

# Assessment report to **Sydney Central City Planning Panel**

Panel reference: 2018SWC091

#### **Development application**

**DA** number

SPP-17-00016

**Date of lodgement** 

27 June 2017

**Applicant** 

Dreamscapes Architects Pty Ltd

**Owner** 

Kyun-Man Min and Yangsook Lee

Proposed development

Integrated development. Subdivision into 2 residential superlots, 1 residue lot and 1 lot for drainage, a temporary public road and public roads and the construction of 4 residential flat buildings on the superlots containing 200 apartments, basement car parking, associated works, demolition work and tree removal

Street address

105 Cudgegong Road, Rouse Hill

Lots 801 and 802 DP 1241791 (formerly Lot 80 DP 208203),

Notification period

3 to 17 October 2017

Number of submissions

None

#### **Assessment**

#### Panel criteria

Section 7, SEPP (State and Regional Development) 2011  Capital investment value (CIV) over \$20 million (DA lodged prior to 1 March 2018. The DA has a CIV of \$60,062,004 (excluding GST)

# Relevant section 4.15(1)(a) matters

- Environmental Planning and Assessment Act 1979
- Sydney Regional Environmental Plan No. 20 Hawkesbury-Nepean River
- State Environmental Planning Policy (State and Regional Development 2011)
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 Remediation of Land
- State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Building Sustainability Index: BASIX)
- State Environmental Planning Policy (Sydney Region Growth Centres)
   2006 (GC SEPP)
- Blacktown City Council Growth Centre Precincts Development Control Plan 2010
- Central City District Plan 2018
- Blacktown Local Strategic Planning Statement 2020

#### Report prepared by

Ruth Bennett, Senior Development Planner

Report date

26 November 2020

Recommendation

Refuse, based on the grounds listed in the report.

#### **Attachments**

- 1 Location map
- 2 Aerial image
- 3 Zoning extract



- Detailed information about proposal and DA submission material Development Application plans Applicant's Clause 4.6 submission 4
- 5

Checklist	
Summary of section 4.15 matters	
Have all recommendations in relation to relevant section 4.15 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 summarised in the Executive Summary of the Assessment report?	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?	Yes
Special Infrastructure Contributions	Yes
Does the DA require Special Infrastructure Contributions conditions (section 7.24)?	



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### 1 Executive summary

- 1.1 The key issues that need to be considered by the Panel in respect of this application are the road design issue and stormwater and water quality issues, as outlined below:
  - 1.1.1 Development engineering/road design issues
    - The subdivision design in this proposal poses development engineering issues in that it is incompatible with the current adjoining road network, as the proposed road levels are not consistent with adjacent current approvals.
    - The proposal is not consistent with the Growth Centres SEPP Indicative Layout Plan due to the staggered intersection. The proposed road pattern change does not provide a layout and levels consistent with the approved adjoining developments, and does not match in with current and future regional infrastructure. Thus it will not meet traffic access and circulation requirements.
  - 1.1.2 Drainage/stormwater and water quality issues
    - The current drainage design plans do not conform to Council's Water Sensitive Urban Design standards and, due to numerous errors on the plans, our Drainage Section cannot support the proposal and the proposed stormwater drainage plan.
    - The proposed retaining wall is in conflict with the approved development at 84
       Tallawong Road which adjoins the rear boundary.
- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by our technical departments have identified issues of concern that cannot be dealt with by conditions.
- 1.3 The application is considered to be unsatisfactory when evaluated against section 4.15 of the Environmental Planning and Assessment Act 1979.
- 1.4 This report recommends that the Panel refuse the application based on the grounds listed in the Recommendation at section 12 below.

#### 2 Location

- 2.1 The site is located in the suburb of Rouse Hill. It is within the Cudgegong Road (Area 20) Precinct of the North West Growth Area as identified by State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP). The location of the site is shown at attachment 1.
- 2.2 The site is located on the western side of Cudgegong Road, and is 800 m to the northwest of Tallawong Metro Station.
- 2.3 The site and surrounding properties are primarily zoned R3 Medium Density Residential.
- 2.4 The eastern portion of this site and surrounding properties between Rouse Road and 129 Cudgegong Road are zoned RE1 Public Recreation and together will form a future local park.
- 2.5 Cudgegong Reserve is located 145 m to the south and is zoned E2 Environmental Conservation.
- 2.6 The locality is in transition. It comprises a mix of rural-residential properties and properties under development. An aerial image of the site and surrounding area is at attachment 2.
- 2.7 The range of redevelopment occurring in this locality includes dwelling houses, multi dwelling housing, residential flat buildings and the future Tallawong Local Centre.



2.8 The site and adjoining properties which are zoned R3 Medium Density Residential have a maximum permitted building height of 12 m. The maximum permitted building height increases towards the future Local Centre to the south-east, from 16 m up to 26 m.

### 3 Site description

- 3.1 At time of lodgement of the proposal the site consisted of 1 lot, being Lot 80 DP 208203. It has since between subdivided into 2 lots, being Lot 801 and Lot 802, DP 1241791, and is still known as 105 Cudgegong Road, Rouse Hill.
  - Lot 801 is the R3 Medium Density zoned lot, which is 13,900 m<sup>2</sup> and is proposed to contain the residential flat buildings and new roads.
  - Lot 802 is the RE1 Public Recreation zoned lot, which is 6,335 m<sup>2</sup> and through which
    a temporary road access to Lot 801 is proposed, as agreed to in principle by Council.
- 3.2 The original Lot 80 had an area of 20,235 m<sup>2</sup> and is rectangular in shape. It has a centrally located high point and slopes downwards to the north-east and south-west.
- 3.3 The site has a 72 m wide frontage to Cudgegong Road on its eastern boundary and has a depth of 280.86 m.
- 3.4 The site contains an existing 2-storey brick dwelling and associated structures, fencing and gravel driveway off Cudgegong Road.
- 3.5 There is an existing overhead electricity transmission line owned by Endeavor Energy and associated easement. It is generally parallel to Cudgegong Road and located between 40 m and 80 m from the eastern boundary of the site. The poles associated with the power lines are not located in this site. The existing power lines and easement are proposed to be retained.
- 3.6 There are 226 trees on the site which are identified as Shale Plains Woodland. There are grassed areas in that part of the site containing the electricity easement and in the central part of the site.
- 3.7 The site is not identified as flood prone.
- 3.8 The site is identified as bushfire prone land on the Rural Fire Service map and is identified as buffer 1/category 1.
- 3.9 The site has a moderate salinity potential.
- 3.10 Vehicular access to the site will be from Cudgegong Road, via the proposed temporary access road across Lot 802 which has frontage to Cudgegong Road to the frontage of Lot 801.
- 3.11 An aerial image of the site and surrounding area is at attachment 2.

### 4 Background

- 4.1 On 21 October 2011 the site was rezoned to R3 Medium Density Residential under the Growth Centres SEPP. The site was previously zoned 1(a) General Rural under Blacktown Local Environmental Plan 1988. The zoning and height of building maps for the site and surrounds are at attachment 3.
- 4.2 A history of the development proposal is as follows:
  - 4.2.1 This application was lodged on 27 June 2017. This followed a Pre-DA meeting on 6 June 2017.
  - 4.2.2 The original proposal was to be in 3 stages:
    - Stage 1 included:



- o subdivision into 3 Torrens title lots
- construction of temporary road through proposed lot 3 to connect proposed lots 1 and 2 to Cudgegong Road until such time that the adjoining property development at 95 Cudgegong Road has constructed roads in line with the Indicative Layout Plan (ILP) to provide alternative access
- construction of 4 public roads, including 2 which are half-width, to align with the ILP.
- Stage 2 included construction of 2 x 4-storey residential flat buildings on proposed lot 1 containing 105 apartments with 3 basement levels of car parking.
- Stage 3 included construction of 2 x 4-storey residential flat buildings on proposed lot 2 containing 96 apartments with 2 basement levels of car parking.
- 4.2.3 Requests for information were sent to the applicant on numerous occasions:
  - In 2017, on 17 November and 21 November
  - In 2018, on 8 January, 27 March, 23 April and 27 December
  - In 2019, on 18 April, 6 May and 27 December
  - In 2020, on 5 August, 24 August and 4 September.
- 4.2.4 Council officers also held several meetings with the applicant on 21 November 2017, 15 March 2018 and 16 May 2018.
- 4.2.5 Subsequent to lodgement, the applicant submitted:
  - amended architectural drawings and amended civil drawing on 9 April 2018
  - a plan for the temporary road dated 25 November 2017
  - additional information for NSW RFS on 29 May 2018
  - amended civil plans on 31 July 2018
  - response to traffic queries on 7 August and 31 August 2018
  - a revised Statement of Environmental Effects, Clause 4.6 variation request and amended architectural plans, acoustic report and landscape plans on 12 February 2019
  - amended plans and waste information on 15 May 2019
  - traffic information on 30 May 2019
  - amended engineering plans on 2 April 2020
  - MUSIC model on 20 May 2020
  - amended civil plans on 10 September 2020.
- 4.2.6 In 2020 the applicant submitted amended engineering plans to address concerns relating to road levels and drainage. These plans did not correlate with the levels and civil infrastructure design of the surrounding proposed Development Applications. A MUSIC model and amended drainage plans were also submitted which do not align with the approved development at 84 Tallawong Road that adjoins at the rear.



- 4.2.7 We note that the owner of 84 Tallawong Road has provided its consent for the imposition of an easement to drain water over 84 Tallawong Road, and also for the construction of minor temporary battering into 84 Tallawong Road to facilitate the half road construction along the common boundary.
- 4.2.8 Despite our recent requests, the applicant has not satisfactorily amended the proposal in respect to matters raised by our Drainage and Engineering sections.
- 4.2.9 We requested that amended drainage plans and amended civil drawings be provided by 27 October 2020 and the applicant was unable to meet this deadline.
- 4.2.10 Information for a number of key issues, including drainage and road design engineering matters, have not been forthcoming to enable these aspects of the proposal to be properly assessed. All other issues can be addressed by way of conditions.
- 4.3 The original proposal was placed on public exhibition and no submissions were received.
- 4.4 The design of the proposal as amended was supported by Council's City Architect's Office and by the Development Assessment team.
- 4.5 This assessment report is based on the latest amended architectural plans dated 15 February 2019, and the latest drainage and civil engineering plans dated 9 September 2020.

### 5 The proposal

- 5.1 The Development Application has been lodged by Dreamscapes Architects Pty Ltd on behalf of the owners Kyung-Man Min and Yangsook Lee.
- 5.2 The applicant's original proposal was for:
  - 5.2.1 Torrens title subdivision into 3 lots, being:
    - proposed superlot 1 of 4,798 m² (being the re-subdivision of Lot 801)
    - proposed superlot 2 of 4,502 m<sup>2</sup> (also being a re-subdivision of Lot 801)
    - proposed residue lot 3 of 6,337 m<sup>2</sup> (zoned RE1 Public Recreation) for future Council acquisition (as already outlined above since lodging this DA the applicant has already created the future Public Recreation lot in a separate plan of subdivision as a residue lot, being Lot 802. This lot will have to still be burdened to benefit the abovementioned 2 new superlots to provide temporary access if a DA is approved)
    - construction of 4 public roads.

Note: The DA proposal under consideration now was not amended by the applicant to reflect the registered Deposited Plan 124791 which creates Lot 801 (13,900  $\text{m}^2$  - zoned R3 Medium Density Residential) and Lot 802 (6,335  $\text{m}^2$  - zoned RE1 Public Recreation).

- 5.2.2 demolition of existing brick dwelling and outbuildings
- 5.2.3 tree removal, stormwater drainage works, landscaping and street tree planting
- 5.2.4 construction of 3 x 4-storey and 1 x 5-storey residential flat buildings containing a total of 200 apartments and 2 levels of basement car parking
- 5.2.5 construction of a temporary access road (incorporating temporary on-site stormwater detention) through part of the site, being proposed lot 3 (residue lot for future public reserve to be acquired by Council in the future) which is zoned RE1 Public Recreation. The temporary access road was intended to provide dedicated



public road access to Cudgegong Road for this development and will also benefit the adjoining land at 95 Cudgegong Road if it is developed in the future.

- 5.3 With regard to the proposed 4 residential flat buildings, the building heights proposed will range from 12 m to 16.2 m as measured from the existing ground level, with numerical breaches of between 1.64 m and 4.2 m across the 2 lots in relation to the maximum building height standard of 12 m. More detail on the height of building breaches is as follows:
  - 5.3.1 On the first building on proposed lot 1 the proposed height breach relates only to the lift overrun.
  - 5.3.2 The second building on proposed lot 1 is only partially non-compliant, consisting of part of the uppermost floor being 1.64 m over the height plane, but which has been recessed to minimise the breach in the height limit and will be utilised as communal open space. Thus the variation sought is limited to the roof slab and lift overruns, with some minor breaches to the uppermost portions of units.
  - 5.3.3 The maximum proposed height of buildings on proposed lot 1 is 13.64 m. The buildings on proposed lot 1 will have 1,188 m<sup>2</sup> of habitable area which exceeds the height control, being 13.7% of the gross floor area of the development.
  - 5.3.4 The buildings on proposed lot 2 have a maximum proposed height of 16.2 m which is a numerical breach of 4.2 m to the maximum building height standard. This relates to elements including some roof slab, however the communal open space structures and lift overrun to access the communal open space on Building 2 on proposed lot 2 also exceed the maximum height of building standard of 12 m.
  - 5.3.5 On proposed lot 2 a total of only 174 m² of the gross floor area of the buildings exceeds the 12 m height control, being 2% of the proposed gross floor area. No habitable floor space is located above the height limit on either building on proposed lot 2.
  - 5.3.6 In summary, the majority of the proposed development is within the maximum building height for this site, which is 12 m under the Growth Centres SEPP.
  - 5.3.7 A revised Clause 4.6 variation request has been provided at attachment 6 to this report.
- 5.4 There have been a number of amendments to the roads, driveways and residential flat buildings. In the amended application in February 2019, Stage 3 was amended to provide 95 apartments and 115 car parking spaces. Stage 1 subdivision has not been formally amended to reflect the registration of the earlier subdivision with the location of the temporary road as agreed with Council's Recreation Planning and Design and Open Space Infrastructure sections. Stage 2 remains unchanged under the amended application.
- 5.5 The amended application submitted on 12 February 2019 is for 4 residential flat buildings, containing 200 units, being 105 units within proposed lot 1 (28 x 1-bedroom, 73 x 2-bedroom, 4 x 3-bedroom), and 95 units within proposed lot 2 (21 x 1-bedroom, 69 x 2-bedroom, 5 x 3-bedroom).
- The application is classified as 'integrated development' under section 4.4.6 of the Environmental Planning and Assessment Act 1979, as a bushfire safety authority from the NSW Rural Fire Service is required.
- 5.7 Other details about the proposal are at attachment 4. A copy of the amended architectural and landscape plans is at attachment 5.



### 6 Assessment against planning controls

6.1 A summary assessment of the Development Application against the section 4.15(1)(a) heads of consideration under the Environmental Planning and Assessment Act 1979 is provided below, but only for those planning controls that directly relate to our proposed refusal.

### 6.2 Section 4.15 'Heads of Consideration'

Heads of Consideration		Comment		
a. The provisions of:  (i) Any environmental planning instrument (EPI)		<ul> <li>Sydney Regional Environmental Plan No. 20 - Hawkesbury-</li> <li>Nepean River, as it has not adequately addressed on-site</li> </ul>		
(ii)	Any proposed instrument that is or has been the subject of public consultation under this Act	In May 2017, prior to the lodgement of this DA in June 2017, the former Department of Planning and Environment (DPE) exhibited a draft amendment to the Growth Centres SEPP 2006, referred to as the 'North West Draft Exhibition Package.' This exhibition coincided with the release of the Land Use and Infrastructure Implementation Plan (the purpose of which is to guide new infrastructure investment, make sure new developments do not impact on the operation of the new Western Sydney Airport, identify locations for new homes and jobs close to transport, and coordinate services in the area).		
		A key outcome sought by the Department is the establishment of minimum and maximum densities for all residential areas that have been zoned under the SEPP (i.e. density bands). Currently the planning controls nominate only a minimum density. This would have a significant influence on the ultimate development capacity (i.e. yield) of the precincts.		
		Following exhibition in mid-2017 and the receipt of many objections, the Department is still considering this matter and no final decision has been made. The timing of adoption is uncertain at this stage, as is the content of any amendments. There is no guarantee the exhibited controls will be adopted and made law. This site is within the Area 20 Precinct and the density band demonstrated in the Exhibition Package is 25 to 35 dwellings per hectare, which equates to a maximum of 49 dwellings on this site. The proposal is for 200 apartments, being an additional 151		
		apartments above that anticipated in the Exhibition Package. Although the proposal is inconsistent with the maximum dwelling density as exhibited, there is no certainty or imminence to these amendments coming into effect, and therefore this is not a matter for consideration in this application.		
(iii)	Any development control plan (DCP)	Blacktown City Council Growth Centre Precincts Development Control Plan 2010 - the proposal is not consistent with the Indicative Layout Plan as it does not align with the adjoining approved development at 84 Tallawong Road due to the staggered intersection, which is not supported.		



Heads of Consideration	Comment
· · · · · · · · · · · · · · · · · · ·	The temporary road, including temporary on-site stormwater detention, is to bisect the RE1-zoned land (future park), however it does not have any lighting provision, which impacts the safety of vehicles and pedestrians.
	The requirements of our Recreation Planning and Design and Civil and Open Space Infrastructure sections, and Natural Areas Team in the relation to the RE1-zoned lot, have not been fully addressed as no landscape plan or fauna relocation plan has been provided.
	The proposed development is compliant with the numerical controls established under the Blacktown Growth Centres Precinct DCP, with the exception of minor variations to setbacks for some balconies on levels 1 and 2.
	Blacktown Development Control Plan 2015, Part J Stormwater - the proposal does not comply with Council's Water Sensitive Urban Design standards and fails to demonstrate that it is compatible with future regional infrastructure.
	In the present circumstances, this proposal and the adjoining development proposal under SPP-17-00041 both have a temporary access road with temporary on-site stormwater detention located on the RE1-zoned land. It is uncertain how drainage can operate effectively in either case as an alternative has not been provided in this proposal for the temporary drainag located under the temporary access road if the temporary access road is not built on this land.
iii a) <sup>^</sup> Any Planning Agreement	N/A
(iv) The regulations	The DA is contrary to Clause 50 and Clause 55A of the Environmental Planning and Assessment Regulation 2000 as the applicant is required to provide all the necessary and requested information to Council to allow for a proper assessment of the application, including the submission of requested information by Drainage and Engineering, and including all matters that reflect the current proposal. Amended drainage and engineering plans have not been provided and an amended BASIX Certificate has not been provided.
b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality	addressed by the applicant re discharge points, overland flows, road design due to unsupported staggered intersection and
	Negative impacts also result because engineering requirements have not been adequately addressed in terms of road design an stormwater design with regard to the temporary road. The proposal does not align with the approved development at 84 Tallawong Road.
	Due to these issues, it is Council's view that the proposed development in its current form will have unfavourable impacts of the natural and built environment.



Heads of Consideration	Comment
c. The suitability of the site for the development	The subject site is zoned R3 Medium Density Residential with a 12 m building height limit under the Growth Centres SEPP. Residential flat buildings are permissible on the site with development consent.
e e	The minimum dwelling density requirement is 25 dwellings per hectare. The applicant proposes 145 dwellings per hectare.
	The proposal generally complies with the Indicative Layout Plan, however the staggered intersection is not supported and the retaining wall is in conflict with the approved development at 84 Tallawong Road.
	The eastern part of the site is zoned RE1 Public Recreation and is intended to accommodate a temporary access road to provide access from Cudgegong Road to proposed lots 1 and 2 of the development. The same arrangement is proposed for the adjoining southern site at 95 Cudgegong Road under SPP-17-00041. It is intended for the temporary access road to be removed once the surrounding road network is in place, to protect the quality and availability of the future local park in this location.
	However, there is inadequate engineering information submitted to enable a complete assessment of the impact of this proposal on the existing drainage system and approved surrounding road network.
	The proposal fails to adhere to the relevant development controls with regard to stormwater, water quality and access.
	The applicant has not satisfied Council that the site can adequately cater for this development. Based on these unresolved issues, the current proposal is a poor and unsatisfactory development outcome for the site.
d. Any submissions made in accordance with this Act, or the regulations	The original proposal and architectural plans were placed on public exhibition between 3 October and 17 October 2017. No submissions were received.
e. The public interest	The proposal is not in the public interest as it is not proposing orderly development. It does not address Council's requirements for adequate on-site stormwater detention and water quality measures, does not accord with Council's Engineering Guide for Development, fails to meet road design requirements and is not compatible with the adjoining road network.

## 7 Key issues and reasons for refusal

### 7.1 Development engineering issues

- 7.1.1 The proposal represents disorderly development which is incompatible with the approval provided to the adjoining development at the rear of the site, 84 Tallawong Road, and does not provide for safe traffic circulation due to the staggered intersection. Thus the proposal is incompatible with the adjoining road network at this stage. In addition, further amendments to the engineering plans are required. Specifically:
  - The levels of the proposed discharge point (headwall) to the west, which
    drains onto the downstream properties at 84 Tallawong Road and 100
    Tallawong Road, fail to illustrate a free-flowing design, as the proposed invert
    level of the headwall is approximately 0.7 m lower than that of the existing



- surface level. It should reflect a free-flowing design. The current invert level of the headwall is 57.054 and the existing surface level is 57.792.
- The discharge point on 84 Tallawong Road is shown to be contained wholly within this property. The outlet is to be free flowing and an 'easement in gross' to drain water is to be created and registered prior to the Subdivision Works Certificate being issued. The extent of the easement is to cover the tailout works up to a legal point of discharge.
- The location of the proposed drainage discharge line and the invert level of the related pit 1A101-02 drains towards the downstream property to the west and does not match the approved design of 84 Tallawong Road under SPP-17-00031 and MOD-20-00053. The invert level of the proposed pit is approximately 1.6 m lower than the approved invert level. This fails to demonstrate compatibility with the approved design of 84 Tallawong Road and cannot drain.
- The road design levels, specifically the long-section profile of proposed Road 1 and Road 2, are not compatible with the alignment and levels of Road 3 at 84 Tallawong Road, approved under SPP-17-00031 and MOD-20-00053. This discrepancy creates a non-compliant staggered 4-way intersection.
- The proposal shows a trapped low point at the intersection of Road 1 and Road 2, adjacent to the retaining wall on the boundary of the site. The stormwater cannot be drained and the applicant has failed to illustrate the conveyance of the overland flow at this point.
- The Road 3 drainage system is draining against the grade. This is not acceptable. The proposal fails to demonstrate how the site is draining towards the original catchment and how it is being treated as per Council's Water Sensitive Urban Design controls. The levels of the drainage system require amendment to drain towards the 95 Cudgegong Road project, otherwise an inter-allotment drainage line should be created south of proposed lot 2 to connect to the proposed inter-allotment line on the RE1-zoned land, and should align with Council's Drainage section requirements.
- There is no temporary turning head proposed at the dead-end side of Road 2.
   This shows no consideration for safe manoeuvrability for vehicular and pedestrian traffic at this point. This will affect the proposed residential flat buildings.
- The interallotment drainage pipe system on RE1 land requires an easement and concurrence of Council's Recreation Planning and Design section, in addition to proposed on-site detention on the temporary access road.

#### 7.2 Drainage engineering issues

- 7.2.1 The current drainage design plans do not conform to Council's Water Sensitive Urban Design standards and, due to non-conformance with Council's design standards and errors on the plans, Council's Drainage Section cannot support the proposal. Specifically, only 1 temporary access road is permitted across the RE1 land for either the developments at 95 Cudgegong or 105 Cudgegong Road, depending on which development occurs first. The alternate staging plan with details of the connection to Road 4 on 95 Cudgegong Road for the scenario with the temporary access road completed on 95 Cudgegong Road first has not been provided.
- 7.2.2 The proposed development fails to consider its relationship to the adjoining lands and neighbouring developments:



- The design levels of the road and location of drainage pits west of proposed lot 1 are not based on the details on the approved drainage plans for the adjacent development at 84 Tallawong Road. Currently the drainage from this development is approximately 1 m lower than the downstream drainage line and cannot drain.
- The long section profile for Road 2 does not match with the approved design levels of the road levels of the adjacent development at 84 Tallawong Road.
- The invert level of the pipeline on Cudgegong Road at the location along the boundary with 95 Cudgegong Road is not matching with the design invert level of the pipe on the drainage plans for the development of 95 Cudgegong Road.
- The discharge pipeline located east of proposed lot 2 shown along the southeastern boundary of the RE1 land is not accepted by Council's Open Space Infrastructure section due to the adverse impact on the significant trees in this location.
- No post-development catchment plans are provided to allow for the new roads on adjoining lots. In particular, only part of the lot to the north of the site has been allowed to drain onto this proposed development when the whole lot area should be allowed for. In addition, no calculations are provided for the catchment flows from 95 Cudgegong Road discharging onto this site.
- 7.2.3 The on-site stormwater detention (OSD) requirements have not been satisfactorily addressed:
  - An amended detention strategy is required for the stage 1 variation where the temporary road over the RE1 land is constructed on 95 Cudgegong Road and not on 105 Cudgegong Road.
  - An OSD catchment plan was provided, however it shows areas outside the
    site which do not form part of the OSD catchments. There is also no legend
    describing the colours nominated and whether these areas bypass or drain to
    the OSD, nor are actual areas detailed numerically. Consequently, there is no
    way to assess whether the values nominated in the OSD spreadsheets are
    correct and, where changes are required to the OSD tanks, whether these
    tank size changes can be accommodated.
  - The OSD 1 tank which is located in the basement is too low to discharge to
    the downstream property at 84 Tallawong Road. The base of the tank will
    need to be raised by approximately 1 m, which will result in significant
    enlargement to the tank footprint to contain the volume with a larger footprint,
    and it is unclear what impact this will have.
  - The likely revised discharge arrangement for the OSD tank from proposed lot 2 along the alignment of temporary road 5 will likely cause the base level of the tank to rise leading to a shallower tank with larger footprint. It is unclear what impact this will have.
- 7.2.4 Water quality treatment measures assessed using MUSIC are not adequate to achieve Council's required pollutant removal targets:
  - There are areas of bypass that have not been allowed for.
  - Unrealistically high water usage rates have been proposed that, when lowered, cause the targets to fail.
  - Stormsacks are not acceptable to Council as a deemed-to-comply solution for water quality in the street pits due to their low design flow.



- Stormsacks are proposed for the internal pits, but this is not supported by Ocean Protect, the manufacturer of Stormfilters.
- 7.2.5 The drainage details provided are insufficient:
  - Drainage line 1A 101 is substantially lower than its downstream connection.
  - With any revised drainage layout, it is unclear whether the Stormfilter chamber false floor is above the minimum required 1EY level in the next downstream pit and consequently may not operate effectively.
  - The drainage line 1A 104-01 is orientated incorrectly and does not account for all the upstream catchment. The downstream system may be undersized as a result.
  - Within proposed lot 1, a system is required to internally drain flows from pit 1A103-02 to the OSD 1 tank.
  - The road pits near the downstream boundary do not extend to the boundary to provide continuity with the drainage on the adjoining development.
- 7.2.6 The catchment plans and drainage design are inconsistent with adjoining developments.
- 7.2.7 The temporary works have not been designed to minimise redundant work and future adjustment works.

### 8 Issues raised by the public

- 8.1 The proposed development was notified to property owners and occupiers in the locality between 3 October and 17 October 2017. The Development Application was also advertised in the local newspapers and a sign was erected on the site.
- 8.2 We received no submissions.

#### 9 External referrals

9.1 The Development Application was referred to the following external authorities for comment:

Authority	Comments
NSW Police LAC	Acceptable subject to conditions
NSW Roads and Maritime Services	Acceptable
NSW Rural Fire Service	Acceptable subject to supplied General Terms of Approval

#### 10 Internal referrals

10.1 The Development Application was referred to the following internal sections of Council for comment:

Section	Comments
City Architect	Acceptable from a building design perspective.
	Our City Architect identified some concerns during his initial evaluation. In response, the applicant submitted amended plans that reduced the height of the buildings, increased the setback to



Section	Comments
•	the basements to provide an increased deep soil area within the lot boundaries to support the growth of mature trees, improved noise attenuation measures for bedrooms in the vicinity of driveways with planter boxes, and roofs and pergolas to reduce visual impact and noise impact to 3 ground floor units facing the driveways.
	Amendments also involved improvements to the design of waste collection, provision of direct street access to ground floor apartments, egress stairs modified to be within the building envelope with screening landscaping around the egress stair, roofs and pergolas provided to reduce the length of 'canyoning', as driveways down to the basements resulted in a lengthy 'open cut' gulley and so a raised planter/platform was requested to be introduced above the driveway for part of its extent.
	Internal corner units were revised to allow more indentation to avoid visual privacy issues, and to ensure all habitable areas and private open space complied with the 12 m separation control.
je .	Windowless studies that could be converted to a bedroom were not supported as they had inadequate light and ventilation as required by the Apartment Design Guide. The studies' wall and door were required to be removed so the study was no longer enclosed.
	Our City Architect's Office is now satisfied that the proposal offers an improved and acceptable style of development.
	We note an offset diagram is required to demonstrate the building's height and that there are insufficient dimensions shown on the plans re balconies and internal areas of units, so that a complete assessment of compliance with the Apartment Design Guide cannot be finalised.
Access and Transport Management	With regard to the provision of 1 temporary access road in the land zoned RE1, this arrangement is supported by Access and Transport Management.
	However, there is no support for the non-compliant staggered 4-way intersection, and the plans require amendment to reflect the correct intersection design at Roads 1 and 2, and proposed roads on 84 Tallawong Road, i.e. the alignment of the intersecting road towards the west is inconsistent with that shown on the subject development plans.
Building	Acceptable, subject to conditions of consent
Waste	Acceptable, subject to conditions of consent
S7.11	Acceptable, subject to conditions.
Recreation Planning and Design	The provision of 1 temporary access road in the land zoned RE1 is supported subject to conditions
Natural Areas	Acceptable, subject to conditions of consent
Civil and Open Space Infrastructure	Acceptable, subject to conditions of consent
Development Engineering	Unacceptable and cannot be supported
Environmental Health Unit	Acceptable, subject to conditions of consent



Section	Comments
Property	Acceptable
Drainage Engineering	Unacceptable and cannot be supported

### 11 Conclusion

11.1 The proposed development has been assessed against all relevant matters and is not considered to be satisfactory. The applicant has had ample time to satisfy our engineering design and drainage requirements over the past 3 and a half years. It is considered that the likely impacts of the development have not been satisfactorily addressed and that the proposal is not in the public interest.

### 12 Recommendation

- 1 Refuse DA SPP-17-00016 for the following reasons:
  - a Under the provisions of section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) it is considered that the proposed development is substantially inconsistent with the controls in Blacktown Development Control Plan 2015, Part J Water Sensitive Urban Design (WSUD) and Integrated Water Cycle Management, Council's WSUD standard drawings and Council's Engineering Guide for Development.
  - b Under the provisions of section 4.15(1)(c) of the EP&A Act 1979 the site is not suitable for the development as designed, as the road and drainage constraints affecting the subject land have not been resolved.
  - C Under section 4.15(1)(b) of the EP&A Act 1979 the proposal in its current form will have impacts on adjoining development and upstream drainage catchments, due to its numerous non-compliances with the standard drainage and road design requirements of Council.
  - Inadequate information has been provided to complete an assessment of the DA in terms of engineering and drainage design matters. The proposal cannot be thoroughly assessed to be considered consistent with the provisions of section 4.15 (1)(b) and (c) of the EP&A Act 1979.
  - e Under the provisions of section 4.15(1)(e) of the EP&A Act 1979 it is considered that, in the circumstances of the case, approval of the development would create an unacceptable risk for the public due to risk of downstream inundation as a result of poorly managed stormwater runoff and roads that do not match adjoining approved development at their boundaries and is therefore not in the public interest.
- 2 Council officers notify the applicant of the Panel's decision.

Ruth Bennett

Senior Development Planner

Judith Portelli

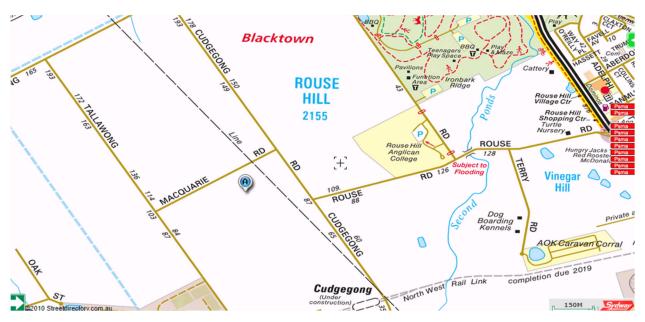
Manager Development Assessment

Glennys James PSM

Director Planning and Development



# **Location map**



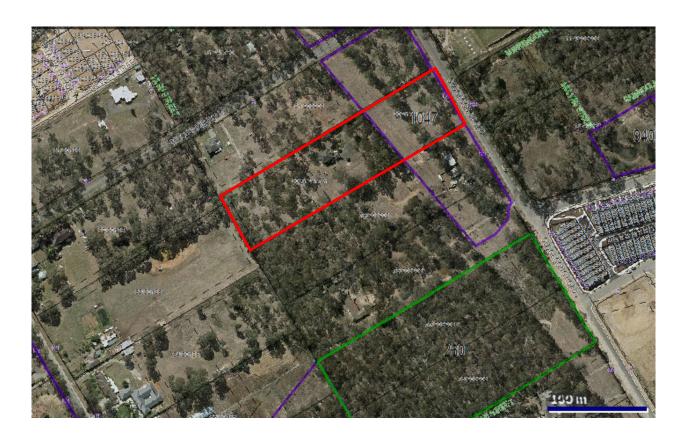
Site marked with an 'A'

Source: street-directory.com.au





# **Aerial image**



Site outlined in red

Source: BCC Gisweb 2018



# **Zoning extract**



#### LEGEND Zone



Site marked as 'A'

Source: BCC Gisweb

# **Height of buildings**



Site marked as 'A'

Source: BCC Gisweb

Attachment 4

# Detailed information about proposal and DA submission material

#### 1 Overview

- 1.1 The Development Application for 105 Cudgegong Road, Rouse Hill, as amended in February 2019 and recently again due to the registration of the paper subdivision, now seeks approval for:
  - subdivision of 1 lot (Lot 801 DP 1241791) into 2 superlots, being proposed lot 1 4,798 m<sup>2</sup> and proposed lot 2 4,502 m<sup>2</sup>, and 4 public roads
  - demolition of existing brick dwelling and outbuildings
  - removal of 156 trees on proposed lots 1 and 2
  - public road construction of 4 roads (2 full width at 18 m and 2 half width at 9 m)
  - construction of 3 x 4 storey and 1 x 5 storey residential flat buildings, comprising 200 apartments above 2 basement levels for car parking, bike parking, storage and waste service areas. Note: Building A1 will be 5 storeys and Buildings A2, B1 and B2 will be 4 storeys
  - construction of a temporary access road incorporating temporary on-site stormwater detention through part of the site zoned RE1 Public Recreation now known as Lot 802 DP 1241791, to provide legal public access to Cudgegong Road via a Reciprocal Right of Way benefiting Lot 801 and burdening Lot 802.
  - Lot 802 has an Endeavour Energy transmission easement of 30.48 m width travelling through the site.

### 1.2 The proposal is for 3 stages:

- Stage 1 subdivision into 2 Torrens title lots of Lot 802 and construction of temporary road through Lot 801 to connect proposed lots 1 and 2 to Cudgegong Road until such time that the adjoining property development at 95 Cudgegong Road has constructed roads in line with the ILP to provide alternative access. Also the 4 public roads on the subject land will be built.
- Stage 2 construction of 1 x 4 storey and 1 x 5 storey residential flat buildings on proposed lot 1 with 2 basement levels of car parking, an on-site detention tank in the basement, landscaping and street tree planting.
- Stage 3 construction of 2 x 4 storey residential flat buildings on proposed lot 2 with 2 basement levels of car parking, landscaping and street tree planting.

### 2 Consultant reports

2.1 As the Development Application was amended, this in turn resulted in amended architectural and landscape plans accompanied by a revised Statement of Environmental Effects and consultant reports relating to traffic and parking assessment, Phase 1 and Phase 2 contamination site investigation reports, salinity and geotechnical assessment, noise impact assessment, BCA compliance report, arborist report, infrastructure servicing, aboriginal due diligence assessment, CPTED report, bushfire assessment report and Waste Management Plan.

- 2.2 Amendments were also received in relation to the following reports: traffic, arboriculture, waste management. Additional amendments have been submitted for engineering and architectural plans, including a MUSIC model.
- 2.3 A revised Clause 4.6 justification has been submitted (refer attachment 6) as the proposed lift overruns, exit stairs and a section of the rooftop (on 1 building) are higher than the maximum allowable height of 12 m. On lot 1 there is a breach for the first building (A1) relating to the lift overrun; there is a breach for the second building (A2) consisting of part of the uppermost floor which has been recessed to minimise the breach and is utilised as communal open space. Lot 2 has breaches on both buildings (B1 and B2) which relate to the lift overruns, part of the roof slab, and communal open space area provided on the rooftop of one building.
- 2.4 A BASIX Certificate for the original proposal states that it meets the NSW Government requirements for sustainability. An amended BASIX Certificate is required.
- 2.5 The State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development Verification Statement was prepared by Lawrence Zheng of Dreamscapes Architects Pty Ltd, Registered Architect, Registration Number 10061.

### 3 Height and scale of buildings

- 3.1 The development proposes heights of 13.64 m to 16.2 m on the 4 buildings on proposed lots 1 and 2. The maximum height of buildings development standard is 12 m. Part of the roof slab and lift overruns on proposed lot 1 exceed this by up to 1.64 m. The rooftop lifts and small areas of roof structures for the communal open space on 1 building on proposed lot 2 exceed the height limit by up to 4.2 m to enable the provision of, and access to, rooftop common open space areas and amenities, with a minor encroachment in relation to the second building on proposed lot 1 relating to the parapet. A revised Clause 4.6 variation submission has been made by the applicant that addresses the requirements of subclauses 4.6(3) and (4).
- 3.2 A small portion of the roof on the second building on proposed lot 1 has a small additional increase in height due to site topography. This design provides for all apartments on the ground level to be at street level.
- 3.3 All 4 buildings are similar in footprint, layout and design, and are placed in a row across the site with open space areas in between, with 2 buildings on each lot. This width between buildings reflects the minimum required building separation distances under the Apartment Design Guide and provides for a separation of 12 m.

### 4 Subdivision proposal and road design

- 4.1 As the plans at attachment 5 indicate, the site is rectangular in shape, running longways from the Cudgegong Road frontage (72 m) of the site towards the west. The 2 proposed lots divide the residentially zoned R3 site, with proposed lot 2 in the middle and proposed lot 1 in the west of the site.
- 4.2 Proposed lots 1 and 2 will be Torrens title lots and proposed lot 3 is a residue lot for future public open space. The existing overhead electricity transmission line within Lot 801 on the public recreation zoned lot is owned by Endeavour Energy and the associated easement is located between 40 m and 80 m from the eastern boundary of the site. The power lines and easement are proposed to be retained.
- 4.3 The new public local roads are proposed on the rear boundary, the northern boundary, between proposed lots 1 and 2 and between proposed lot 2 and Lot 801. The driveway basement access for each lot is located off the proposed local road on the northern site boundary.

- 4.4 The proposed new local public road widths to be constructed and dedicated to Council are 2 half roads of 9 m width consisting 5.5 m pavement and 3.5 m nature strip/pedestrian pathway, and 2 full width 18 m wide roads. These roads will be completed in Stage 1.
- 4.5 The proposed new road locations are consistent with the Indicative Layout Plan in the Cudgegong Road (Area 20) Precinct, Growth Centres DCP.

### 5 Residential design

- 5.1 The residential component of the proposal as amended in February 2019 consists of 3 rectangular-shaped, 4 storey and 1 x 5 storey residential flat buildings (RFBs), aligned north/south and placed parallel across the site from east to west, with landscaping on the site perimeters and between each building:
  - 2 RFBs will be built on proposed lot 1, with 105 apartments in Buildings A1 and A2 and 128 car parking spaces (provided in 2 basement levels that serve both buildings) and 38 bike parking spaces
  - 2 RFBs will be built on proposed lot 2, with 95 apartments in both Buildings B1 and B2 and 117 car parking spaces (provided in 2 basement levels that serve both buildings) and 34 bike parking spaces.
- 5.2 The internal layout of the 4 buildings are similar, being stepped across the site to reflect the topography. Common open space is also provided on the rooftop of 1 building.
- 5.3 The unit mix is:
  - Buildings A1 and A2 28 x 1-bedroom, 73 x 2-bedroom, 4 x 3-bedroom
  - Buildings B1 and B2 21 x 1-bedroom, 69 x 2-bedroom, 5 x 3-bedroom.
- 5.4 Due to the site topography generally falling from north-east to south-west, the ground level of the southern end of each building is stepped across the site.
- 5.5 Pedestrian access is provided directly from the street into each building lobby. Ground level units have direct access to courtyard areas.
- 5.6 Adequate residents' disabled parking spaces are provided in the basements.

### 6 Acoustic report

6.1 The amended application was accompanied by an acoustic report dated 11 February 2019 which addressed the impact of traffic noise, plant and equipment on residential amenity and provided recommendations.

### 7 Traffic and parking matters

- 7.1 The application was supported by a report which provided an Assessment of Traffic and Parking Implications, dated June 2017, prepared by Transport and Traffic Planning Associates, and a further addendum dated 30 May 2019. These provide for signage to address 'no entry', 'no through road', 'no left turn'.
- 7.2 Transport and Traffic Planning Associates' report concluded that the increase in the number of vehicle movements on Cudgegong Road, a local collector road, will be accommodated within the current street network with no adverse impacts on amenity. The total traffic generation outcome will only be some 52% to 65% of that assessed in the RMS studies undertaken for the planning of the Area 20 precinct. Thus, the traffic generated by the development can be accommodated within the existing and developing road network.
- 7.3 A total of 245 parking spaces are provided, for residents and visitors, being 40 visitor spaces and 205 residential spaces. In each of the basements serving the 2 proposed lots, the total spaces required is in excess of the minimum parking requirement that

applies to residential flat building developments within 800 m of a railway station (in this case being the Tallawong Metro Station). These requirements are enabled through the RMS rates that have legal force from SEPP 65 and the ADG. The RMS rate provides a concession for developments close to railway stations so as to discourage car usage and encourage the use of public transport. The ADG/RMS requires that the development provides a total of 207 parking spaces, being 110 for proposed lot 1 and 97 for proposed lot 2. This is made up of 166 residential parking spaces and 41 visitor parking spaces. The 245 parking spaces provided represents an exceedance of 38 parking spaces over the ADG/RMS requirement. This exceedance is not supported, and if the application were to be approved, the excess car parking would need to be removed as a condition of any consent. The number of bicycle spaces provided is 72, whereas 67 are required but this exceedance is supported.

- 7.4 In May 2019 a turning path assessment was provided to demonstrate the manoeuvrability arrangements for the ingress and egress of service vehicles. An intercom is proposed on the right side of each driveway. A carpark management plan is proposed as part of induction for residents/tenants.
- 7.5 Transport and Traffic Planning Associates' report also concluded that the car parking areas and driveways for each building are compliant with Australian Standard 2890.1:2004.
- 7.6 Existing public transport services include bus services along Windsor Road, 'line haul' bus services on the Northwest Transitway, and bus services along Norwest Boulevard.
- 7.7 Public transport servicing the area includes the Sydney Metro Northwest rail line, with Tallawong Station now open and further extensions to the network being considered, and a revision and upgrade of bus services which service the North West Growth Area.
- 7.8 In the basements, plans also include storage areas, waste storage and loading bays. Lift access is provided from the basements to all building levels.
- 7.9 Access is via 2 x 11.7 m wide combined ingress/egress driveways with turning heads (amended in May 2019), to connect the 2 basements to the new access roadway. The proposed driveways are located a sufficient distance from intersections in accordance with AS2890.1 and 2 design criteria. Adequate sight distances are provided for both vehicles and pedestrians.

### 8 Building elements

- 8.1 The proposed front facades consist of a range of building materials and features with some articulation and modulation. Two tones of grey, white and terracotta are proposed with glazed balustrades.
- 8.2 Building materials proposed will be face brick in dark grey, timber-look privacy screens, terracotta panels, glass balustrades, decorative screens in accent colour, dark grey render and pearl white render.

#### 9 Tree removal and retention and fauna

- 9.1 An arborist report and tree survey were submitted with the application.
- 9.2 There are 226 trees on the site which are identified as Shale Plains Woodland. A grassed area is located in the part of the site containing the electrical easement and in the central part of the site.
- 9.3 It is proposed for the majority of the trees within Lot 801 (the future public reserve) will be protected.

### 10 Landscaping and deep soil

- 10.1 Deep soil areas are located on the street front perimeters as well as between each lot (between each basement carpark), providing areas for large tree planting through the site.
- 10.2 The provision of deep soil areas on proposed lot 1 for Buildings A1 and A2 will be 17% with a measurement of at least 6 m width. On proposed lot 2 for Buildings B1 and B2 deep soil areas of 11% will be provided with a measurement of at least 6 m width, and 22% with a measurement of at least 3 m width.
- 10.3 Landscaped communal open space areas will be provided on the ground level between buildings, on levels 3 and 4 on proposed lot 1 (Buildings A1 and A2), and on the rooftop of one building on proposed lot 2 (Building B2). These areas will be readily accessible to residents, with the use of stairs, ramps and lifts. The ground level communal open spaces will be similar in size and dimensions with a central pathway.
- 10.4 Facilities to be provided include lightweight pergolas for shade, outdoor daybed/lounge with umbrella, concrete tub planters, outdoor dining settings, decking, paved areas, bench seating and turfed areas. BBQ facilities will also be provided.
- 10.5 Perimeter and internal site planting will be provided to separate the public domain from the proposed row of 4 x 4-storey/5-storey building facades, and street trees will be provided on the verge areas.
- 10.6 Six species of trees are proposed, including Scribbly gum, Dwarf flowering gum 'Summer Red', Weeping Lily Pilly, Eumundi Quandong, Blueberry Ash and Flowering Dogwood. Eight species of shrubs and hedges are proposed, and 9 species of grasses and groundcovers will provide suitable embellishment for both perimeter and internal site planting.
- 10.7 A street tree planting plan has been provided. This includes native and exotic species, including Buckinghamia celissima, Pyrus calleryana 'Chanticleer' and Tristaniopsis laurina 'Luscious'.

### 11 Waste

- 11.1 The proposal will allow for on-site waste collection at the basement level, with vehicular access into the site from the 4 new local roads created.
- 11.2 The waste collection service will use a 8 m long medium rigid vehicle. The building's headroom allowance will be 4.5 m and will provide access for a medium rigid vehicle.
- 11.3 Waste services storage and loading bays will be located in the basement of each building.

### 12 Storage

12.1 The storage requirements under SEPP No. 65 will be provided within each unit and in the 2 basement levels, which has a requirement of 6 m<sup>3</sup> for 1 bedroom units, 8 m<sup>3</sup> for 2 bedroom units and 10 m<sup>3</sup> for 3 bedroom units.

# RESIDENTIAL FLAT BUILDINGS DEVELOPMENT AT 105 CUDGEGONG ROAD ROUSE HILL



Sheet Number	Sheet Name	Current Revision
A100	COVER PAGE	2
A101	SITE ANALYSIS PLAN	3
A102 SUBDIVISION LAYOUT		3
A103	SITE PLAN	3
A104	INDICATIVE STAGE PLAN	3
A105	DEMOLITION & DEEP SOIL PLAN	3
A106	COMMUNAL OPEN SPACE Y	3
A107	HOB DIAGRAM	1
A201	LOT 1 - BASEMENTA LOWER GROUND	4 1
A202	LOT T- GROUND	4
A203	LOT 1 - LEVEL 1	4
A204	LOT 1 - LEVEL 2	4
A205	LOT 1 - LEVEL 3	4
A206	LOT 1 - LEVEL 4	4
A207	LOT 1 - ROOF PLAN	3
A208	LOT 2 - BASEMENT 1 & 2	4
A209	LOT 2 - GROUND FLOOR	4
A210	LOT 2 - LEVEL 1	4
A211	LOT 2 - LEVEL 2	4
A212	LOT 2 - LEVEL 3	4
A213	LOT 2 - ROOF PLAN	4
A220	ADAPTABLE UNIT VARIATION PLAN - LOT 1 & 2	1
A221	ADAPTABLE UNIT VARIATION PLAN - LOT 2	1
A310	LOT 1 - SECTION	1
A311	LOT 2 & CONGITUDINAL - SECTION V	2
A312	FLOOR HEIGHT CLEARANCE - SECTION	1
A328 \	LOT ~ ELEVATION ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	*
A321	LOT 2 - ELEVATION	2
A400	OVERALL SHADOW DIAGRAM 1	1
A401	OVERALL SHADOW DIAGRAM 2	1
A500	MATERIALS & FINISHES	1
A600	SOLAR & VENTILATION DIAGRAM LOT 1	1
A601	SOLAR & VENTILATION DIAGRAM LOT 1	1
A602	SOLAR & VENTILATION DIAGRAM LOT 1	1
A603	SOLAR & VENTILATION DIAGRAM LOT 2	2
A604	SOLAR & VENTILATION DIAGRAM LOT 2	72 y~'
A701 *	ADG COMPLIANCE DIAGRAM LOT 1	2
A702	ADG COMPLIANCE DIAGRAM LOT 1	2
A703	ADG COMPLIANCE DIAGRAM LOT 1	2
A704	ADG COMPLIANCE DIAGRAM LOT 1 & 2	2
A705	ADG COMPLIANCE DIAGRAM LOT 2	2
A706	ADG COMPLIANCE DIAGRAM LOT 2	2
A707	ADG COMPLIANCE DIAGRAM LOT 2	2

WEYAND PTY LTD

RESIDENTIAL DEVELOPMENT

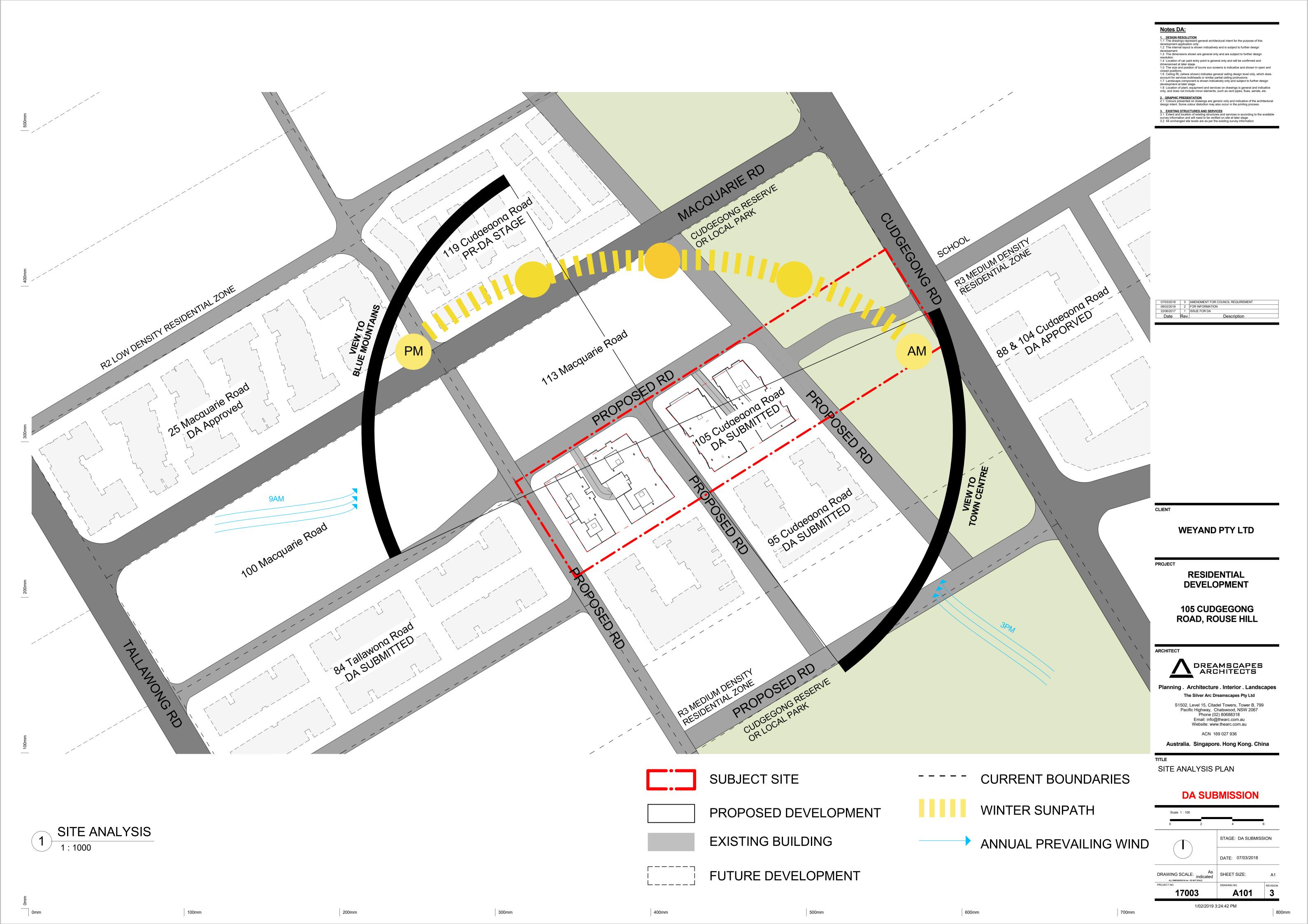
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280860 SITE BOUNDARY 07/03/2018 3 AMENDMENT FOR COUNCIL REQUIREMENT 07/03/2018 3 AMENDMENT FOR COU 08/02/2018 2 FOR INFORMATION 22/06/2017 1 ISSUE FOR DA Date Rev. 9M HALF PROPOSED ROAD Description LOT BOUNDARY LOT BOUNDARY 6M SETBACK FROM PROPOSED STREET 6M SETBACK FROM PROPOSED STREET SED ROAD PROPOSED TEMPORARY ROAD 9000 CLIENT 6M REAR SETBACK **6M REAR SETBACK WEYAND PTY LTD** SITE BOUNDARY SITE BOUNDARY LOT 1 LOT 2 LOT 3 4798 SQM 4502 SQM 6337 SQM PROJECT **RESIDENTIAL** 9000 192880 78980 **DEVELOPMENT 105 CUDGEGONG ROAD, ROUSE HILL ARCHITECT** DREAMSCAPES ARCHITECTS **LEGEND** The Silver Arc Dreamscapes Pty Ltd S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 PROPOSED BUILDING — SITE BOUNDARY Email: info@thearc.com.au Website: www.thearc.com.au ACN 169 027 936 Australia. Singapore. Hong Kong. China **ROAD VERGE** — LOT BOUNDARY SUBDIVISION LAYOUT SUBDIVISION LAYOUT **DA SUBMISSION** ROAD CARRIAGE-WAY ----- DCP BUILDING SETBACKS DATE: 07/03/2018 DRAWING SCALE: As indicated
ALL DIMENSIONS IN THE - DO NOT SCALE
PROJECT NO. D SHEET SIZE: 17003 A102

Notes DA:

DESIGN RESOLUTION
 The drawings represent general architectural intent for the purpose of this development application only.
 The internal layout is shown indicatively and is subject to further design development.
 The dimensions shown are general only and are subject to further design resolution.

resolution.

1.4 Location of car park entry point is general only and will be confirmed and dimensioned at later stage.

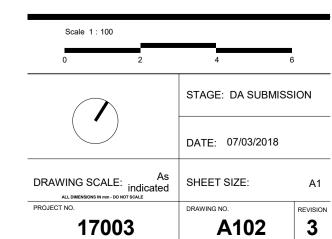
1.5 The size and position of louvre sun screens is indicative and shown in open and closed positions.

1.5 The size and positions of nouvier sun screens is minicauve and anomin in sport and closed positions.
1.6 Ceiling RL (where shown) indicates general ceiling design level only, which does account for services bulkheads or similar partial ceiling protrusions.
1.7 Landscape component is shown indicatively only and subject to further design development at later stage.
1.8 Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.

GRAPHIC PRESENTATION
 Colours presented on drawings are generic only and indicative of the architectural design intent. Some colour distortion may also occur in the printing process.

3. EXISTING STRUCTURES AND SERVICES
3.1 Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.
3.2 All unchanged site levels are as per the existing survey information

Planning . Architecture . Interior . Landscapes



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PARKING LEVEL SERVICE AREA CALCULATION - LOT 1 LEVEL STORAGE WASTE BULKY WASTE LOADING DOCK 66 m in 23 places N/A ROUND FLOC 38 m in 11 places | 111 m in 2 rooms 9 m 8.8m truck x 1 57 m in 25 places 36 m in 2 rooms N/A 161 m 147 m 9 m 8.8m truck x 1

PARKING LEVEL SERVICE AREA CALCULATION - LOT 2				
BUILDING LOT 2				
LEVEL	STORAGE	WASTE	BULKY WASTE	LOADING DOCK
BASEMENT 1	57 m <sup>2</sup> in 26 places	109 m <sup>2</sup> in 4 rooms	12 m	8.8m truck x 1
BASEMENT 2	58 m in 28 places	N/A		
TOTAL	115 m <sup>2</sup>	109 m <sup>2</sup>	12 m <sup>2</sup>	8.8m truck x 1

300mm

**LOT 1 AREA** 

4798 sqm SITE AREA: SITE COVERAGE: 2366 sqm (49.31%) LANDSCAPED AREA: 1440 sqm (30.01%) 1200 sqm (25.01%) COMMUNAL AREA: DEEP SOIL AREA: 815 sqm (16.98%) PARKING NUMBER: 128 BICYCLE PARKING: 38

**LOT 2 AREA** 

SITE AREA: 4502 sqm SITE COVERAGE: 2235 sqm (49.64%) LANDSCAPED AREA: 1404 sqm (31.19%) 1153 sqm (25.61%) COMMUNAL AREA: DEEP SOIL AREA: 479 sqm (10.64) PARKING NUMBER: 115 BICYCLE PARKING: 34

Notes DA:

DESIGN RESOLUTION
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07/03/2018 3 AMENDMENT FOR COUNCIL REQUIREMENT Description

CLIENT

**WEYAND PTY LTD** 

PROJECT

**RESIDENTIAL DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 



Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd

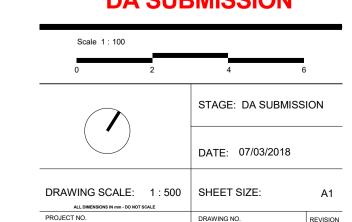
S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 Email: info@thearc.com.au Website: www.thearc.com.au

ACN 169 027 936

Australia. Singapore. Hong Kong. China

TITLE SITE PLAN

**DA SUBMISSION** 



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 DESIGN RESOLUTION
 1.1 The drawings represent general architectural intent for the purpose of this development application only.
 1.2 The internal layout is shown indicatively and is subject to further design development.

1.3 The dimensions shown are general only and are subject to further design resolution.

1.4 Location of car park entry point is general only and will be confirmed and

dimensioned at later stage.

1.5 The size and position of louvre sun screens is indicative and shown in open and closed positions.

1.6 Ceiling RL (where shown) indicates general ceiling design level only, which does account for services bulkheads or similar partial ceiling protrusions.

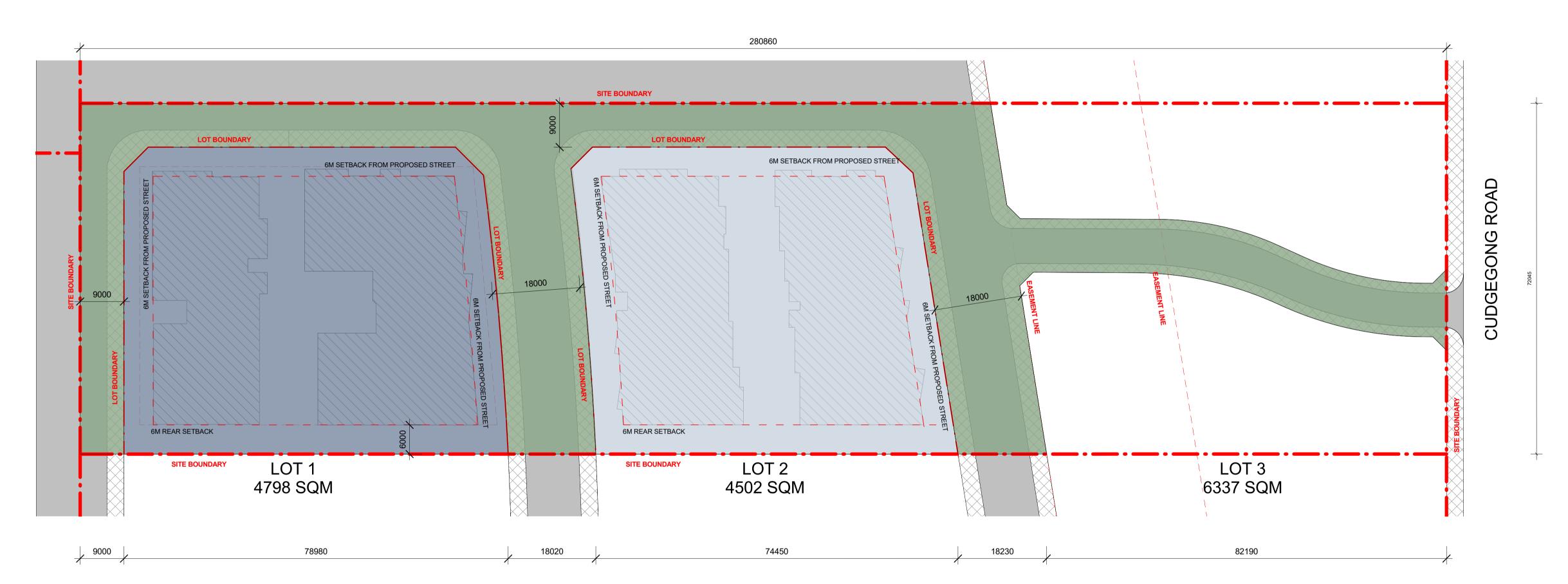
1.7 Landscape component is shown indicatively only and subject to further design development at later stage.

1.8 Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc.

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3.1 Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.
3.2 All unchanged site levels are as per the existing survey information





## STAGE 1:

SUBDIVISION OF THE SITE INTO THREE TORRENS TITLE ALLOTMENTS, CONSTRUCTION OF A TEMPORARY ROAD THROUGH LOT 3, CONNECT THE LOT 1 & 2 TO THE CUDGEGONG ROAD; CONSTRUCTION OF PROPOSED ROAD 3 & 4 AND PROPOSED HALF ROAD 1 & 2.

# **STAGE 2:**

CONSTRUCTION OF 2 FOUR STOREY RESIDENTIAL FLAT BUILDING ON PROPOSED LOT 1 CONTAINING 105 UNITS. THE BUILDING CONTAINS 3 LEVELS OF BASEMENT CARPARKING CONTAINING 128 SPACES. ON-SITE DETENTION TANK IN BASEMENT AND RELEVANT PIPE WORKS.

# STAGE 3:

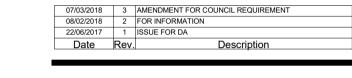
CONSTRUCTION OF 2 FOUR STOREY RESIDENTIAL FLAT BUILDING ON PROPOSED LOT 2 CONTAINING 95 UNITS. THE BUILDING CONTAINS 2 LEVELS OF BASEMENT CARPARKING **CONTAINING 115 SPACES.** 

# **LEGEND**









**WEYAND PTY LTD** 

PROJECT

RESIDENTIAL **DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 



# DREAMSCAPES ARCHITECTS

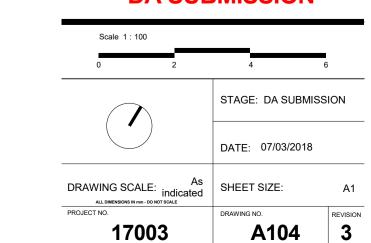
S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 Email: info@thearc.com.au Website: www.thearc.com.au

ACN 169 027 936

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INDICATIVE STAGE PLAN

# **DA SUBMISSION**



1/02/2019 3:25:19 PM

200mm

300mm

400mm

700mm



100mm

GROUND FLOOR OPEN AREA

SITE BOUNDARY

LOT 1

4798 SQM

SITE PLAN COMMUNAL OPEN SPACE

PROPOSED ROAD 2 (9

200mm

PROPOSED ROAD 1 (9M-HALF ROAD)

300mm

SITE BOUNDARY

OPOSED ROAD

ယ

LOT BOUNDARY

SITE BOUNDARY

LOT 2

4502 SQM

600mm

Notes DA:

DESIGN RESOLUTION
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07/03/2018 3 AMENDMENT FOR COUNCIL REQUIREMENT

Description

08/02/2018 2 FOR INFORMATION 22/06/2017 1 ISSUE FOR DA

Date Rev.

ROAD

CUDGEGONG

CLIENT **WEYAND PTY LTD** 

PROJECT

**RESIDENTIAL DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 



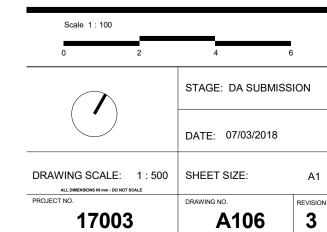
Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd

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COMMUNAL OPEN SPACE

# **DA SUBMISSION**



1/02/2019 3:25:46 PM

PROPOSED TEMPORARY ROAD

LOT 3

6337 SQM

LOT 1

1200 sqm

COMMUNAL OPEN SPACE

LOT 2

1153 sqm

400mm

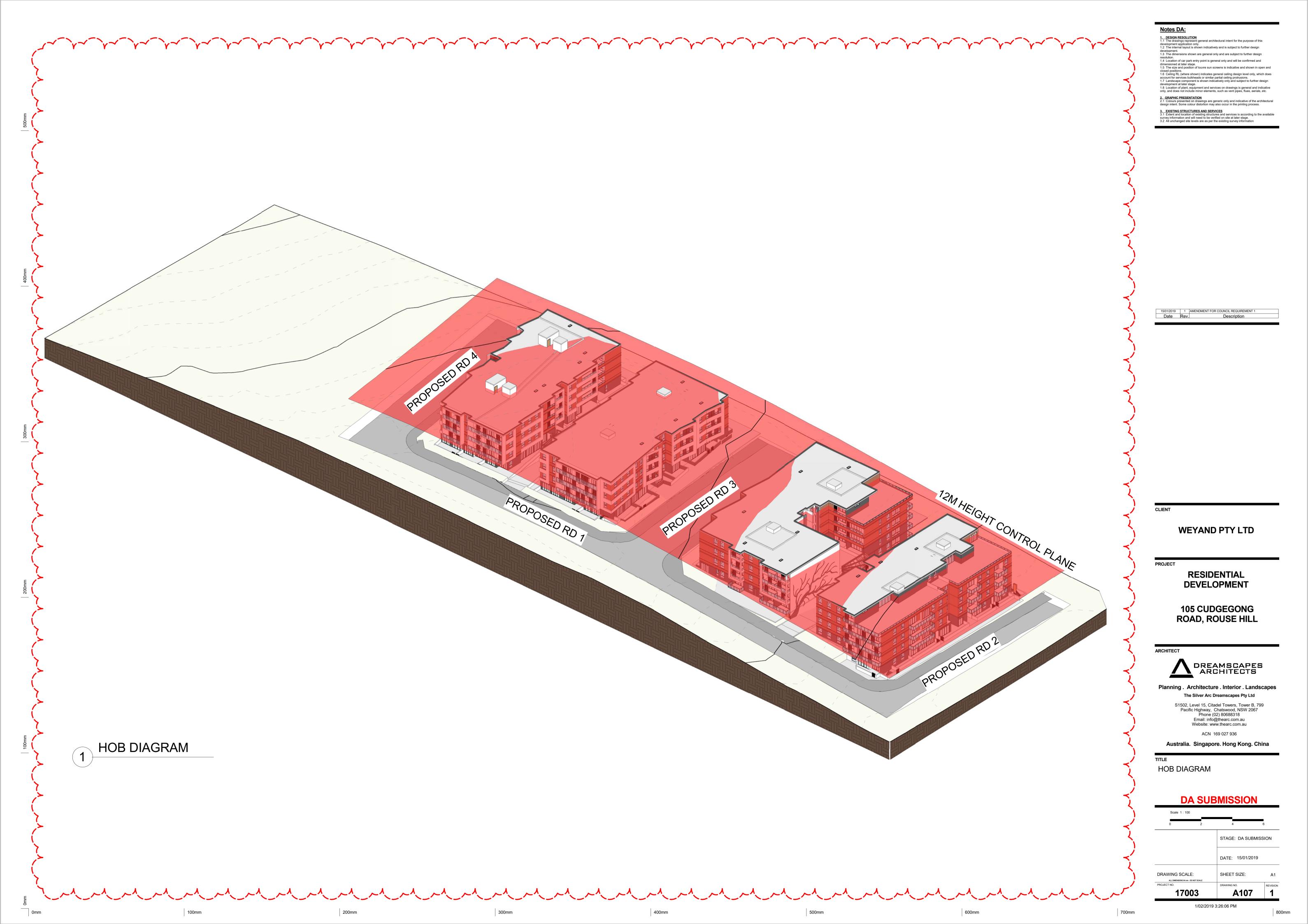
OPOSED ROAD 4

500mm

TOTAL

2392 sqm

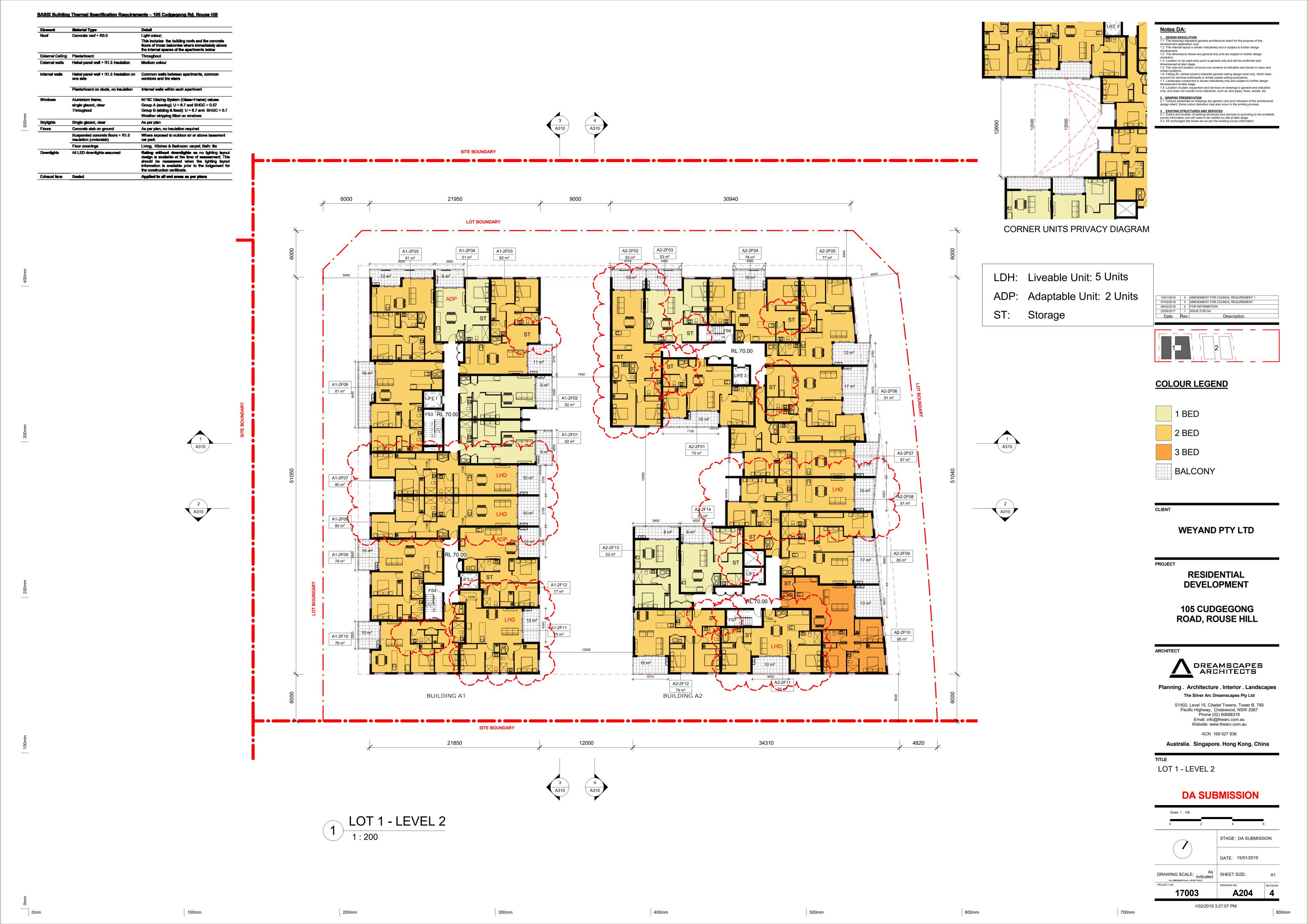
700mm

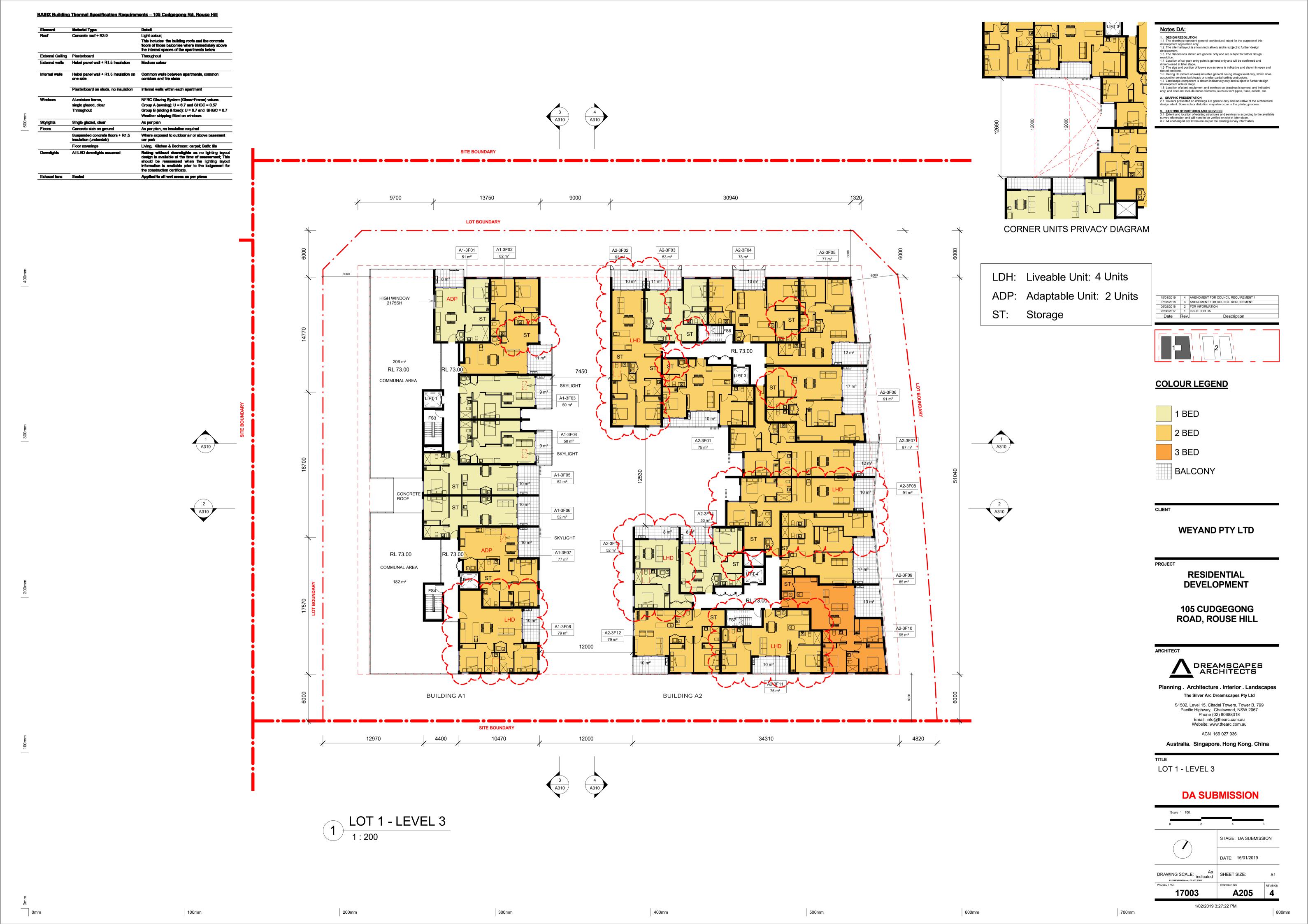


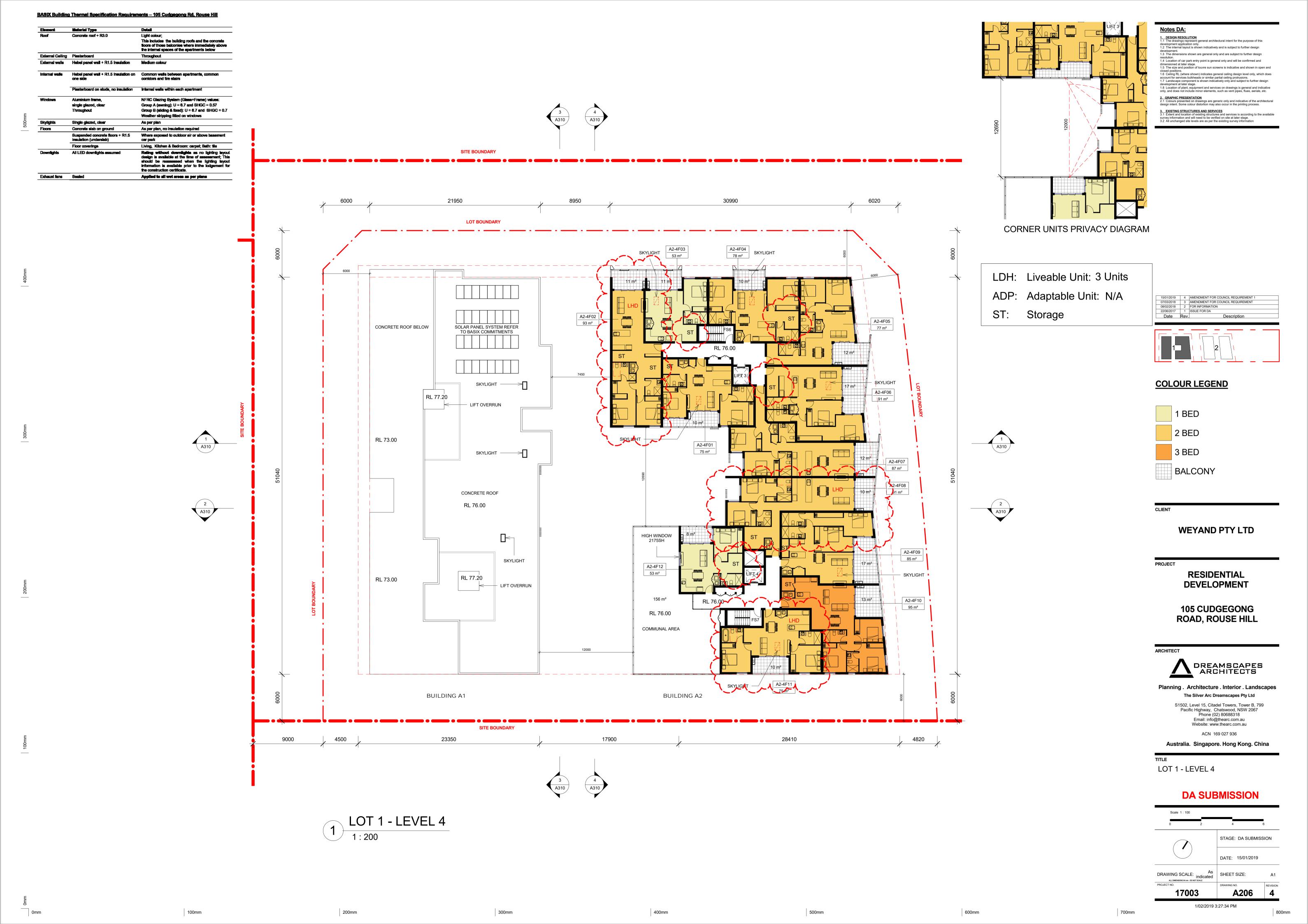


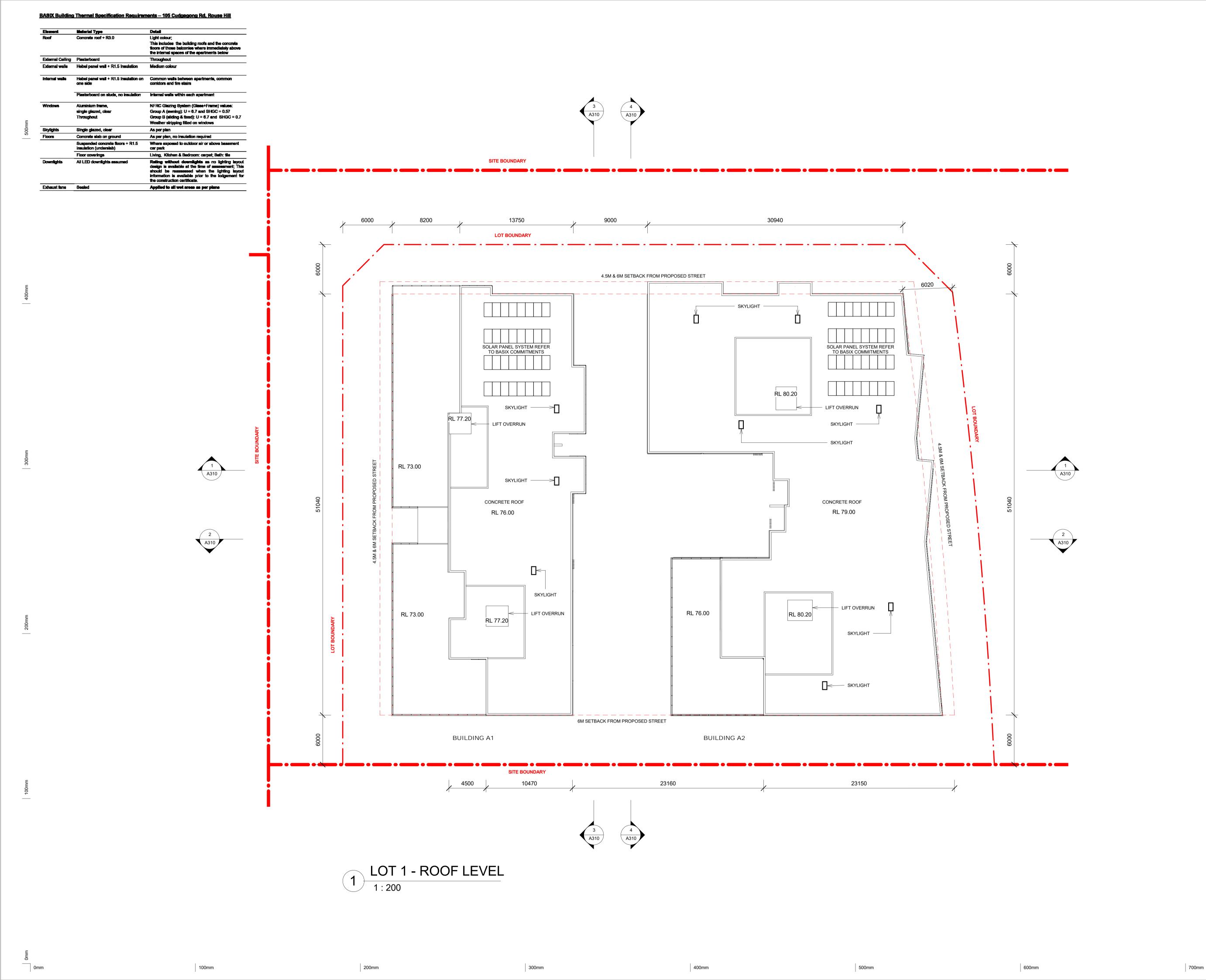












Notes DA:

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Description

 07/03/2018
 3
 AMENDMENT FOR COUNCIL REQUIREMENT

 08/02/2018
 2
 FOR INFORMATION

 22/06/2017
 1
 ISSUE FOR DA

Date Rev.

CLIENT

**WEYAND PTY LTD** 

PROJECT

RESIDENTIAL **DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 

DREAMSCAPES ARCHITECTS

Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd

> S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 Email: info@thearc.com.au Website: www.thearc.com.au

ACN 169 027 936 Australia. Singapore. Hong Kong. China

TITLE LOT 1 - ROOF PLAN

**DA SUBMISSION** 

STAGE: DA SUBMISSION DATE: 07/03/2018 DRAWING SCALE: 1:200 SHEET SIZE: ALL DIMENSIONS IN mm - DO NOT SCALE PROJECT NO. 17003 A207

1/02/2019 3:27:42 PM





Element	Material Type	Detail
Roof	Concrete roof + R3.0	Light colour,
		This includes the building roofs and the concrete floors of those balconies where immediately above the internal spaces of the apartments below
External Ceiling	Plasterboard:	Throughout
External walls	Hebel panel wall + R1.5 Insulation	Medium colour
Internal walls	Hebel panel wall + R1.5 Insulation on one side	Common walls between apartments, common corridors and fire stairs
	Plasterboard on studs, no insulation	Internal walls within each apartment
Windows	Aluminium frame,	NFRC Glazing System (Glass+Frame) values:
	single glazed, clear	Group A (awning): $U = 6.7$ and $SHGC = 0.57$
	Throughout	Group B (stiding & fixed): U = 6.7 and SHGC = 0.7
		Weather stripping fitted on windows
Skylights	Single glazed, clear	As per plan
Floors	Concrete slab on ground	As per plan, no insulation required
	Suspended concrete floors + R1.5 insulation (underslab)	Where exposed to outdoor air or above basement car park
	Floor coverings	Living, Kitchen & Bedroom: carpet; Bath: tile
Downlights	All LED downlights assumed	Rating without downlights as no lighting layo design is available at the time of assessment; The should be reassessed when the lighting layo information is available prior to the lodgement of the construction certificate.

Applied to all wet areas as per plans

Exhaust fans Sealed

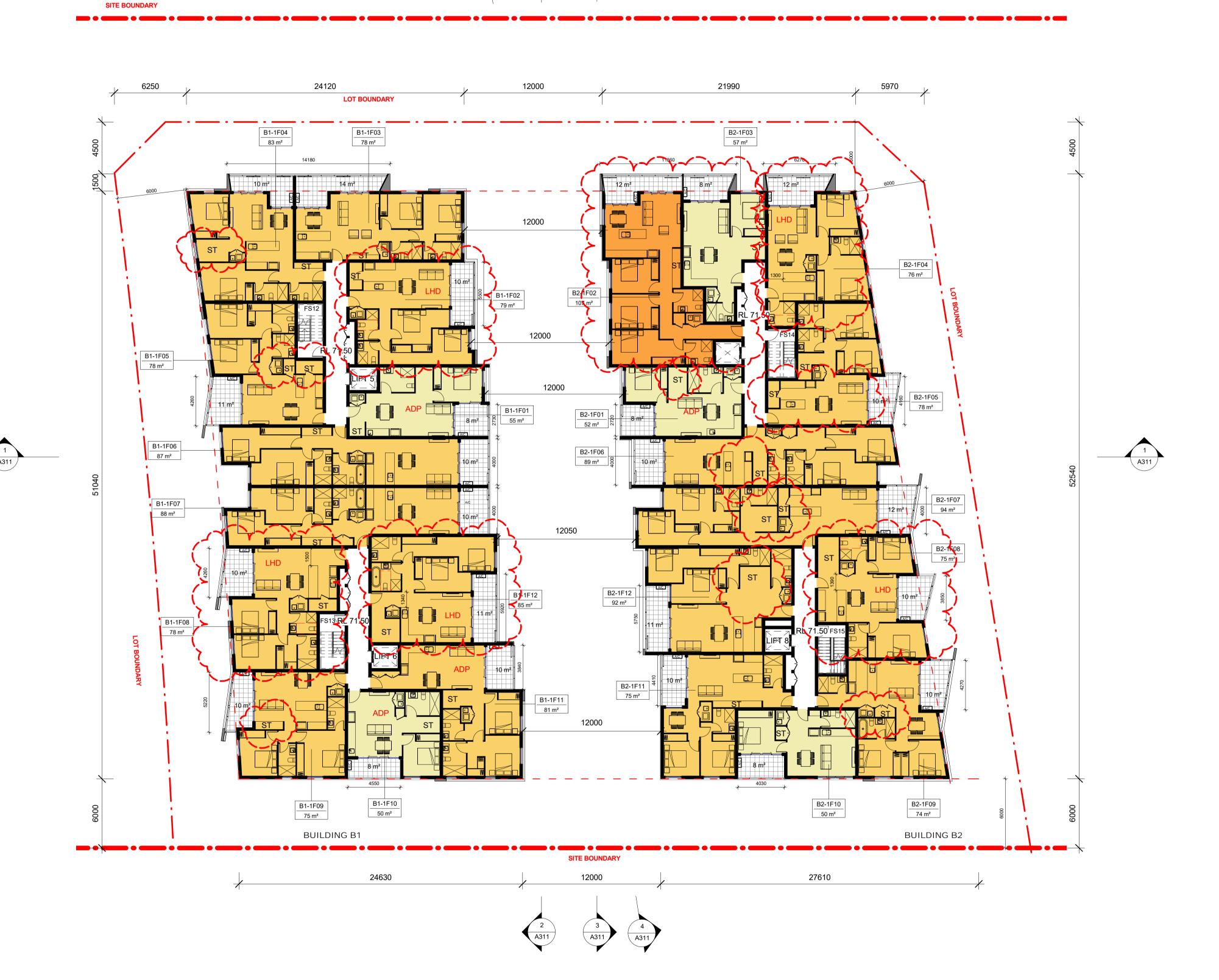
LDH: Liveable Unit: 5 Units

ADP: Adaptable Unit: 4 Units

ST: Storage

Notes DA:

1. DESIGN RESOLUTION
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1.3 The dimensions shown are general only and are subject to further design resolution.
1.4 Location of car park entry point is general only and will be confirmed and dimensioned at later stage.
1.5 The size and position of louvre sun screens is indicative and shown in open and closed positions.



3 BED BALCONY CLIENT **WEYAND PTY LTD** PROJECT RESIDENTIAL **DEVELOPMENT 105 CUDGEGONG ROAD, ROUSE HILL** DREAMSCAPES ARCHITECTS Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 Email: info@thearc.com.au Website: www.thearc.com.au ACN 169 027 936 Australia. Singapore. Hong Kong. China TITLE LOT 2 - LEVEL 1 **DA SUBMISSION** 



200mm

300mm

600mm

100mm

400mm

500mm

700mm

closed positions.

1.6 Ceiling RL (where shown) indicates general ceiling design level only, which does account for services bulkheads or similar partial ceiling protrusions.

1.7 Landscape component is shown indicatively only and subject to further design development at later stage.

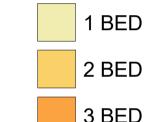
1.8 Location of plant, equipment and services on drawings is general and indicative only, and does not include minor elements, such as vent pipes, flues, aerials, etc. GRAPHIC PRESENTATION
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15/01/2019 4 AMENDMENT FOR COUNCIL REQUIREMENT 1 07/03/2018 3 AMENDMENT FOR COUNCIL REQUIREMENT 08/02/2018 2 FOR INFORMATION

Date Rev. Description

## **COLOUR LEGEND**



STAGE: DA SUBMISSION

DATE: 15/01/2019 DRAWING SCALE: indicated

ALL DIMENSIONS IN 1999 - DO NOT SCALE

PROJECT NO. 17003 A210

1/02/2019 3:28:19 PM

Element	Material Type	Detail
Roof	Concrete roof + R3.0	Light colour;
		This includes the building roofs and the concrete floors of those balconies where immediately above the internal spaces of the apartments below
External Ceiling	Plasterboard	Throughout
External walls	Hebel panel wall + R1.5 Insulation	Medium colour
Internal walls	Hebel panel wall + R1.5 Insulation on one side	Common walls between apartments, common comidors and fire stairs
	Plasterboard on studs, no insulation	Internal walls within each apartment
Windows	Aluminium frame,	NFRC Glazing System (Glass+Frame) values:
	single glazed, clear	Group A (awning): $U = 6.7$ and SHGC = $0.57$
	Throughout	Group B (sliding & fixed): U = 6.7 and SHGC = 0.7 Weather stripping fitted on windows
Skylights	Single glazed, clear	As per plan
Floors	Concrete slab on ground	As per plan, no insulation required
	Suspended concrete floors + R1.5 insulation (underslab)	Where exposed to outdoor air or above basement car park
	Floor coverings	Living, Kitchen & Bedroom: carpet; Bath: tile
Downlights	All LED downlights assumed	Rating without downlights as no lighting layou design is available at the time of assessment; This should be reassessed when the lighting layou information is available prior to the lodgement to the construction certificate.

Applied to all wet areas as per plans

Exhaust fans Sealed

LOT BOUNDARY B1-2F03 B1-2F04 83 m² 78 m² 12000 B2-2F04 12000 B1-2F05 78 m² 12000 10 m² / B2-2F05 78 m² B2-2F01 B1-2F01 55 m² 52 m² B1-2F06 B2-2F06 89 m² 87 m² B2-2F07 B1-2F07 12050 B2-2F12 92 m² B1-2F08 B2-2F11 75 m² 12000 4550 B1-2F10 50 m<sup>2</sup> B1-2F09 B2-2F10 B2-2F09 50 m<sup>2</sup> 74 m² 75 m² **BUILDING B1 BUILDING B2** 12000

Notes DA:

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ADP: Adaptable Unit: 4 Units resolution.

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ST: Storage

LDH: Liveable Unit: 5 Units

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**COLOUR LEGEND** 1 BED 2 BED 3 BED

15/01/2019 4 AMENDMENT FOR COUNCIL REQUIREMENT 1

Description

07/03/2018 3 AMENDMENT FOR COUNCIL REQUIREMENT

08/02/2018 2 FOR INFORMATION

Date Rev.

BALCONY

**WEYAND PTY LTD** 

PROJECT

CLIENT

RESIDENTIAL **DEVELOPMENT** 

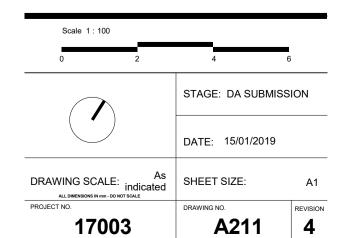
**105 CUDGEGONG ROAD, ROUSE HILL** 

DREAMSCAPES ARCHITECTS Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 Email: info@thearc.com.au Website: www.thearc.com.au ACN 169 027 936

Australia. Singapore. Hong Kong. China

TITLE LOT 2 - LEVEL 2

## **DA SUBMISSION**



100mm

200mm

600mm

700mm

1/02/2019 3:28:39 PM

400mm 500mm 300mm

Element	Meterial Type	Detail
Roof	Concrete roof + R3.0	Light colour,
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External Ceiling	Plasterboard	Throughout
External walls	Hebel panel wall + R1.5 Insulation	Medium colour
Internal walls	Hebel panel wall + R1.5 Insulation on one side	Common walls between apartments, common corridors and fire stairs
	Plasterboard on studs, no insulation	Internal walls within each apartment
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	Throughout	Group B (sliding & fixed): $U = 6.7$ and $SHGC = 0.7$
		Weather stripping fitted on windows
Skylights	Single glazed, clear	As per plan
Floors	Concrete slab on ground	As per plan, no insulation required
	Suspended concrete floors + R1.5 insulation (underslab)	Where exposed to outdoor air or above basement car park
	Floor coverings	Living, Kitchen & Bedroom: carpet; Beth: tile
Downlights	All LED downlights assumed	Rating without downlights as no lighting layou design is available at the time of assessment; This should be reassessed when the lighting layou information is available prior to the lodgement for the construction certificate.

Applied to all wet areas as per plans

Exhaust fans Sealed

LDH: Liveable Unit: 5 Units

ADP: Adaptable Unit: 4 Units

ST: Storage

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15/01/2019 4 AMENDMENT FOR COUNCIL REQUIREMENT 1

Description

07/03/2018 3 AMENDMENT FOR COUNCIL REQUIREMENT

08/02/2018 2 FOR INFORMATION

**COLOUR LEGEND** 

LOT BOUNDARY B1-3F03 B1-3F04 83 m² 78 m²



1 BED 2 BED 3 BED BALCONY CLIENT **WEYAND PTY LTD** PROJECT RESIDENTIAL **DEVELOPMENT 105 CUDGEGONG ROAD, ROUSE HILL** DREAMSCAPES ARCHITECTS Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 Email: info@thearc.com.au Website: www.thearc.com.au ACN 169 027 936 Australia. Singapore. Hong Kong. China LOT 2 - LEVEL 3

100mm

200mm

17003 700mm

DRAWING SCALE: As indicated

ALL DIMENSIONS IN TIME - DO NOT SCALE

PROJECT NO.

A212 4

STAGE: DA SUBMISSION

DATE: 15/01/2019

1/02/2019 3:29:01 PM

**DA SUBMISSION** 

400mm 500mm 600mm 300mm

#### BASIX Building Thermal Specification Requirements - 105 Cudgegong Rd, Rouse Hill Material Type Concrete roof + R3.0 Light colour, This includes the building roofs and the concrete floors of those balconies where immediately above the internal spaces of the apartments below External Ceiling Plasterboard External walls Hebel panel wall + R1.5 Insulation Internal walls Hebel panel wall + R1.5 Insulation on Common walls between apartments, common corridors and fire stairs Plasterboard on stude, no insulation Internal walls within each apartment NFRC Glazing System (Glass+Frame) values: Aluminium frame, Group A (awning): U = 6.7 and SHGC = 0.57single glazed, clear Group B (sliding & fixed): U = 6.7 and SHGC = 0.7 Weather stripping fitted on windows Skylights Floors As per plan Single glazed, clear As per plan, no insulation required Concrete slab on ground Suspended concrete floors + R1.5 insulation (underslab) Where exposed to outdoor air or above basement Floor coverings Living, Kitchen & Bedroom: carpet; Bath: tile Rating without downlights as no lighting layout design is available at the time of assessment; This should be reassessed when the lighting layout information is available prior to the lodgement for the controller confliction. All LED downlights assumed

Exhaust fans Sealed

the construction certificate.

Applied to all wet areas as per plans

**LOT BOUNDARY** SOLAR PANEL SYSTEM REFER TO BASIX COMMITMENTS LIFT OVERRUN ABOVE -RL 83.50 LIFT OVERRUN RL 81.70 — SKYLIGHT SKYLIGHT -COMMUNAL OPEN SPACE NON-TRAFFICABLE RL 80.50 CONCRETE ROOF RL 80.50 NON-TRAFFICABLE CONCRETE ROOF RL 80.50 SKYLIGHT SKYLIGHT LIFT OVERRUN ABOVE RL 83.50 RL 81.70 SIFT OVERRUN SKYLIGHT SKYLIGHT SKYLIGHT -> SKYLIGHT -> **BUILDING B1 BUILDING B2** 12000 1 LOT 2 - ROOF LEVEL
1: 200

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15/01/2019 4 AMENDMENT FOR COUNCIL REQUIREMENT 1 22/06/2017 1 ISSUE FOR DA Date Rev. Description

CLIENT

**WEYAND PTY LTD** 

PROJECT

RESIDENTIAL **DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 

DREAMSCAPES ARCHITECTS

Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd

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ACN 169 027 936 Australia. Singapore. Hong Kong. China

TITLE

LOT 2 - ROOF PLAN

**DA SUBMISSION** 

STAGE: DA SUBMISSION DATE: 15/01/2019 DRAWING SCALE: 1:200 SHEET SIZE: ALL DIMENSIONS IN mm - DO NOT SCALE
PROJECT NO.

A213 1/02/2019 3:29:09 PM

100mm

200mm

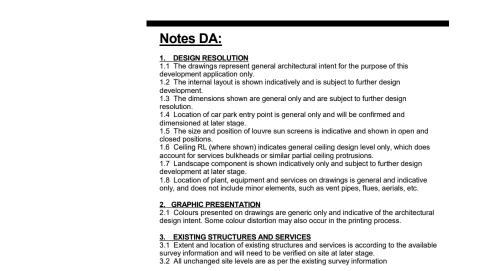
SITE BOUNDARY

300mm

400mm

500mm

600mm



22/06/2017 1 ISSUE FOR DA

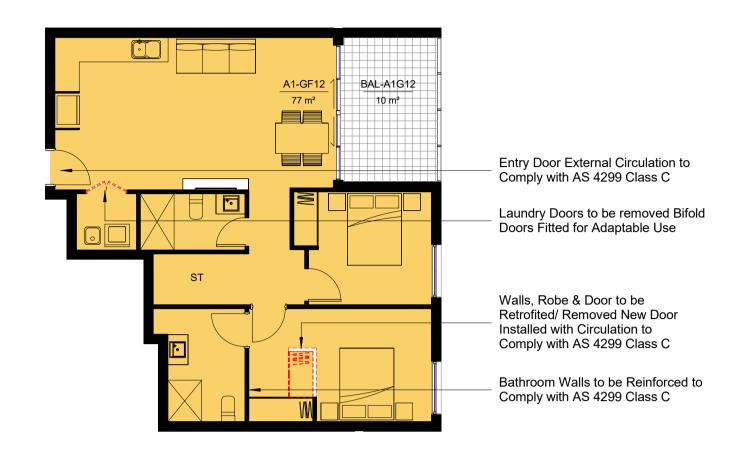
Description

Date Rev.



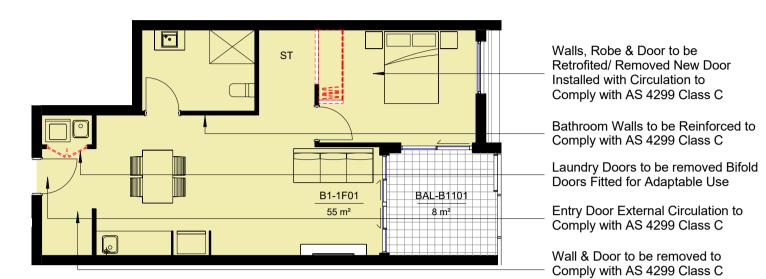
LOT 1 - GROUND FLOOR - ADAPTABLE UNIT TYPE 1

4 Adaptable Units: A1-GF04 / A1-1F04 / A1-2F04 / A1-3F01



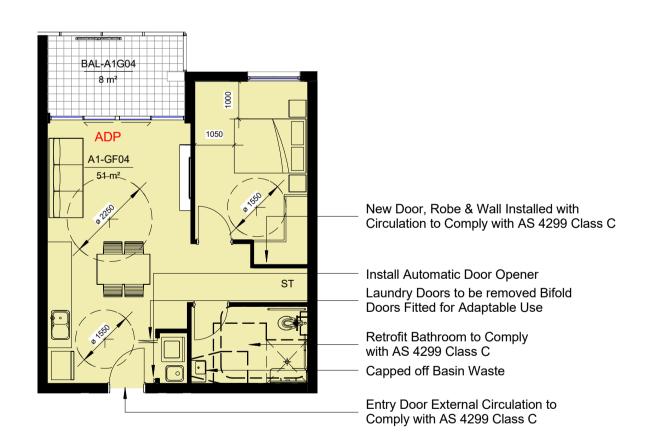
LOT 1 - GROUND FLOOR - ADAPTABLE UNIT TYPE 2

4 Adaptable Units: A1-GF12 / A1-1F12 / A1-2F12 / A1-3F07

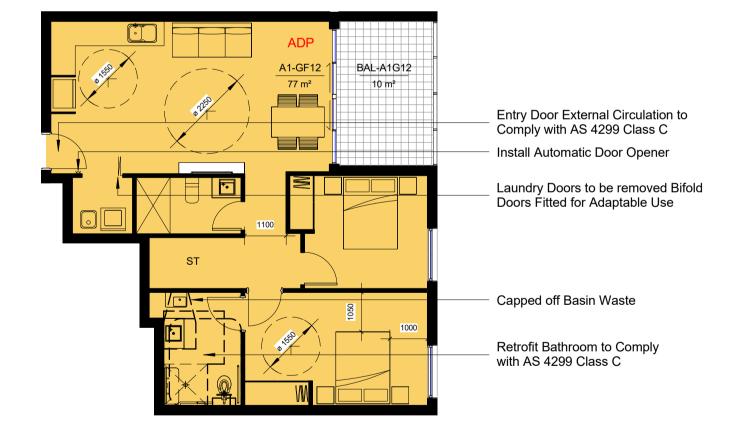


LOT 2 - LEVEL 1- ADAPTABLE UNIT TYPE 1

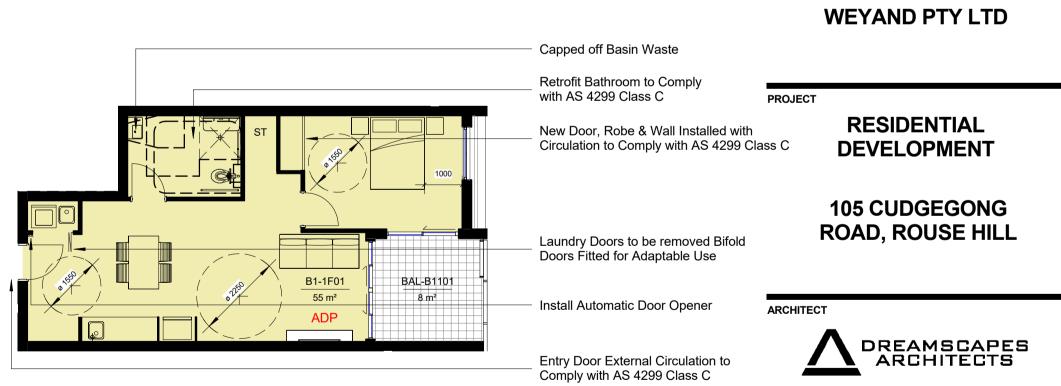
4 Adaptable Units: B1-GF05 / B1-1F01 / B1-2F01 / B1-3F01



LOT 1 - GROUND FLOOR - ADAPTABLE UNIT TYPE 1 VARIED 2 LOT 1 1:100



LOT 1 - GROUND FLOOR - ADAPTABLE UNIT TYPE 2 VARIED



LOT 2 - LEVEL 1- ADAPTABLE UNIT TYPE 1 VARIED 1:100

Adaptable Modelanning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd

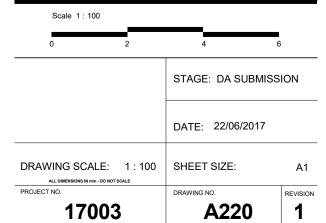
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ACN 169 027 936

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ADAPTABLE UNIT VARIATION PLAN - LOT 1 & 2

**DA SUBMISSION** 



100mm

200mm

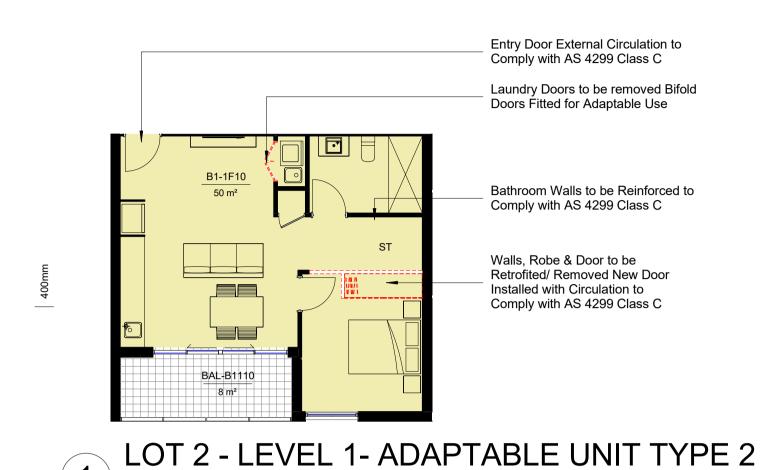
300mm

700mm

1/02/2019 3:29:18 PM

400mm



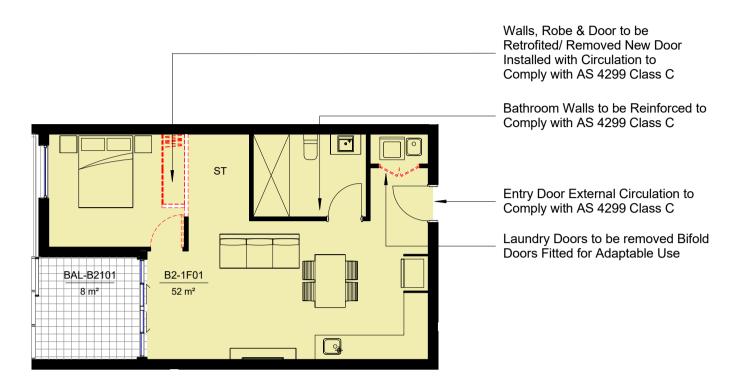


4 Adaptable Units: B1-GF10 / B1-1F10 / B1-2F10 / B1-3F10



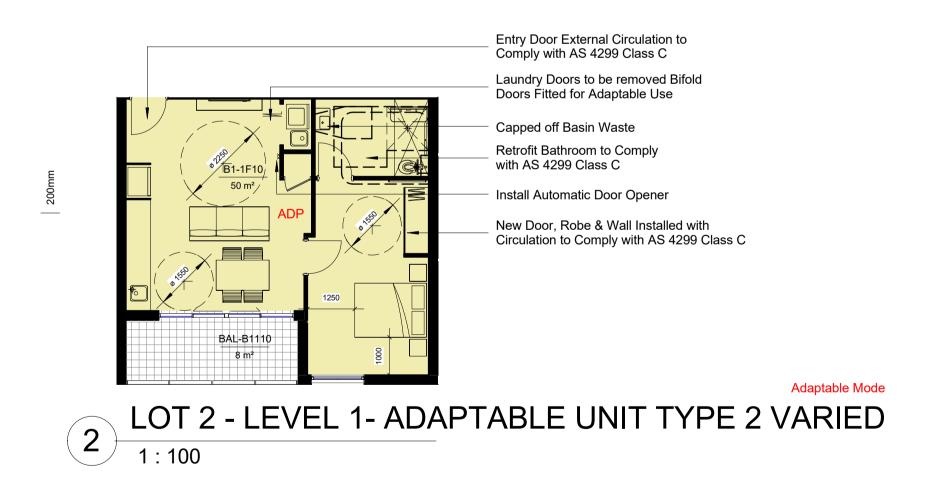
LOT 2 - LEVEL 1- ADAPTABLE UNIT TYPE 3

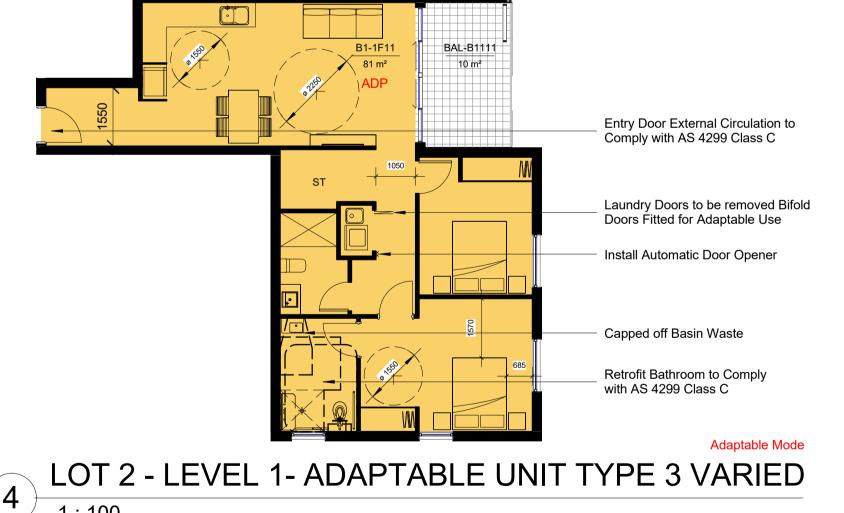
4 Adaptable Units: B1-GF09 / B1-1F11 / B1-2F11 / B1-3F11

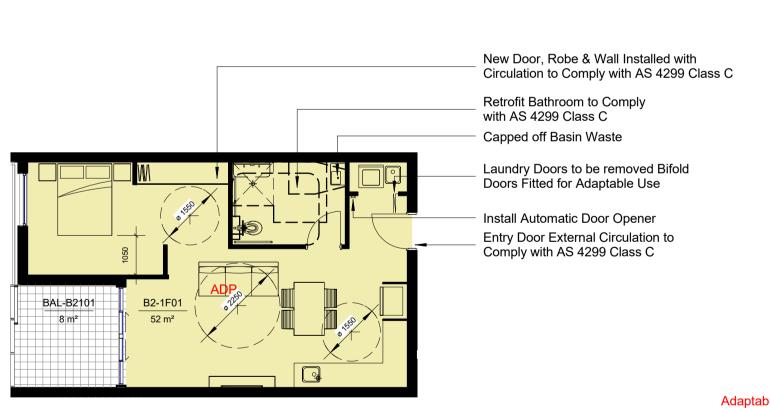


LOT 2 - LEVEL 1- ADAPTABLE UNIT TYPE 4

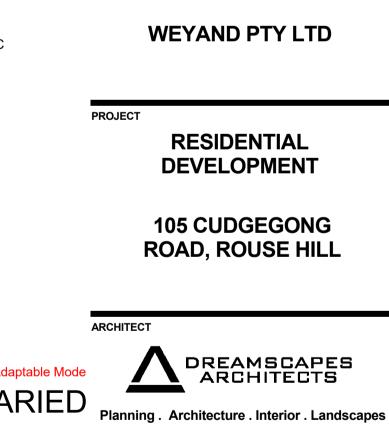
4 Adaptable Units: B2-GF05 / B2-1F01 / B2-3F01 / B2-3F01







LOT 2 - LEVEL 1- ADAPTABLE UNIT TYPE 4 VARIED



Notes DA:

Date Rev.

CLIENT

 DESIGN RESOLUTION
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 1.2 The internal layout is shown indicatively and is subject to further design development. development.

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GRAPHIC PRESENTATION
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3. EXISTING STRUCTURES AND SERVICES
3.1 Extent and location of existing structures and services is according to the available survey information and will need to be verified on site at later stage.
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Description

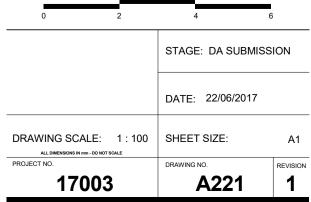
The Silver Arc Dreamscapes Pty Ltd S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318

Email: info@thearc.com.au Website: www.thearc.com.au

ACN 169 027 936 Australia. Singapore. Hong Kong. China

ADAPTABLE UNIT VARIATION PLAN - LOT 2





100mm

1/02/2019 3:29:25 PM

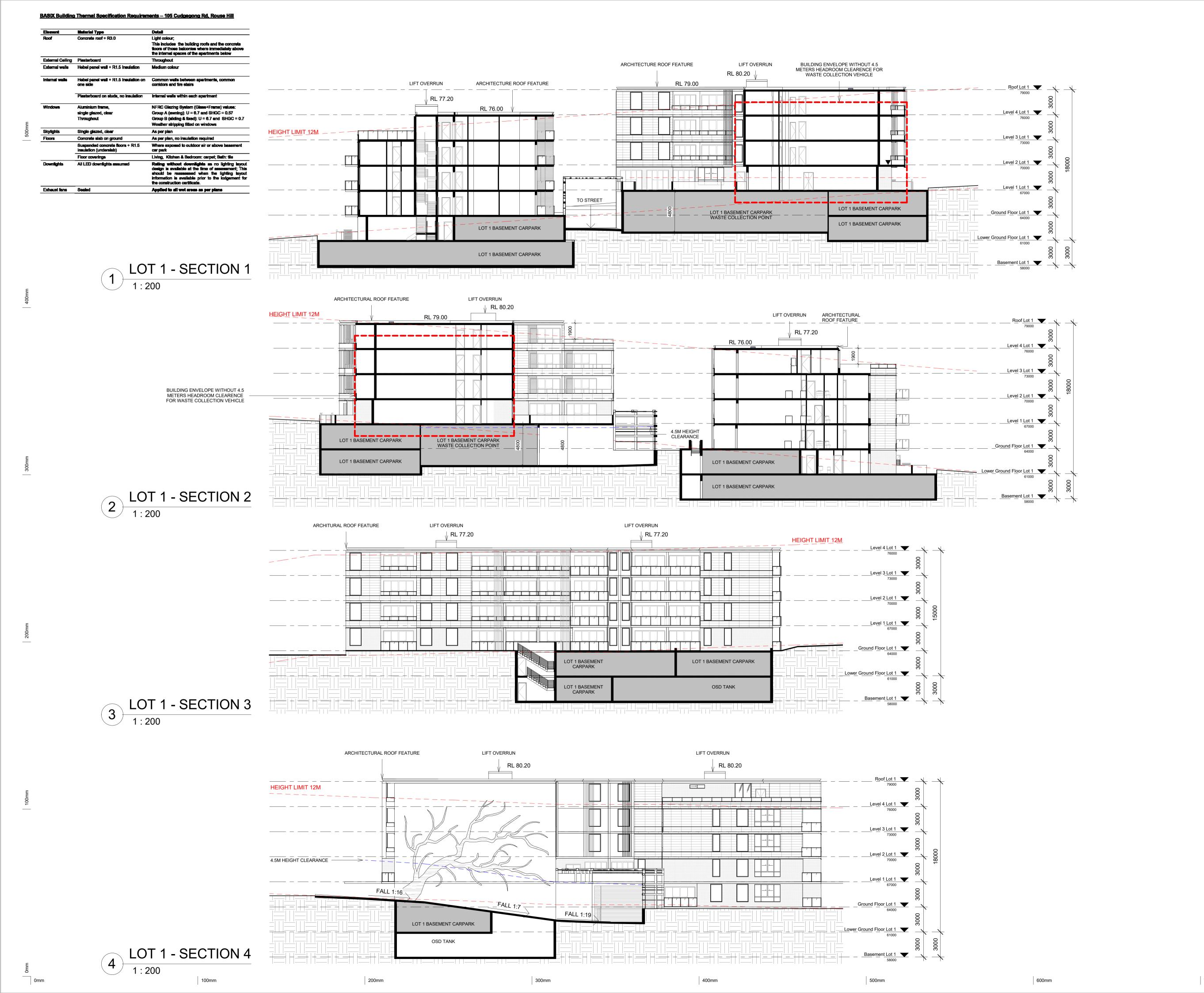
200mm

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coation of car park entry point is general only and will be confirmed and

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22/06/2017 1 ISSUE FOR DA
Date Rev. Description

CLIENT

**WEYAND PTY LTD** 

PROJECT

RESIDENTIAL DEVELOPMENT

105 CUDGEGONG ROAD, ROUSE HILL

DREAMSCAPES ARCHITECTS

Planning . Architecture . Interior . Landscapes
The Silver Arc Dreamscapes Pty Ltd

S1502, Level 15, Citadel Towers, Tower B, 799
Pacific Highway, Chatswood, NSW 2067
Phone (02) 80688318
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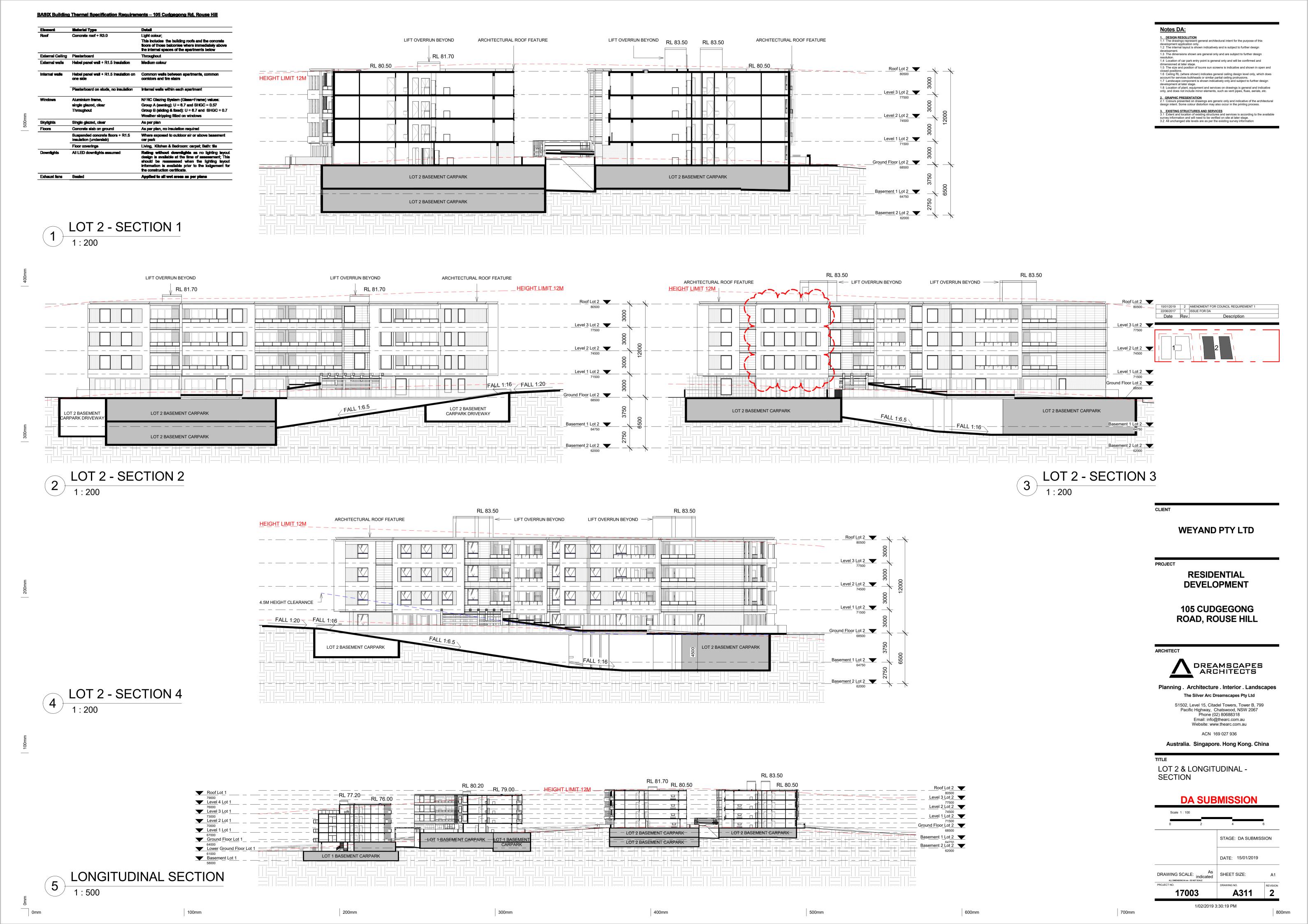
ACN 169 027 936

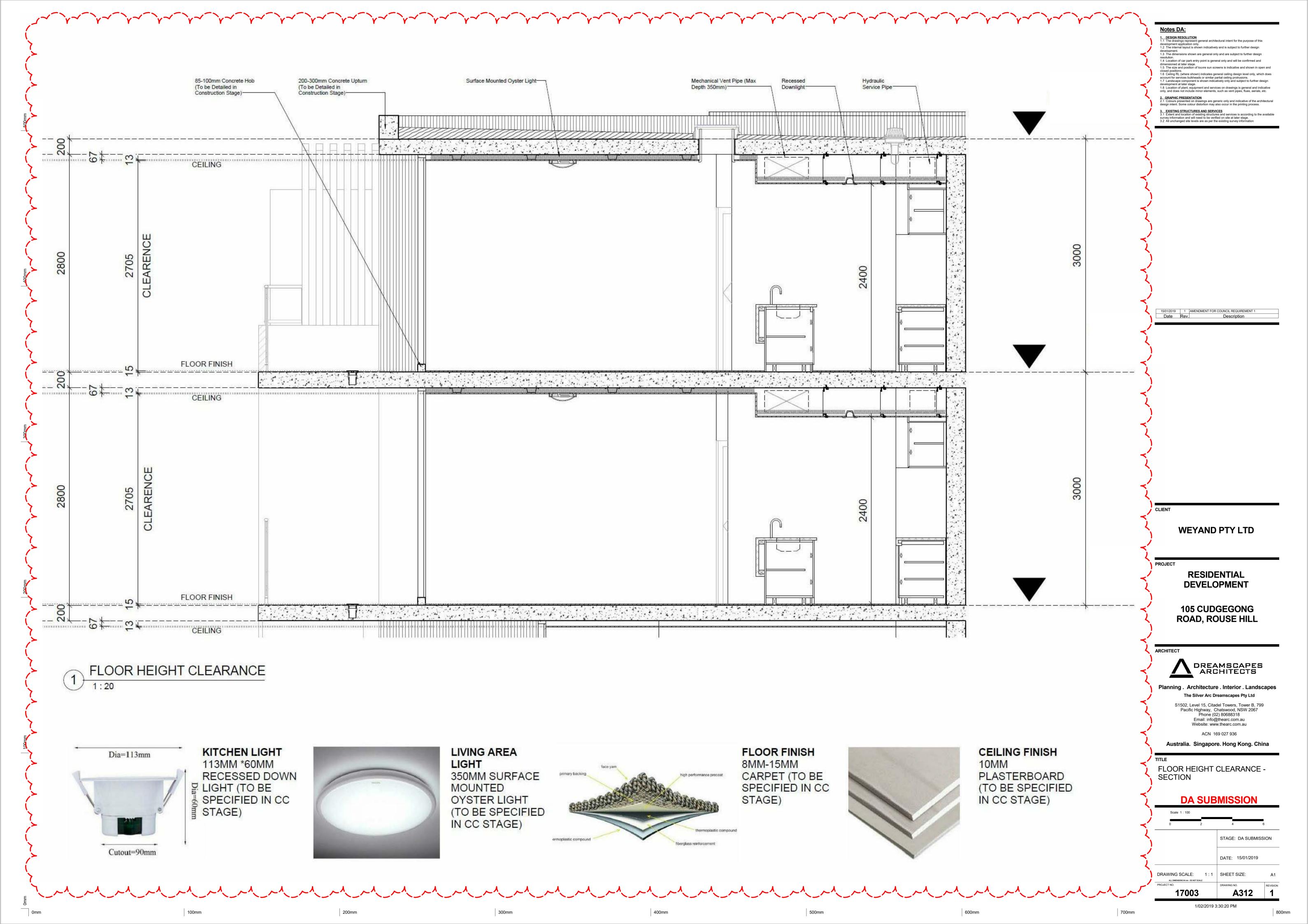
Australia. Singapore. Hong Kong. China

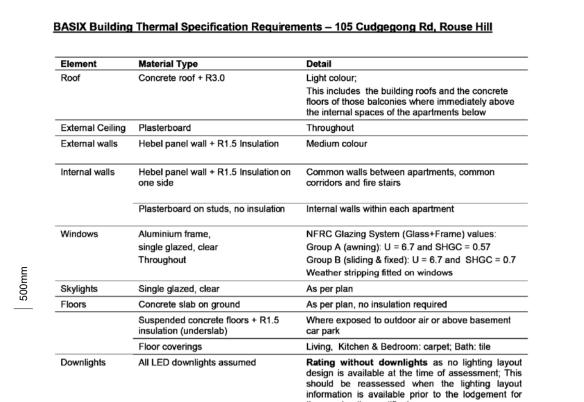
LOT 1 - SECTION

DA SUBMISSION

1/02/2019 3:29:47 PM







Exhaust fans Sealed

the construction certificate.

Applied to all wet areas as per plans











22/06/2017 1 ISSUE FOR DA Description

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CLIENT

**WEYAND PTY LTD** 

PROJECT

RESIDENTIAL **DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 



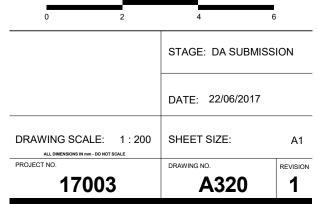
S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318

Email: info@thearc.com.au Website: www.thearc.com.au ACN 169 027 936

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**LOT 1 - ELEVATION** 





1/02/2019 3:31:24 PM

100mm

200mm

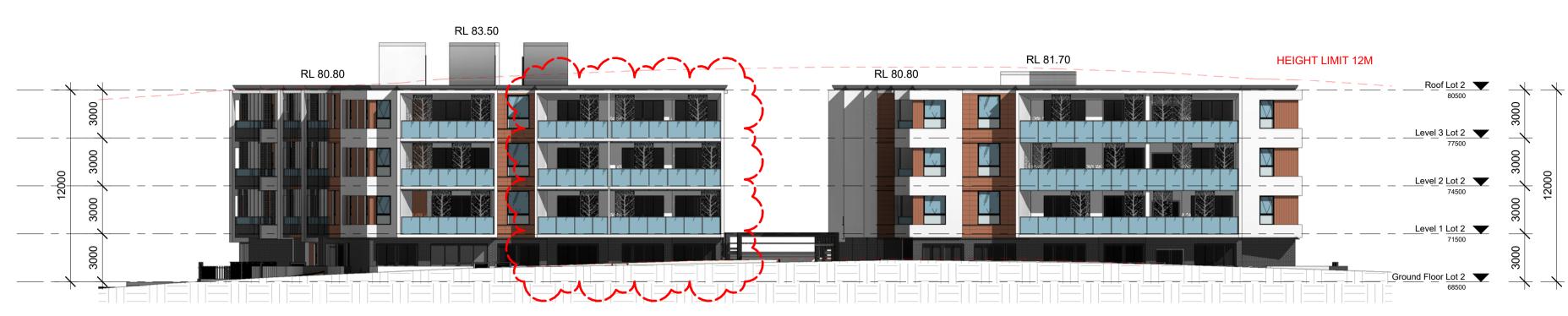
300mm

400mm

500mm

600mm

External Ceiling Plasterboard Throughout  External walls Hebel panel wall + R1.5 Insulation Medium colour  Internal walls Hebel panel wall + R1.5 Insulation On one side Corridors and fire stairs  Plasterboard on studs, no insulation Internal walls within each apartment  Windows Aluminium frame, Single glazed, clear Group A (awning): U = 6.7 and SHGC = 0.57 Throughout Group B (sliding & fixed): U = 6.7 and SHGC Weather stripping fitted on windows  Skylights Single glazed, clear As per plan  Floors Concrete slab on ground As per plan, no insulation required  Suspended concrete floors + R1.5 insulation on corridors and fire stairs  Where exposed to outdoor air or above base car park  Floor coverings Living, Kitchen & Bedroom: carpet; Bath: tile  Downlights All LED downlights assumed Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting	Element	Material Type	Detail
External Ceiling Plasterboard Throughout  External walls Hebel panel wall + R1.5 Insulation Medium colour  Internal walls Hebel panel wall + R1.5 Insulation On one side Common walls between apartments, common corridors and fire stairs  Plasterboard on studs, no insulation Internal walls within each apartment  Windows Aluminium frame, Single glazed, clear Group A (awning): U = 6.7 and SHGC = 0.57 Group B (sliding & fixed): U = 6.7 and SHGC weather stripping fitted on windows  Skylights Single glazed, clear As per plan  Floors Concrete slab on ground As per plan, no insulation required  Suspended concrete floors + R1.5 insulation (underslab) as per plan, no insulation required where exposed to outdoor air or above base car park  Floor coverings Living, Kitchen & Bedroom: carpet; Bath: tile carponal as available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen	Roof	Concrete roof + R3.0	Light colour;
External walls Hebel panel wall + R1.5 Insulation Medium colour  Internal walls Hebel panel wall + R1.5 Insulation on one side Common walls between apartments, common corridors and fire stairs  Plasterboard on studs, no insulation Internal walls within each apartment  Windows Aluminium frame, Single glazed, clear Group A (awning): U = 6.7 and SHGC = 0.57 Throughout Group B (sliding & fixed): U = 6.7 and SHGC weather stripping fitted on windows  Skylights Single glazed, clear As per plan  Floors Concrete slab on ground As per plan, no insulation required  Suspended concrete floors + R1.5 insulation (underslab) Where exposed to outdoor air or above base car park  Floor coverings Living, Kitchen & Bedroom: carpet; Bath: tile  Downlights All LED downlights assumed Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen			This includes the building roofs and the concrete floors of those balconies where immediately above the internal spaces of the apartments below
Internal walls  Hebel panel wall + R1.5 Insulation on one side  Plasterboard on studs, no insulation  Internal walls within each apartment  Windows  Aluminium frame, single glazed, clear Group A (awning): U = 6.7 and SHGC = 0.57 Throughout  Skylights  Single glazed, clear As per plan  Floors  Concrete slab on ground  Suspended concrete floors + R1.5 insulation (underslab)  Floor coverings  All LED downlights assumed  Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen	External Ceiling	Plasterboard	Throughout
one side corridors and fire stairs  Plasterboard on studs, no insulation Internal walls within each apartment  Windows Aluminium frame, single glazed, clear Group A (awning): U = 6.7 and SHGC = 0.57 Throughout Group B (sliding & fixed): U = 6.7 and SHGC Weather stripping fitted on windows  Skylights Single glazed, clear As per plan  Floors Concrete slab on ground As per plan, no insulation required  Suspended concrete floors + R1.5 insulation (underslab) Where exposed to outdoor air or above base car park  Floor coverings Living, Kitchen & Bedroom: carpet; Bath: tile  Downlights All LED downlights assumed Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen	External walls	Hebel panel wall + R1.5 Insulation	Medium colour
Windows  Aluminium frame, single glazed, clear Group A (awning): U = 6.7 and SHGC = 0.57 Throughout Group B (sliding & fixed): U = 6.7 and SHGC weather stripping fitted on windows  Skylights  Single glazed, clear As per plan  Concrete slab on ground As per plan, no insulation required  Suspended concrete floors + R1.5 insulation (underslab) Where exposed to outdoor air or above base car park  Floor coverings  Living, Kitchen & Bedroom: carpet; Bath: tile  Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen	Internal walls		Common walls between apartments, common corridors and fire stairs
single glazed, clear Throughout  Skylights  Single glazed, clear Floors  Concrete slab on ground  Suspended concrete floors + R1.5 insulation (underslab)  Floor coverings  All LED downlights assumed  Single glazed, clear  As per plan  As per plan, no insulation required  Where exposed to outdoor air or above base car park  Living, Kitchen & Bedroom: carpet; Bath: tile  Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen		Plasterboard on studs, no insulation	Internal walls within each apartment
Throughout Group B (sliding & fixed): U = 6.7 and SHGO Weather stripping fitted on windows  Skylights Single glazed, clear As per plan  Concrete slab on ground As per plan, no insulation required  Suspended concrete floors + R1.5 insulation (underslab) Where exposed to outdoor air or above base car park  Floor coverings Living, Kitchen & Bedroom: carpet; Bath: tile  Downlights All LED downlights assumed Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen	Windows	Aluminium frame,	NFRC Glazing System (Glass+Frame) values:
Weather stripping fitted on windows  Skylights Single glazed, clear As per plan  Floors Concrete slab on ground As per plan, no insulation required  Suspended concrete floors + R1.5 insulation (underslab) Where exposed to outdoor air or above base car park  Floor coverings Living, Kitchen & Bedroom: carpet; Bath: tile  Downlights All LED downlights assumed Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen		single glazed, clear	Group A (awning): U = 6.7 and SHGC = 0.57
Floors  Concrete slab on ground  Suspended concrete floors + R1.5 insulation (underslab)  Floor coverings  As per plan, no insulation required  Where exposed to outdoor air or above base car park  Living, Kitchen & Bedroom: carpet; Bath: tile  Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen		Throughout	Group B (sliding & fixed): U = 6.7 and SHGC = 0.7 Weather stripping fitted on windows
Suspended concrete floors + R1.5 insulation (underslab)  Floor coverings  All LED downlights assumed  All LED downlights assumed  Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen	Skylights	Single glazed, clear	As per plan
insulation (underslab)  Floor coverings  Living, Kitchen & Bedroom: carpet; Bath: tile  Downlights  All LED downlights assumed  Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen	Floors	Concrete slab on ground	As per plan, no insulation required
Downlights All LED downlights assumed  Rating without downlights as no lighting design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen			Where exposed to outdoor air or above basement car park
design is available at the time of assessme should be reassessed when the lighting information is available prior to the lodgen		Floor coverings	Living, Kitchen & Bedroom: carpet; Bath: tile
	Downlights	All LED downlights assumed	Rating without downlights as no lighting layout design is available at the time of assessment; This should be reassessed when the lighting layout information is available prior to the lodgement for the construction certificate.
Exhaust fans Sealed Applied to all wet areas as per plans	Exhaust fans	Sealed	Applied to all wet areas as per plans



LOT 2 NORTH ELEVATION



2 LOT 2 SOUTH ELEVATION 1:200



LOT 2 WEST ELEVATION



1:200

Notes DA:

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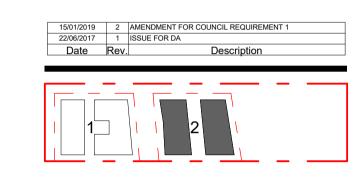
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CLIENT

**WEYAND PTY LTD** 

PROJECT

**RESIDENTIAL DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 



**DA SUBMISSION** DATE: 15/01/2019

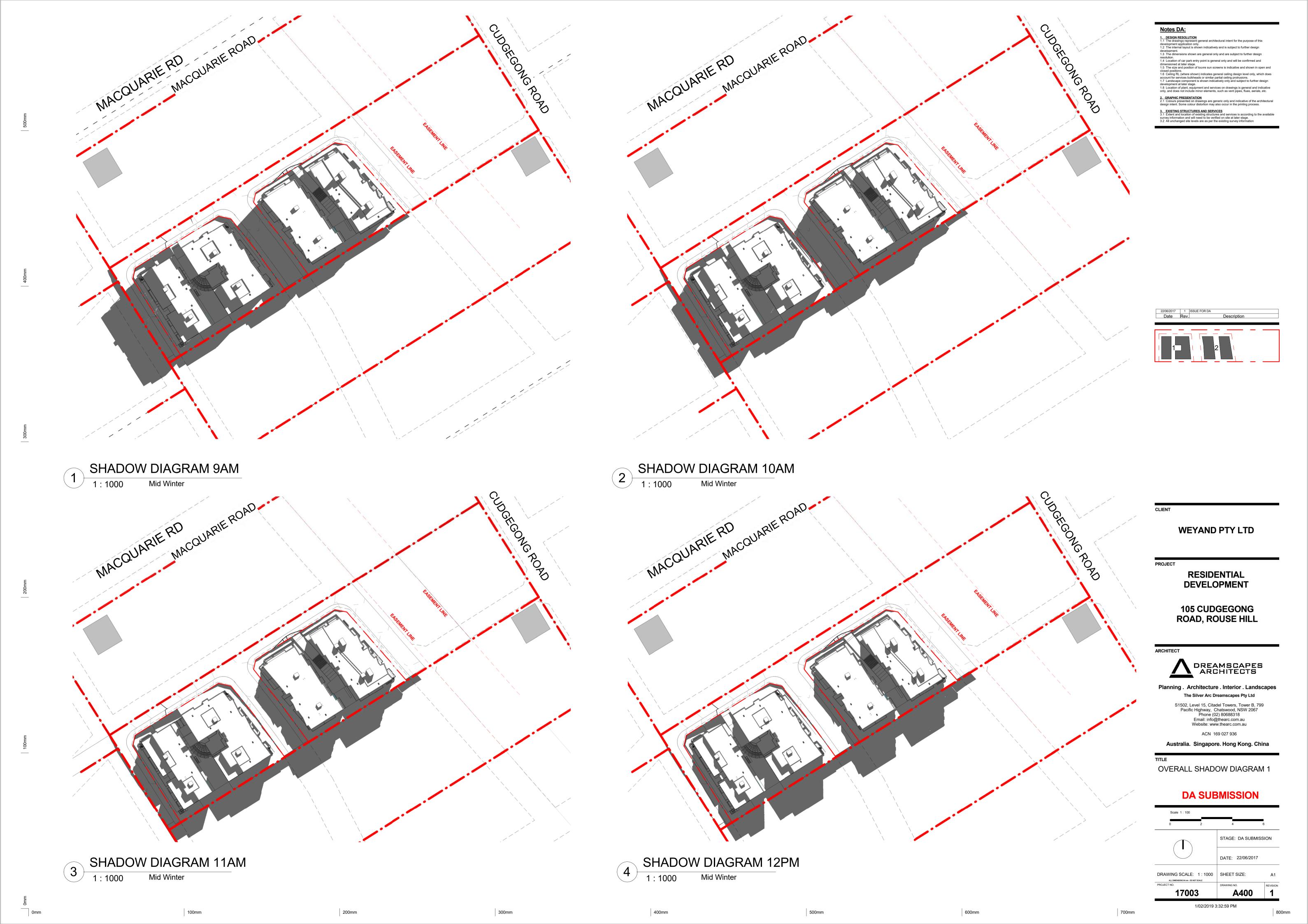
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PROJECT NO. 17003 A321

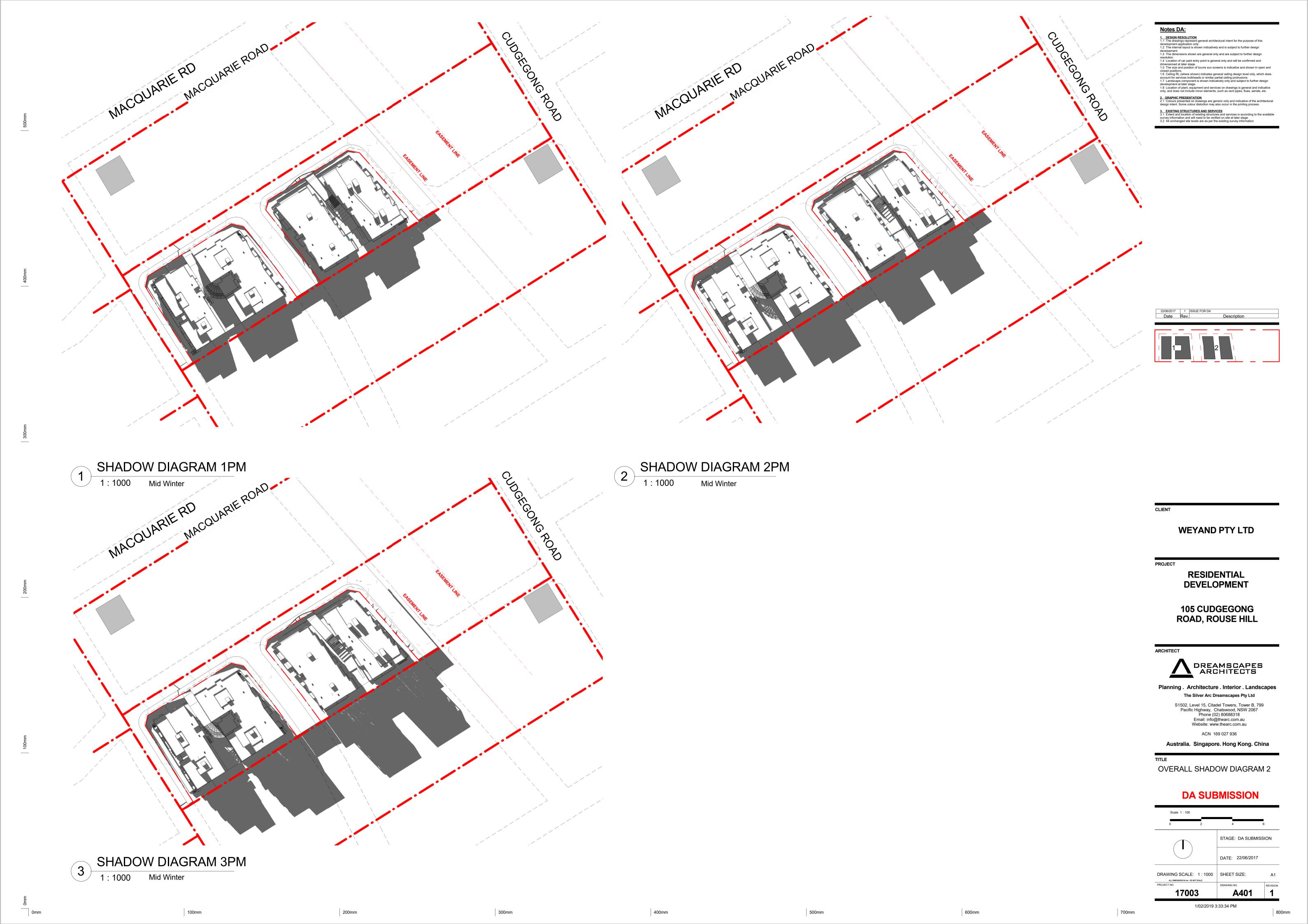
1/02/2019 3:32:15 PM

700mm

100mm 200mm 300mm 400mm

600mm





# TP TERRACOTTA **PANEL**

100mm

**BUILDING ELEVATION** 



LOT 1 EAST ELEVATION - Callout 1

MATERIAL BOARD SAMPLES

GB **GLASS** BALUSTRADE



RPW

PS

GB

GFB

GFB

DS DECORATIVE SCREEN



1:50

**RDG RENDER -**DARK GREY



LOT 1 NORTH ELEVATION - Callout 1

**RPW** 

**RENDER -**

PEARL WHITE

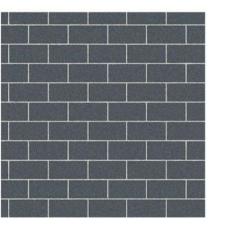
PS **PRIVACY** SCREEN

RPW

RDG

RPW

GFB



1:50

LOT 1 NORTH ELEVATION- Callout 2

**FINISH** 

GB

DS

PS

TERRACOTTA PANEL

GLASS BALUSTRADE

DECORATIVE SCREEN

**RENDER - DARK GREY** 

PRIVACY SCREEN

RENDER - PEARL WHITE

DARK GREY FACE BRICK

**GFB** DARK GREY FACE BRICK

### Notes DA:

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Date Rev. Description

### CLIENT

**WEYAND PTY LTD** 

### PROJECT

RESIDENTIAL **DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 



#### Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd

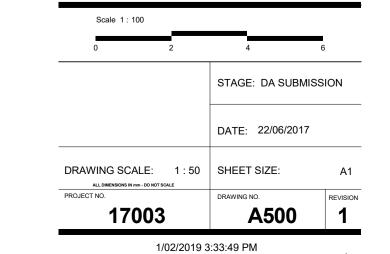
S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 Email: info@thearc.com.au Website: www.thearc.com.au

ACN 169 027 936

### Australia. Singapore. Hong Kong. China

MATERIALS & FINISHES

# **DA SUBMISSION**



700mm

200mm 300mm 400mm 500mm 600mm

600mm

1/02/2019 3:34:00 PM

Notes DA:

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A1-GF05 A1-GF04 A1-GF03 A1-GF06 VOID

A2-GF01

A2-GF02

BUILDING A2

LOT 1 - LG SOLAR & VENTILATION DIAGRAM

BUILDING A1

RL 61.00

A1-GF09

A1-GF10

**BUILDING A1** 

A1-LGF02

A1-LGF03

RL 61.00

A1-LGF05

2 LOT 1 - GF SOLAR & VENTILATION DIAGRAM
1:200



UNIT WITH SOLAR ACCESS

CROSS VENTILATION

RL 64.00

UNIT WITH NATURAL CROSS VENTILATION

UNIT WITH SOLAR ACCESS & NATURAL

Description

22/06/2017 1 ISSUE FOR DA

Date Rev.

CLIENT

**WEYAND PTY LTD** 

PROJECT

**RESIDENTIAL DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 

# DREAMSCAPES ARCHITECTS

Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd

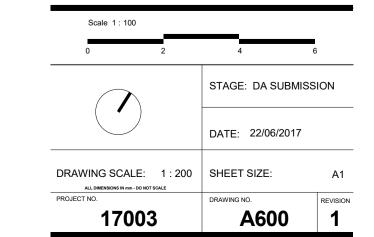
S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318 Email: info@thearc.com.au Website: www.thearc.com.au

ACN 169 027 936 Australia. Singapore. Hong Kong. China

700mm

SOLAR & VENTILATION DIAGRAM LOT 1

## **DA SUBMISSION**



200mm 300mm 400mm 500mm

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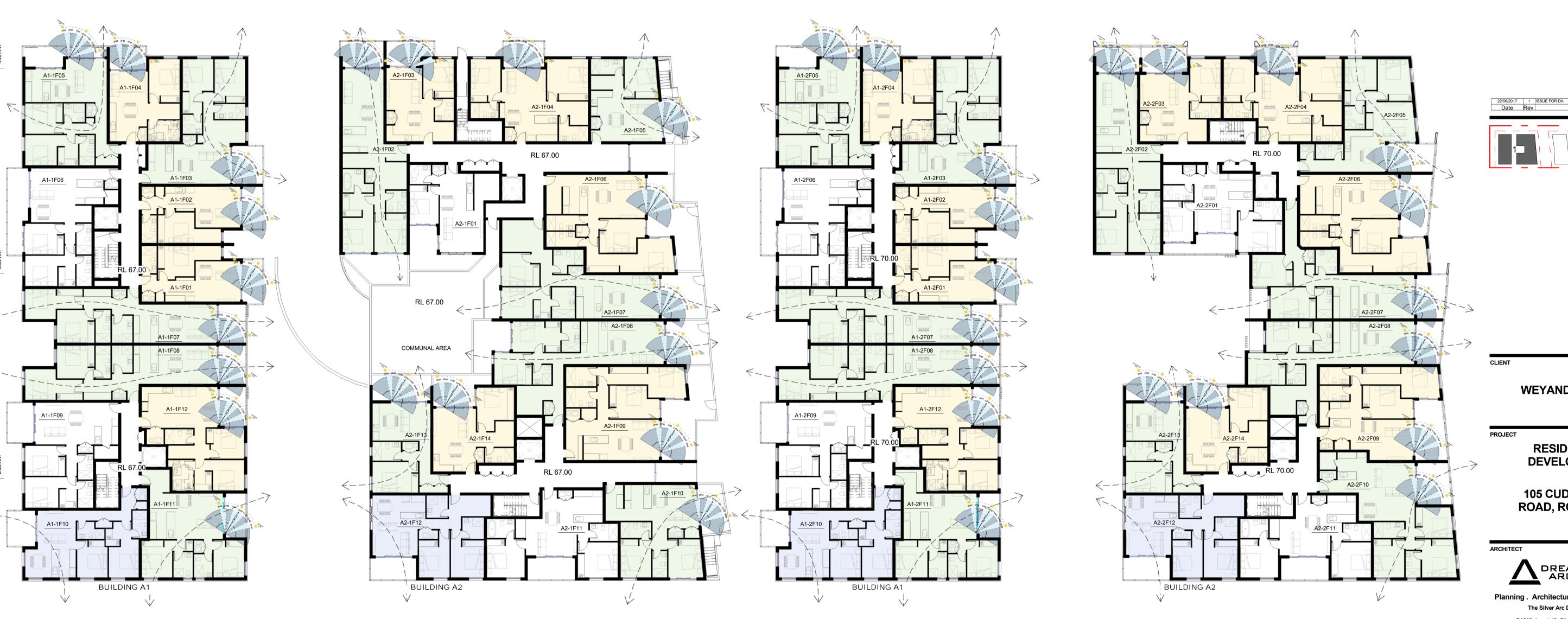
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**WEYAND PTY LTD** 

Description

PROJECT

**RESIDENTIAL DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 

DREAMSCAPES ARCHITECTS

Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd

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SOLAR & VENTILATION DIAGRAM LOT 1

**DA SUBMISSION** 

STAGE: DA SUBMISSION DATE: 22/06/2017 DRAWING SCALE: 1:200 SHEET SIZE: 17003 A601

1/02/2019 3:34:21 PM

100mm 700mm 200mm 300mm 400mm 500mm

LOT 1 - L2 SOLAR & VENTILATION DIAGRAM

**SOLAR ACCESS & NATURAL CROSS** 

UNIT WITH SOLAR ACCESS

UNIT WITH NATURAL CROSS VENTILATION

UNIT WITH SOLAR ACCESS & NATURAL

**VENTILATION DIAGRAM LEGEND** 

CROSS VENTILATION

LOT 1 - L1 SOLAR & VENTILATION DIAGRAM

200mm

SKYLIGHT

SKYLIGHT

SKYLIGHT

300mm

**BUILDING A2** 

A2-3F04

A2-3F11

400mm

500mm

1/02/2019 3:34:37 PM

resolution.

1.4 Location of car park entry point is general only and will be confirmed and dimensioned at later stage.

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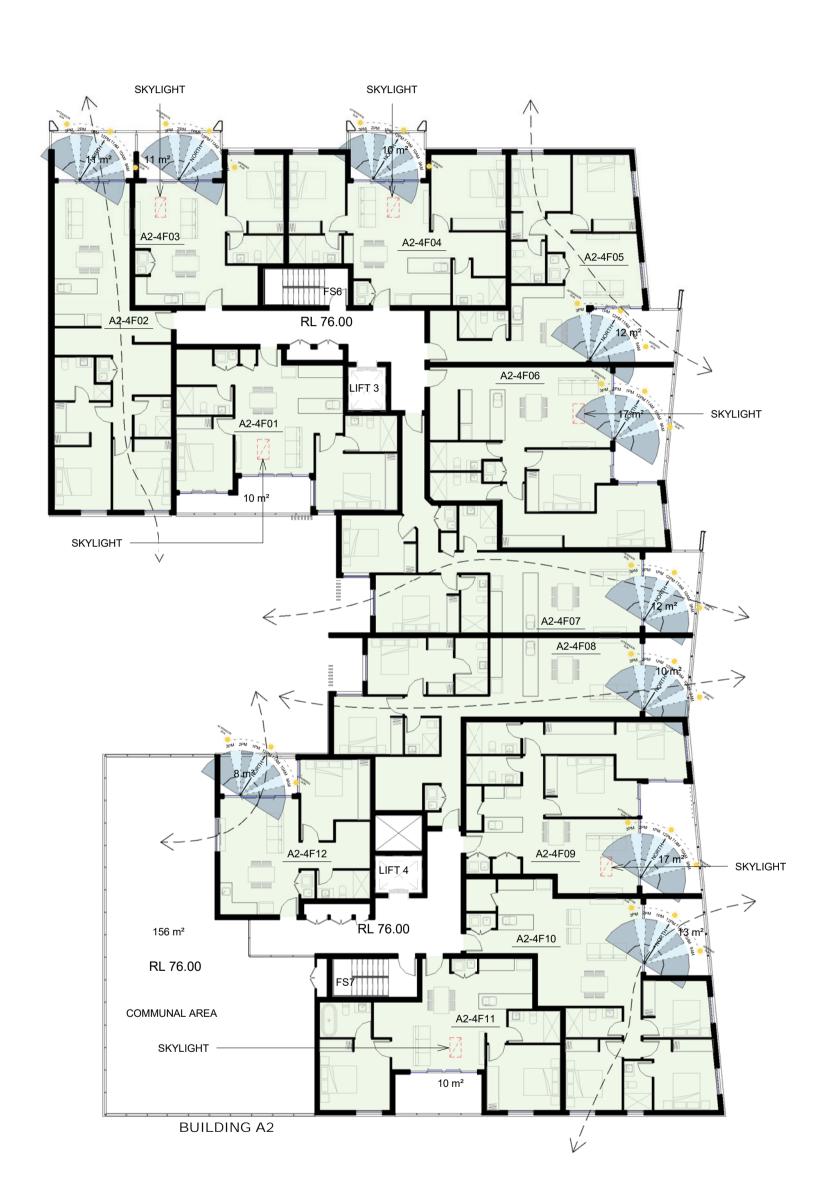
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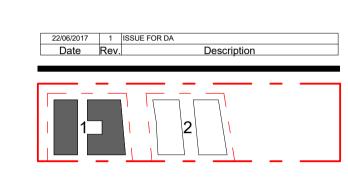




UNIT WITH SOLAR ACCESS

UNIT WITH NATURAL CROSS VENTILATION

UNIT WITH SOLAR ACCESS & NATURAL CROSS VENTILATION



**WEYAND PTY LTD** 

PROJECT

**RESIDENTIAL DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 



DREAMSCAPES ARCHITECTS

Planning . Architecture . Interior . Landscapes The Silver Arc Dreamscapes Pty Ltd S1502, Level 15, Citadel Towers, Tower B, 799 Pacific Highway, Chatswood, NSW 2067 Phone (02) 80688318

Email: info@thearc.com.au Website: www.thearc.com.au ACN 169 027 936

Australia. Singapore. Hong Kong. China

SOLAR & VENTILATION DIAGRAM LOT 1

### **DA SUBMISSION**

STAGE: DA SUBMISSION DATE: 22/06/2017 DRAWING SCALE: 1:200 SHEET SIZE: 17003 A602

700mm



COMMUNAL AREA

COMMUNAL AREA

200mm

300mm

400mm

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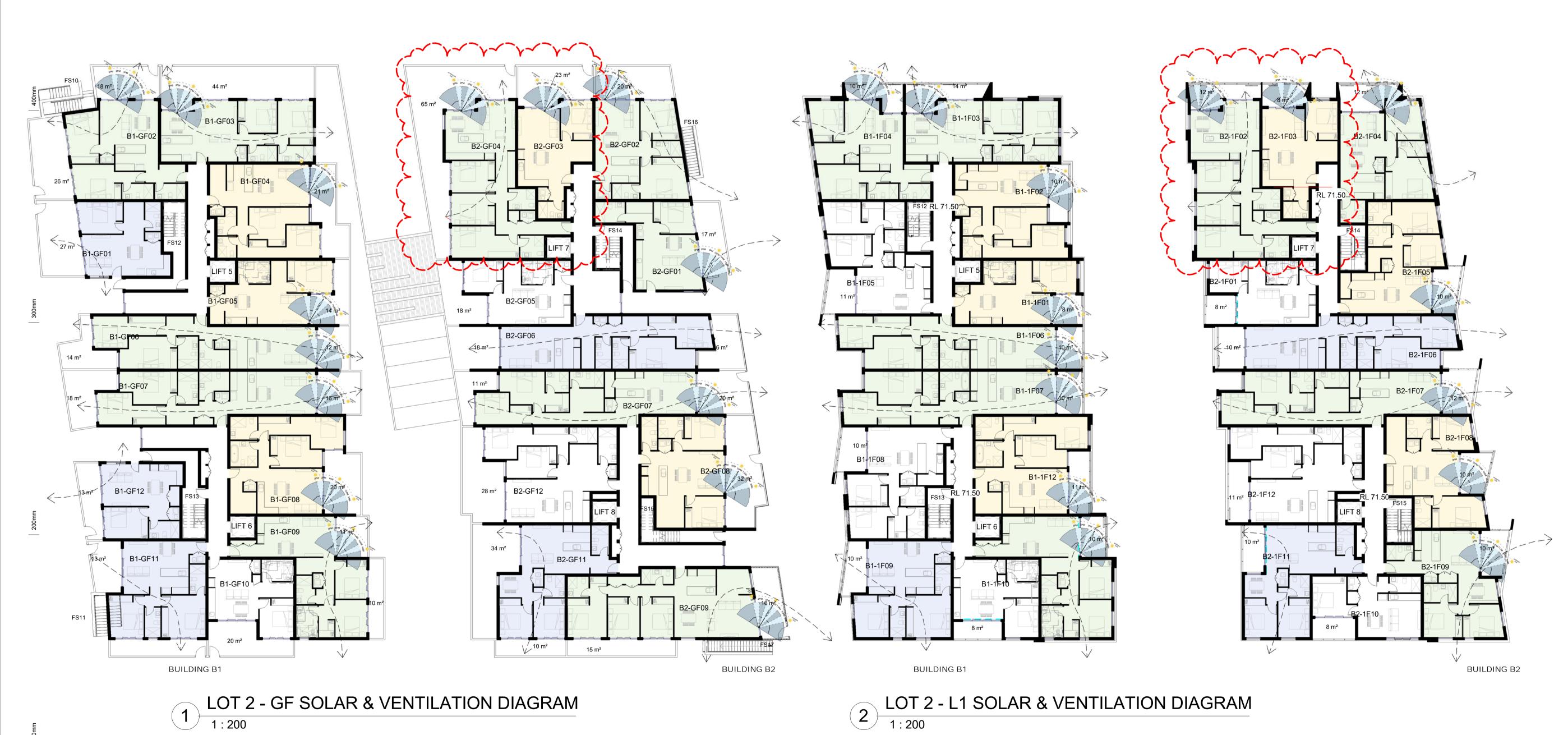
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| 15/01/2019 | 2 | AMENDMENT FOR COUNCIL REQUIREMENT 1 | 22/06/2017 | 1 | ISSUE FOR DA | Description | |

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105 CUDGEGONG ROAD, ROUSE HILL

ARCHITECT



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TITLE

SOLAR & VENTILATION DIAGRAM LOT 2

DRAWING SCALE: 1:200 SHEET SIZE:

DA SUBMISSION

Scale 1:100

2 4 6

STAGE: DA SUBMISSION

DATE: 15/01/2019

17003 A603

1/02 500mm 600mm 700mm

**SOLAR ACCESS & NATURAL CROSS** 

UNIT WITH SOLAR ACCESS

UNIT WITH NATURAL CROSS VENTILATION

UNIT WITH SOLAR ACCESS & NATURAL

**VENTILATION DIAGRAM LEGEND** 

CROSS VENTILATION

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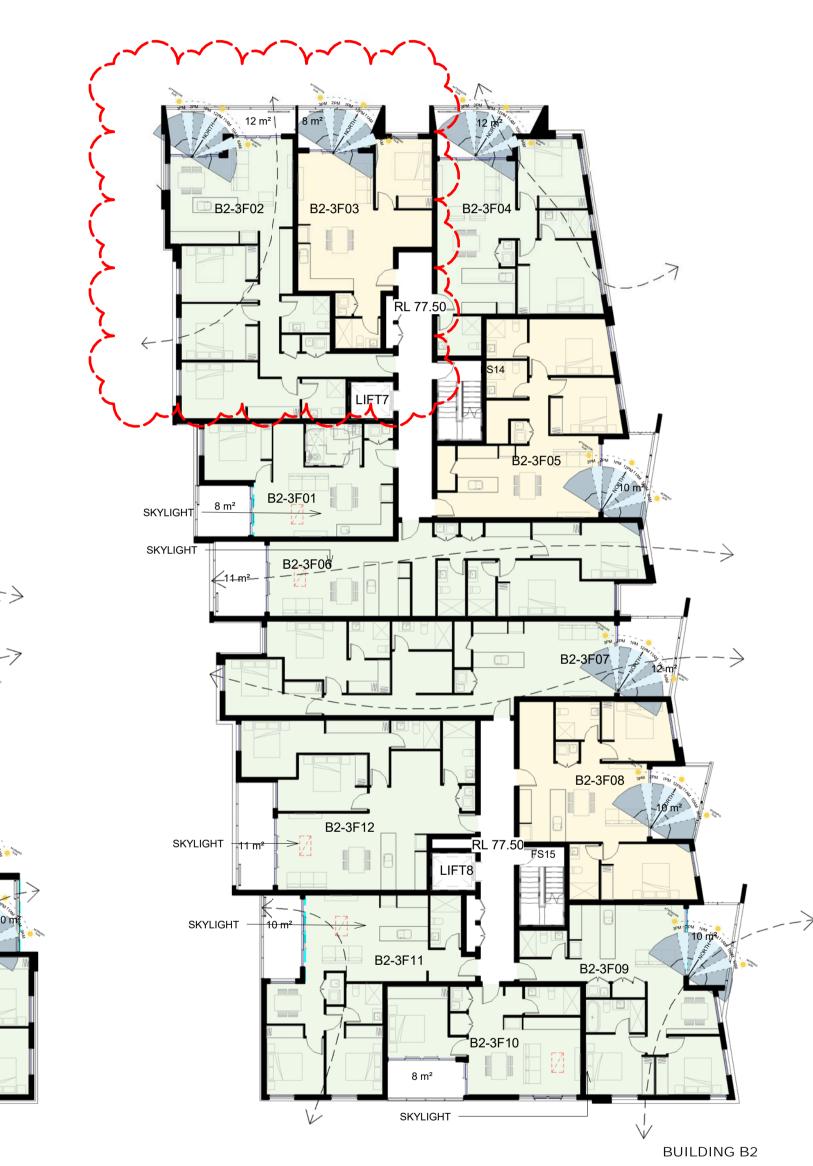
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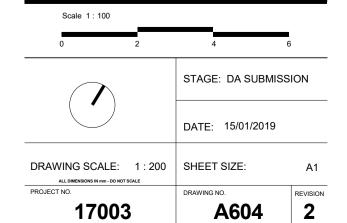
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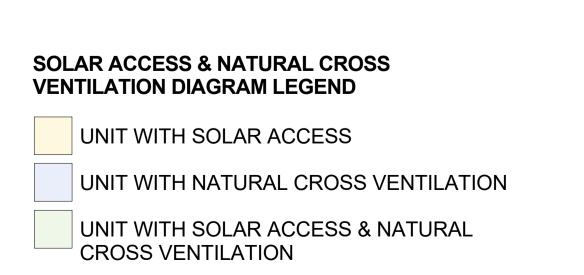
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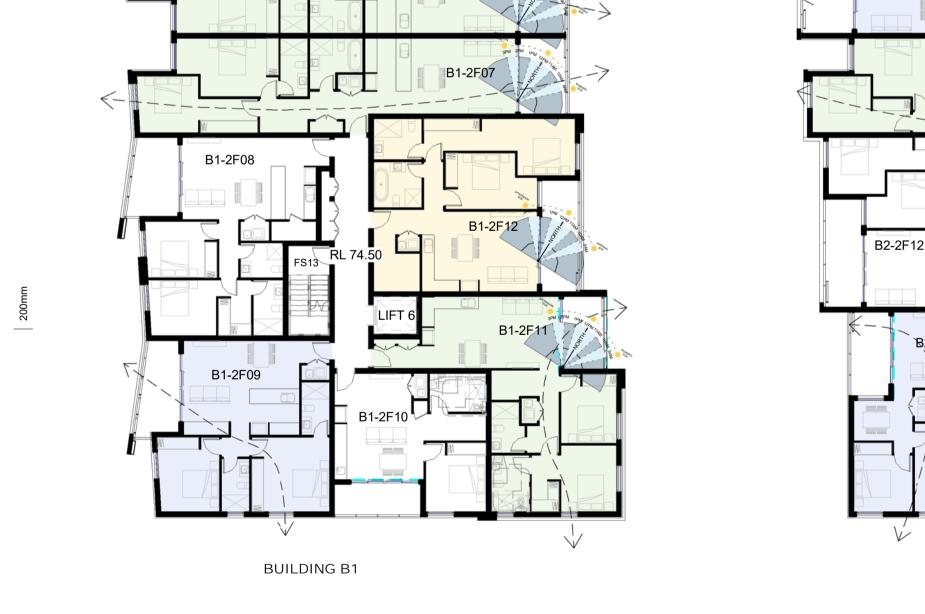
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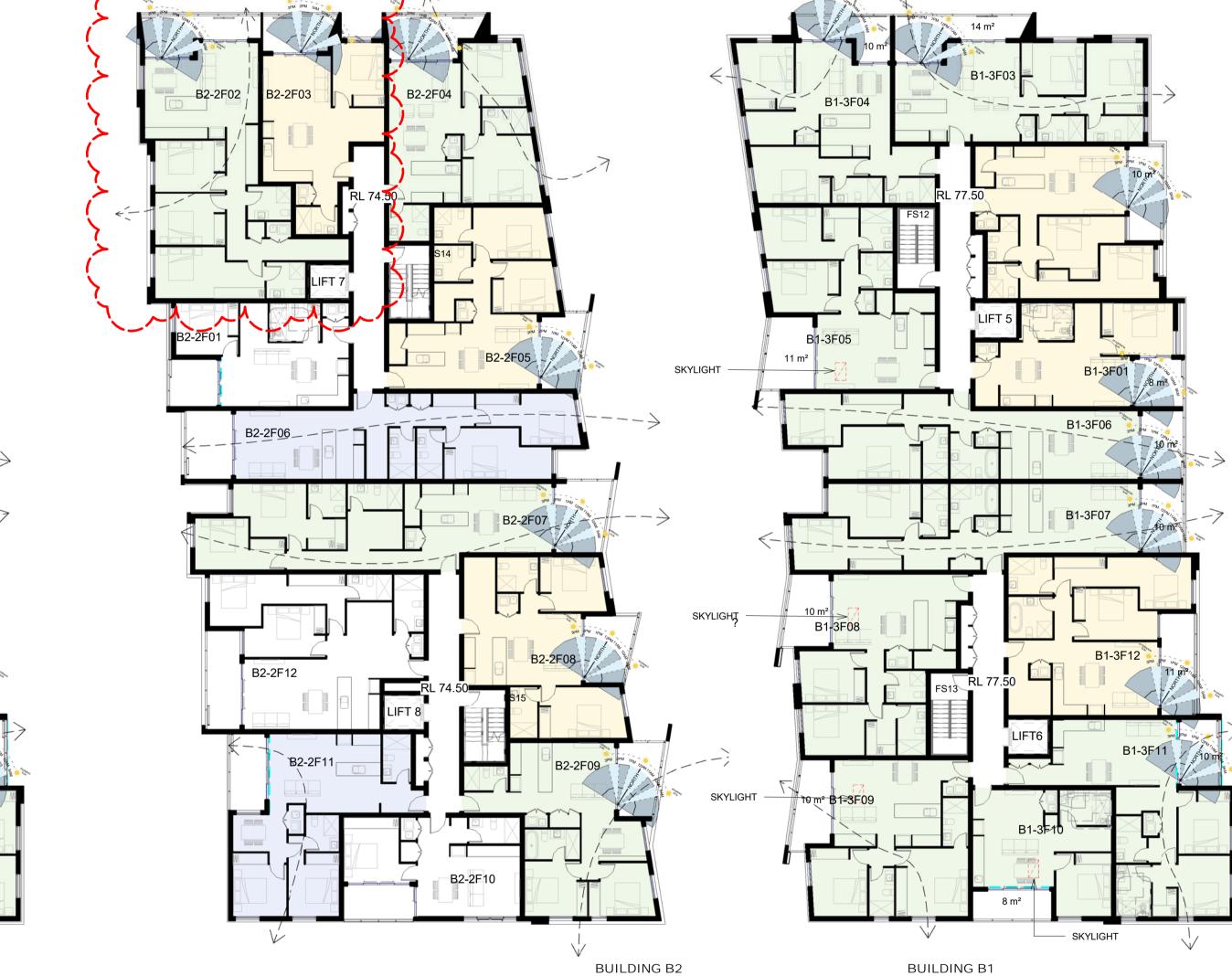
SOLAR & VENTILATION DIAGRAM LOT 2

## **DA SUBMISSION**









LOT 2 - L2 SOLAR & VENTILATION DIAGRAM

100mm

B1-2F05

200mm

300mm

400mm

500mm

LOT 2 - L3 SOLAR & VENTILATION DIAGRAM

700mm

1/02/2019 3:35:18 PM

Notes DA:

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15/01/2019 2 AMENDMENT FOR COUNCIL REQUIREMENT 1 22/06/2017 1 ISSUE FOR DA

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**RESIDENTIAL DEVELOPMENT** 

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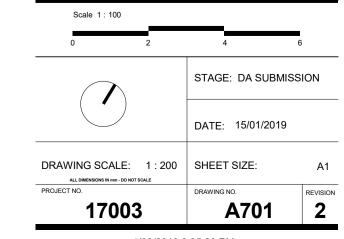
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TITLE ADG COMPLIANCE DIAGRAM LOT 1

**DA SUBMISSION** 



1/02/2019 3:35:29 PM

100mm

200mm

300mm

400mm

500mm

600mm

500mm

100mm

200mm

300mm

Notes DA:

600mm

500mm

100mm

200mm

300mm

Notes DA:

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1/02/2019 3:36:04 PM

700mm

LOT 1 - L4 STORAGE CALCULATION

ADP **BASEMENT 2** CARPARK **46 CAR SPACES** RL 62.50 Late-J-ADP >====== Later ADP ADP ADP ADP ADP FALL 1:8 RL 62.50 RAMP TO BASEMENT 1 **BUILDING B1** - CONVEX MIRROR

LOT 2 BASEMENT 2 1:200

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RESIDENTIAL **DEVELOPMENT** 

**105 CUDGEGONG ROAD, ROUSE HILL** 



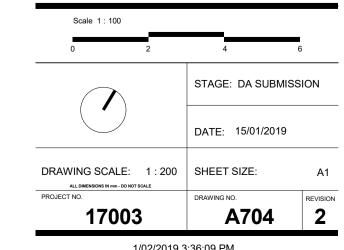
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ADG COMPLIANCE DIAGRAM LOT 1 & 2

### **DA SUBMISSION**



1/02/2019 3:36:09 PM

600mm

700mm

100mm 200mm 400mm 300mm 500mm

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DRAWING SCALE: 1:200 SHEET SIZE:

1/02/2019 3:36:15 PM

A705

ALL DIMENSIONS IN mm - DO NOT SCALE

17003

700mm

600mm



400mm

500mm

5 Omm

100mm

200mm

200mm

300mm

400mm

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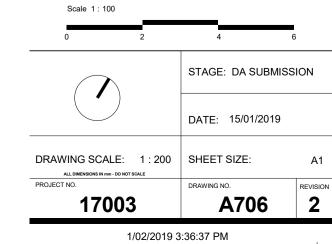
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ADG COMPLIANCE DIAGRAM LOT 2

### **DA SUBMISSION**



500mm 600mm 700mm

B1-3F04

ST.R. 3.9 m<sup>2</sup> B1-3F05

B1-3F08

ST.R. 1.7 m<sup>2</sup> B1-3F09

**BUILDING B1** 

ST.R. 2.5 m² ST.R. 1.7 m²

B1-3F03

B1-3F02

7450 ST.R. 2.6 m<sup>2</sup>

B1-3F01

7510 ST.R.

7950

7950

B1-3F10

ST.R. 1.8 m<sup>2</sup>

3.8 m²

1.8 m<sup>2</sup>

ST.R. 6.1 m<sup>2</sup>

B1-3F11 ST.R.

3.2 m<sup>2</sup>

LOT 2 - L3 STORAGE CALCULATION

ST.R.

3.3 m<sup>2</sup>

B2-3F03

B2-3F01

ST.R. 3.6 m<sup>2</sup>

> B2-3F06 ST.R.

6.1 m<sup>2</sup>

ST.R. 5.0 m<sup>2</sup>

ST.R.

B2-3F02

12000

12050

12000

ST.R. 2.5 m<sup>2</sup>

B2-3F04

B2-3F05

ST.R. 6.5 m² B2-3F07

B2-3F08

B2-3F10

25080

ST.R.

7500 3.2 m<sup>2</sup>

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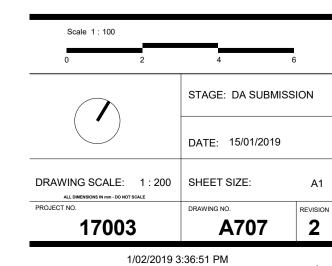
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T1 E

ADG COMPLIANCE DIAGRAM LOT 2

**DA SUBMISSION** 



BUILDING B2





400mm

EASTERN STREET SCAPES

200mm

100mm

500mm 600mm 700mm

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TITLE

PERSPECTIVE

### **DA SUBMISSION**

1/02/2019 3:39:28 PM

# CLAUSE 4.6 VARIATION TO CLAUSE 4.3 – HEIGHT OF BUILDINGS OF APPENDIX 6 – AREA 20 PRECINCT PLAN OF THE STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

#### 1. Introduction

This submission seeks a variation to Clause 4.3 under Appendix 6 – Area 20 Precinct Plan of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Sydney Region Growth Centres SEPP), which relates to building height.

This submission has been prepared with regards to a development application seeking demolition of existing buildings and the construction of a residential flat complex comprising four (4) x four (4) storey residential flat buildings for a total of 200 units with basement parking, associated landscaping and torrents title subdivision at No. 105 Cudgegong Road, Rouse Hill.

As detailed in this written request for a variation to building height being a development standard under Appendix 6 of the Sydney Region Growth Centres SEPP, the proposed development meets the requirements prescribed under Clause 4.6 within Appendix 6 of the Sydney Region Growth Centres SEPP – Area 20 Precinct Plan 2011.

This submission is made under Clause 4.6 within Appendix 6 of the Sydney Region Growth Centres SEPP – Exceptions to development standards. Clause 4.6 states the following:

#### "4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows:
  - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
  - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for a development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
  - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless:
  - (a) the consent authority is satisfied that:
    - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
    - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
  - (b) the concurrence of the Director-General has been obtained.

- (5) In deciding whether to grant concurrence, the Director-General must consider:
  - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
  - (b) the public benefit of maintaining the development standard, and
  - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
  - (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
  - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
  - **Note.** When this Precinct Plan was made it did not include any of these zones other than Zone E2 Environmental Conservation.
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
  - (a) a development standard for complying development,
  - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,
  - (c) clause 5.4."

The use of Clause 4.6 to enable an exception to this development control is appropriate in this instance and the consent authority may be satisfied that all requirements of Clause 4.6 have been satisfied in terms of the merits of the proposed development and the content in this Clause 4.6 variation request report.

Clause 4.6 Exceptions to development standards establishes the framework for varying development standards applying under a local environmental plan. Subclause 4.6(3)(a) and 4.6(3)(b) requires that a consent authority must not grant consent to a development that contravenes a development standard unless a written request has been received from the applicant that seeks to justify the contravention of the standard by demonstrating that:

"4.6(3)(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

4.6(3)(b) that there is sufficient environmental planning grounds to justify contravening the development standard."

In addition, 4.6(4)(a)(i) and (ii) requires that development consent must not be granted to a development that contravenes a development standard unless the:

- (a) the consent authority is satisfied that:
  - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

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

The Environmental Planning Instrument to which these variations relate to is Appendix 6 of the Sydney Region Growth Centres SEPP which relates to Area 20 Precinct Plan 2011.

The development standard to which this variation relates to is Clause 4.3 – Height of Buildings, which reads as follows:

- 1) The objectives of this clause are as follows:
  - (a) to establish the maximum height of buildings on land within the Area 20 Precinct,
  - (b) to minimise the visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,
  - (c) to facilitate higher density development in and around commercial centres and major transport routes.
- 2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Council's maps identify a maximum building height on the site of 12 metres. Refer to Figure 1.

**Environment** State Environmental Planning Policy (Sydney Region Growth Centres) 2006 North West Growth Centre Height of Buildings Map Sheet HOB 009 LEGEND Maxin num Building Height (m) J K M M N O P P3 R S T1 Source: NSW Legislation, SEPP (Sydney Region Growth Centres) 2006 Subject Site

Figure 1: Height of Buildings Map

The maximum proposed height for Lot 1 is 13.64m and 16.2m for Lot 2.

A written justification is therefore required for the proposed variation to the height of buildings development standard, in accordance with Clause 4.6 of the Area 20 Precinct Plan 2011.

# 2. Site Background

The subject site is commonly known as 105 Cudgegong Road, Rouse Hill, and is legally referred to as Lot 80 of Deposited Plan 208203. The site is located on the western side of Cudgegong Road.

The site is a rectangular shape, with a frontage of 72.045m to Cudgegong Road and a depth of 280.86m. The site measures 2.023ha in area.

In terms of its topography, the site falls to the north-east and south-west, and rises in the centre of the property.

Existing on the site is a two-storey brick dwelling. The site is accessed by a gravel driveway from Cudgegong Road. An overheard powerline transmission easement owned by Endeavour Energy exists on the property with a width of 30.48m. Refer to Figure 1 – Site Location Map.



Development in the area is largely characterised by similarly large lot rural residential lots. However, the subject site falls within the North West Growth Centre, a new land release area for the purposes of meeting Sydney's housing demands for the next two decades. As such, the area is increasingly the subject to new development applications. The Site Analysis Plan (Drawing No. A101) submitted within the architectural packages details the applications approved, with Council or at the Pre-DA stage in proximity to the site.

Specifically, the subject site is located within the Cudgegong Road Station (Area 20) Precinct. This precinct is centred on the North West Rail Link and rail station near Cudgegong Road and Schofields Road. The remainder of the precinct, dispersing from the railway station and central commercial area around it, is dedicated to housing and supporting infrastructure (i.e. schools

and green space), as outlined in the Precinct Indicative Layout Plan. Refer to Figure 2 – Precinct Indicative Layout Plan.

The subject site has not been identified as an item of heritage significance, nor is the located within a conservation area. There are no heritage items in the immediate vicinity of the site.

The site has not been identified containing native vegetation to be protected, nor is the site identified as being flood prone.

The site has been identified as bushfire prone land.

The site has been identified as having moderate salinity potential.

The easternmost portion of the subject site is identified within the Sydney Region Growth Centres SEPP's land reservation acquisition maps as being dedicated local open space, zoned RE1 Public Recreation.

With reference to the Indicative Layout Plan, the subject site will be located within 800m of the Cudgegong Train Station. Bus routes are planned along Cudgegong Road, ensuring that the subject site will be accessible via public transport in the future.

## 3. Extent of Non-Compliance

As noted above, Clause 4.3 within Appendix 6 – Area 20 Precinct Plan 2011 of the Sydney Region Growth Centres SEPP states that a portion of the subject land is subject to a maximum building height of 12 metres.

Referring to the architectural plans submitted, it is noted that the maximum building height for Lot 1 is 13.64 metres and 16.2m for Lot 2, exceeding the maximum permitted by 1.64m and 4.2 metres respectively.

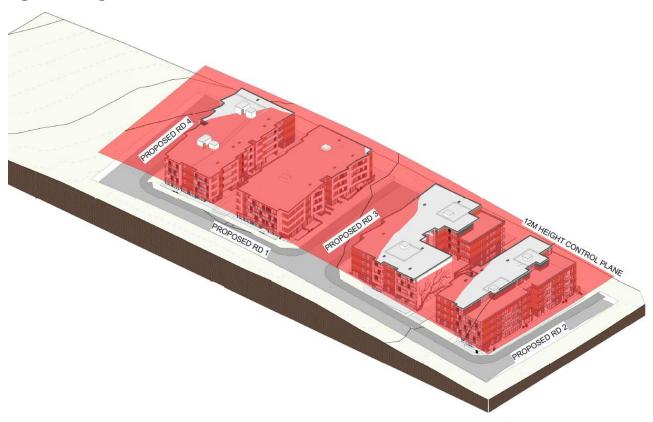
The variation sought is generally limited to the roof slab and lift overruns, with some minor breaches to the uppermost portions of units, in the case of Lot 1. For Lot 2, a similar element of some roof slab exceeds the height, however the communal open space structures and lift overrun to access the space on Building 2 also exceed the height.

The amount of habitable floor space in breach of the height control has been assessed to determine the degree of breach. It is noted that in each instance of a breach, it is only a partial variation and not the entire room, measured from floor to ceiling, exceeding the standard. For Lot 1, a total of  $1,188\text{m}^2$  of habitable area exceeds the height control, being 13.7% of the gross floor area of the development. For Lot 2, only  $174\text{m}^2$  of the gross floor area exceeds the height control, being 2% of the proposed gross floor area.

Although the proposal breaches the height of buildings control, the development achieves appropriate building envelopes and separation to the adjacent future residential land. It is also worth noting that the development does comply with solar access, cross ventilation, site coverage, landscaped area, communal open space, and deep soil requirements.

Reference should be made to Figure 3 – Height Plane on the following page that demonstrates the areas of variation.

Figure 3 - Height Plane



Source: Dreamscapes Architects

Whilst a variation is sought, it is considered that the built form proposed is suitable for the site, given the future development context and character within the Cudgegong Road development area of the North West Growth Centre.

# 3. Is Compliance With the Development Standard Unreasonable or Unnecessary in the Circumstances of the Case?

The proposed variation from the development standard is assessed against the required tests in Clause 4.6. In addition, in addressing the requirements of Clause 4.6(3), the accepted five possible approaches for determining whether compliances are unnecessary or unreasonable established by the NSW Land and Environment Court in *Wehbe vs Pittwater Council (2007) LEC 827* are considered.

In the matter of Four2Five, the Commissioner stated within the judgement the following, in reference to a variation:

"...the case law developed in relation to the application of SEPP 1 may be of assistance in applying Clause 4.6. While Wehbe concerned an objection under SEPP 1, in my view the analysis is equally applicable to a variation under Clause 4.6 where Clause 4.6 (3)(a) uses the same language as Clause 6 of SEPP 1."

In the decision of *Wehbe vs Pittwater Council (2007) LEC 827*, Preston CJ summarised the five (5) different ways in which an objection under SEPP 1 has been well founded and that approval of the objection may be consistent with the aims of the policy. The five possible ways are as set out below:

First	The most commonly invoked way is to establish that compliance with the
	development standards is unreasonable or unnecessary because the objectives of

	the development standard are achieved notwithstanding non-compliance with the standard.  The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. If the proposed development proffers an alternative means of achieving the objective,
	strict compliance with the standard would be unnecessary and unreasonable. (applicable)
Second	A second way is to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary. (not applicable)
Third	A third way is to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable. (not applicable)
Fourth	A fourth way is to establish that the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable. (not applicable)
Fifth	A fifth way is to establish that "the zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary. (not applicable)

In respect of the height of buildings standard, the first method is invoked.

The objectives supporting the maximum height of buildings standard identified in Clause 4.3 are discussed below. Consistency with the objectives and the absence of any environmental impacts, would demonstrate that strict compliance with the standards would be both unreasonable and unnecessary in this instance.

The discussion provided below demonstrates how the proposal is consistent with the objectives of Clause 4.3.

- 1) The objectives of this clause are as follows:
  - (a) to establish the maximum height of buildings on land within the Area 20 Precinct,
  - (b) to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,
  - (c) to facilitate higher density development in and around commercial centres and major transport routes.

The proposed development generally responds to the maximum height of buildings control, and the other controls applicable to the site, in establishing a design consistent with the desired future character of the area. The maximum height proposed is 13.64m for Lot 1 and 16.2m for Lot 2 as measured from existing ground level, resulting in a numerical breach of 1.64m for Lot 1 and 4.2m for Lot 2.

In terms of the second objective, the proposed development is considered to not have an unreasonable visual impact on the locality given the land is zoned and the controls prescribed to the site permit a development generally of this scale. The site is located within the North West Growth Centre in an R3 Medium Density Residential zoned area. The subject site and its surrounds are to be subject of significant development over next 20 years in the accordance with the recent land releases. It is worth noting approved developments within the area, particularly that of 25 Macquarie Road, Rouse Hill, being for 6 x 4 storey residential flat buildings and greater than 300 units, and those proposed such as the adjoining property to the south-west, 84 Tallawong Road,

which proposes 6 x 4 storey residential flat buildings containing 367 units. The size and scale of the development is comparable, noting that Macquarie Road was approved with a height variation.

Notwithstanding the above similar development, the proposed development has been designed with a high architectural quality that encourages attractive design outcomes for future development in the area. Compliance has been achieved with the majority of Council's controls in terms of setbacks, with variations only sought to incorporate articulation where the controls do not specifically encourage it along the secondary street frontages and fourth storeys. The built form aside, both Lot 1 and 2 provide for ample communal spaces, landscaped area and deep soil.

An attractive material selection and colour palette has also been proposed. Refer to the submitted material and finishes schedule. The buildings leave a positive impression on the future streetscapes.

The proposed variations to the height control are considered minor and generally limited to lift overruns and minor portions of the roof, aspects of the development that will not be immediately 'read' from the streets.

In terms of solar access to buildings and open space, the proposed built forms are consistent with the separation requirements to adjoining properties, ensuring the development of 95 Cudgegong Road is not unfairly constrained. The public open space, being the future Lot 3, will not be impacted by the development in terms of solar access.

Finally, with regard to objective (c), the site is located within 800mm of Cudgegong Road Station (and therefore the defined pedestrian catchment of the train station) and 100m of Cudgegong Road, a future highly accessible road per Figure 3-2: Public Transport Network within Schedule 4 Cudgegong Road Station (Area 20) Precinct replicated on the following page. Consequently, it is located in an area in proximity to major transport routes where higher density is encouraged. The proposal is accordingly suitable for the location.

The objectives of Clause 4.3 are reasoned to be achieved in this instance.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standard.

**Public Transport Network** Precinct boundary Bus route Creek line Indicative bus stop location Signalised intersections 400m Pedestrian catchment for bus stops Proposed Strategic bus corridors 800m Pedestrian catchment for train station

Figure 4 - Public Transport Network Map

Source: Schedule 4 of Cudgegong Road (Area 20) Precinct Plan

# 4. Are there Sufficient Environmental Planning Grounds?

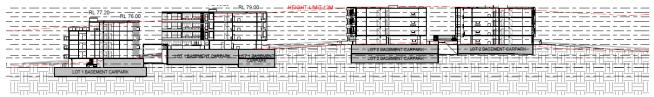
The assessment above demonstrates that the resultant environmental impacts of the proposal will be satisfactory.

For Lot 1, the maximum proposed variation is 1.64m and is contained primarily to lift overruns and partial roof slabs and is driven by the slope of the site and the necessity to provide greater 4.5m clearance to the basement artificially raising the building.

As the section below demonstrates there is a steady change in the elevation of the site. This proposes a challenge to manage the built form and respond to the site. It is submitted that this has been achieved, noting the treatment of the westernmost point (at the bottom of the slope on the

developable land), being the stepping of Building A1. Reference should be made to the full section in the architectural drawing set, being Drawing No. A311.

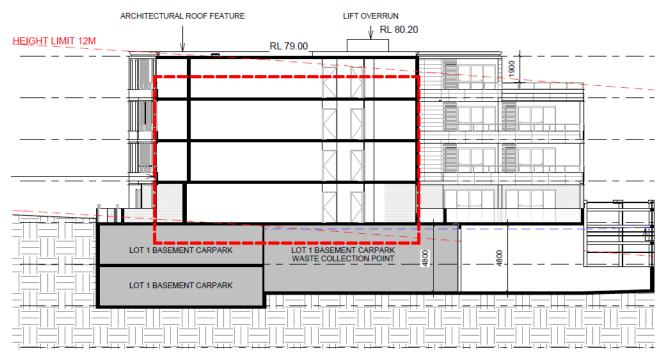
Figure 5 - Longitudinal Section



Source: Dreamscapes Architects, Drawing No. A311

Finally, to accommodate Council's request to provide 4.5m clearance for waste vehicles to access the basement for collection, part of the built form of Lot 1 is artificially increased in height. Refer to the section below that indicates the outline of the building envelope were the 4.5m clearance would not be required superimposed on the proposed building envelope. As this demonstrates, the floor space would be entirely below the height limit, with a minor variation to the lift overrun, were the additional height clearance not required.

Figure 6 -Height Clearance Comparison for Lot 1



Regarding Lot 2, the maximum variation sought is 4.2m relating to the part of the roof slab and lift overruns. However, the greatest extent of the variation sought is to the lift overrun of the communal open space on Building B2.

The rooftop communal open space is proposed to ensure a high quality space is provided for the benefit of future residents that achieves good solar access. While the ground level space does achieve 2 hours of solar access, it is to a lesser extent than the rooftop space is able to achieve and also allows for a variety of spaces within the development. Disabled access to this space requires the lift overrun to extend to a higher point, being 4.2m above the height limit.

The emphasis of the breach in relation to the provision of the rooftop communal open space is exemplified by the percentage of habitable floor area above the height control being limited to 2% of the gross floor area of Lot 2. The resultant breach is therefore predominantly other factors adding to the amenity of the future residents of the development.

In this case, strict compliance with the development standard for height of buildings in the Appendix 6 of the Sydney Region Growth Centres SEPP – Area 20 Precinct Plan 2011 is unnecessary and unreasonable.

#### **5.** Is the Variation in the Public Interest?

Clause 4.6 states that the development consent must not be granted for development that contravenes a development standard unless the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is to be carried out.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standard under Part 5.

The development as proposed will be in the public interest as it is consistent with the objectives of Clause 4.3 as detailed above.

Furthermore, it is important to also consider the objectives of the R3 Medium Density Residential zone in relation to the development, which are as follows:

# **Zone R3 Medium Density Residential**

# 1. Objectives of the zone

- 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 following comments are made in relation to the zone objectives:

- The provision of additional residential accommodation in the Cudgegong Road Station Precinct fulfils the purpose of the land release, to provide for the housing needs of Sydney residents in the future. The proposed residential flat buildings are at a medium density scale.
- A variety of unit types are proposed, including 1, 2 and 3 bedroom units.
- The proposal includes land zoned RE1 Public Recreation which is to be dedicated to providing parkland for the future residents of the area.
- The proposal is only for residential use.

Given the above, the proposed development meets the objectives of the zone.

It is considered that this submission provides sufficient environmental planning grounds to justify contravening the development standards, noting the development will be in the public interest.

# 6. Public Benefit of Maintaining the Standard

It is considered that the public benefit will not be undermined by varying the standard. The proposal provides for the orderly and economic development of the site. Given the site's orientation, location and context it is considered that the site is well suited for the development, given its location and proximity to similar scaled developments, local infrastructure and other amenities.

The built form, bulk and scale is considered suitable within the context of the Cudgegong Road Station (Area 20) Precinct within the North West Growth Centre and is consistent with approved developments within the area, particularly that of 25 Macquarie Road, Rouse Hill, and those proposed such as the adjoining property to the south-west, 84 Tallawong Road.

The development is generally consistent with the current planning controls and as detailed under point 4 of this submission. The provision of basement levels will remove the burden of on-street parking in the area.

It is not considered that the variation sought raises any matter of significance for State or regional environmental planning.

The departure from the building height control within the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 allows for the orderly and economic development of the site in a manner which achieves the outcomes and objectives of the relevant planning controls.

### 7. Is the Variation Well Founded?

It is considered that this has been adequately addressed in Parts 4 and 5 of this submission. In summary, this Clause 4.6 Variation is well founded as required by Clause 4.6 of the Appendix 6 of the Sydney Region Growth Centres SEPP in that:

- Compliance with the development standards would be unreasonable and unnecessary in the circumstances of the development;
- There are sufficient environmental planning grounds to justify the departure from the standards;
- The development meets the objectives of the standard to be varied (height of buildings) and objectives of the R3 Medium Density Residential zoning of the land;
- The proposed development is in the public interest and there is no public benefit in maintaining the standard;
- The breach does not raise any matter of State of Regional Significance; and
- The development submitted aligns with the predominantly mixed use/residential nature of the neighbourhood.

Based on the above, the variation is considered to be well founded.

### 8. General

Clause 4.6 also states that:

"(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone

- E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
  - (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
  - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.
  - **Note.** When this Precinct Plan was made it did not include any of these zones other than Zone E2 Environmental Conservation
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
  - (a) a development standard for complying development,
  - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,
  - (c) clause 5.4."

This variation does not relate to the subdivision of land in the stated land use zones. The variation sought is not contrary to subclause (6).

Should the exception to the development standard sought under this submission be supported by Council, the Council must retain a record of the assessment of this submission.

The development proposed is not complying development.

A BASIX certificate has been prepared in relation to the proposed development and is submitted under separate cover.

Clause 5.4 is not applicable in this instance.

## 9. Conclusion

The proposal does not strictly comply with the maximum building height controls as prescribed by Clause 4.3 of Appendix 6 – Area 20 Precinct Plan of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Having evaluated the likely affects arising from this non-compliance, we are satisfied that the objectives of Clause 4.6 of the Appendix 6 – Area 20 Precinct Plan of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 are satisfied as the breach to the controls does not create any adverse environmental impacts.

Consequently, strict compliance with this development standard is unreasonable and unnecessary in this particular instance and that the use of Clause 4.6 of the Appendix 6 – Area 20 Precinct Plan of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to vary this development controls is appropriate in this instance.

Based on the above, it is sensible to conclude that strict compliance with the maximum building height is not necessary and that a better outcome is achieved for this development by allowing flexibility in the application.

Should you have any questions, please do not hesitate to contact me.

Darren Laybutt **GAT & Associates** Plan 3021