted confirming that satisfactory arrangements have been made for:

- The provision of electrical services for the non-residue lots created by the subdivision. This includes the undergrounding of existing overhead services, except where a specific written exemption has been granted by Council.
- The provision of water and sewerage facilities.
- The provision of telecommunication services for the non-residue lots created by the subdivision, typically requiring the installation of pits and pipes complying with the standard specifications of NBN Co current at the time of installation. This includes the undergrounding of existing overhead services, except where a specific written exemption has been granted by Council. The Telecommunications Act 1978 (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.

60. Pavement Design

A pavement design based on Austroads (A Guide to the Structural Design of Road Pavements) and prepared by a suitably qualified and experienced civil or geotechnical engineer must be submitted to Council for approval before the commencement of any pavement works.

The pavement design must be based on sampling and testing by a NATA accredited laboratory of the in-situ sub-grade material and existing pavement material. Details of the pavement design and all tests results, including design California Bearing Ratio values for the subgrade and design traffic loadings, are to be provided.

61. Property Condition Report – Public Assets

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

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

DURING CONSTRUCTION

62. Removal of Septic Tank and Effluent Disposal Area

The existing subsurface effluent disposal area and any associated wastewater infrastructure is to be removed and back filled with Excavated Natural Material (ENM).

Any redundant septic tank, collection well or aerated wastewater treatment system is to be removed or reused in accordance with NSW Health “Advisory Note 3 – Revised January 2017 – Destruction, Removal or Reuse of Septic Tanks, Collection Wells and Aerated Wastewater Treatment Systems (AWTS) and other Sewage Management Facilities (SMF)” available from the NSW Health website:

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

Methods 1.1 and 2.1 (Demolition) are not permissible.

63. Contamination

Ground conditions are to be monitored and should evidence such as, but not limited to, imported fill and/ or inappropriate waste disposal indicate the likely presence of contamination on site, works are to cease, Council’s Manager – Environment and Health is

to be notified and a site contamination investigation is to be carried out in accordance with State Environmental Planning Policy 55 – Remediation of Land.

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

64. Critical Stage Inspections/ Inspections Nominated by the PCA

Section 6.5 of the Environmental Planning and Assessment Act 1979 requires critical stage inspections to be carried out for building work as prescribed by Clause 162A of the Environmental Planning and Assessment Regulation 2000. Prior to allowing building works to commence the PCA must give notice of these inspections pursuant to Clause 103A of the Environmental Planning and Assessment Regulation 2000.

An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspection or other inspection required by the PCA is not carried out. Inspections can only be carried out by the PCA unless agreed to by the PCA beforehand and subject to that person being an accredited certifier.

65. Stockpiles

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

66. Asbestos Removal

Asbestos containing material, whether bonded or friable, shall be removed by a licenced asbestos removalist. A signed contract between the removalist and the person having the benefit of the development application is to be provided to the Principle Certifying Authority, identifying the quantity and type of asbestos being removed. Details of the landfill site that may lawfully receive the asbestos is to be included in the contract.

Once the materials have been removed and delivered to the landfill site, receipts verifying the quantity received by the site are to be provided to the Principal Certifying Authority.

Transporters of asbestos waste (of any load over 100kg of asbestos waste or 10 square metres or more of asbestos sheeting) must provide information to the NSW EPA regarding the movement of waste using their WasteLocate online reporting tool:

www.wastelocate.epa.nsw.gov.au

67. Dust Control

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

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

Should a dust management plan be prepared and submitted to Council, the plan must be implemented on a continual basis until the site is stable and has appropriate vegetative cover.

68. Dam Decommissioning – Fauna Requirements

The decommissioning of the dam is to be undertaken in accordance with the following requirements:

- A fine mesh is to be placed around intake pumps used to drain the dam water to prevent the uptake and spread of carp eggs, juvenile pest species or eggs into the catchment.
- Water is to be pumped from the dam and irrigated onto adjacent grassed areas to minimise the risk of invasive and exotic pest species from entering natural waterways.
- The intake pipe for the irrigation is to be monitored to prevent injury to aquatic fauna.
- The dewatered dam must be inspected for fauna which may be buried in the sediments on the bottom of the dam.
- Following dewatering, fauna is to be provided with an opportunity to relocate prior to reshaping. A minimum of 72 hours is to be provided.
- Any rescued fauna is to be released at a suitable nearby location or if injured, placed into the care of a wildlife carer.

69. European Sites or Relics

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

70. Aboriginal Archaeological Sites or Relics

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

71. Aboriginal Heritage Impact Permit

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

72. Standard of Works

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

73. Working Hours

All work must be restricted to between the hours of 7:00am and 5:00pm, Monday to Saturday. No work can occur outside the hours specified above on Sundays or public holidays. The contractor must instruct sub-contractors regarding the hours of work.

Upon receipt of justified complaint/s in relation to local traffic impacts arising from roadworks being carried out on existing public roads those roadworks will be restricted to between the hours of 9:00am and 3:00pm, Monday to Friday or as otherwise directed by Council staff. Requests to carry out roadworks on existing public roads during the night in order to avoid local traffic impacts will also be considered based on the circumstances of the site and must be approved in writing by Council's Manager – Subdivision and Development Certification.

74. Compliance with BASIX Certificate

Under Clause 97A of the Environmental Planning and Assessment Regulation 2000, all commitments listed in the following BASIX Certificates (and any subsequent revisions of the same certificate number) submitted with the application must be complied with:

Lot/ Dwelling No.	BASIX Certificate No.
All dwellings	887302M_06

PRIOR TO ISSUE OF AN OCCUPATION AND/ OR SUBDIVISION CERTIFICATE

75. Compliance with Rural Fire Service Requirements

A report/ letter from a qualified bushfire consultant must be submitted confirming that the requirements of the Rural Fire Service have been complied with.

76. Compliance with Sydney Water Requirements

A letter from Sydney Water must be submitted confirming the works have been completed to their satisfaction.

77. Subdivision Certificate Application

When submitted, the Subdivision Certificate application must include:

- One copy of the final plan.
- The original administration sheet and Section 88B instrument.
- All certificates and supplementary information required by this consent.
- An AutoCAD copy of final plan (GDA 1994 MGA94 Zone56).

78. Building Adjacent to Proposed Boundary

Where any part of an existing/ partially constructed building is located within 2m of a proposed boundary the location of such must be determined by a registered surveyor and shown on the final plan.

79. Building Services

A letter from a registered surveyor must be submitted certifying that all facilities servicing the existing/ partially constructed buildings are located wholly within their respective lot or are otherwise contained within a suitable easement.

80. Registration of Preceding Subdivision

A Subdivision Certificate cannot be issued for this subdivision before the preceding stage/ subdivision pursuant to both DA 896/2018/JPZ and DA 984/2018/JP.

81. Bushfire Safety – Association Lot

The attached bushfire safety authority from the Rural Fire Service includes requirements relating to bushfire safety that need to be accounted for in the management statement. The management statement must include an additional by-law using the “bushfire safety” terms included in Council’s standard recitals. This by-law needs to address all of the matters relating to bushfire safety covered by the attached bushfire safety authority from the Rural Fire Service including, but not limited to:

- Arrangements for the approval and carrying out of hazard reduction works when and where proposed by the Hills District Rural Fire Service and the Hills District Bushfire Management Committee.
- Arrangements for community engagement with the Hills District Rural Fire Service and the association.
- The preparation, distribution, implementation and auditing of a Bushfire Emergency Evacuation Plan.
- The recording, maintenance and provision of access for firefighting purposes of the fire trails and asset protection zones. With respect to fire trails, a “plan of fire trails” or similar will need to be included as part of the management statement.

82. Landscaping

The landscaping of the site must be finalised as per the approved plan. Landscaping must be maintained at all times.

83. Satisfactory Final Inspection

A final inspection must be carried out before an Occupation Certificate is issued. An Occupation Certificate must be issued before the dwellings are occupied.

84. Maintenance of BASIX Commitments

All BASIX requirements must be implemented before an Occupation Certificate is issued and maintained throughout the life of the proposed development in accordance with the approved BASIX Certificates.

85. Validation Report

A validation report shall be submitted to Council's Manager – Environment and Health. The validation report must 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.

86. Internal Pavement Construction

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

87. Landscaping Prior to Issue of any Occupation Certificate

Landscaping of the site shall be carried out prior to issue of the Final Occupation Certificate (within each stage if applicable) in accordance with the approved Landscape plans Issue E, and additional tree planting to verge of Private Driveway road.

Tree planting of *Pyrus calleryana* 'Capital', or similar species, to be installed to Private driveway road adjacent Lots C and D, plus where space is available adjacent Lots K. Ensure trees are positioned so as not to interfere with waste bin collection.

All landscaping is to be maintained at all times in accordance with the DCP and the approved landscape plan.

88. Completion of Subdivision Works/ Satisfactory Final Inspection

A Subdivision Certificate cannot be issued prior to the completion of all subdivision works covered by this consent. A satisfactory final inspection by Council's Construction Engineer is required.

89. Subdivision Works – Submission Requirements

Once the subdivision works are complete the following documentation (where relevant/ required) must be prepared in accordance with Council's Design Guidelines Subdivisions/ Developments and submitted to Council's Construction Engineer for written approval:

- Works as Executed Plans
- Stormwater Drainage CCTV Recording
- Pavement Density Results
- Street Name/ Regulatory Signage Plan
- Pavement Certification
- Public Asset Creation Summary
- Concrete Core Test Results
- Site Fill Results

- **Structural Certification**

The works as executed plans must be prepared by a suitably qualified engineer or registered surveyor.

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

A template public asset creation summary is available on Council's website and must be used.

90. Performance/ Maintenance Security Bond

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

91. Confirmation of Pipe Locations

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

92. Section 73 Compliance Certificate

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

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

93. Provision of Electrical Services

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

94. Provision of Telecommunication Services

The developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Certifying Authority that arrangements have been made for:

The installation of fibre-ready facilities to all individual lots and/ or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose; and

The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/ or premises in a real estate development project demonstrated through an agreement with a carrier.

Real estate development project has the meanings given in Section 372Q of the Telecommunications Act 1978 (Cth).

For small developments, NBN Co will issue a Provisioning of Telecommunications Services – Confirmation of Final Payment. For medium and large developments, NBN Co will issue a Certificate of Practical Completion of Developers Activities.

For non-fibre ready facilities, either an agreement advice or network infrastructure letter must be issued by Telstra confirming satisfactory arrangements have been made for the provision of telecommunication services. This includes the undergrounding of existing overhead services, except where a specific written exemption has been granted by Council.

A copy of the works as executed (WAE) plans for the telecommunications infrastructure must also be submitted.

95. Removal/ Amendment of Existing Easements

The existing drainage easement E must be removed/ amended. Where Council is listed as the benefiting authority, the relevant release or amendment documentation must be submitted along with payment of the applicable fee as per Council's Schedule of Fees and Charges.

96. Final Plan and Section 88B Instrument

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

a) Dedication – New Road

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

b) Easement – Private Stormwater Drainage

Inter-allotment drainage easements must be created to ensure each and every lot is provided with a legal point of discharge. Easement widths must comply with Council's Design Guidelines Subdivisions/ Developments.

c) Restriction – Rainwater Tanks

Lot 7 must be burdened with a restriction using the "rainwater tanks" terms included in the standard recitals.

d) Restriction – Bedroom Numbers

Lot 7 must be burdened with a restriction using the "bedroom numbers" terms included in the standard recitals.

e) Covenant – Onsite Waste Collection

Lot 7 must be burdened with a positive covenant relating to onsite waste collection using the "onsite waste collection" terms included in the standard recitals.

f) Covenant – Asset Protection Zone

Lot 7 must be burdened with a positive covenant using the "bushfire requirements/ asset protection zone" terms included in the standard recitals. Lots required to be managed as an asset protection zone require a positive covenant affecting the entire lot.

g) Restriction – Acoustic Treatment

Lot 7 must be burdened with a restriction that refers to the acoustic report required to be submitted using the "acoustic requirements" terms included in the standard recitals.

h) Easement – Temporary Stormwater Management (Box Hill)

Lot 7 (where the temporary basin is located only) must be burdened with an easement over the temporary stormwater management measures referred to earlier in this consent using the "temporary stormwater management" terms included in the standard recitals.

i) Restriction/ Covenant – Temporary Stormwater Management (Box Hill)

Lot 7 (where the temporary basin is located only) must be burdened with a restriction and a positive covenant that refers to the temporary stormwater management measures referred to

earlier in this consent using the “temporary stormwater management” terms included in the standard recitals.

97. Security Bond – Temporary Turning Head

A \$25,000.00 security bond must be provided in order to guarantee the maintenance and subsequent removal of the temporary cul-de-sac turning head. The bond is refundable upon written application to Council and is subject to a final inspection. If Council is required to maintain or remove the temporary cul-de-sac turning head these costs will be deducted from the security bond. If these costs exceed the value of the bond Council will issue an invoice for the recovery of the outstanding amount.

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

98. Completion of Engineering Works

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

99. Property Condition Report – Public Assets

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

THE USE OF THE SITE

100. Offensive Noise - Acoustic Report

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

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

101. Waste and Recycling Management

To ensure the adequate storage and collection of waste from the occupation of the development, all garbage and recyclable materials emanating from the units must be stored in the individual bin storage areas in the garages. Bin presentation must be in accordance with that shown on the site facilities plan (Architectural Plan TP00.24-A). Bins must be presented out the night before the allocated collection day by Council and returned to their designated bin storage areas no later than noon the day after collection has occurred.

APPENDIX A

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: 1252/2018/JPZ
Our Ref: D18/6719
DA18080814452 AS

ATTENTION: Padraig Scollard

7 May 2019

Dear Mr Scollard

Integrated Development Application - 21 Terry Road & 43, 41 Hynds Road Box Hill

I refer to your correspondence dated 11 April 2019 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 commencement of building works, or the issue of a subdivision certificate (whichever comes first) and in perpetuity, the entire property shall be managed as an Inner Protection Area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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. New construction for buildings identified on the map produced by Travers Bushfire & Ecology as 'BAL 12.5'(Ref: 18CR03_BF001, Issue 1, Dated 3/08/2018) shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

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

Boundary fences for properties determined to be BAL 12.5 may be constructed using hardwood where there is a minimum 1 metre separation from a dwelling.

This letter is in response to a further assessment of the application submitted and supersedes our previous general terms of approval dated 28 August 2018.

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

Yours sincerely



Nika Fomin
Manager - Planning & Environment Services (East)

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

APPENDIX B



22 March 2018

Our Ref: 169821

Paul Osbourne
Manager – Development Assessment
The Hills Shire Council
PO Box 7064
Baulkham Hills BC, NSW 2153

RE: 39-43 Hynds Road and 21 Terry Road, Box Hill

- **DA 896/2018/ZE: Stage 1 - Construction of 49 residential dwellings with Community Title subdivision.**
- **DA 984/2018/JP: Stage 2 - Multi dwelling housing development comprising of 111 dwellings.**
- **DA 1252/2018/JPZ: Stage 3 – Construction of 68 dwellings with Community Title subdivision.**

Dear Mr Osbourne,

Thank you for notifying Sydney Water of the development applications listed above. We have reviewed the applications and provide the following comments for your consideration. The following information is provided to assist in planning the servicing needs of the development, based on the information supplied:

Water

- Our strategic investigation shows that the trunk water system has adequate capacity to service the proposed development. The proposed development can be serviced from the existing 560mm water main located in Terry Road.
- According to Drinking Water Local Area Scheme Plan – Package 3 Box Hill, the developer will need to build a 200mm water lead-in connecting from the 560mm main to serve the lots.
- Reticulations inside the development and any lead-in mains should be designed according to the current Water Supply Code of Australia (Sydney Water Edition).

Wastewater

- The proposed development can be serviced via a lead-in from the North West Priority Growth Area – Package 3C wastewater main (Figure 1).
- Reticulations inside the development and the lead-in main to the Package 3C wastewater main should be designed according to the current Sewerage Code Australia (Sydney Water Edition) or Sydney Water's Flow Scheduling Sheet.

This advice is not a formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application.

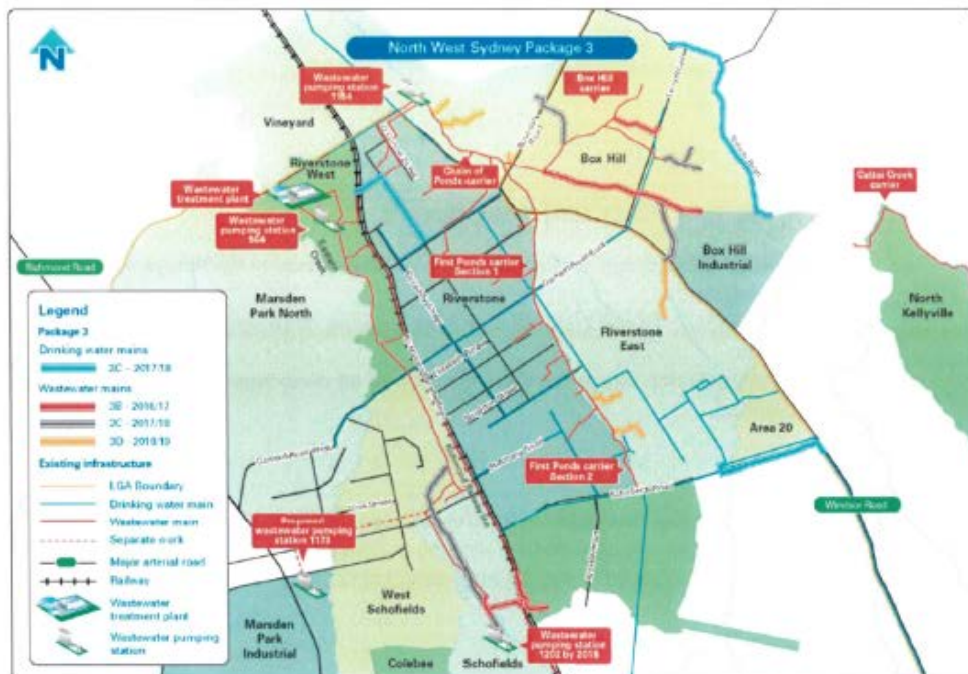


Figure 1: North West Priority Growth Area – Package 3

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 in the attachment. If you require any further information, please contact Lulu Huang of Growth Planning and Development on 02 8849 4269 or email lulu.huang@sydneywater.com.au.

Yours sincerely,


Paul Mulley
Manager, Growth Planning & Development

Attachment 1

Sydney Water Servicing

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water prior to development commencement. It is recommended that the Council includes this term as a Condition of the DA approval.

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 approved plans must be submitted to the Sydney Water [Tap in™](#) online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water [Tap in™](#) online self-service replaces our Quick Check Agents as of 30 November 2015.

The [Tap in™](#) service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

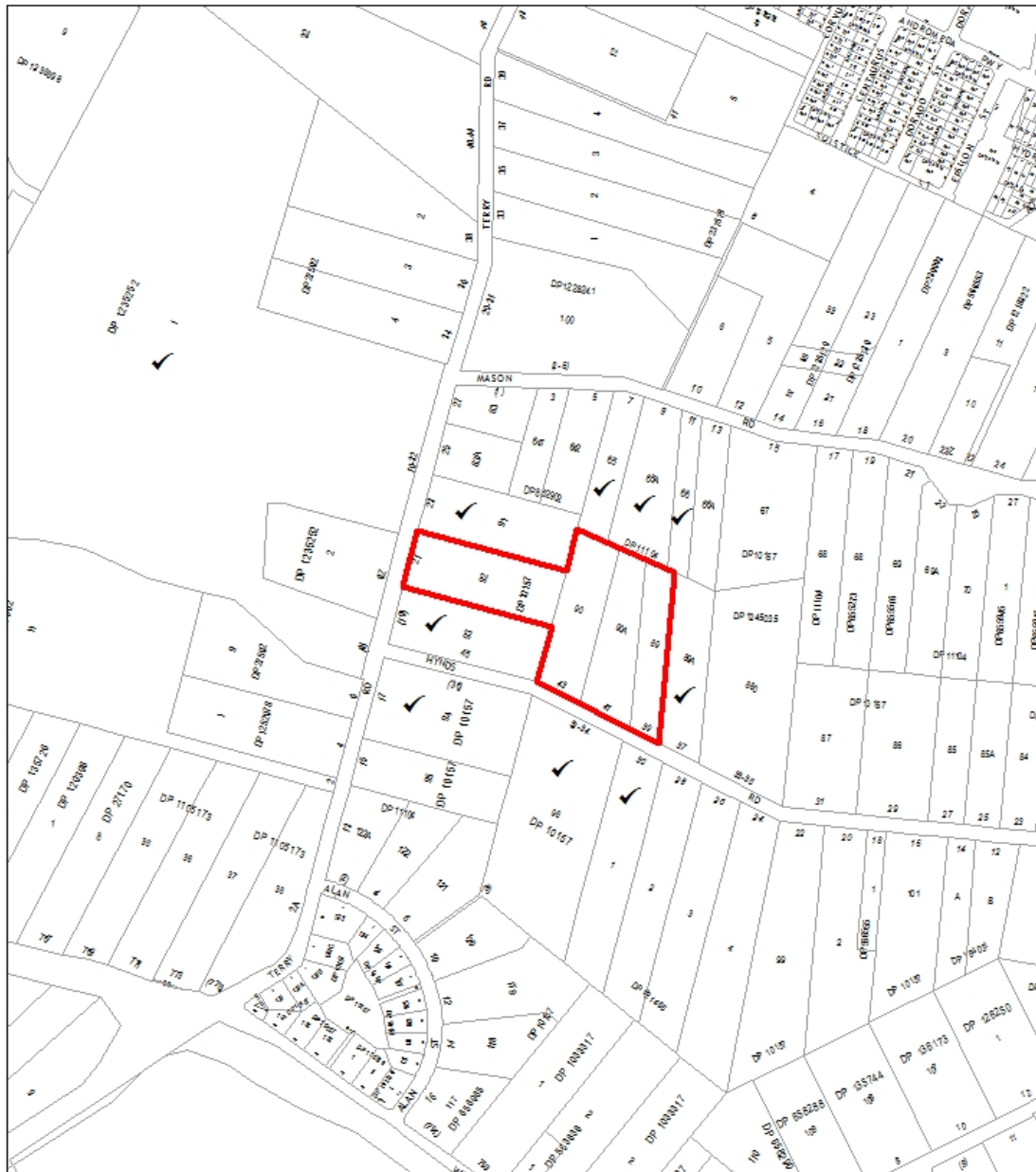
Sydney Water's [Tap in™](#) online service is available at:


<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

ATTACHMENTS

- Attachment 1 – Locality Plan
- Attachment 2 – Site Plan
- Attachment 3 – SEPP (SRGC) Zoning Map
- Attachment 4 – SEPP (SRGC) Height of Buildings Map
- Attachment 5 – SEPP (SRGC) Indicative Road Layout Plan
- Attachment 6 – Stage 1 (DA 896/2018/JPZ) Community Lot Layout Plan (Approved)
- Attachment 7 – Stage 2 (DA 984/2018/JP) Community Lot Layout Plan (Proposed)
- Attachment 8 – Stage 3 (DA 1252/2018/JPZ) Community Lot Layout Plan (Proposed)
- Attachment 9 – Overall Staging/ Density Plan
- Attachment 10 – Retaining Wall Plan
- Attachment 11 – Retaining Wall Sections
- Attachment 12 – Site Plan
- Attachment 13 – Elevations
- Attachment 14 – Solar Access Plans

ATTACHMENT 1 – LOCALITY PLAN



 SUBJECT SITE

 PROPERTIES NOTIFIED

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 – SITE PLAN



SUBJECT SITE

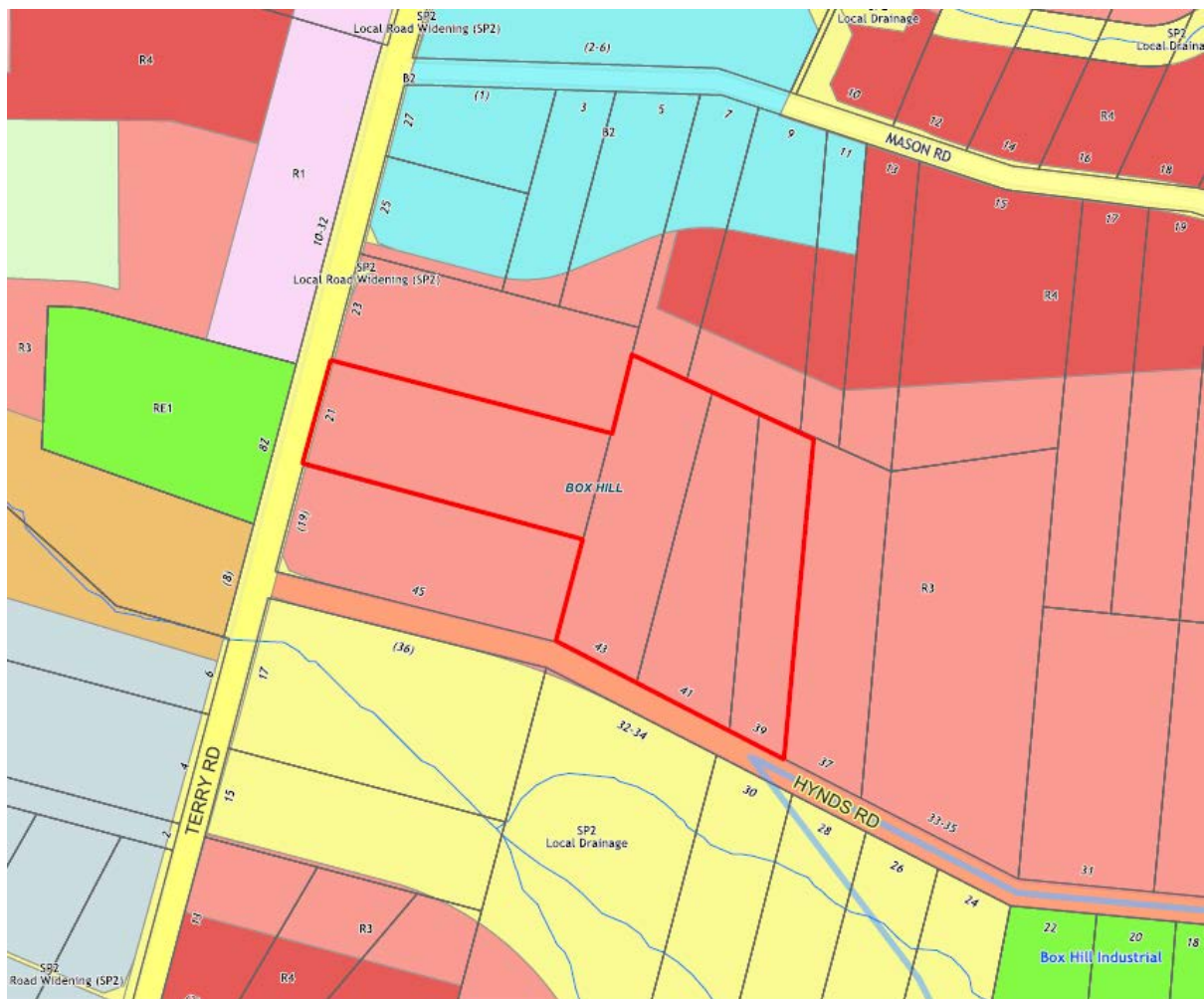
THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

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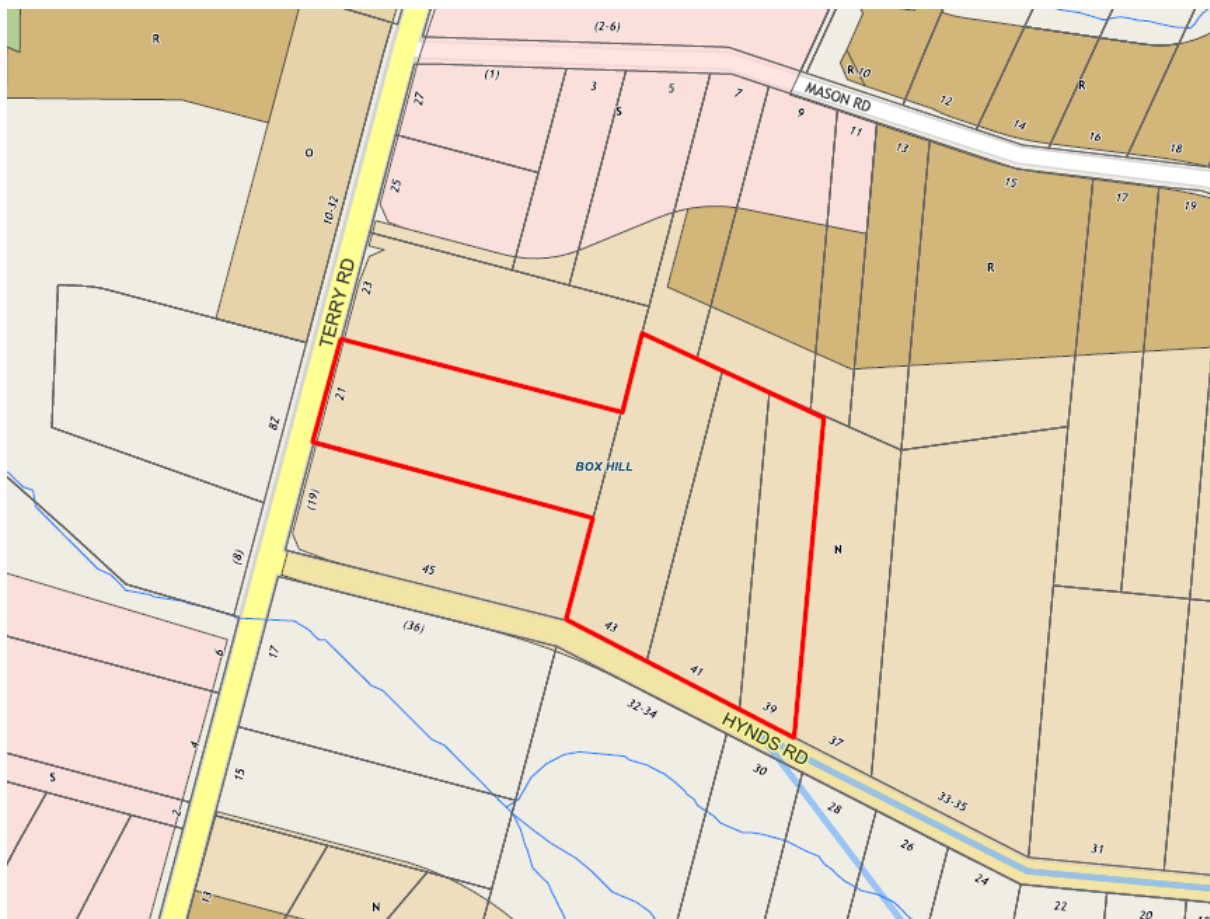
ATTACHMENT 3 – SEPP (SRGC) ZONING MAP



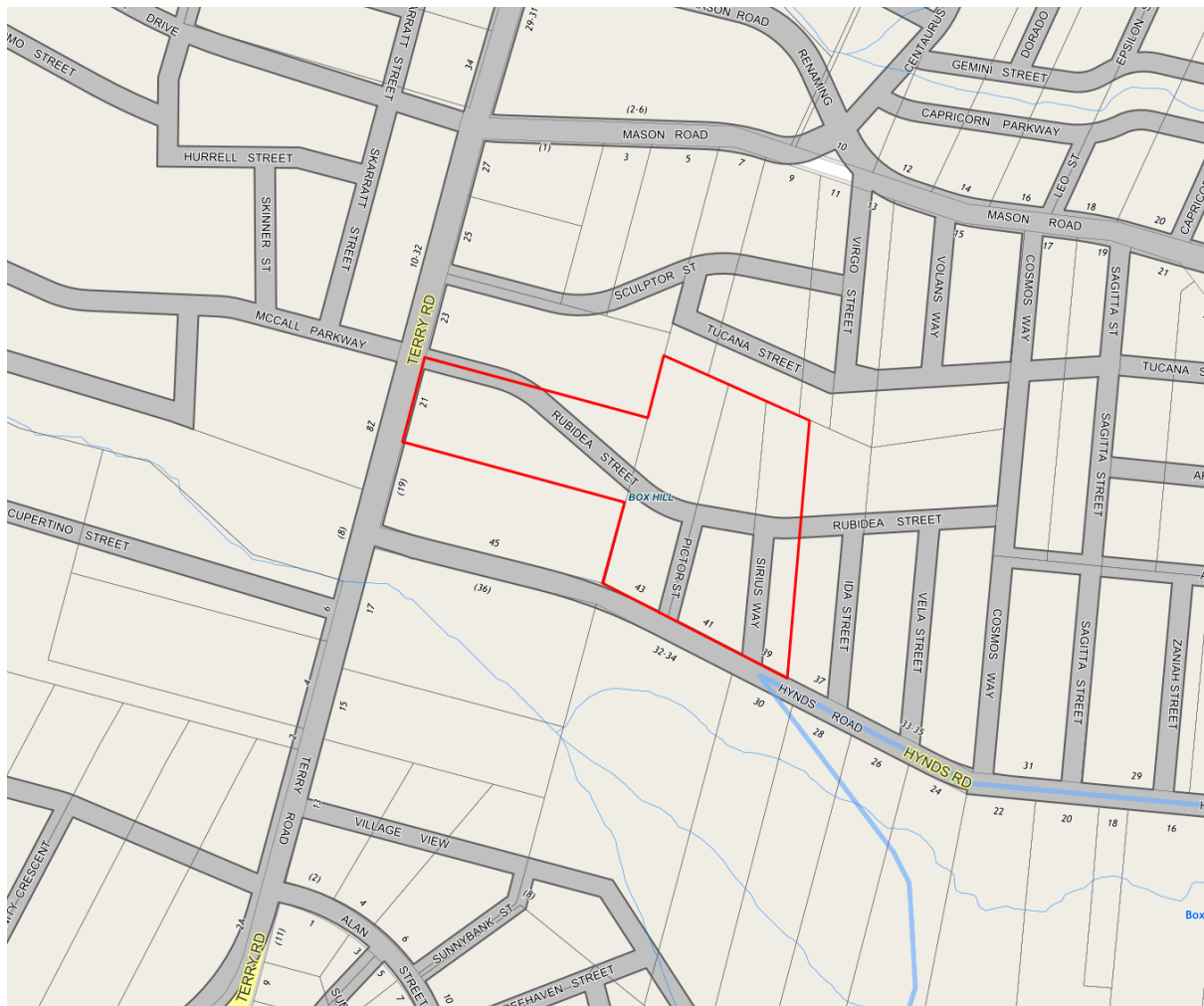
Land Zoning (LZN)




- B2 Local Centre
- B6 Enterprise Corridor
- B7 Business Park
- E2 Environmental Conservation
- IN2 Light Industrial
- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- RE2 Private Recreation

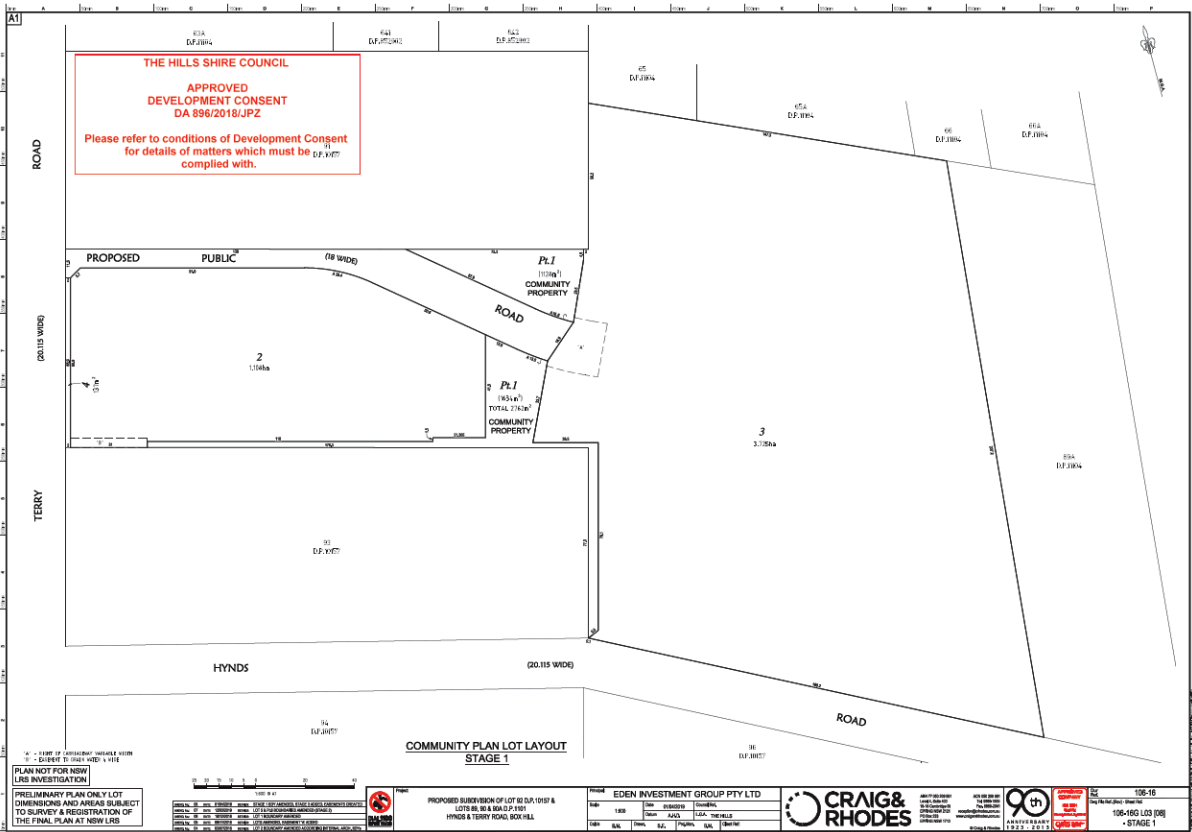
ATTACHMENT 4 – SEPP (SRGC) HEIGHT OF BUILDINGS MAP



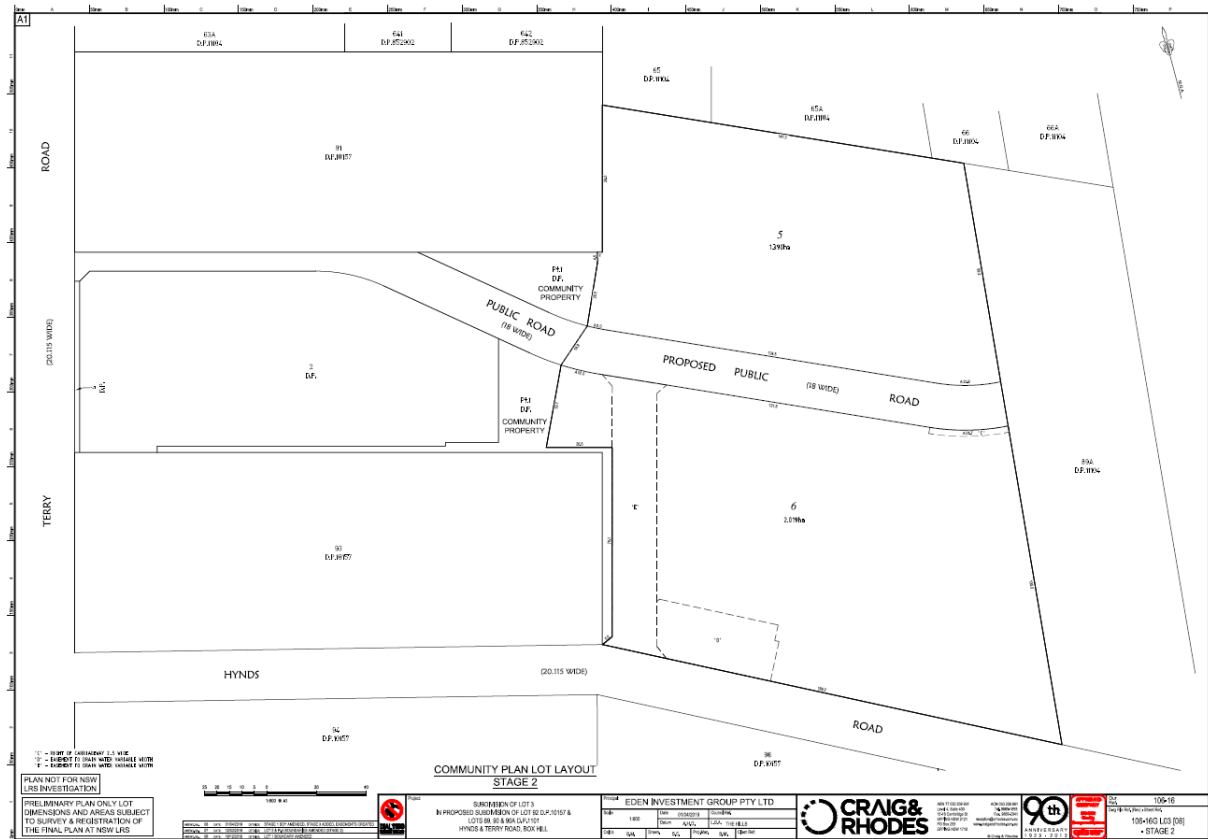
ATTACHMENT 5 – SEPP (SRCG) INDICATIVE ROAD LAYOUT PLAN



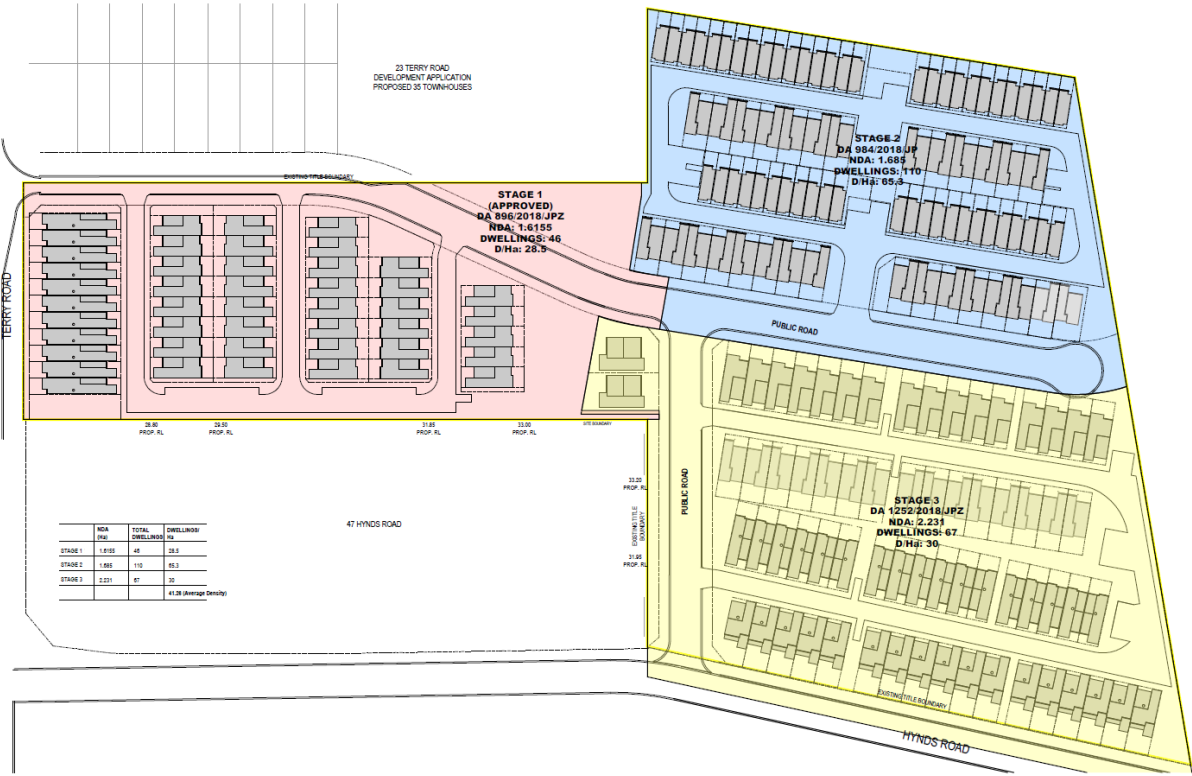
-  SEPP Box Hill
-  Box Hill Precinct Boundary
-  DCP Proposed Roads



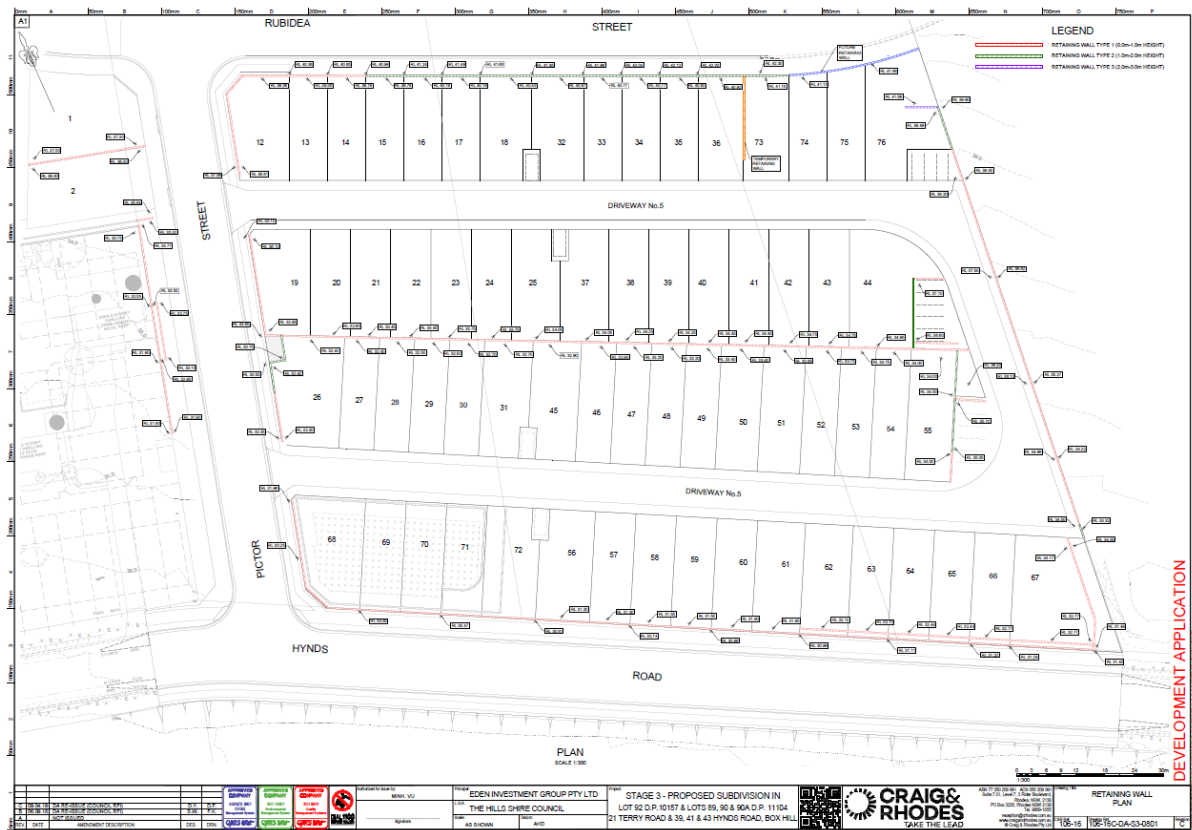
ATTACHMENT 7 – STAGE 2 (DA 984/2018/JP) COMMUNITY LOT LAYOUT PLAN (PROPOSED)



ATTACHMENT 9 – OVERALL STAGING/ DENSITY PLAN



ATTACHMENT 10 – RETAINING WALL PLAN



ATTACHMENT 11 – RETAINING WALL SECTIONS

LANDSCAPE SECTION WEST OF PICTOR ST

010



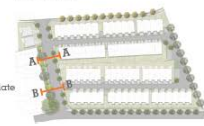
ARCADIA
LANDSCAPE ARCHITECTURE

TERRY & HYNDS ROAD BOX HILL
LANDSCAPE DEVELOPMENT APPLICATION
STAGE 3 SOUTHERN PRECINCT

LEGEND

- 01 Pictor Street
- 02 Private yard
- 03 Fence to private yard
- 04 Stepping sandstone
block elements to accom-
modate level change
- 05 Native tree planting

KEY PLAN



PREPARED BY	Arcoxia Landscape Architecture	DATE	April 2019
CLIENT	Eden Invest Group	SCALE	1:50 @ A1
PROJECT NO.	17-487	ISSUE	E

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LANDSCAPE SECTION HYNDSD ROAD TREATMENT

011



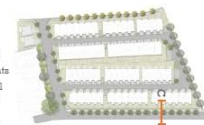
SECTION C-C

0 0,5 1 1,5 2 2,5
SCALE 1:25 @ A1

LEGEND

- 01 Hynds Road
- 02 Private yard
- 03 Fence to private yard
- 04 Terraced wall elements
to accommodate level
change (to Engineers
detail)
- 05 Turf verge with street
tree

KEY PLAN



ARCADIA
LANDSCAPE ARCHITECTURE

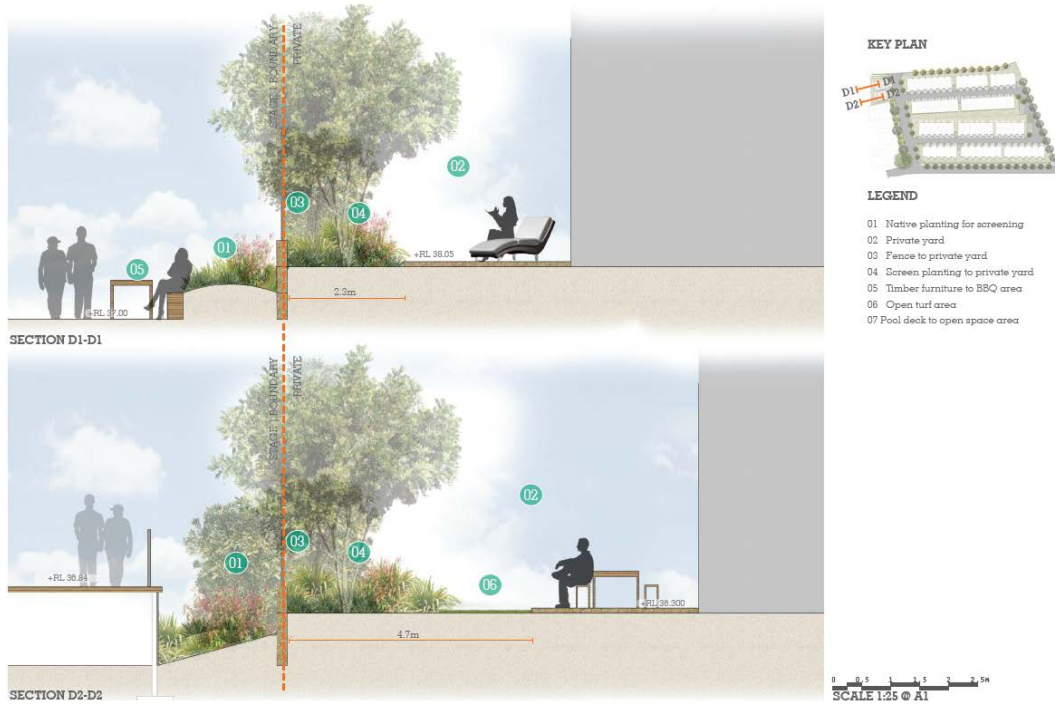
TERRY & HYNDS ROAD BOX HILL
LANDSCAPE DEVELOPMENT APPLICATION
STAGE 3 SOUTHERN PRECINCT

PREPARED BY Arcadia Landscape Architecture **DATE** April 2019
CLIENT Eden Invest Group **SCALE** 1:25 @ A1
PROJECT NO. 17-487 **ISSUE** E

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LANDSCAPE SECTION TRANSITION STAGE 1

012



ARCADIA
LANDSCAPE ARCHITECTURE

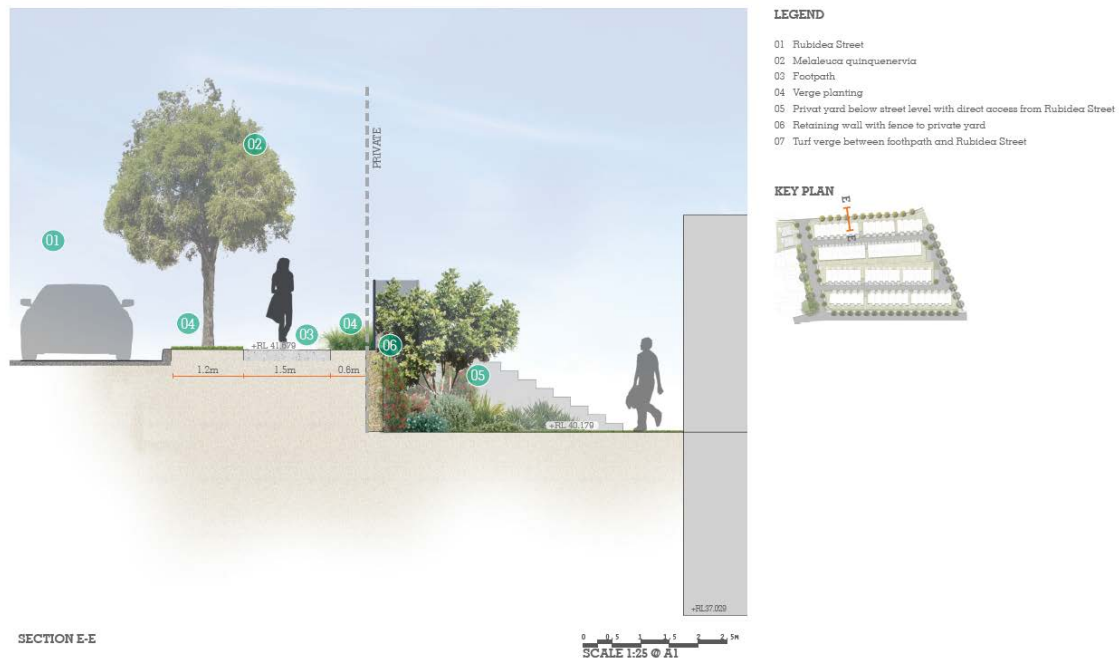
TERRY & HYND'S ROAD BOX HILL
LANDSCAPE DEVELOPMENT APPLICATION
STAGE 3 SOUTHERN PRECINCT

PREPARED BY Arcadia Landscape Architecture
CLIENT Eden Invest Group
PROJECT NO. 17-487
DATE April 2019
SCALE 1:25 @ A1
ISSUE E

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LANDSCAPE SECTION RUBIDEA STREET TREATMENT

013



ARCADIA
LANDSCAPE ARCHITECTURE

TERRY & HYND'S ROAD BOX HILL
LANDSCAPE DEVELOPMENT APPLICATION
STAGE 3 SOUTHERN PRECINCT

PREPARED BY Arcadia Landscape Architecture
CLIENT Eden Invest Group
PROJECT NO. 17-487
DATE April 2019
SCALE 1:25 @ A1
ISSUE E

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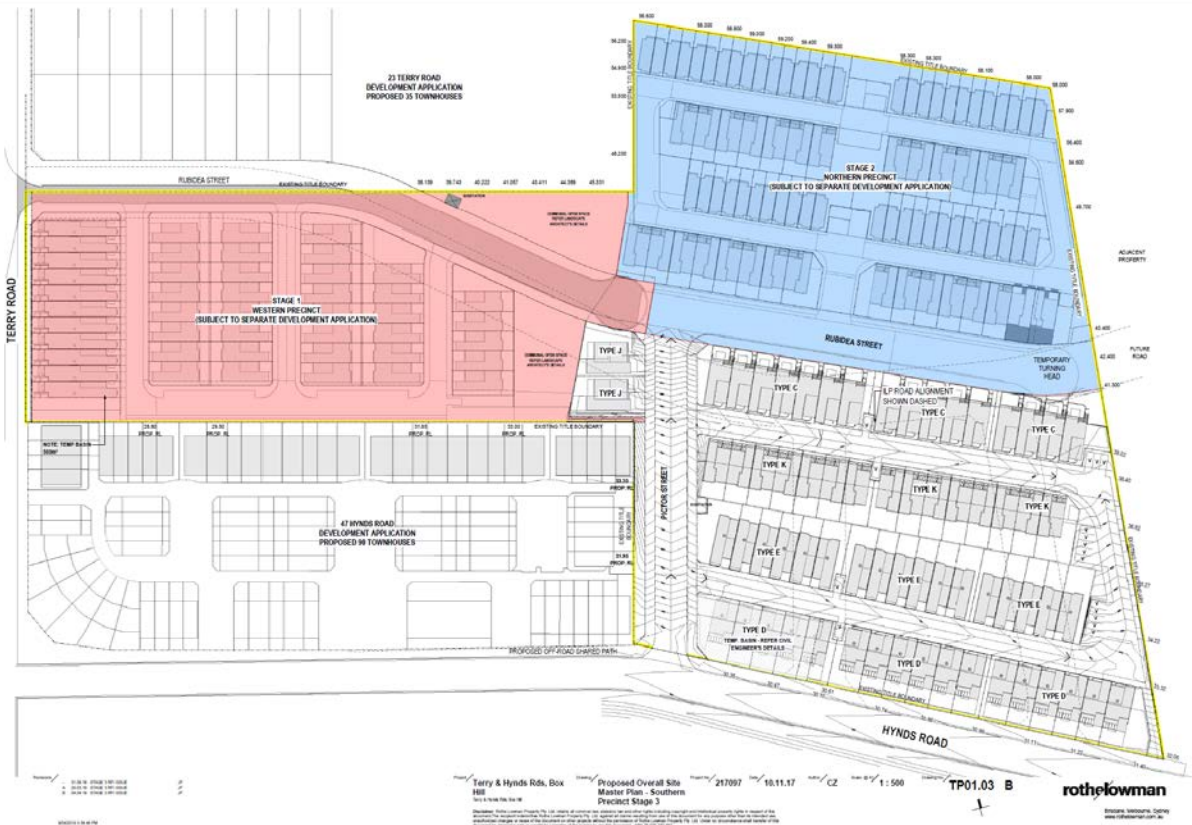
ARCADIA
LANDSCAPE ARCHITECTURE

TERRY & HYNDS ROAD BOX HILL
LANDSCAPE DEVELOPMENT APPLICATION
STAGE 3 SOUTHERN PRECINCT

PREPARED BY Arcadia Landscape Architecture
CLIENT Eden Invest Group
PROJECT NO. 17-487
DATE April 2019
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ISSUE E

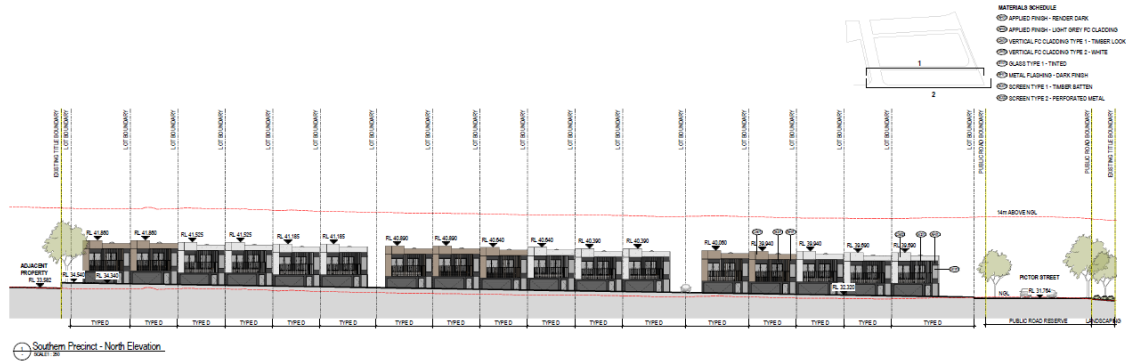
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ATTACHMENT 12 – SITE PLAN



ATTACHMENT 13 – ELEVATIONS





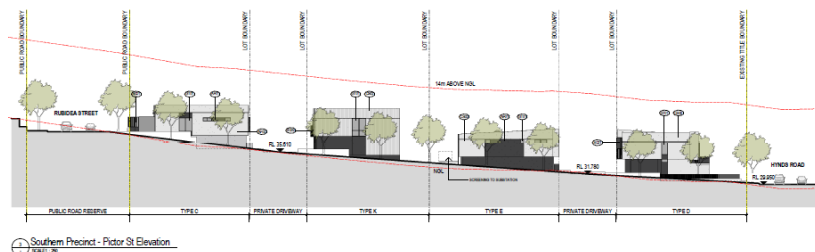
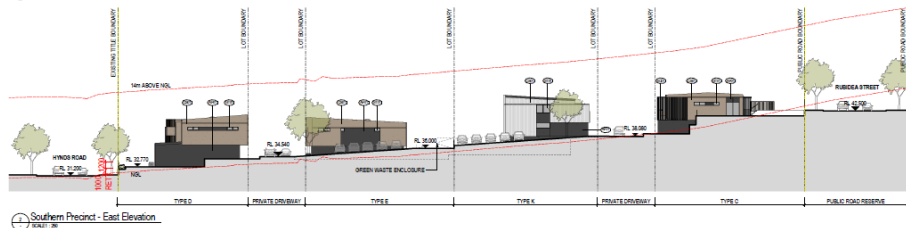
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2. 10.12.17 STAGE 2 (FOR SUBMISSION)
3. 10.12.17 STAGE 2 (FOR SUBMISSION)
4. 10.12.17 STAGE 2 (FOR SUBMISSION)

By: [Signature]
For: [Signature]

DATE: 10.12.17

Project: Terry & Hynds Rds, Box Hill
Drawn: Southern Precinct - Elevations - Sheet 3
Project: 217057 Date: 24.11.17 Author: CZJ/1:250
Drawing: TP03.22 B

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Sydney, Melbourne, Sydney
www.rotheandlowman.com.au



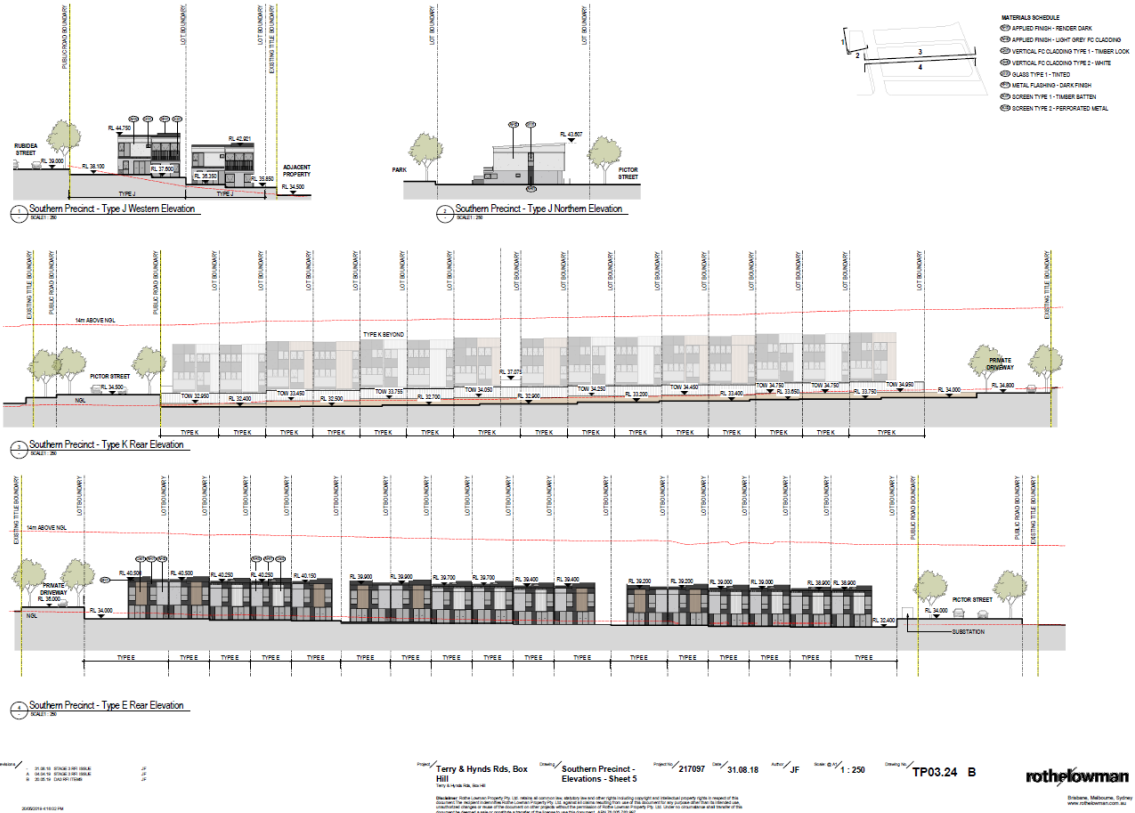
Revised: 1. 10.12.17 STAGE 2 (FOR SUBMISSION)
2. 10.12.17 STAGE 2 (FOR SUBMISSION)
3. 10.12.17 STAGE 2 (FOR SUBMISSION)
4. 10.12.17 STAGE 2 (FOR SUBMISSION)

By: [Signature]
For: [Signature]

DATE: 10.12.17

Project: Terry & Hynds Rds, Box Hill
Drawn: Southern Precinct - Elevations - Sheet 4
Project: 217057 Date: 08.12.17 Author: CZJ/1:250
Drawing: TP03.23 C

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Sydney, Melbourne, Sydney
www.rotheandlowman.com.au



ATTACHMENT 14 – SOLAR ACCESS PLANS



⊕ Solar Analysis Stage 3 9am Winter Solstice



⊕ Solar Analysis Stage 3 10am Winter Solstice

*NOTE: SUNLIGHT MEASURED AS
"PERCEIVED SUNLIGHT" 1M ABOVE
FLOOR LEVEL

Prepared by: TERRY & HYNDYS
10/10/17 STAGE 3 SOLAR ACCESS PLAN
A 10/10/17 STAGE 3 SOLAR ACCESS PLAN
DRAWN BY: TERRY & HYNDYS
CHECKED BY: TERRY & HYNDYS
DATE: 10/10/17

Terry & Hynds Rds, Box Hill
Southern Precinct - Solar Analysis Sheet 1
Project: 217051 Date: 23.11.17 Author: CZ Scale: 1:500 Drawing No: TP05.20 A

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Sydney, Melbourne, Brisbane
www.rotheflowman.com.au



⊕ Solar Analysis Stage 3 11am Winter Solstice



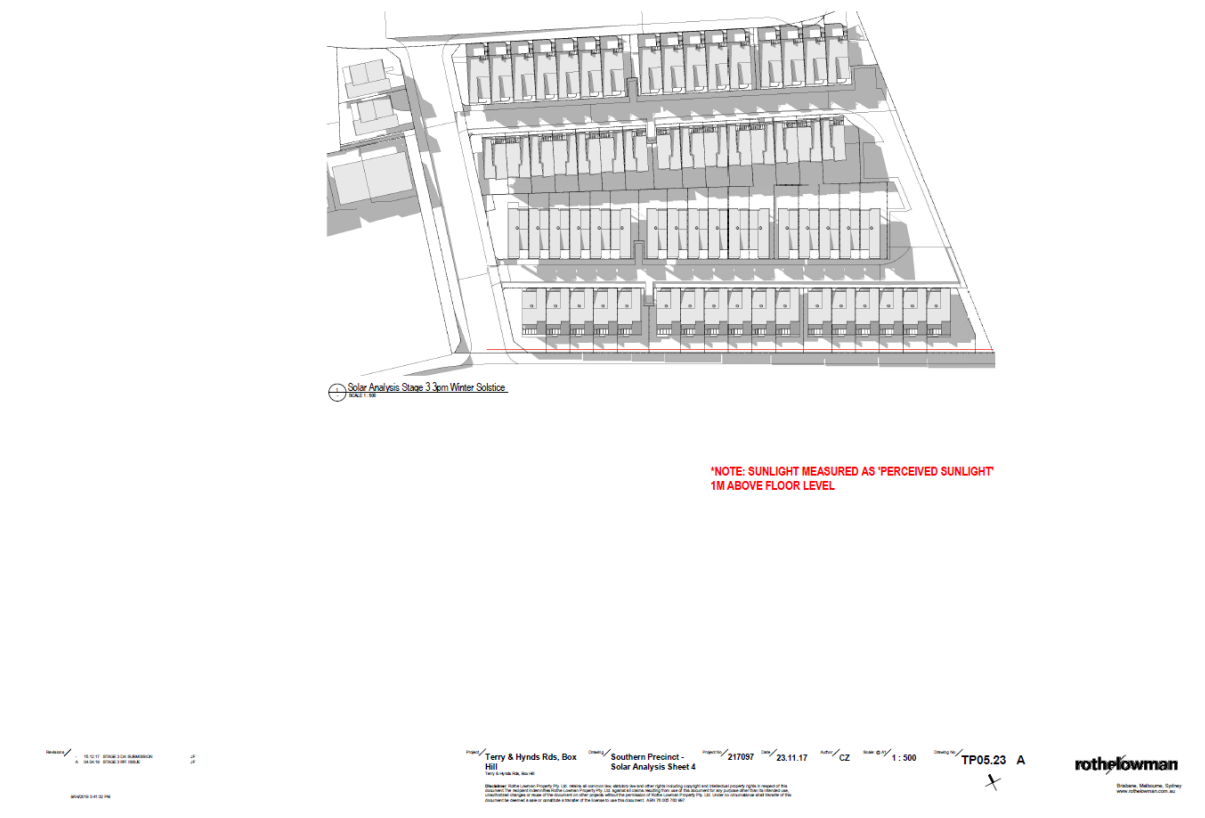
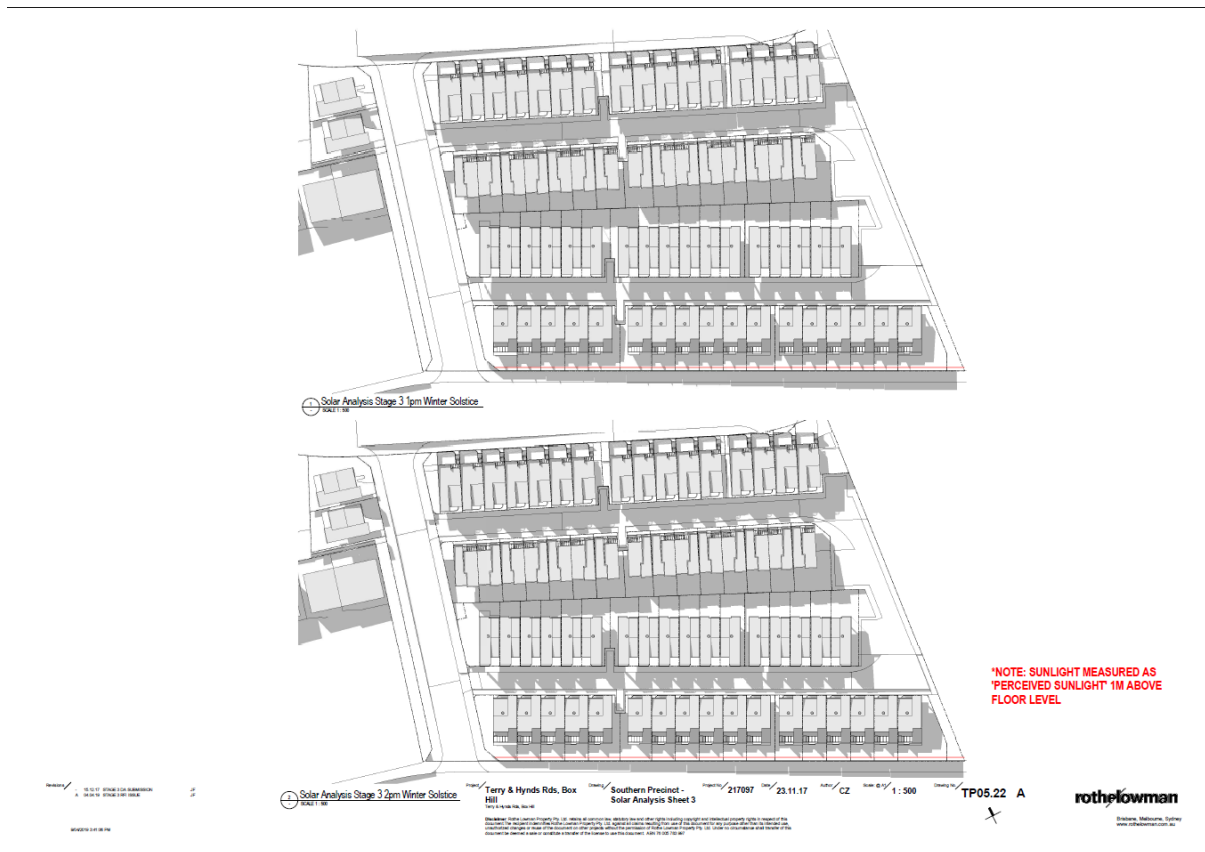
⊕ Solar Analysis Stage 3 12pm Winter Solstice

*NOTE: SUNLIGHT MEASURED AS
"PERCEIVED SUNLIGHT" 1M ABOVE
FLOOR LEVEL

Prepared by: TERRY & HYNDYS
10/10/17 STAGE 3 SOLAR ACCESS PLAN
A 10/10/17 STAGE 3 SOLAR ACCESS PLAN
DRAWN BY: TERRY & HYNDYS
CHECKED BY: TERRY & HYNDYS
DATE: 10/10/17

Terry & Hynds Rds, Box Hill
Southern Precinct - Solar Analysis Sheet 2
Project: 217051 Date: 23.11.17 Author: CZ Scale: 1:500 Drawing No: TP05.21 A

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Sydney, Melbourne, Brisbane
www.rotheflowman.com.au





Solar Analysis Stage 3 9am Summer Solstice
Sheet 11



Solar Analysis Stage 3 10am Summer Solstice
Sheet 12

NOTE: SUNLIGHT MEASURED AS
'PERCEIVED SUNLIGHT' 1M ABOVE
FLOOR LEVEL

Prepared by: [Signature] / [Name] / [Title]

Revised by: [Signature] / [Name] / [Title]

Terry & Hynds Rds, Box Hill
Southern Precinct - Solar Analysis Sheet 5
217057 02.04.19 CZ 1:500

TP05.24

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Melbourne, Melbourne, Australia
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Solar Analysis Stage 3 11am Summer Solstice
Sheet 13



Solar Analysis Stage 3 12pm Summer Solstice
Sheet 14

Prepared by: [Signature] / [Name] / [Title]

Revised by: [Signature] / [Name] / [Title]

Terry & Hynds Rds, Box Hill
Southern Precinct - Solar Analysis Sheet 6
217057 02.04.19 CZ 1:500

TP05.25

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⊕ Solar Analysis Stage 3 1pm Summer Solstice
Result 1: 100%



⊕ Solar Analysis Stage 3 2pm Summer Solstice
Result 1: 100%

Prepared by: J. HALL & ASSOCIATES

27

SHEDDING 0.000 10%

Project: Terry & Hynds Rds, Box Hill
Client: Hill
Site: 100-1000 Hill Rd, Box Hill

Design: Southern Precinct -
Solar Analysis Sheet 7

Project: 217057 Date: 02.04.19

Author: CZ Scale: 1:500

Drawing No: TP05.26

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Melbourne, Melbourne, Victoria
www.rothelawman.com.au



⊕ Solar Analysis Stage 3 3pm Summer Solstice
Result 1: 100%

Prepared by: J. HALL & ASSOCIATES

28

SHEDDING 0.000 10%

Project: Terry & Hynds Rds, Box Hill
Client: Hill
Site: 100-1000 Hill Rd, Box Hill

Design: Southern Precinct -
Solar Analysis Sheet 8

Project: 217057 Date: 02.04.19

Author: CZ Scale: 1:500

Drawing No: TP05.27

rothelawman
Melbourne, Melbourne, Victoria
www.rothelawman.com.au