

Memo Sydney Central City Planning Panel

Subject: DA 689/2020/JP (PPSSCC-50) – Demolition of existing structures and construction of a residential flat building development containing 272 units and associated landscaping, civil and subdivision works.

Site: 23-31 Ashford Avenue and 15-23 Partridge Avenue Castle Hill

Date: 17 June 2020

From: Cynthia Dugan, Development Assessment Co-ordinator
The Hills Shire Council

The purpose of this memo is to advise the Sydney Central City Planning Panel of Council Officer's recommended changes to draft conditions for the subject Development Application for consideration at tomorrow's Sydney Central City Planning Meeting.

The Applicant requested changes to the draft conditions on 3 June 2020 (see Attachment A). One of these emails was received after the Council Assessment report was distributed to the Panel. Council Officer's recommended changes to the draft conditions in the Council Assessment Report and a response to the requested changes are provided below.

Council Officer's recommended changes to draft conditions:

1. Condition No. 1 be updated to reflect the following references:

REFERENCED PLANS AND DOCUMENTS

DA-110-006	Basement 02	M O	18/11/2019 20/03/2020
DA-110-007	Basement 01	P Q	27/02/2020 20/03/2020
DA-110-100 110	Roof Level 2	K	22/05/2020

2. Condition 41(d) be updated to reflect the correct reference to the stormwater drawings as below:

Plan	Rev	Date
004 000	C	19/05/2020

3. The addition of Condition 52a Tree Removal on Public Land condition:

52a. Tree Removal on Public Land

Approval is granted for the removal of nine (9) existing trees which are located on the adjoining nature strip, numbered 23, 25, 103, 105, 108, 109, 119, 120 & 121 in the in Arboricultural Impact Assessment Report prepared by Rain Tree Consulting dated 14/11/19 which will be impacted by works associated with the development.

All tree works must be undertaken by the owner/applicant at their cost. Prior to any works commencing on site, the owner/applicant must provide the following details to The Hills Shire Council's Manager – Environment & Health:

- Time and date of when the tree works will occur;
- Full details of the contractor who will be undertaking tree works (Minimum AQF level 3 Arborist);
- Current copy of the contractors Public Liability Insurance (Minimum \$10,000,000).

Note: The owner/applicant is to keep a photographic record pre and post tree removal works of the tree and surrounding Council infrastructure (e.g. concrete footpath, kerb & gutter) and provide these to Council upon request. The grass verge must be reinstated with any holes filled to existing natural ground level.

4. The addition of the following words marked in red to Condition 49:

49. Reconstruction of Existing Inter-Allotment Drainage Line

Prior the release of ANY construction certificate for building works excluding above ground demolition and site piling, reconstruction of the existing inter-allotment drainage line must be completed. This must include the following:

1. Approval from Council of the new design for the inter-allotment drainage under the Provisions of the Local Government Act 1993 Section 68, and construction of the new inter-allotment drainage line and removal of the existing drainage line.
2. Once the stormwater drainage work is completed a works as executed plan must be prepared in accordance with Councils Design Guidelines Subdivisions/Developments and submitted to Councils Principal Coordinator – Subdivision and Release Areas for written approval. The works as executed plans must be prepared by a civil engineer or registered surveyor on a copy of the original approved plans.
3. A Letter from a registered surveyor must be provided with the works as executed plan certifying that all piped and drainage structures are located within the proposed easement to drain water.
4. The registration of a 3m Wide easement to drain water over 23 Partridge Ave Castle Hill and 23 Ashford Ave Castle or equivalent area if lots a consolidated prior registration of the easement.

Council Officer's response to Applicant's request to amend conditions 36, 45, 46 and 87

- *Condition 36: Section 7.11 Contributions. An amendment, to allow Section 7.11 contributions to be paid prior to approval of the first CC for above ground works.*

Council Officer response: Not supported. This is a standard condition as required under Contributions Plan No. 19 Showground Station Precinct.

- *Condition 45: Additional wording "This bond should only be paid prior or at the time of the Developer obtaining Section 138 Roads Act approval for above ground work".*

Council Officer response: Not supported. This is a legislated bond. This bond relates to the building works not subdivision works. We expect this bond would be paid before even an early works Construction Certificate is issued; as the truck movements associated with those works would be a possible cause for damage to the surrounding public infrastructure.

- *Condition 46: Additional wording “ This bond should only be paid prior or at the time of the Developer obtain Section 138 Roads Act approval for these civil works. “*

Council Officer response: Not supported. This is a legislated bond. This bond is taken to ensure the external/ subdivision works are completed and so needs to be taken before the first Construction Certificate is issued for the development. There is no justification offered as to why this should be linked to the Roads Act 1993 approval for the external works.

- *Condition 49: Wording to be changed to ”Prior the release of any construction Certificate for building works excluding above ground demolition and site piling”*

Council Officer response: The purpose of this condition is to ensure building works do not commence (noting the first building/ early works for a development of this nature is normally bulk earthworks and excavation for the basement). As the existing stormwater line dissects the site down the middle, the purpose of the condition is to ensure those works do not start before the realigned pipeline is constructed otherwise the risk is the site/ excavation will be flooded. Site piling would be grouped into this category of works. There would be no objection raised if the existing dwellings were demolished before those stormwater works. In this regard, the condition has been amended accordingly.

- *Condition 87: “Landscaping of the site shall be carried out prior to the final Occupation Certificate. “*

Council Officer response: As per recent reforms, the former provisions including the interim and final OC will not apply to this subject development consent. It is recommended that the condition with the current wording “*Landscaping of the site shall be carried out prior to any Occupation Certificate*” remain as is.

- *Also we cannot see any reference in this approval to our submitted Stratum plans.*

Council Officer response: This has been incorporated into the draft conditions in the submitted Council Assessment Report.

Attachment A: Applicants requests to change draft conditions submitted on 3 June 2020

From: Poonam Chauhan [mailto:PChauhan@deicorp.com.au]
Sent: Wednesday, 3 June 2020 2:56 PM
To: Cynthia Dugan
Cc: Greg Colbran; Joelle Khnouf
Subject: (ECM:18893480) RE: 689/2020/JP Draft Conditions

Hi Cynthia,

In addition to Greg's email, please find below additional minor changes for your consideration:

REFERENCED PLANS AND DOCUMENTS (some of the drawing references are incorrect)

DA-110-006	Basement 02	M O	18/11/2019 20/03/2020
DA-110-007	Basement 01	P Q	27/02/2020 20/03/2020
DA-110- 100 110	Roof Level 2	K	22/05/2020

Condition 8- See Tree Removal on Public Land condition for tree removal on the Council Verge.

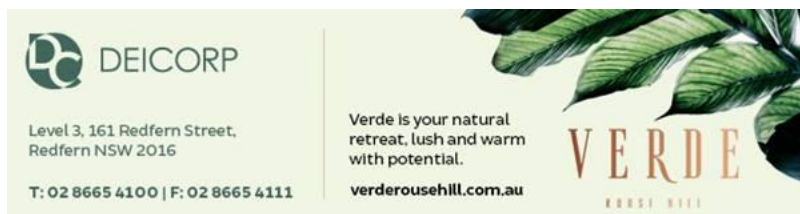
But we council verge trees removal conditions of consent.

- Trees 23, 25, 103, 105, 108, 109, 119, 120, 121 are to be removed because of the widening of the roadway / inclusion of indented parking bays as per council requirements. And they are part of the proposed DA submission and Arborist report.

Condition 41(d)- Stormwater drawings as below:

Plan	Rev	Date
001 000	C	19/05/2020

Kind Regards,
Poonam Chauhan
Development Manager
E: pchauhan@deicorp.com.au
W: www.deicorp.com.au



From: Greg Colbran <GColbran@deicorp.com.au>
Sent: Wednesday, 3 June 2020 1:38 PM
To: Cynthia Dugan <cdugan@thehills.nsw.gov.au>
Cc: Fouad Deiri <FD@deicorp.com.au>; Poonam Chauhan <PChauhan@deicorp.com.au>
Subject: RE: 689/2020/JP Draft Conditions

Hi Cynthia

It would be greatly appreciated if you could incorporate the following minor changes .

- Condition 36: Section 7.11 Contributions . An amendment ,to allow Section 7.11 contributions to be paid prior to approval of the first CC for above ground works .
- Condition 45: Additional wording ."This bond should only be paid prior or at the time of the Developer obtaining Section 138 Roads Act approval for above ground work."
- Condition 46 : Additional wording " This bond should only be paid prior or at the time of the Developer obtain Section 138 Roads Act approval for these civil works. "
- Condition 49: Wording to be changed to ."Prior the release of any construction Certificate for building works excluding above ground demolition and site piling"
- Condition 87: "Landscaping of the site shall be carried out prior to the final Occupation Certificate. "

Also we cannot see any reference in this approval to our submitted Stratum plans .

Can you please add these into the reference plans and documentation page .

Thank you for finalizing the DA conditions and I am hoping the above minor changes can be incorporated in your final report .

Thanks

Kind Regards,
Greg Colbran
Development & Planning Executive
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W: www.deicorp.com.au

