

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-82
DA Number	1093/2020/JP
LGA	The Hills Shire Council
Proposed Development	Residential Flat Building Development containing 110 Units and Subdivision of One Lot into Two Torrens Title Lots
Street Address	13 Red Gables Road and 9, 9A, 9B Janpieter Road, Gables Lots 421 – 424 DP 1183810
Applicant/Owner	Three Fratelli Pty. Ltd. C/ J Cappello JA Capello
Consultant/s Architect: Town Planner: Surveyor: Landscape Architect: Acoustics: Accessibility: Bushfire: BASIX: Engineering: Quantity Surveyor: Waste: Traffic: Ecology: Trees: Wastewater:	Architex Think Planners G.J. Atkins & Associates Consulting Land Surveyors A Total Concept Landscape Architects Acouras Consultancy Vista Access Architects Bushfire Planning Services Pty. Ltd. Outsource Ideas Pty. Ltd. Malcolm Smith Pty. Ltd. Construction Consultants Dickens Solutions Pty. Ltd. GTK Consultants Niche Environment & Heritage Birds Tree Consultancy Jaycap Constructions
Date of DA lodgement	18 February 2020
Number of Submissions	46
Recommendation	Refusal
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Development that has a capital investment value of more than \$30 million.
List of all relevant s4.15(1)(a) matters	• The Hills Local Environmental Plan 2019 • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy – Building Sustainability Index (BASIX) 2009 • State Environmental Planning Policy No. 55 – Remediation of Land • The Draft Hills Local Environmental Plan 2020 • Sydney Region Environmental Plan No. 20 (Hawkesbury-Nepean River) No. 2 – 1997. • Central City District Plan • Apartment Design Guide • The Hills Development Control Plan 2012 • Environmental Planning and Assessment Regulation 2000
List all documents	• Copies of submissions

submitted with this report for the Panel's consideration	Copies of correspondence relating to the provision of sewer
Clause 4.6 requests	Not Applicable
Summary of key submissions	- Traffic, safety and amenity impacts - Inadequate infrastructure - Opposition to high density apartment building development - Vehicular access to site - Number of units in development and unit composition
Report prepared by	Harrison Depczynski Senior Town Planner
Report date	19 November 2020

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)? **No**
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Not Applicable**
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

EXECUTIVE SUMMARY

1. The key issues that need to be considered by the Panel in respect of the development application are:
 - The Planning Secretary has not certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the proposed lots (Clause 6.2 of the LEP).
 - The proposal relies on a preceding subdivision development application, to create the allotment and provide vehicular access to the site, which has not been determined.
 - Insufficient information has been provided as to whether public utility infrastructure (the disposal and management of sewage) that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required (Clause 6.3 of the LEP).
 - Proposed variations to The Hills Development Control Plan 2012 with respect to basement setbacks, landscape area, building length, apartment mix, and cut.
 - Outstanding engineering and resource recovery matters with respect to car spaces and waste disposal.
 - Matters raised in submissions.
2. Assessment of the application against the relevant planning framework and consideration by technical staff (planning, waste, engineering, environmental health, land information, developer contributions, landscaping) has identified outstanding information and issues that have not been satisfied.
3. The development application is considered unsatisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.
4. This report recommends that the Panel refuse the application for the reasons outlined in the recommendation of this report.

BACKGROUND

The parent site is known as No. 13 Red Gables Road and Nos. 9, 9A, 9B Janpieter Road, Box Hill; and legally described as Lots 421 – 424 DP 1183810. It comprises 5 allotments and is located on the intersection of Red Gables Road and Janpieter Road, Box Hill.

The development relates to proposed residue lot 105 in an unapproved subdivision application 799/2020/ZB (refer Attachment 15). The development is reliant on this underlying subdivision to create the development (Lot 105) and construct public roads to facilitate the proposal.

The subdivision application also proposes to vary the Box Hill North DCP Indicative layout Plan (ILP) (refer Attachment 16) for the site to enable the R4 portion of land (residue lot 105) to be developed as a whole. The current ILP layout would otherwise constrain its development requiring the creation of separate residue lots to be future developed in conjunction with the adjoining property (Lot 3100 DP 1241081). The adjoining property owner (formerly Celestino) submitted concept plans under approved DAs 964/2016/ZB and 2051/2018/ZB indicating a potential north-south road hard up against the western boundary of the subject site (refer Attachment 17). The proposed development has accounted for this potential future road. It is also noted that the adjoining property owner (formerly Celestino, now Stockland) has not raised an objection to the proposed layout under the subdivision application or the subject development application.

The subdivision application was lodged on 9 December 2019 and outstanding matters relating to wastewater servicing and the provision of a State voluntary planning agreement are delaying its determination. These issues also relate to this application and are discussed section 2.

The subject development application was lodged on 18 February 2020.

The development site (Lot 105) will have an area of 13,098m² and will contain a frontage of 270.6m to its eastern boundary, a frontage of 277m to its western boundary, a frontage of 43.5m to its southern boundary (plus a splay of 6.2m) and a frontage of 47.5m to its northern boundary.

The site will be bound by public roads to its north (Red Gables Road) and south, and a public road and 5m wide public drainage reserve/pathway to its east. Land adjacent to the western boundary is currently undeveloped.

Additional information was requested from the applicant on 29 April 2020, 4 August 2020 and 16 October 2020 regarding a number of matters including engineering, resource recovery, landscaping, compliance with the ADG and DCP, and Clauses 6.2 (State public infrastructure) and 6.3 (public utility infrastructure) of the LEP. The applicant was advised that the information submitted regarding Clause 6.3 (public utility infrastructure) of the LEP was insufficient for the purposes of satisfying the clause and further information was required. The applicant was also advised that without the provision of a State VPA over the site, Clause 6.2 of the LEP (State public infrastructure) could not be satisfied. The information requested in correspondence sent to the applicant on 16 October 2020 remains outstanding which includes engineering and resource recovery matters discussed in Section 11 of this report.

DETAILS AND SUBMISSIONS

Owner:	Three Fratelli Pty. Ltd. J. Capello JA. Capello
Zoning:	R4 Medium Density Residential R2 Low Density Residential
Area:	Proposed Lot 105: 13,098m ²
Existing Development:	Vacant
Section 7.11 Contribution	\$4,928,688.38
Exhibition:	Not required
Notice Adj Owners:	1 st Notification Period: 14 days 2 nd Notification Period: 14 days
Number Advised:	84
Submissions Received:	43

PROPOSAL

The proposal is for a residential flat building development containing 110 units and subdivision of one lot into two Torrens title lots.

The proposal includes:

- Subdivision of proposed lot 105 (DA 799/2020/ZB) into two Torrens title allotments:
 - o Lot 601 – 6573m²
 - o Lot 602 – 6525m²
- 4 x four-storey residential flat buildings containing a total of 110 units:
 - o Lot 602
 - Building A – 28 Units
 - Building B – 27 Units
 - o Lot 601
 - Building C – 28 Units
 - Building D – 27 Units

- Overall Unit Mix:
 - o 11 x 1 bedroom units (10%)
 - o 88 x 2 bedroom units (80%)
 - o 11 x 3 bedroom units (10%)
- Two separate basement levels (one on each lot) providing a total of 253 car parking spaces comprising 209 resident and 44 visitor spaces.
- Rooftop communal open space on Buildings A, B and C.
- Vehicular access to the site is proposed from future public roads to be constructed in Stage 2 of DA 799/2020/ZB (refer Attachment 15).

The proposed built form is generally satisfactory with minor outstanding matters regarding car parking and resource recovery able to be resolved.

ISSUES FOR CONSIDERATION

1. State Environmental Planning Policy (State and Regional Development) 2011

Part 4 and Schedule 7 of SEPP (State and Regional Development) 2011 provides the following referral requirements to the SCCPP:-

- General development that has a capital investment value of more than \$30 million.

The proposed development has a Capital Investment Value of \$37,877,911 thereby requiring determination by the SCCPP.

2. The Hills Local Environmental Plan 2019

a. Permissibility

The site is zoned R4 Medium Density Residential and R2 Low Density Residential under The Hills Local Environmental Plan 2019. The development is defined as residential flat buildings.

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

Residential flat buildings are permitted with consent in the R4 High Density Residential Zone however are prohibited in the R2 Low Density Residential Zone. The development seeks to utilise the provisions of Clause 5.3 of the LEP to permit the development within the portion of land zoned R2 Low Density Residential. This is discussed in (d) below.

b. Zone Objectives

The site is zoned R4 Medium Density Residential and R2 Low Density Residential under The Hills Local Environmental Plan 2019.

The objectives of the R4 zone are:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage high density residential development in locations that are close to population centres and public transport routes.*

The proposed modifications are consistent with the above objectives of the R4 High Density Residential zone as they provide for the housing needs of the community within a high density residential environment close to the future Gables Town Centre that will include a school, shops and public transport routes.

In view of the above, it is considered that the proposal satisfies the R4 High Density Residential zone objectives under The Hills LEP 2019.

With respect to the R2 Low Density Residential zone objectives, refer to (d) below.

c. Development Standards

The following table addresses the principal development standards of SEPP (SRGC) 2006:

CLAUSE	REQUIRED	PROVIDED	COMPLIES
4.1 Minimum subdivision lot size	1800m ² (R4 zone) 700m ² (R2 zone)	Lot 601: 6525m ² Lot 602: 6573m ²	Yes
4.1A Minimum lot sizes for dual occupancy, manor houses, multi dwelling housing and residential flat buildings	Residential flat buildings 4000m ²	Lot 601: 6525m ² Lot 602: 6573m ²	Yes
4.3 Height of buildings	16 metres (R4 zone) 10 metres (R2 zone)	The maximum building height for the development is 15.2 metres. There are no buildings located within the R2 zone that is subject to the 10m height limit.	Yes
4.4 Floor space ratio	There is no FSR specified for the site.	N/A	N/A

d. Clause 5.3 Development Near Zone Boundaries

The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.

This clause applies to the land that is within 20m of the boundary between the R4 High Density Residential zone and R2 Low Density Residential zone (refer Attachment 14).

Subclause (4) states the following:

- (4) *Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that—*
- (a) *the development is not inconsistent with the objectives for development in both zones, and*
 - (b) *the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.*

The R2 Low Density Residential zone prohibits residential flat buildings however a portion of the development site (up to 10m) is within the R2 zone. As shown in Attachment 14, the residential flat buildings are not located within the R2 Low Density Residential zone which only contains basement elements, a footpath and site landscaping.

The applicant has submitted the following with respect to Clause 5.3:

The relevant distance is 20m noting the area of encroachment is approximately 8m;

- *The zone is R2 and R4*
- *The site is not within the coastal zone*
- *The use is not sex services*
- *The development is not inconsistent with the objectives of the R2 or R4 zones, noting the R2 portion is in the front setback area of the development and the scheme is effectively a 'landswap' between the 2 triangular elements where the zone boundaries intersect with the site noting the zone boundary is not regular relative to the subdivision.*

The proposal is desirable given that:

- *The subdivision alignment and separation of the R2 and R4 land uses is provided by the proposed road and drainage reserve- rather than a defined zoning boundary and the zoning boundary would result in a poor outcome as the residential flat buildings would be much closer to the lower density development than as proposed;*
- *The development as proposed is the most efficient layout of the buildings and maximises a consistent setback to the boundaries of the square allotment rather than follow the arbitrary zone boundary alignment*
- *The development as proposed promotes compatible land use planning and the efficient and timely development of land.*

Comment:

The objectives of the R2 Low Density Residential zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain the existing low density residential character of the area.*

The development encroaches into the R2 Low Density Residential zone up to 10m which is within the relevant 20m distance to which Clause 5.3 applies.

With respect to clause 5.3(4)(a), the development is not considered to be inconsistent with the objectives of the R2 Low Density Residential Zone. Buildings and common open spaces are all located within the R4 portion of the site and only a pathway, landscaping, and a small segment of the basement will be located within the R2 zoned land. These elements are not

inconsistent with the objectives of the R2 Low Density Residential zone of maintaining the low density residential character of the area and providing for the housing needs of the community within a low density residential environment.

With respect to subclause (4)(b), the development and the allotment responds to a zoning boundary that runs at an irregular and non-perpendicular angle to Red Gables Road. The future 5m wide public drainage easement will provide greater 17m separation between the development and future low density residential land to the south-east. The proposal is considered to be compatible and will not restrict the adjoining sites to the south-east being developed in accordance with their low density residential zoning.

The development satisfies the provisions outlined in subclause (4) and is considered satisfactory with respect to Clause 5.3 of the LEP.

e. Clause 6.2 Arrangements for Designated State public infrastructure

This clause requires that satisfactory arrangements be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land.

Clause 6.2(2) states the following:

- (2) *Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than—*
- (a) *in relation to land shown as “Existing Urban Release” on the Urban Release Area Map—40 hectares, or*
 - (b) *in any other case—the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Planning Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.*

The site is within a mapped urban release area and involves the subdivision of land to a size of less than 40 hectares and therefore the provisions of this clause apply.

The site is also the subject of a preceding subdivision application (799/2020/ZB) which is to subdivide the parent sites creating the subject development lot and construct new public roads (New Road Nos. 2 and 3) which provide vehicular access to the development. Clause 6.2 is also applicable to subdivision application 799/2020/ZB and has delayed its determination. The applicant has advised they are currently in the process of negotiating a State Voluntary Planning Agreement with the Department of Planning, Industry and Environment (DPIE) however the timing for such an agreement being in place is uncertain. DPIE staff advised in an email to Council staff on 27 October 2020 that the State VPA was to be publicly notified (a minimum 28 day period). Following public notification, the Developer would then be required to provide evidence of the Planning Agreement being registered on the title of the land to which it applies. Upon evidence of the registration of the Planning Agreement on the title of the land being provided to the Department, then they would be in a position to progress the satisfactory arrangements certification for approval by the delegate. To date, the State VPA has not been publicly notified.

Given that the Planning Secretary has not certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure, development consent must not be granted.

The development is unsatisfactory with respect to Clause 6.2 of the LEP.

f. Clause 6.3 Public Utility Infrastructure

Clause 6.3(1) states the following:

- (1) *Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.*

Clause 6.1 of the LEP defines public utility infrastructure as any of the following:

- the supply of water,
- the supply of electricity,
- the disposal and management of sewage.

With respect to the supply of water, the applicant has submitted documentation from Sydney Water confirming that potable water supply can be made available to service the development.

With respect to the supply of electricity, the applicant has submitted documentation from Endeavour Energy which confirms there is sufficient capacity to accommodate the development.

With respect to the disposal and management of sewage, the applicant has not provided sufficient information to demonstrate that it will be available or that adequate arrangements have been made to make that infrastructure available when it is required. The Box Hill North urban release area is not serviced by Sydney Water sewer infrastructure. It is serviced by Flow Systems Pty. Ltd., a private company, licenced under the Water Industry Competition Act 2006 (WICA) to service the Box Hill North urban release area with wastewater and recycled water services. From correspondence submitted by the applicant, it is understood that the matter of the provision of sewage services to the property is complex and has involved the Department of Planning, Industry and Environment and the NSW Minister for Water, Property and Housing who are seeking to reach a mediated outcome between the applicant and the provider Flow Systems Pty. Ltd.

The applicant relies on a letter from Flow Systems to DPIE dated 3 July 2019 in which Flow Systems advises in Item 2 of the letter that they have never 'refused to service' the landowners of the subject site and that "*connections could be made available once the capacity was available - after the foundation developer had used its capacity*". Flow Systems then contends in Item 3 that their "[WICA] licence authorises, but does not obligate, Flow to provide services to any owner of land in its area of operations" and asserts in Item 4 that "*...there is nothing in the Water Industry Competition Act 2006 or Water Industry Competition (General) Regulation 2008 that obligates a licensee to ensure services are available on request for connection to any particular land located in its licensed area of operations.*" Item 7 of the letter then refers to an attachment where Flow Systems previously advised "*...capacity may be available by 2024 to the 800 lots [ie. available to non-principal developers] in 'Phase 2' if the principal developer instigated the provisions for Phase 2 capacity, ie. the second 2500 ET (equivalent tenements), in 2020.*"

The advice provided in this letter provides no certainty that adequate arrangements have been made to make sewer infrastructure available when it is required. This was raised with the applicant in requests for information on 29 April 2020, 04 August 2020 and 16 October 2020 where the applicant was requested to provide correspondence from Flow Systems providing greater certainty that there is sufficient capacity to service the development and that the sewer infrastructure will be available when required. The only further information provided by the applicant regarding this matter was correspondence between State MPs dated 2 January 2020 and 16 June 2020 seeking to mediate a solution between Flow Systems and the landowners, which indicates that the matter is ongoing and yet to be resolved.

Therefore it appears that this matter is unlikely to be resolved in the near term. The consent authority cannot be satisfied that sewage infrastructure is available or that adequate arrangements have been made to make that infrastructure available when it is required and therefore development consent must not be granted.

The proposal is unsatisfactory with respect to Clause 6.3 of the LEP.

3. State Environmental Planning Policy No. 55 Remediation of Land

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

Clause 7 of the SEPP states:-

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

A Stage 1 Preliminary Site Investigation and Stage 2 Detailed Site Investigation were carried out over the site in accordance with the relevant guidelines. A report was prepared and submitted with the application which concluded that the site could be safely developed for urban residential use. The report has been reviewed by Council's Environmental Health Officer and no objections were raised subject to conditions of consent.

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

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

The applicant has addressed this requirement through the preparation of BASIX certificates. These certificates confirm the proposed development will meet the NSW government's requirements for sustainability.

5. Sydney Region Environmental Plan No. 20 (Hawkesbury-Nepean River) No. 2 - 1997

The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

The development is unlikely to have detrimental impacts on the health of the environment of the Hawkesbury and Nepean River system.

6. The Draft Hills Local Environmental Plan 2020

The Draft Hills Local Environmental Plan 2020 was publicly exhibited from 10 July to 7 August 2020 and is currently with DPIE for finalisation, however this is not expected to occur until first half of 2021.

The objective of the draft LEP is to update the planning framework and reset the basis for decisions surrounding land use planning in The Hills Shire. It seeks to give effect to Hills Future 2036: Local Strategic Planning Statement (LSPS) and the NSW Government's Central City District Plan. The draft changes are required to be taken into consideration pursuant to Section 4.15 of the EP&A Act, being a *"proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority ..."*

Draft changes as of relevance to this development application include the amendment of Clause 5.3 to exclude all residential zones and the E4 Environmental Living zone from the operation of the clause. The intention of the amendment is to prevent inappropriate use of the clause to enable higher density development than intended.

The housekeeping amendment is in response to a 2016 development in York Road, Kellyville (576/2016/JP) that was refused by the Regional Planning Panel but appealed and upheld in the Land and Environment Court (*Namul v The Hills Shire Council [2016]*). One of the contentions in the court proceedings was the utilisation of Clause 5.3 to permit the large development which included six 5-storey residential flat buildings. The development included parts of the five-storey residential flat buildings encroaching up to 20m within the neighbouring R3 Medium Density Residential zone where the development was prohibited.

The subject development application was lodged on 18 February 2020, prior to the exhibition of the draft LEP amendments on 10 July 2020. The application has been assessed earlier in this report with respect to Clause 5.3 as it currently applies and is considered satisfactory. It would be unreasonable at this stage to require the applicant to amend the proposal and the underlying subdivision 799/2020/ZB as a result of the draft Clause 5.3 LEP amendment.

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

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

- A City for People
 - o Planning Priority C3 - Providing services and social infrastructure to meet people's changing needs.
 - o Planning Priority C4 - Fostering healthy, creative, culturally rich and socially connected communities.

Liveability is about people's quality of life. Maintaining and improving liveability requires housing, infrastructure and services that meet people's needs; and the provision of a range of housing types in the right locations. Liveability is about creating and renewing great places, neighbourhoods and centres, and providing services and social infrastructure to meet people's changing needs.

- Housing the City
 - o Planning Priority C5 - Providing housing supply, choice and affordability with access to jobs, services and public transport.

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

- A City of Great Places
 - o Planning Priority C6 – Creating and renewing great places and local centres, and respecting the District's heritage.

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

Comment:

The Central City District Plan seeks to provide housing supply which is diverse and affordable and which meets the needs of residents and which bring people together. The plan seeks to provide housing in locations which are easily accessible by public transport to reduce commuting time. Housing should be located in places which are liveable, walkable and cycle friendly. Housing should also respond to the changing needs of residents and consider single person and aging households. Great places are defined as areas which have a unique combination of local people, built form and natural features which reflect shared community values and which attract residents, workers and visitors.

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

- The proposal will provide a range of units types (1, 2 and 3 bedrooms) which will assist in meeting housing demands;
- The high density development is located in close proximity to the B2 Local Centre zone and will contribute to the viability of the future local centre in Gables;
- The site is located in close proximity to RE1 Public Recreation zoned land providing residents greater access to open space for enjoyment;
- To cater for the changing needs of residents and aging households, 11 units (10%) are capable of adaptation for access by people with all levels of mobility.

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

8. Compliance with State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Apartment Development

The proposal has been assessed against the SEPP 65 Design Principles and the provisions of the Apartment Design Guide (ADG) as outlined below.

a. Design Quality Principles

The development application was accompanied by a design verification statement prepared by Architex (Registered Architect No. 3972) with regard to the provisions of SEPP 65. The application has been assessed against the relevant design quality principles contained within the SEPP as follows:

(i) Context and Neighbourhood Character

The site is located within the Box Hill North urban release area in the newly created suburb of Gables. Box Hill North is a masterplanned release area, rezoned in 2015 from rural land to a mix of low, medium and high density residential land with a commercially zoned local centre to support the area with services and employment opportunities.

Currently, the immediate area is a mix of rural residential development and changing to urban development in accordance with the LEP and Box Hill North DCP. The future context and character of the area will be characterised by residential flat buildings, town houses, dwelling houses and development associated with the B2 Local Centre zoned land to the northwest of the site. The proposed residential flat building will contribute to the gradual redevelopment of what was previously rural / residential land and is appropriate within the envisioned future context of the site.

(ii) Built Form and Scale

The height of the development is consistent with the desired future built form and character of the site proposing a compliant maximum height of 15.2 metres. The development has incorporated balconies, setbacks and deep indentations in the building length to provide an appropriate bulk and scale.

(iii) Density

Appropriate densities are those that are consistent with the area's existing or projected outcome and are appropriate to the site and its context. The Hills Development Control Plan sets density ranges for residential flat building developments of 150-175 persons per hectare. The proposal contains a density of 174.7 persons per hectare within with the desired density range.

(iv) Sustainability

The design achieves satisfactory natural ventilation which contributes to the overall reduction in energy consumption, resulting in a lower use of valuable resources and the reduction of costs. BASIX and NATHERS certificates have been lodged. The energy rating of the residential units has been assessed and satisfies the BASIX requirements.

(v) Landscape

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

(vi) Amenity

Building design elements of the proposal including access/circulation, apartment layouts, ceiling heights, private open space, common open space, adaptability and diversity contribute to positive amenity outcomes for future residents. The proposal incorporates good design in terms of achieving natural ventilation, solar access, privacy and building separation.

(vii) Safety

The development achieves an appropriate level of safety and security within the development, with regard to the public domain and consideration to the principals and strategies outlined in Crime Prevention Through Environmental Design (CPTED).

(viii) Housing Diversity and Social Interaction

The development provides for an appropriate range of units types and sizes which respond appropriately to the site's social context.

(ix) Aesthetics

An appropriate composition of building elements, material textures and colours has been used in the design of the building.

The proposal is considered satisfactory with respect to the design quality principles.

b. Apartment Design Guide

The proposal has been assessed against the provisions of the Apartment Design Guide (ADG) as outlined below.

Clause	Design Criteria	Compliance									
Siting											
Communal open space	25% of the site 50% of the area achieves a minimum of 50% direct sunlight for 2 hours midwinter.	Yes 3,512.8m² of communal open space is provided covering 26.8% of the site. At least 50% of the communal open space receives minimum 2 hrs direct sunlight to 50% in midwinter.									
Deep Soil Zone	7% of site area. On some sites it may be possible to provide a larger deep soil zone, being 10% for sites with an area of 650-1500m² and 15% for sites greater than 1500m².	Yes 4,427.5m² of deep soil zones are provided covering 33.8% of the site.									
Separation	<table border="1"> <tr> <th>Building Height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr> <tr> <td>4 storeys</td><td>6m</td><td>3m</td></tr> <tr> <td>5-8 storeys</td><td>9m</td><td>4.5m</td></tr> </table> <i>Distances are to be combined for buildings on the same site according to habitable/non-habitable room type.</i> No separation is required for blank party walls.	Building Height	Habitable rooms and balconies	Non-habitable rooms	4 storeys	6m	3m	5-8 storeys	9m	4.5m	Yes Adequate separation and interface conditions have been provided between habitable room windows and balconies to ensure visual privacy is achieved.
Building Height	Habitable rooms and balconies	Non-habitable rooms									
4 storeys	6m	3m									
5-8 storeys	9m	4.5m									
Visual privacy	Visual privacy is to be provided through use of setbacks, window placements, screening and similar.	Yes Solid walls to balconies, screens and window placement are proposed where appropriate.									
Carparking	Carparking to be provided based on proximity to public transport in metropolitan Sydney. For sites within 800m of a railway station or light rail stop, the parking is required to be in accordance with the RMS Guide to Traffic Generating Development which is: Metropolitan Sub-Regional Centres:	N/A – the site is not located within a metropolitan sub-regional centre. Nonetheless, the 253 car parking spaces provided comply with both these car parking requirements and that of the DCP.									

	0.6 spaces per 1 bedroom unit. 0.9 spaces per 2 bedroom unit. 1.40 spaces per 3 bedroom unit. 1 space per 5 units (visitor parking).	
Designing the Building		
Solar and daylight access	Living and private open spaces of at least 70% of apartments are to receive a minimum of 2 hours direct sunlight between 9am and 3pm midwinter.	Yes 74.5% of apartments (82) receive a minimum of 2 hours of sunlight between 9am and 3pm midwinter.
	A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	Yes 11.8% of apartments (13) receive no direct sunlight between 9 am and 3 pm at mid-winter.
Natural ventilation	At least 60% of units are to be naturally cross ventilated in the first 9 storeys of a building. For buildings at 10 storeys or greater, the building is only deemed to be cross ventilated if the balconies cannot be fully enclosed. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Yes 62% of apartments (68) will be cross ventilated. N/A. No cross-over or cross-through apartments are proposed.
Ceiling heights	For habitable rooms – 2.7m. For non-habitable rooms – 2.4m. For two storey apartments – 2.7m for the main living floor and 2.4m for the second floor, where it's area does not exceed 50% of the apartment area. For attic spaces – 1/8m at the edge of the room with a 30° minimum ceiling slope. If located in a mixed use areas – 3.3m for ground and first floor to promote future flexible use.	Yes 3.1m floor to floor heights allow for minimum ceiling heights of: 2.7 m – habitable rooms 2.4 m – non-habitable room
Apartment size	1. Apartments are required to have the following internal size: Studio – 35m ² 1 bedroom – 50m ² 2 bedroom – 70m ² 3 bedroom – 90m ² The minimum internal areas include only one bathroom. Additional	Yes Minimums: One-bed – 75m ² Two-bed – 78m ² Three-bed – 135m ²

	bathrooms increase the minimum internal areas by 5m² each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each. 2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	All habitable rooms have windows greater than 10% of the floor area of the room.
Apartment layout	Habitable rooms are limited to a maximum depth of 2.5 x the ceiling height. In open plan layouts the maximum habitable room depth is 8m from a window. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow layouts	Yes All rooms comply.
Balcony area	The primary balcony is to be: Studio – 4m² with no minimum depth 1 bedroom – 8m² with a minimum depth of 2m 2 bedroom – 10m² with a minimum depth of 2m 3 bedroom – 12m² with a minimum depth of 2.4m For units at ground or podium levels, a private open space area of 15m² with a minimum depth of 3m is required.	Yes One-bed – 13m² + minimum 2m depth Two-bed – 16 m² + minimum 2m depth Three-bed – 20m² + minimum 2.4m depth Ground Level units POS – 16m² minimum with 3m minimum depth
Common Circulation and Spaces	The maximum number of apartments off a circulation core on a single level is eight For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	Yes Maximum of 8 units off a single circulation core on each level. N/A
Storage	Storage is to be provided as follows: Studio – 4m³ 1 bedroom – 6m³	Yes One-bed – 13.6m³

	2 bedroom – 8m ³ 3+ bedrooms – 10m ³ At least 50% of the required storage is to be located within the apartment.	Two-bed – 12.5m ³ Three-bed – 15.3m ³ Minimum 50% is in the apartment
Apartment mix	A variety of apartment types is to be provided and is to include flexible apartment configurations to support diverse household types and stages of life.	Apartment mix is considered satisfactory. One-bed – 11 units Two-bed – 88 units Three-bed – 11 units A larger proportion of 2 bedroom apartments have been provided in an attempt to conform to the apartment size/mix requirements of the DCP. This is discussed further in the DCP section of this report below.

9. The Hills Development Control Plan 2012

The proposed development has been assessed against the relevant development controls under The Hills Development Control Plan 2012 including Part D Section 17 Box Hill North, Part B Section 5 Residential Flat Building, Part C Section 1 Parking and Part C Section 3 Landscaping.

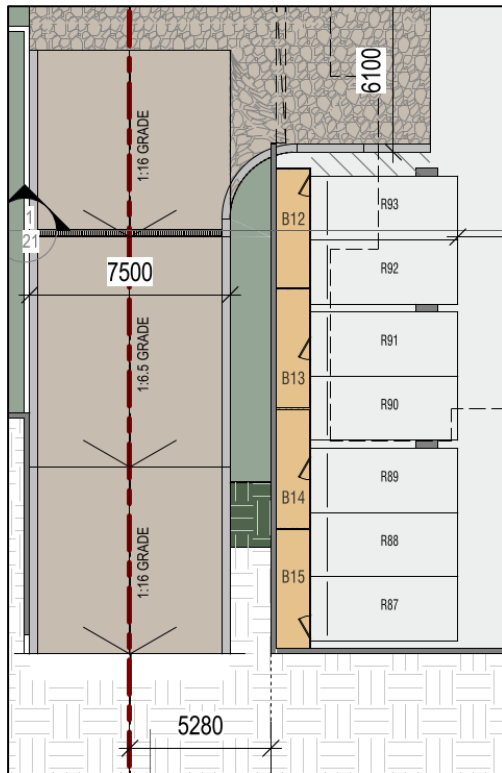
The proposed development achieves compliance with the relevant requirements of the development controls with the exception of the following:

DEVELOPMENT CONTROL	THDCP REQUIREMENTS	PROPOSED DEVELOPMENT	COMPLIANCE
Setbacks – Building Zones	Side – 6m	Block A and B basement contains a 5.28m internal side setback.	No however proposed setback is considered satisfactory – see discussion below.
Landscaped Area	50% of site area	46.2% or 6,050m ² landscape area.	No however proposed building landscape area is considered satisfactory – see discussion

			below.																																							
Building Length	Max. 50m	53m	No however proposed building length is considered satisfactory – see discussion below.																																							
Apartment Mix	<u>Apartment Mix</u> <u>Residential Flat Development (30 or more units)</u> (d) The minimum internal floor area for each unit, excluding common passageways, car parking spaces and balconies shall not be less than the following: <table> <tr> <td><u>Apartment</u></td> <td><u>Size</u></td> <td><u>Apartment Category</u></td> </tr> <tr> <td colspan="3"><u>Type 1</u></td> </tr> <tr> <td>1 bedroom</td> <td>50m2</td> <td></td> </tr> <tr> <td>2 bedroom</td> <td>70m2</td> <td></td> </tr> <tr> <td>3 or more bedrooms</td> <td>95m2</td> <td></td> </tr> <tr> <td colspan="3"><u>Type 2</u></td> </tr> <tr> <td>1 bedroom</td> <td>65m2</td> <td></td> </tr> <tr> <td>2 bedroom</td> <td>90m2</td> <td></td> </tr> <tr> <td>3 or more bedrooms</td> <td>120m2</td> <td></td> </tr> <tr> <td colspan="3"><u>Type 3</u></td> </tr> <tr> <td>1 bedroom</td> <td>75m2</td> <td></td> </tr> <tr> <td>2 bedroom</td> <td>110m2</td> <td></td> </tr> <tr> <td>3 or more bedrooms</td> <td>135m2</td> <td></td> </tr> </table> (f) Type 2 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.	<u>Apartment</u>	<u>Size</u>	<u>Apartment Category</u>	<u>Type 1</u>			1 bedroom	50m2		2 bedroom	70m2		3 or more bedrooms	95m2		<u>Type 2</u>			1 bedroom	65m2		2 bedroom	90m2		3 or more bedrooms	120m2		<u>Type 3</u>			1 bedroom	75m2		2 bedroom	110m2		3 or more bedrooms	135m2		<u>Unit Mix:</u> Type 1: 13% or 14 units Type 2: 54% or 60 units Type 3: 33% or 36 units	No however proposed unit mix is considered satisfactory – see discussion below.
<u>Apartment</u>	<u>Size</u>	<u>Apartment Category</u>																																								
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2 bedroom	110m2																																									
3 or more bedrooms	135m2																																									
Cut	Maximum depth of any cut in the slope is 1 m.	5m depth excavation proposed for basement levels.	No however proposed cut is considered satisfactory – see discussion below.																																							

(i) Building Zone Setback – Basement

The Hills DCP Part B Section 5 – Residential Flat Building states that building zone setbacks apply to buildings and also basement parking areas. The minimum setback for side boundaries is 6 metres. The setback for the basement on Lot 602 (Blocks A and B) to the internal western side boundary is proposed at 5.28m (refer figure below).



The applicant has offered the following justification for the variation:

Considering that both lots are to be developed concurrently and planned accordingly, a minimum building separation of 15m is to be achieved & comply with ADG requirements (12m control) and as such will ensure the privacy amenity to both lots is achieved. The side setbacks is otherwise maintained at 6m as required to the other side boundaries and the drainage reserve.

Comment:

The DCP objectives are as follows:

- (i) *To provide setbacks that complement the setting and contributes to the streetscape and character of the street while allowing flexibility in siting of buildings.*
- (ii) *To ensure that the space in front of the building is sufficient to permit landscaping that will complement the building form and enhance the landscape character of the street.*
- (iii) *Side and rear setbacks are to be proportioned to the slope of the site having regard to the height and relationship of the buildings on adjoining properties.*
- (iv) *The setbacks of proposed buildings are to minimise any adverse impacts such as overshadowing and privacy on adjacent and adjoining properties.*
- (v) *To ensure placement of buildings takes into account the retention and protection of existing trees.*

The proposed basement side boundary encroachment is internalised to the development and adjacent the common driveway between the two lots that provides basement and waste vehicular access. The 720mm encroachment allows for basement storage cages to be located behind car parking spaces as shown in the figure above. The basement encroachment is located directly beneath an access path at ground level and therefore does not reduce landscaped areas within the development. Given the side setback is internalised to the development the variation will not impact on any adjacent or adjoining properties. The proposal is considered to be consistent with the objectives and the variation is supportable on merit.

(ii) Landscape Area

The DCP specifies that the landscape area for residential flat buildings is to be minimum 50% of the area of the site.

The proposal contains 6,050m² of landscape area or 46.2% of the site.

The applicant provided the following justification for the variation:

The provision of landscape area will permit deep soil plants and sufficient vegetation and as such the non-compliance is considered acceptable and worthy of Council support. The development is to provide landscaping embellishment works that will improve and enhance the subject site whilst positively contribute to the cohesiveness and visual appreciation of the area and provides relief from the built form, softening the impact of the development. Landscaping of the site is to be undertaken in accordance with the Landscape Plan.

Comment:

The DCP objectives are as follows:

- (i) To provide a satisfactory relationship between buildings, landscaping areas and adjoining developments.*
- (ii) To minimise stormwater runoff and provide the opportunity for on-site groundwater recharge in accordance with Council's ESD objective 3.*
- (iii) To ensure a high standard of environmental quality of residential flat building developments and the overall visual amenity and character of the neighbourhood.*
- (iv) To ensure that landscaped areas can be efficiently maintained.*
- (v) To ensure that existing trees are given every opportunity to be incorporated into the final design.*
- (vi) To ensure a satisfactory relationship between buildings and open spaces.*
- (vii) To ensure that vegetation removed as a part of the land development process is replaced by suitable indigenous species in accordance with Council's ESD objective 4.*
- (viii) To avoid the creation of drainage and runoff problems through minimising the amount of impervious area.*
- (ix) To minimise bulk and scale of the development.*

The proposal provides large areas of landscaping covering 46.2% of the site, a 3.8% shortfall. This includes 4,428m² of deep soil zones covering 33.8% of the site which exceeds the ADG minimum requirements of 7% and allows for large areas of deep soil tree planting as shown on the landscape plan. The landscape plan shows dense landscaped areas along the road frontages which provide a high standard of environmental quality to ensure the development is consistent with the desired amenity and character of the future residential neighbourhood. The proposed development minimises potential for stormwater runoff and has provision for Water Sensitive Urban Design (WSUD) as part of the stormwater management strategy. In consideration of the objectives and the merits of the proposal, the variation is supportable.

(iii) Building Length

The DCP specifies the maximum linear length of any residential flat building is 50 metres. The proposed maximum length of the buildings is 52.9m.

The applicant has provided the following justification for the variation:

- *The proposed buildings are significantly fragmented into smaller segments to avoid the appearance of being excessively linear, without indentations and projections;*
- *The proposed buildings have been dimensioned to provide an accurate indication of the perceived lengths and are considered to be significantly segmented to achieve the objectives of the DCP;*
- *The architectural drawing (Drawing 51) illustrate the fragmentation of the buildings into two smaller segments with a three-metre wide recess to divide the segments into two clear structures;*

Comment:

The DCP objectives are as follows:

- (i) *To reduce the visual bulk and scale of residential flat building developments.*
- (ii) *To ensure that developments will enhance and contribute to the streetscape and desired character of the future and existing neighbourhood.*

The proposed buildings are 52.9 metres in length which exceeds the DCP maximum of 50m. With respect to the objectives, the applicant has sought to mitigate any impacts to bulk and scale through deep indentations to segment the building form. The development provides for compliant building heights and additional building separation of 15m which exceeds the DCP and ADG requirements of 12m which assists in the separation of building form and reduces the perceived bulk and scale of the development. The proposed landscaping of the site including large street trees enables the development to enhance and contribute the streetscape and desired character of the future residential neighbourhood. The proposal is considered to be consistent with the objectives and the variation is supportable on merit.

(iv) Apartment Mix

Clause 3.11 of the DCP Part B Section 5 – Residential Flat Building contains controls regarding unit mix where a variation is proposed. The relevant controls are provided below:

- (a) *No more than 25% of the dwelling yield is to comprise either studio or one bedroom apartments.*
- (b) *No less than 10% of the dwelling yield is to comprise apartments with three or more bedrooms.*

Residential Flat Development (30 or more units)

- (c) *The minimum internal floor area for each unit, excluding common passageways, car parking spaces and balconies shall not be less than the following:*

Apartment Size Category	Apartment Size
Type 1	
<i>1 bedroom</i>	<i>50m²</i>
<i>2 bedroom</i>	<i>70m²</i>
<i>3 or more bedrooms</i>	<i>95m²</i>
Type 2	

1 bedroom	65m2
2 bedroom	90m2
3 or more bedrooms	120m2
Type 3	
1 bedroom	75m2
2 bedroom	110m2
3 or more bedrooms	135m2

- (d) Type 1 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.
- (e) Type 2 apartments shall not exceed 30% of the total number of 1, 2 and 3 bedroom apartments.
- (f) All remaining apartments are to comply with the Type 3 apartment sizes.

The proposed unit breakdown and unit mix is as follows:

- 1 Bedroom – 10% (11 units)
- 2 Bedroom – 80% (18 units)
- 3 Bedroom – 10% (11 units)
- Category Type 1 – 13% or 14 units
- Category Type 2 – 54% or 60 units
- Category Type 3 – 33% or 36 units

A variation is proposed to control (e) above as Type 2 apartments exceed the 30% maximum at 54% of proposed apartments.

The applicant has provided the following justification for the variation:

The proposed buildings seek to provide such variations with only a small number of Type 3 apartments due to the lack of demand and high cost for excessively large apartment areas. The current market demands more efficient floor areas and more affordable housing prices. Considering that the development provides a mix of 1,2 and 3 bedroom units, the inconsistency with the apartment mix provision is considered acceptable and worthy of Council support as the intent of the control is satisfied by the proposal. The development provides a minimum internal floor area of each unit in accordance with the ADG, which prevails over the DCP. The development has also been designed to comply with the minimum solar access and natural ventilation requirements under the ADG.

The proposal contains design elements that seek to reduce potential visual, privacy and acoustic impacts and promote a high standard of residential amenity. This includes the siting/internal layout of dwellings, location/size of windows, location/size of balconies, proposed building materials as well as the incorporation of other elements including setbacks and building separation.

Comment:

The DCP objectives are as follows:

- To ensure that individual units are of a size suitable to meet the needs of residents.
- To ensure the layout of units is efficient and units achieve a high level of residential amenity.
- To provide a mix of residential flat types and sizes to accommodate a range of household types and to facilitate housing diversity.

- (iv) *Address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.*
- (v) *To ensure designs utilise passive solar efficient layouts and maximise natural ventilation.*

A larger proportion of Type 2 units is proposed for the development at the expense of the smaller Type 1 units but also the larger Type 3 units. The proposal generally complies with the DCP unit mix and apartment size provisions as outlined above including control (a) a maximum 25% proportion of 1 bedroom units and control (b) a minimum 10% proportion of 3 bedroom units. In compliance with control (d), Type 1 units do not exceed 30% of the total at only 11% however the increase in sizes of these units has resulted in a greater proportion of Type 2 apartments overall at 54% which exceeds the maximum 30% specified in control (e).

The development complies with and generally exceeds the minimum apartment sizes specified in the ADG in order to achieve greater compliance with the unit mix and size provisions of the DCP. In this respect, the individual units are considered to be of a size suitable to meet the needs of residents. The layout of the units has been assessed against the ADG and are considered to be of a design that provides an appropriate level of residential amenity to future occupants. With regard to natural ventilation and solar access, the development complies with ADG requirements and is considered satisfactory in this respect. In consideration of the unit mix objectives and the merits of the proposal, the variation is supportable.

v. Cut

The DCP specifies cut is to be a maximum of 1m. The proposal seeks up to 5m of excavation to accommodate the basement levels.

The applicant has provided the following justification:

This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, particularly for the basement car parking area, will have minimal adverse environmental or amenity impact. It is considered that the proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.

Comment:

The DCP objectives are as follows:

- (i) To minimise incidence of cut and fill and alterations in natural ground levels.*
- (ii) To ensure that dwellings are designed with regard to site conditions and minimise the impact on landform.*
- (iii) To lessen the visual impact of retaining walls on allotment boundaries.*

The proposed 5m of cut is to accommodate the proposed basement levels which provide underground car parking and storage for the development. The design of the development appropriately integrates proposed cut and retaining walls with the landscaping of the site to reduce visual impacts upon the streetscape and adjoining properties. The proposed variation to cut is supportable on merit.

10. Issues Raised in Submissions

The application was publicly notified on two occasions and 43 submissions were received.

The issues raised in the submissions are summarised below:

ISSUE/OBJECTION	COMMENT
Concerns were raised with the additional traffic and congestion that would be generated by the development.	The Box Hill North Masterplan for the Gables included the rezoning of the site to R4 High Density Residential. Therefore it was envisaged this type of development would occur on the site and the road layout and heirarchy was planned accordingly as part of the masterplan. The proposed density of the development complies with the maximum of 175 persons per hectare specified by the Development Control Plan.
Concerns were raised with there being insufficient infrastructure to service the development such as roads and the provision of electricity and sewer.	Clause 6.2 of the LEP requires the consent authority to be satisfied prior to granting development consent that public utility infrastructure (electricity, water, sewer) that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required. The preceeding subdivision 799/2020/ZB is to construct roads to provide access to the development.
Concerns were raised with the negative effect the development would have on surrounding property values and that residents were not told such high density development would occur when purchasing property in the Gables.	The Box Hill North Masterplan included the zoning of large areas surrounding the local commercial centre to R4 High Density Residential including the subject site. This information was publicly available to all future residents of Gables with the masterplan rezoning of the suburb from rural to residential. Impacts of a permitted development on surrounding property values is not a planning matter for consideration in a development application.
Concerns were raised with the proposed vehicular access not being from Red Gables Road and impacts on local streets.	The preceeding subdivision application 799/2020/ZB is to construct roads and provide vehicular access to the development. Given the street frontages to New Roads Nos. 2 and 3 it is not unreasonable for basement vehicular access to be provided from these roads. Future developments to the west of the site will also contain vehicular access from future local roads.

Concern was raised with the design and orientation of the access roads to the site.	This development application only relates to the construction of the residential flat building development on the future lot. The design of the subdivision and road patterns are matters for consideration in the underlying subdivision development application 799/2020/ZB which creates the lots and sets the road patterns.
Concern was raised with the amount of units proposed in the development and the lack of 3 bedroom units.	The proposal for 110 units complies with the DCP density maximum for residential flat buildings of 175 person per hectare. The proposed apartment mix is discussed earlier in the report and considered satisfactory.
Concerns were raised by residents along Obsidian Road and the additional traffic from the development using the thoroughfare causing congestion, safety and amenity impacts for residents.	The road layout of the urban release area was considered at the masterplanning stage and is defined in the DCP. Obsidian Road is to extend from Red Gables Road to Ironstone Parkway parallel to Janpieter Road. No changes are proposed to the DCP layout of Obsidian Road under this application.

11. Internal Referrals

The application was referred to the following sections of Council:

- Engineering
- Environmental Health
- Landscaping
- Resource Recovery
- Land and Spatial Information
- Development Contributions

No objections are raised to the proposal with the exception of Engineering and Resource Recovery. Outstanding information requested by Engineering and Resource Recovery is outlined below.

Engineering

The proposal has been reviewed by the Subdivision Engineer. Whilst the proposal generally satisfies all subdivision engineering requirements, the applicant was requested to provide information relating to car parking spaces R41 and R42 with respect to compliance with Australian Standard AS/NZS 2890.1 and the available vehicle headroom for car parking. The development relies on these two spaces to meet the minimum provision of car parking spaces as required by the DCP. The requested information remains outstanding.

Resource Recovery

The proposal has been reviewed by the Resource Recovery Officer. The proposal generally complies with resource recovery requirements with the exception of a proposed access ramp leading from the waste storage area to the loading area for Blocks C and D. The architectural plans show the gradient of the access ramp as 1:10 (10%) whereas the maximum acceptable grade to ensure safe wheeling of filled bulk bins (1100L) is 1:20 (5%). Further, the design

must allow for collection staff to access bins directly from the bin room. The applicant's reliance on caretakers operating mechanical bin moving equipment to present bins to the loading area is not supported and should be removed as it is determined unnecessary for a development of this scale. Waste collection for Blocks A and B satisfy Resource Recovery requirements. Blocks C and D must maintain this arrangement to provide a uniform methodology for the site. Amended plans showing a compliant access ramp without relying on mechanical bin moving equipment remain outstanding.

12. External Referrals

a. NSW Police

The application was referred to NSW Police for comment who raised no objection to the proposal subject to the implementation of security and surveillance measures during and after construction including the use of CCTV access control and appropriately lighting and vegetation management.

CONCLUSION

The Development Application had been assessed against the relevant planning instruments including The Hills Local Environmental Plan 2019, SEPP No 65—Design Quality of Residential Apartment Development, Apartment Design Guide and The Hills Development Control Plan 2012. The proposal generally satisfies the requirements of these instruments with the exception of Clauses 6.2 and 6.3 of the LEP which relate to the provision of State public infrastructure and public utility infrastructure.

Issues raised in submissions have been addressed in this report and do not warrant further amendments to the application. However, the concern regarding the provision of sewer infrastructure has not been adequately addressed with the proposal as is required by Clause 6.2 of the LEP.

The Development Application has been assessed against the relevant heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, and is considered unsatisfactory. The proposal does not satisfy Clauses 6.2 and 6.3 of the LEP and therefore development consent cannot be granted despite the merits of the proposal. The development is also not in the public interest given the submission raising concern with the provision of sewer infrastructure for the development has not been adequately addressed.

The Development Application also relies on the granting of development consent for the preceding subdivision Development Application 799/2020/ZB which creates the subject lot and provides vehicular access to the development. However that application is yet to be determined.

IMPACTS:

Financial

Refusal of this application may be subject to a Class 1 Appeal which will incur legal costs if defended.

The Hills Future - Community Strategic Plan

The proposed development is consistent with the planning principles, vision and objectives outlined within "Hills 2026 – Looking Towards the Future". The proposed development provides for urban growth and a choice in housing within the Box Hill North Urban Release Area.

RECOMMENDATION

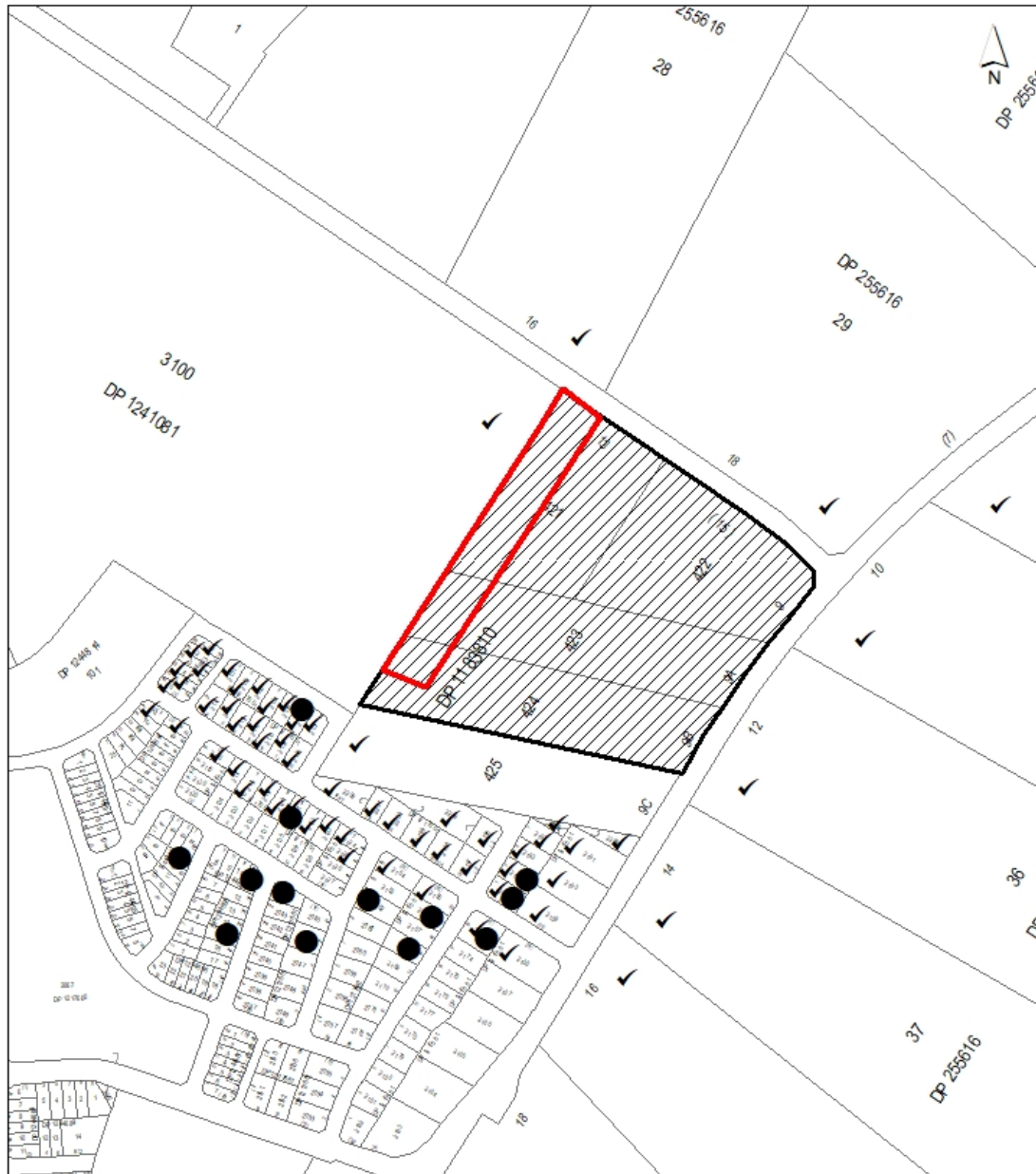
The Development Application be refused for the following reasons:

1. Development consent cannot be granted as the Planning Secretary has not certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to the proposed lots.
(Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, 1979)
2. Development consent cannot be granted as the consent authority is not satisfied that public utility infrastructure (the disposal and management of sewage) that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.
(Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, 1979)
3. The proposal relies on a facilitating subdivision development application, to create the allotment and provide vehicular access, which has not been determined.
(Section 4.15 1(c) of the Environmental Planning and Assessment Act, 1979).
4. The proposal has not adequately addressed outstanding engineering and resource recovery matters.
(Section 4.15(1)(a)(iii), 1(b) and 1(c) of the Environmental Planning and Assessment Act, 1979).
5. The proposal is not in the public interest given the outstanding concern regarding the provision of sewer infrastructure for the development as raised in public submissions.
(Section 4.15(1)(e) of the Environmental Planning and Assessment Act, 1979).

ATTACHMENTS

1. Locality Plan
2. Aerial Photo
3. Zoning Map
4. Building Height Map
5. Proposed Plan of Subdivision
6. Proposed Site Plan
7. Proposed Floor Plans
8. Proposed Elevations
9. Proposed Sections
10. Proposed Landscape Plans
11. Building Height Plane Diagram
12. Perspectives
13. External Works Diagram
14. Zoning Boundary Overlay
15. Proposed Plan of Subdivision for DA 799/2020/ZB (Stages 1 and 2)
16. Box Hill North DCP Indicative Layout Plan (ILP)
17. Potential Future Layout Plan for Neighbouring Site to West of Subject Site

ATTACHMENT 1 – LOCALITY PLAN



 PROPOSED LOT 105 (799/2020/ZB)

 PARENT SITE

 PROPERTIES NOTIFIED

 SUBMISSIONS RECEIVED

**NOTE: 1ST NOTIFICATION PERIOD RECEIVED
34 SUBMISSIONS
2ND NOTIFICATION PERIOD RECEIVED
12 SUBMISSIONS
(27 SUBMISSIONS RECEIVED OFF THE
SCOPE OF THIS MAP)**

THE HILLS
Sydney's Garden Shire

THE HILLS SHIRE COUNCIL

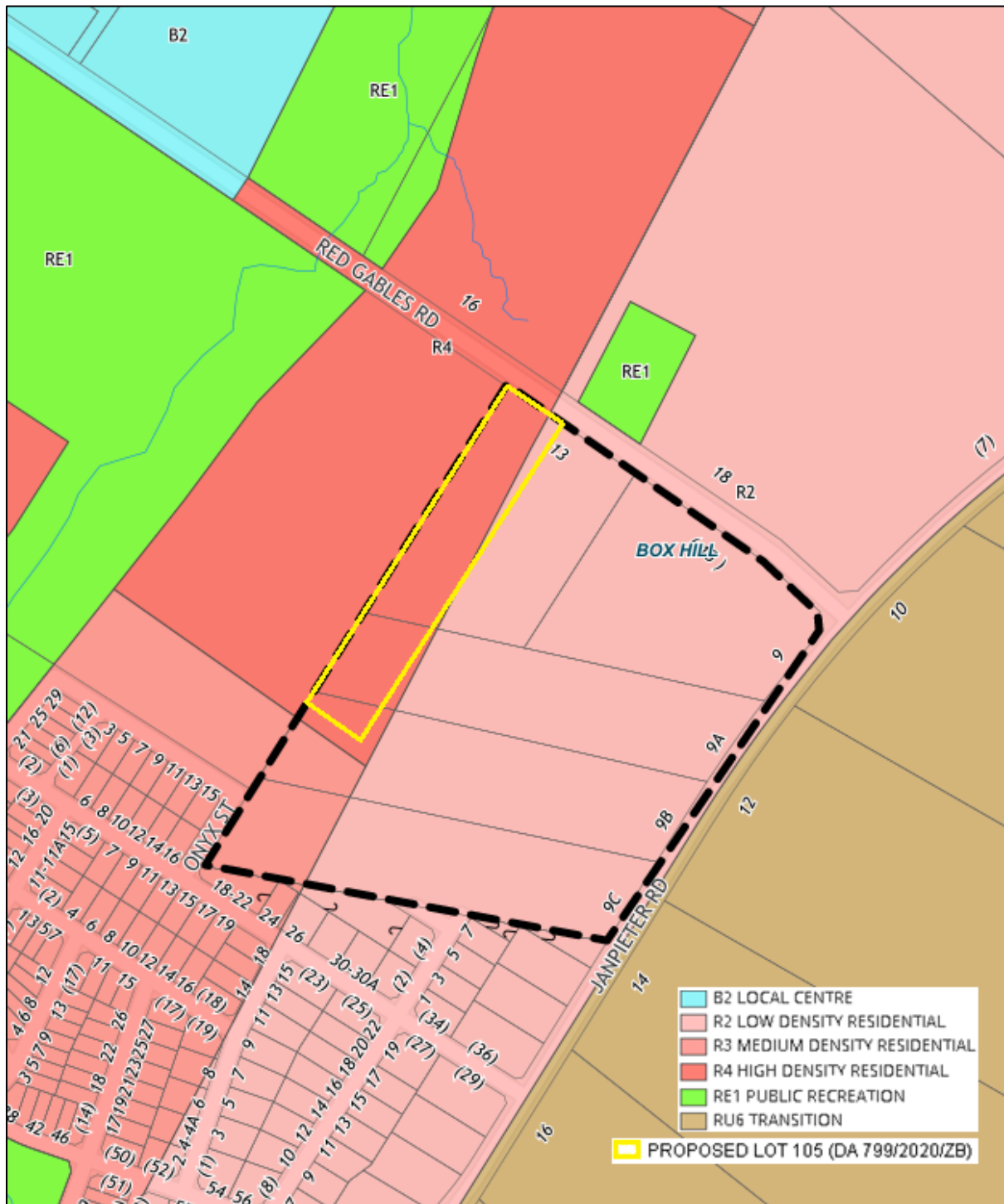
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ATTACHMENT 2 – AERIAL PHOTO



ATTACHMENT 3 – ZONING MAP



ATTACHMENT 4 – BUILDING HEIGHT MAP



LOT 602
TOWNSHIP OF BRANT

LOT 601
TOWNSHIP OF BRANT

BLOCK A
100.00' x 100.00'

BLOCK B
100.00' x 100.00'

BLOCK C
100.00' x 100.00'

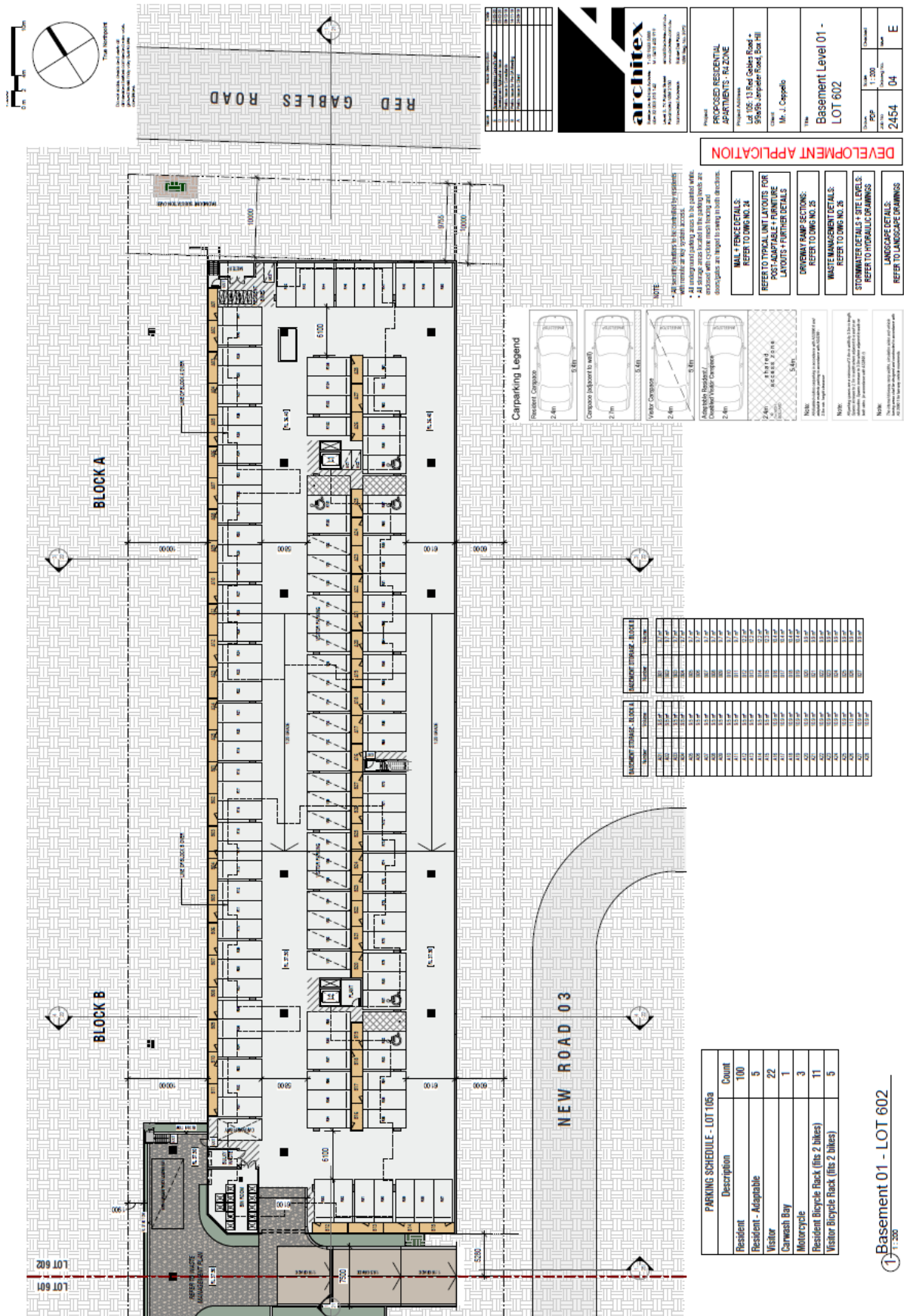
BLOCK D
100.00' x 100.00'

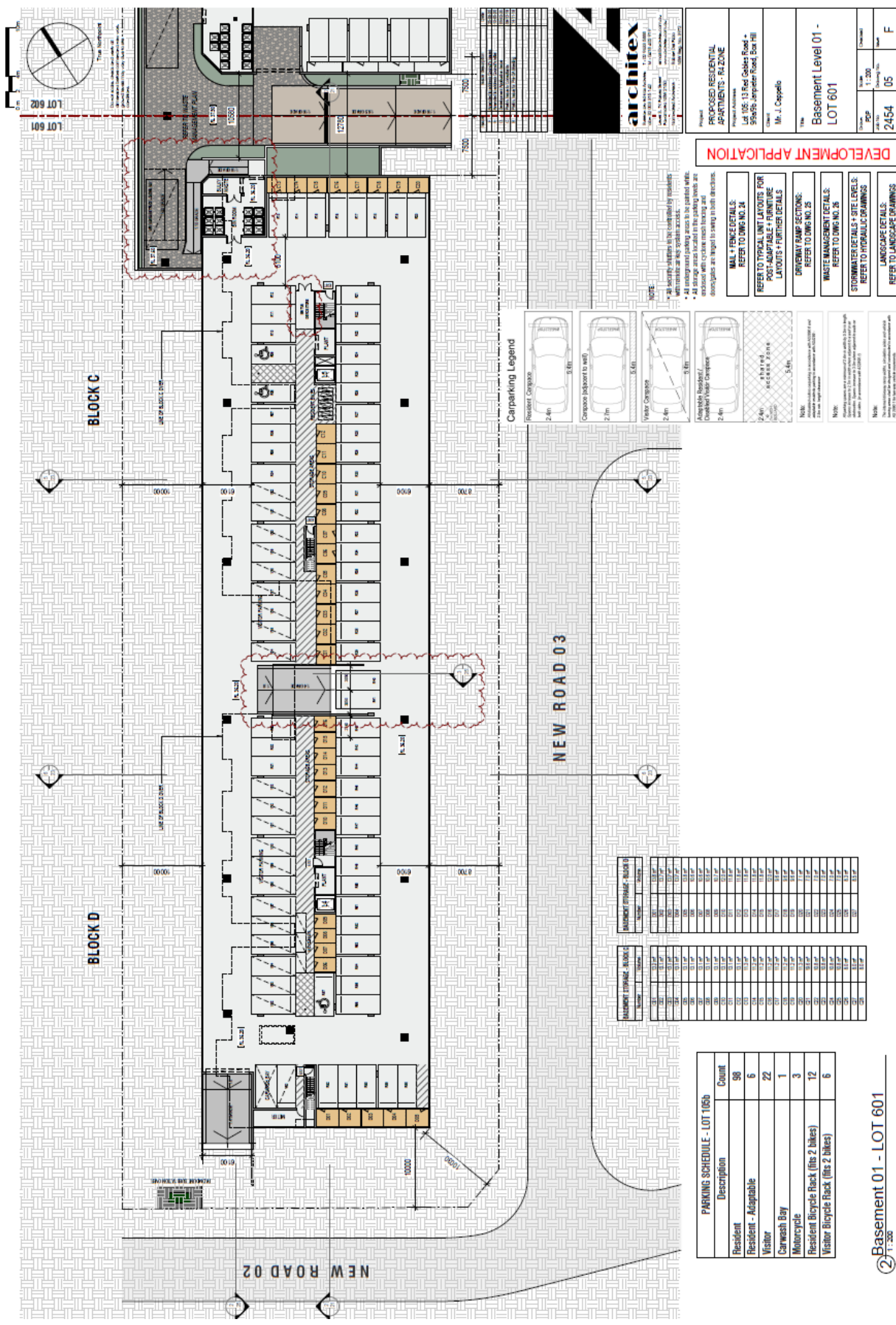
NEW ROAD 02
NEW ROAD 03
NEW ROAD 04

RED GABLES ROAD

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ATTACHMENT 7 – PROPOSED FLOOR PLANS





Project	PROPOSED RESIDENTIAL APARTMENTS - R4 ZONE
Project Address	Lot 105, 13 Red Gables Road + 55 South Jerrard Road, East Hill
Client	Mr. J. Cappello
Title	Basement Level 01 - LOT 601
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Scale	1:1000
Page	2454
Sheet	05
File	F

DEVELOPMENT APPLICATION

MAIL + FENCE DETAILS: REFER TO DWG NO. 24
REFER TO TYPICAL UNIT LAYOUTS FOR POST-ADAPTABLE + FURNITURE LAYOUTS + FURTHER DETAILS
DRIVEWAY RAMP SECTIONS: REFER TO DWG NO. 23
WASTE MANAGEMENT DETAILS: REFER TO DWG NO. 26
STORMWATER DETAILS + SITE LEVELS: REFER TO HYDRAULIC DRAWINGS
LANDSCAPE DETAILS: REFER TO LANDSCAPE DRAWINGS

NOTE: All parking spaces are to be marked with white lines and painted with white paint. All parking spaces are to be marked with white lines and painted with white paint. All parking spaces are to be marked with white lines and painted with white paint.
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Carparking Legend
Resident Carparking
Visitor Carparking
Adaptable Resident/ Disabled Visitor Carparking

Basement Storage - Block C	Basement Storage - Block D
Unit	Unit
101	101
102	102
103	103
104	104
105	105
106	106
107	107
108	108
109	109
110	110
111	111
112	112
113	113
114	114
115	115
116	116
117	117
118	118
119	119
120	120

PARKING SCHEDULE - LOT 105b	
Description	Count
Resident	98
Resident - Adaptable	6
Visitor	22
Carwash Bay	1
Motorcycle	3
Resident Bicycle Rack (fits 2 bikes)	12
Visitor Bicycle Rack (fits 2 bikes)	6



MAIL + FENCE DETAILS: REFER TO DWG NO. 24	DRIVEWAY RAMP SECTIONS: REFER TO DWG NO. 25	WASTE MANAGEMENT DETAILS: REFER TO DWG NO. 26	STORMWATER DETAILS + SITE LEVELS: REFER TO HYDRAULIC DRAWINGS	LANDSCAPE DETAILS: REFER TO LANDSCAPE DRAWINGS
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PARKING SCHEDULE - LOT 105a	
Description	Count
Resident	100
Resident - Adoptable	5
Visitor	22
Carwash Bay	1
Motorcycle	3
Resident Bicycle Rack (fits 2 bikes)	11
Visitor Bicycle Rack (fits 2 bikes)	5

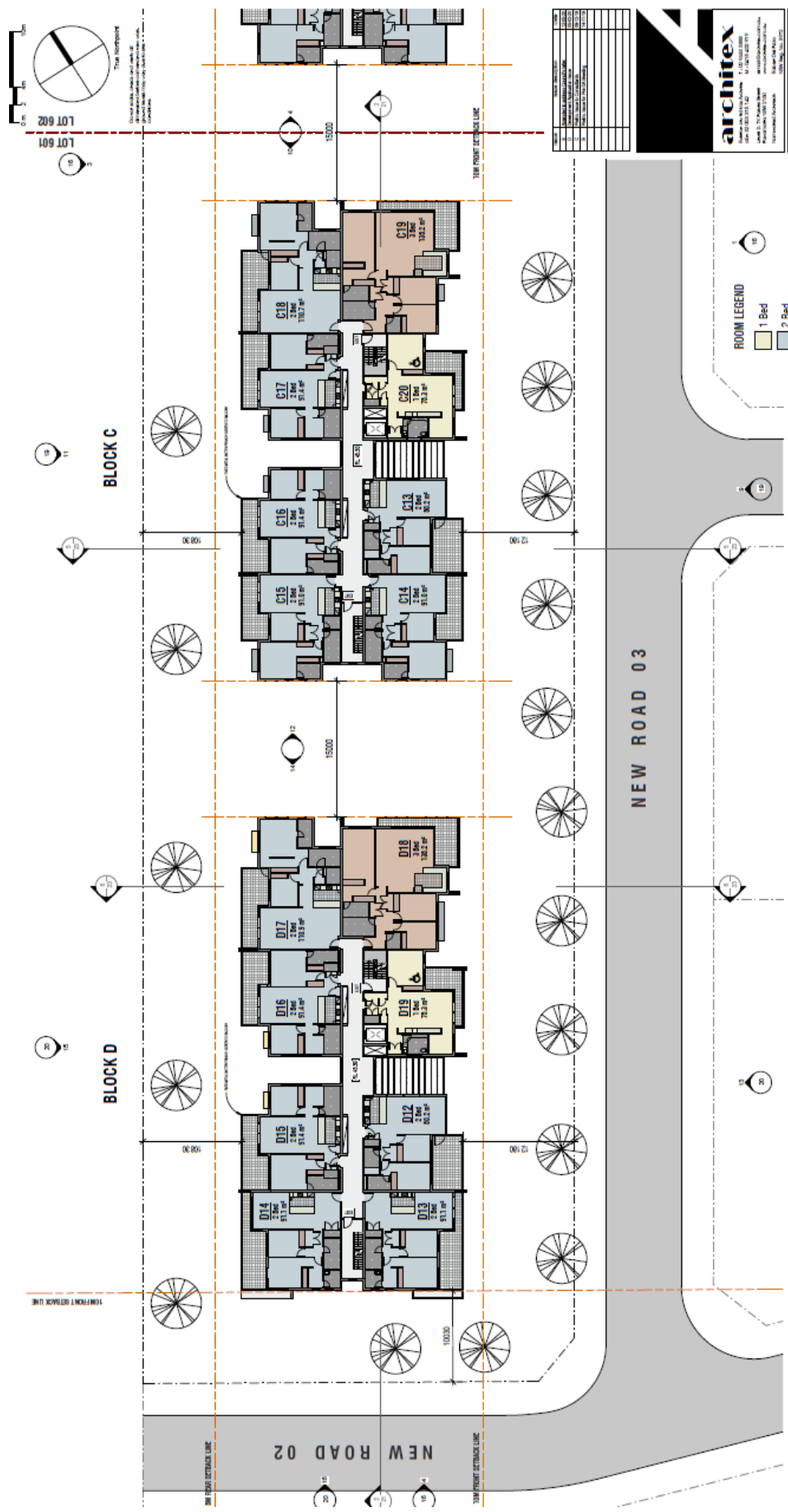
3 Level 01 - LOT 602

Question	Answer	Score
1. The first step in the process of creating a business plan is to determine the business's mission and vision.	True	100%
2. A business plan is a document that outlines the business's goals, objectives, and strategies.	True	100%
3. The business plan should be updated regularly as the business grows and changes.	True	100%
4. The business plan should be used to attract investors and secure financing.	True	100%
5. The business plan should be used to monitor the business's progress and performance.	True	100%



Project	PROPOSED RESIDENTIAL APARTMENTS - R4ZONE
Project Address	Lot 1006, 13 Red Gables Road - 96405 Argusford Road, Box Hill
Owner	Mr. J. Cappello
Title	Level 01 - LOT 602





DEVELOPMENT APPLICATION

REFER TO TYPICAL UNIT LAYOUTS FOR POST-ADAPTABLE + FURNITURE LAYOUTS + FURTHER DETAILS

STORMWATER DETAILS + SITE LEVELS REFER TO HYDRAULIC DRAWINGS

LANDSCAPE DETAILS REFER TO LANDSCAPE DRAWINGS

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PROPOSED RESIDENTIAL APARTMENTS - R4 ZONE

Project Address: Lot 105, 13 Reed Gables Road + 999/95 Juppeter Road, Box Hill

Client: Mr. J. Cappello

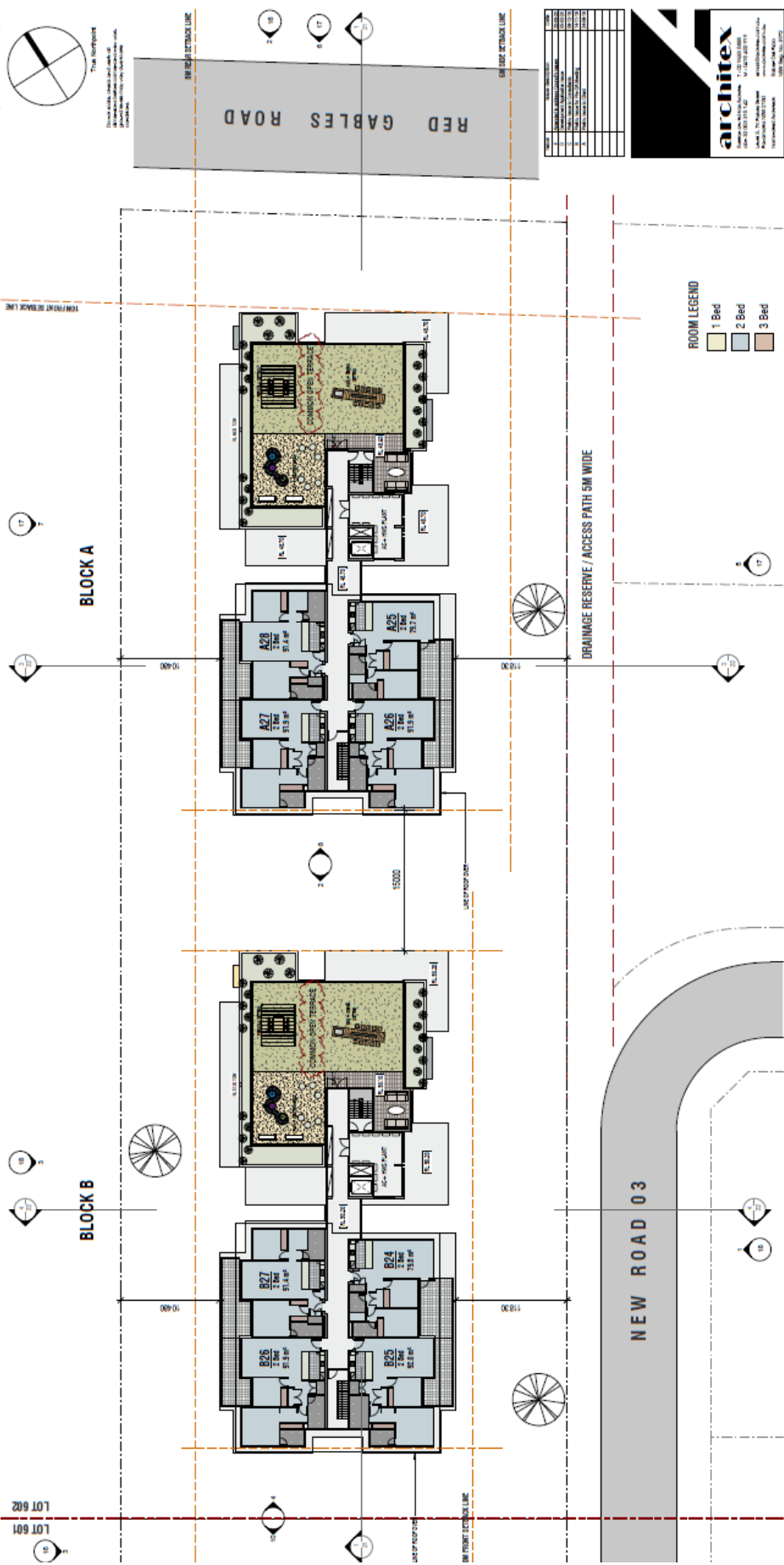
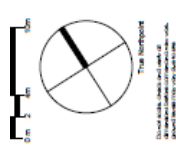
Title: Level 03 - LOT 601

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East



ROOM LEGEND

[Yellow Box]	1 Bed
[Blue Box]	2 Bed
[Orange Box]	3 Bed

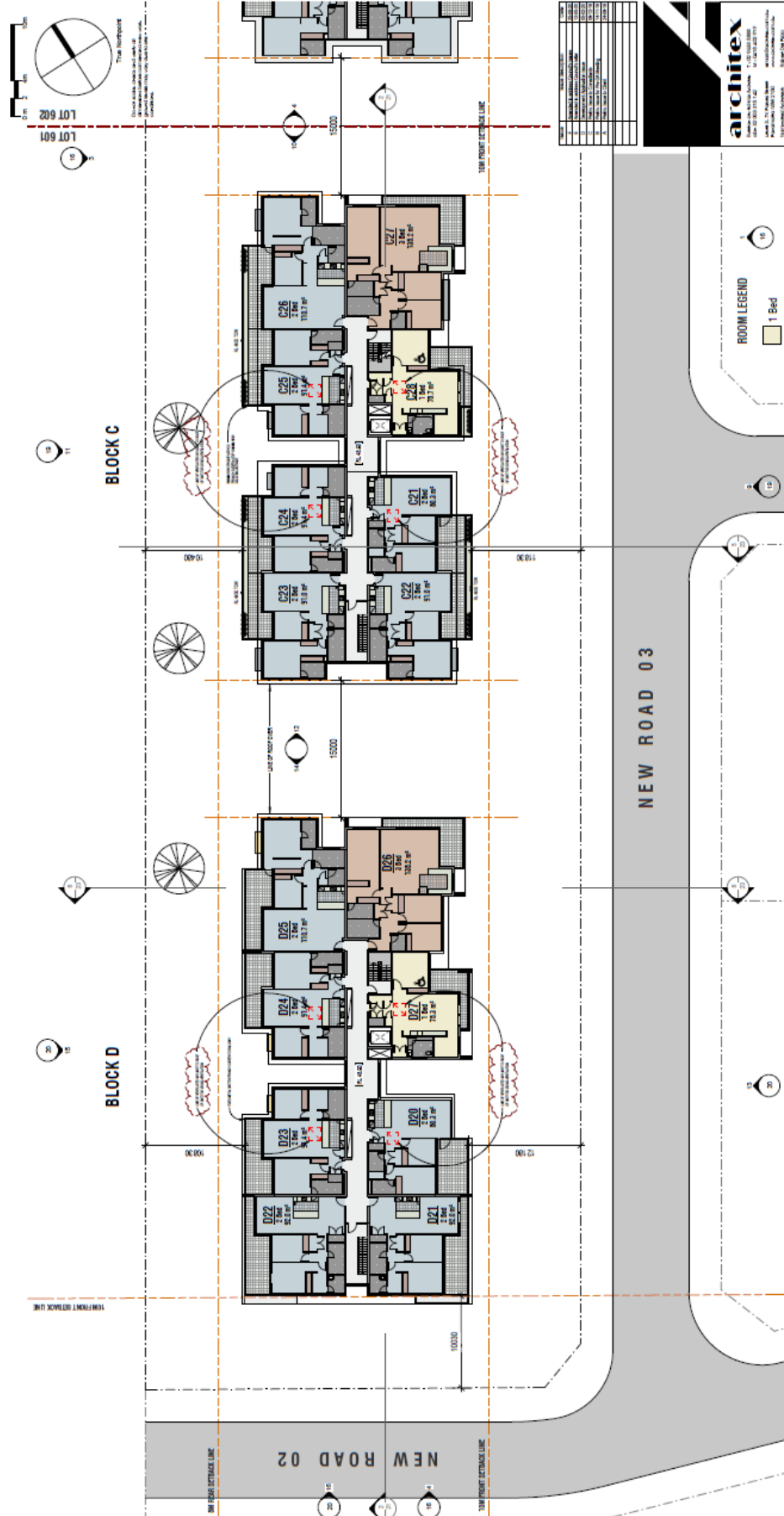
DEVELOPMENT APPLICATION

REFER TO TYPICAL UNIT LAYOUTS FOR ROOMS, FINISHES, FIXTURES, LAYOUTS + FURTHER DETAILS

STORMWATER DETAILS + SITE LEVELS. REFER TO HYDRAULIC DRAWINGS

LANDSCAPE DETAILS. REFER TO LANDSCAPE DRAWINGS

architex
ARCHITECTS
100/102, 104/106, 108/110, 112/114, 116/118, 120/122, 124/126, 128/130, 132/134, 136/138, 140/142, 144/146, 148/150, 152/154, 156/158, 160/162, 164/166, 168/170, 172/174, 176/178, 180/182, 184/186, 188/190, 192/194, 196/198, 200/202, 204/206, 208/210, 212/214, 216/218, 220/222, 224/226, 228/230, 232/234, 236/238, 240/242, 244/246, 248/250, 252/254, 256/258, 260/262, 264/266, 268/270, 272/274, 276/278, 280/282, 284/286, 288/290, 292/294, 296/298, 300/302, 304/306, 308/310, 312/314, 316/318, 320/322, 324/326, 328/330, 332/334, 336/338, 340/342, 344/346, 348/350, 352/354, 356/358, 360/362, 364/366, 368/370, 372/374, 376/378, 380/382, 384/386, 388/390, 392/394, 396/398, 400/402, 404/406, 408/410, 412/414, 416/418, 420/422, 424/426, 428/430, 432/434, 436/438, 440/442, 444/446, 448/450, 452/454, 456/458, 460/462, 464/466, 468/470, 472/474, 476/478, 480/482, 484/486, 488/490, 492/494, 496/498, 500/502, 504/506, 508/510, 512/514, 516/518, 520/522, 524/526, 528/530, 532/534, 536/538, 540/542, 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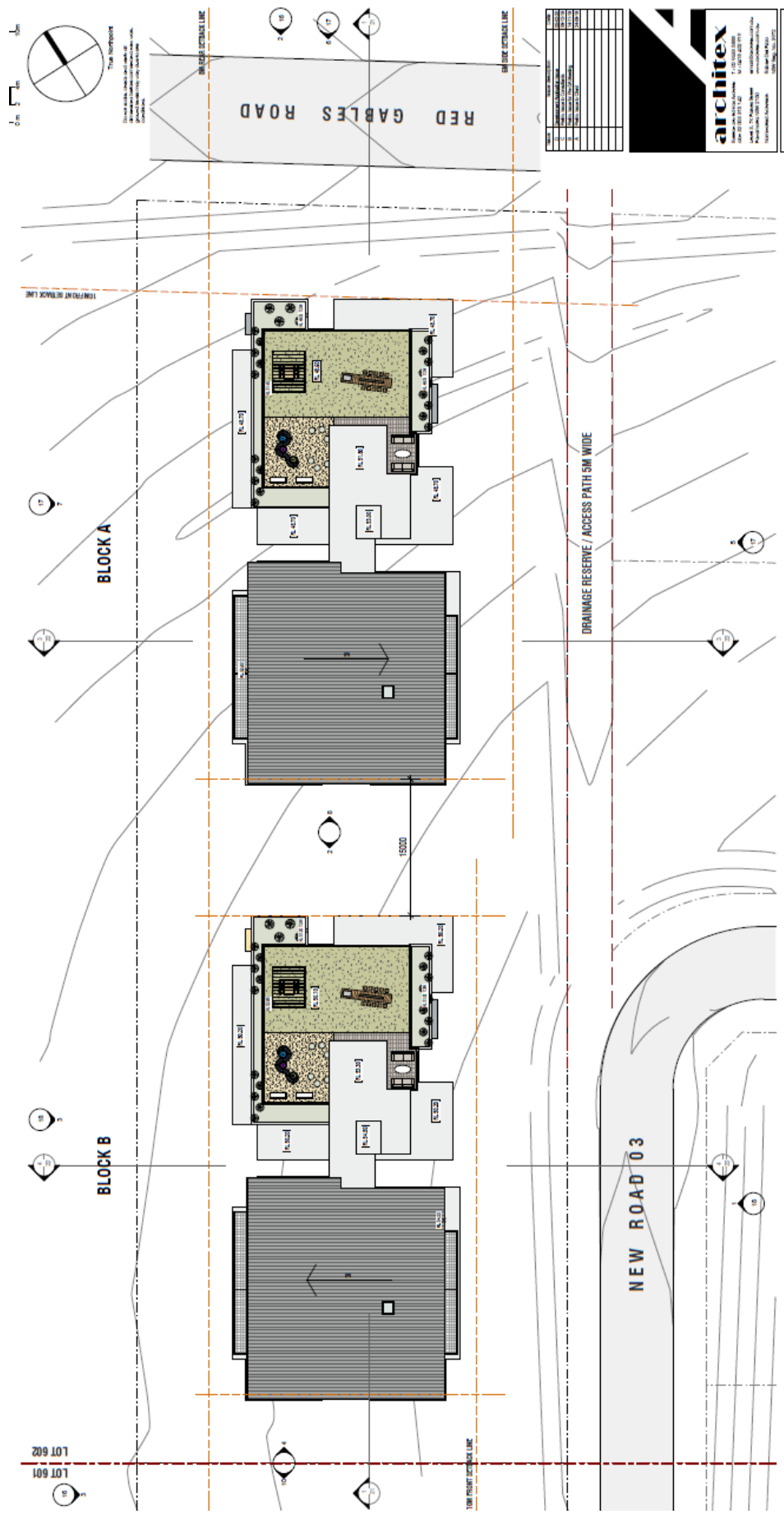
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Miami, Florida
Minneapolis, Minnesota
New York, New York
Phoenix, Arizona
Portland, Oregon
San Francisco, California
Seattle, Washington
Tampa, Florida
Vancouver, British Columbia
Winnipeg, Manitoba
Zurich, Switzerland

DEVELOPMENT APPLICATION

REFER TO TYPICAL UNIT LAYOUTS FOR
POST-ADAPTABLE + FURNITURE
LAYOUTS + FURTHER DETAILS

⑩ Level 04 - LOT 601
1:200

Environ	Scale 1 : 2000	Chemical
POP		
Job No	Decomposing No	Issue
2454	13	F



DEVELOPMENT APPLICATION

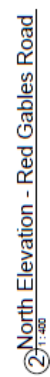
Project	PROPOSED RESIDENTIAL APARTMENTS - R4 ZONE
Project Address	Lot 105, 13 Red Gables Road + 999999 Jasper Road, Box Hill
Client	Mr. J. Cappello
Title	Roof Level - LOT 602
Scale	1:300
Sheet No.	2454
Sheet	D

Roof Level - LOT 602

STORMWATER DETAILS & SITE LEVELS
REFER TO HYDRAULIC DRAWINGS

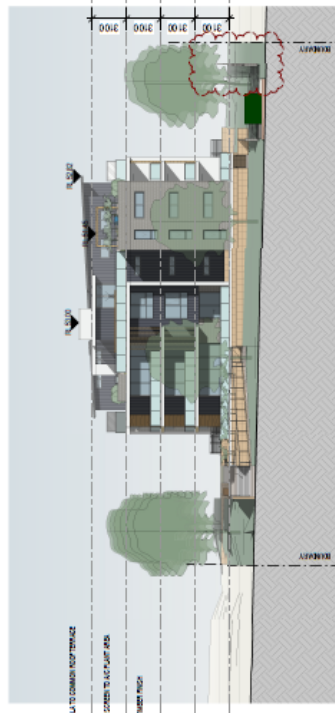
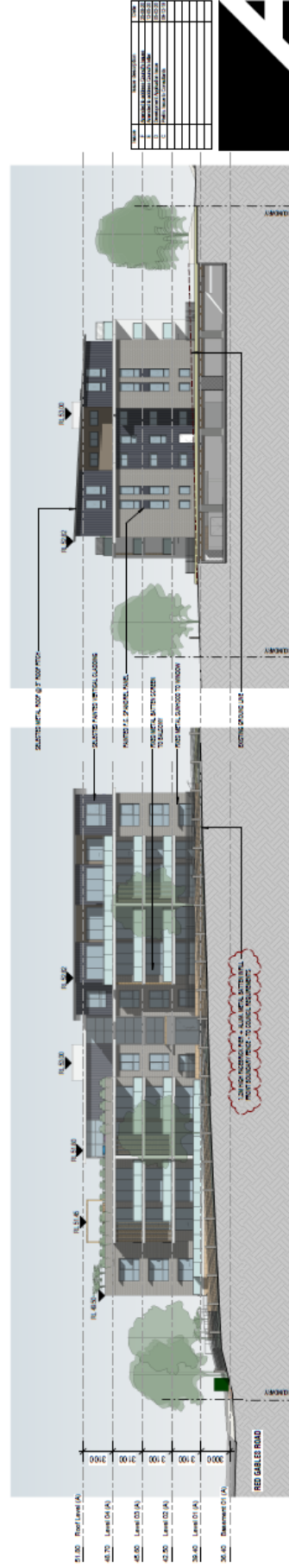
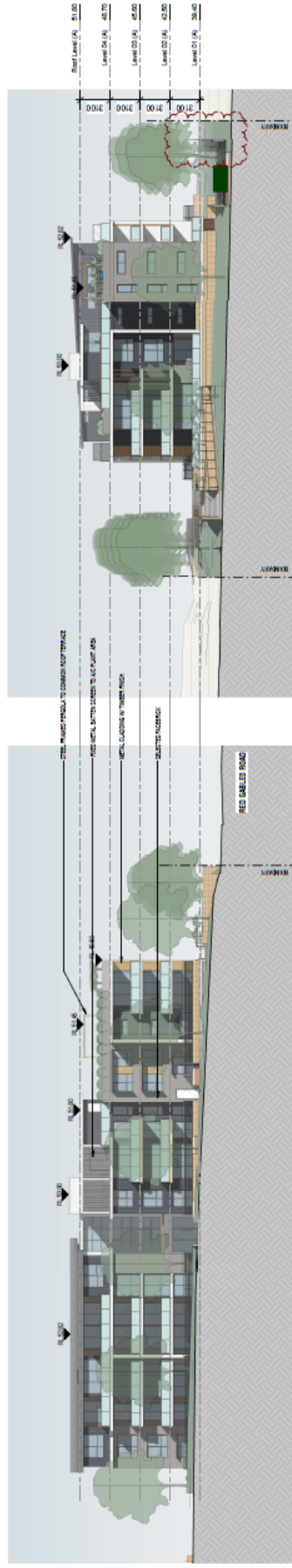
LANDSCAPE DETAILS
REFER TO LANDSCAPE DRAWINGS

architect 1000 15th St. Suite 100 San Francisco, CA 94103 Tel: 415.774.1000 Fax: 415.774.1001 Email: info@architect.com Project Address: 1000 15th St. Suite 100 San Francisco, CA 94103 Tel: 415.774.1000 Fax: 415.774.1001 Email: info@architect.com	Proposed Residential Apartments - 14 Zone 1000 15th St. Suite 100 San Francisco, CA 94103 Tel: 415.774.1000 Fax: 415.774.1001 Email: info@architect.com Project Address: 1000 15th St. Suite 100 San Francisco, CA 94103 Tel: 415.774.1000 Fax: 415.774.1001 Email: info@architect.com
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[illegible]

Project	PROPOSED RESIDENTIAL APARTMENTS - R4 ZONE		
Project Address	Lot 105, 133 Red Gables Road + 194055 Jansseler Road, Box Hill		
Client	Mr. J. Cappello		
Title	Site Elevations		
Station	Point	Height	Checked
PSP	1-400		
2454	16	194055	F

REFER TO SCHEDULE OF FINISHES + SAMPLE BOARD FOR MATERIALS AND ALLOCATION



5 Block A - East Elevation
1 : 200

6 Block A - North Elevation
1:200

7 Block A - West Elevation

8 Block A - South Elevation
1" = 200'

Sl. No.	Topic	Page No.
1	Introduction to the subject	1
2	History of the subject	2
3	Scope of the subject	3
4	Importance of the subject	4
5	Conclusion	5

Proposed	Proposed Residential Apartments - A1 Zone	Proposed Address	Lot 105, 13 Reid Gables Road + 994/95 Jerrard Road, Box Hill	Owner	Mr. J. Coppello
Site	Elevations - Block A				
Division	PCP	Scale	1:200	Drawn	
	2454		17	Sheet	F

DEVELOPMENT APPLICATION

**BUILDING HEIGHT LINES - REFER TO SITE SECTIONS
+ 30 BUILDING HEIGHT PLANE DIAGRAM**

REFER TO SCHEDULE OF FINISHES + SAMPLE BOARD FOR MATERIALS AND ALLOCATION



1 Block B - East Elevation
1:200



3 Block B - West Elevation
1:200



Sl. No.	Topic	Page No.
1	Introduction to the course	1-2
2	Mathematical Induction	3-4
3	Set Theory	5-6
4	Logic	7-8
5	Combinatorics	9-10
6	Probability	11-12
7	Statistics	13-14
8	Calculus	15-16
9	Linear Algebra	17-18
10	Differential Equations	19-20
11	Discrete Mathematics	21-22
12	Graph Theory	23-24
13	Number Theory	25-26
14	Algebra	27-28
15	Geometry	29-30
16	Trigonometry	31-32
17	Complex Numbers	33-34
18	Vector Calculus	35-36
19	Partial Differential Equations	37-38
20	Integral Calculus	39-40
21	Mathematical Analysis	41-42
22	Topology	43-44
23	Group Theory	45-46
24	Ring Theory	47-48
25	Field Theory	49-50
26	Module Theory	51-52
27	Representation Theory	53-54
28	Algebraic Geometry	55-56
29	Number Theory	57-58
30	Probability	59-60
31	Statistics	61-62
32	Calculus	63-64
33	Linear Algebra	65-66
34	Differential Equations	67-68
35	Discrete Mathematics	69-70
36	Graph Theory	71-72
37	Number Theory	73-74
38	Algebra	75-76
39	Geometry	77-78
40	Trigonometry	79-80
41	Complex Numbers	81-82
42	Vector Calculus	83-84
43	Partial Differential Equations	85-86
44	Integral Calculus	87-88
45	Mathematical Analysis	89-90
46	Topology	91-92
47	Group Theory	93-94
48	Ring Theory	95-96
49	Field Theory	97-98
50	Module Theory	99-100

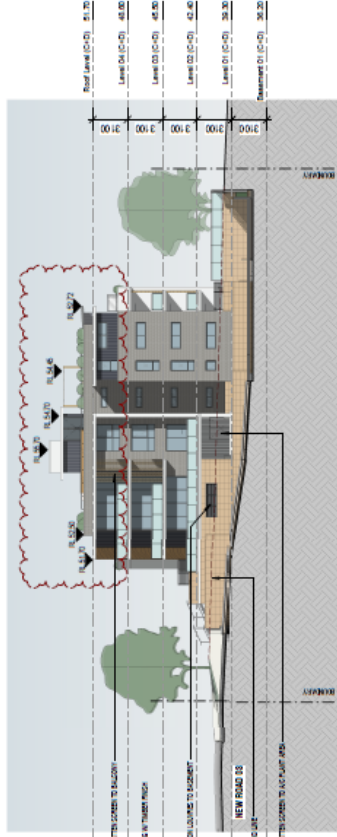
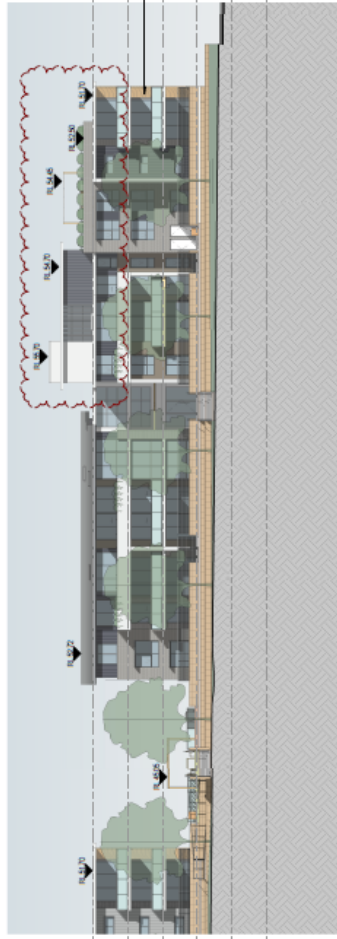


Proposed PROPOSED RESIDENTIAL APARTMENTS - RA ZONE Proposed Address: Lot 105, 13 Red Gables Road + 954-956 Jorgensen Road, Box HI	Owner: Mr. J. Coppello	Title: Elevations - Block B
Sheets: 2454	Date: 11-200	Sheet: 18
Scale: 1" = 20'	Date: 11-200	Sheet: F

DEVELOPMENT APPLICATION

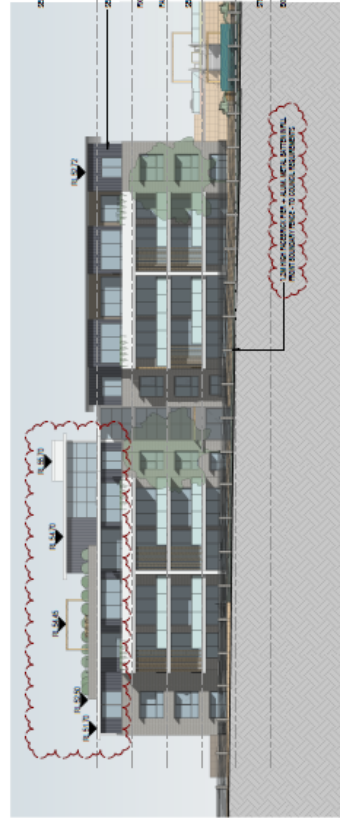
**BUILDING HEIGHT LINES - REFER TO SITE SECTIONS
+ 3D BUILDING HEIGHT PLANE DIAGRAM**

REFER TO SCHEDULE OF FINISHES + SAMPLE BOARD FOR MATERIALS AND ALLOCATION



9-Block C - East Elevation
1:200

10 Block C - North Elevation
1:200



1 Block C - West Elevation
1:200

12 Block C - South Elevation

Question	Answer	Mark
1. A company has a net income of \$100,000 and a tax rate of 30%. What is the company's taxable income?	\$142,857	10
2. A company has a net income of \$100,000 and a tax rate of 30%. What is the company's taxable income?	\$142,857	10
3. A company has a net income of \$100,000 and a tax rate of 30%. What is the company's taxable income?	\$142,857	10
4. A company has a net income of \$100,000 and a tax rate of 30%. What is the company's taxable income?	\$142,857	10
5. A company has a net income of \$100,000 and a tax rate of 30%. What is the company's taxable income?	\$142,857	10



Proposed	PROPOSED RESIDENTIAL APARTMENTS - W ZONE			
Project Address:	Lot 106; 13 Red Gables Road + 59679, Jasper Rd Box Hill			
Clerk:	Mr. J. Cappello			
Title:	Elevations - Block C			
Owner:	RGP	Scale:	1" = 30'	Drawn by:
Date:	2/4/84	Sheet No.	19	Folio
				F

DEVELOPMENT APPLICATION

**BUILDING HEIGHT LINES - REFER TO SITE SECTIONS
+ 3D BUILDING HEIGHT PLANE DIAGRAM**

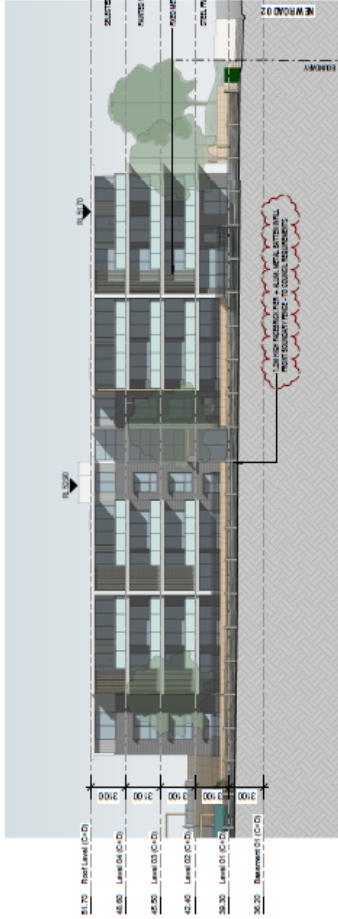
REFER TO SCHEDULE OF FINISHES + SAMPLE BOARD FOR MATERIALS AND ALLOCATION



13 Block D - East Elevation
1:100



14 Block D - North Elevation
1:100



15 Block D - West Elevation
1:100



16 Block D - South Elevation
1:100

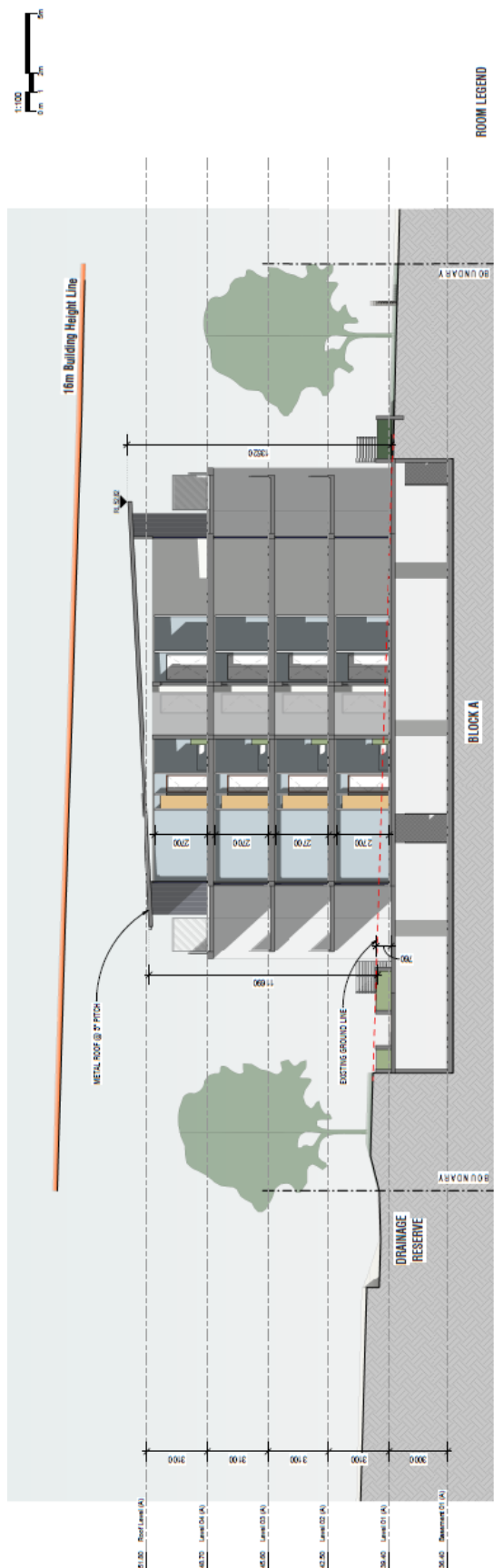
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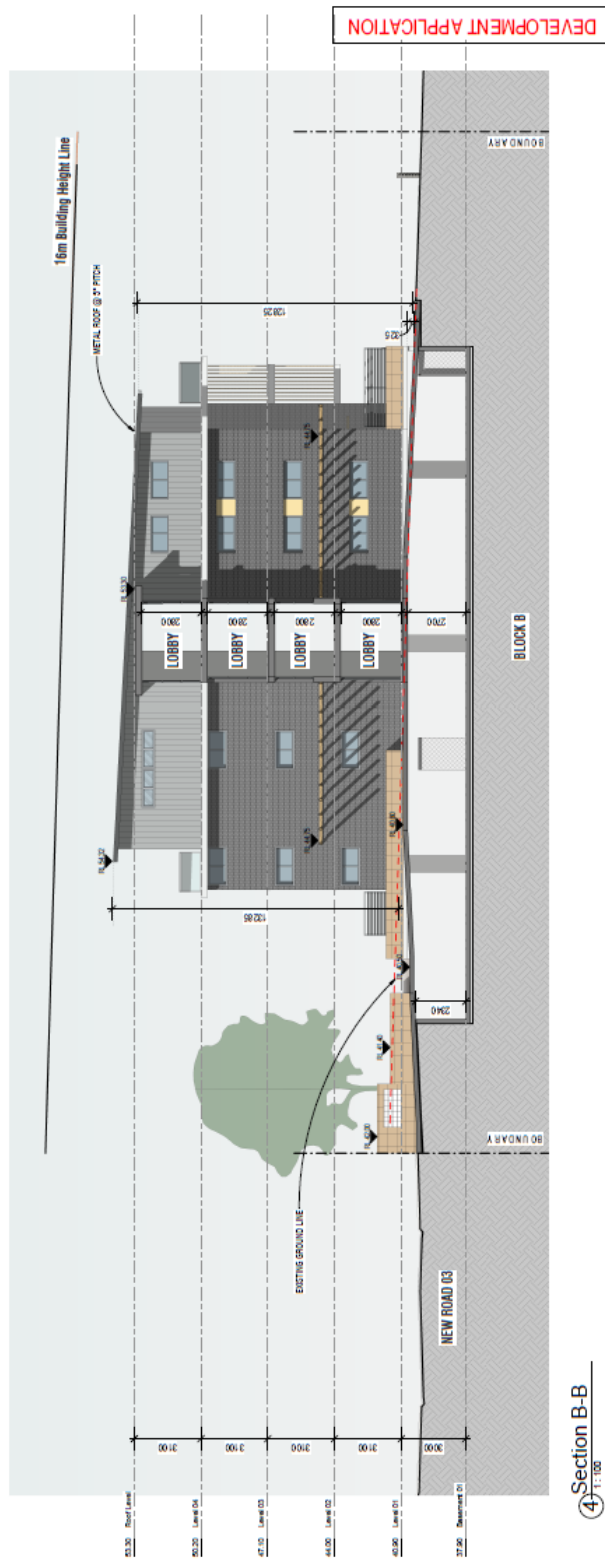
Project	PROPOSED RESIDENTIAL APARTMENTS - RAZZINE
Project Address	Lot 100, 13 Road Cedar Road + 55555 Jumper Road, Cedar Hill
Client	Mr. J. Cappello
Title	Elevations - Block D
Scale	1:100
Sheet No.	2454
Sheet	F

DEVELOPMENT APPLICATION

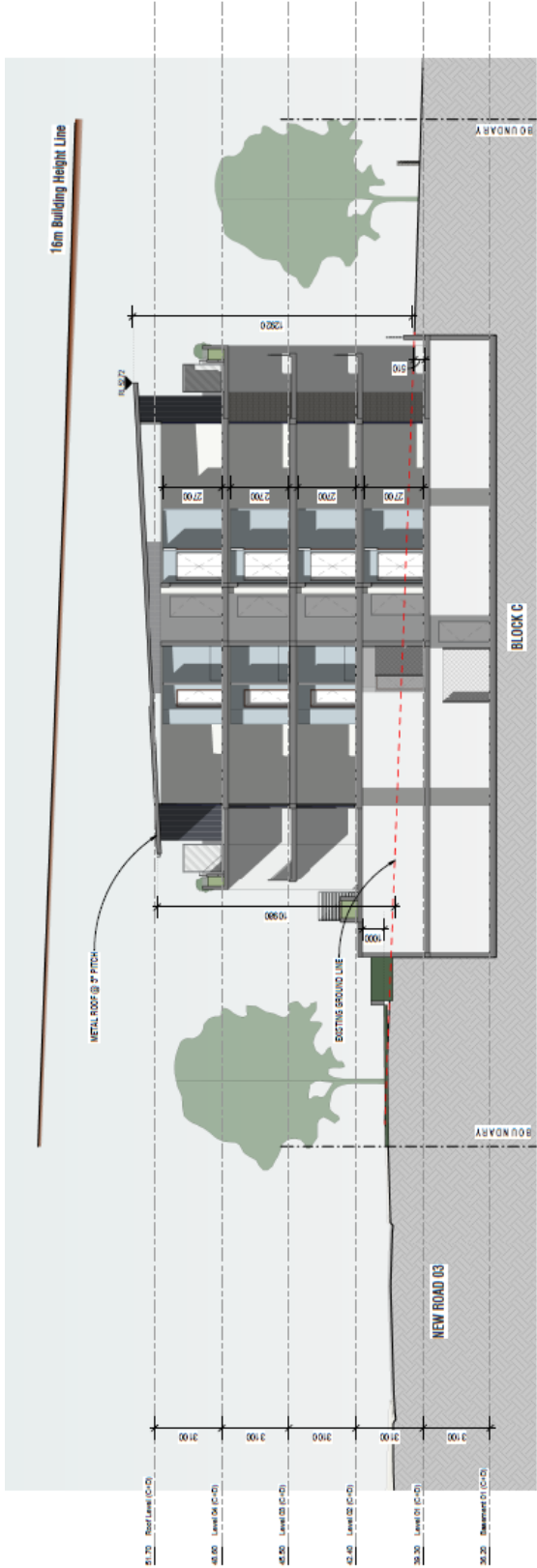
BUILDING HEIGHT LINE: REFER TO SITE SECTIONS
 1:10 BUILDING HEIGHT PLANE DIAGRAM
 REFERS TO SCHEDULE OF FINISHES + SAMPLE
 BOARD FOR MATERIALS AND ALLOCATION

[illegible]

Section A-A
3 1:100



4 Section B-B
1 : 100



ROOM LEGEND

- 1 Bed
- 2 Bed
- 3 Bed

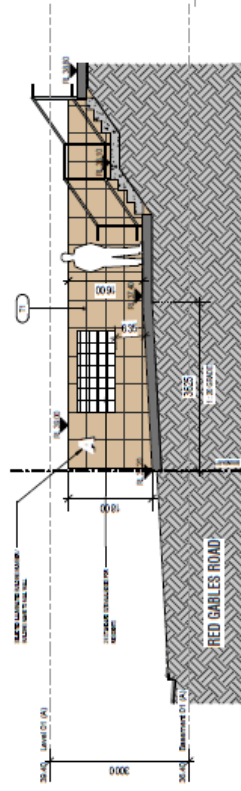
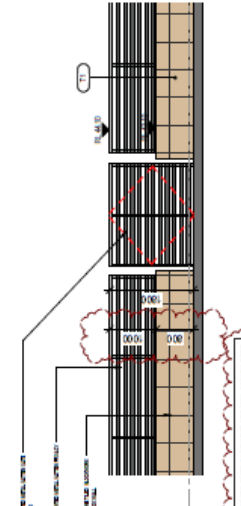


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Architectural Services
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Project	PROPOSED RESIDENTIAL APARTMENTS - R4 ZONE
Project Address	Lot 105/13 Red Gables Road + 999/95 Jumper Road, Sun Hill
Client	Mr. J. Cappello
Site	Site Sections
Scale	1:100
Sheet No.	2454
Sheet	D

DEVELOPMENT APPLICATION

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Region	Number of respondents	Age
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2. South Africa	10	30-39
3. South Africa	10	40-49
4. South Africa	10	50-59
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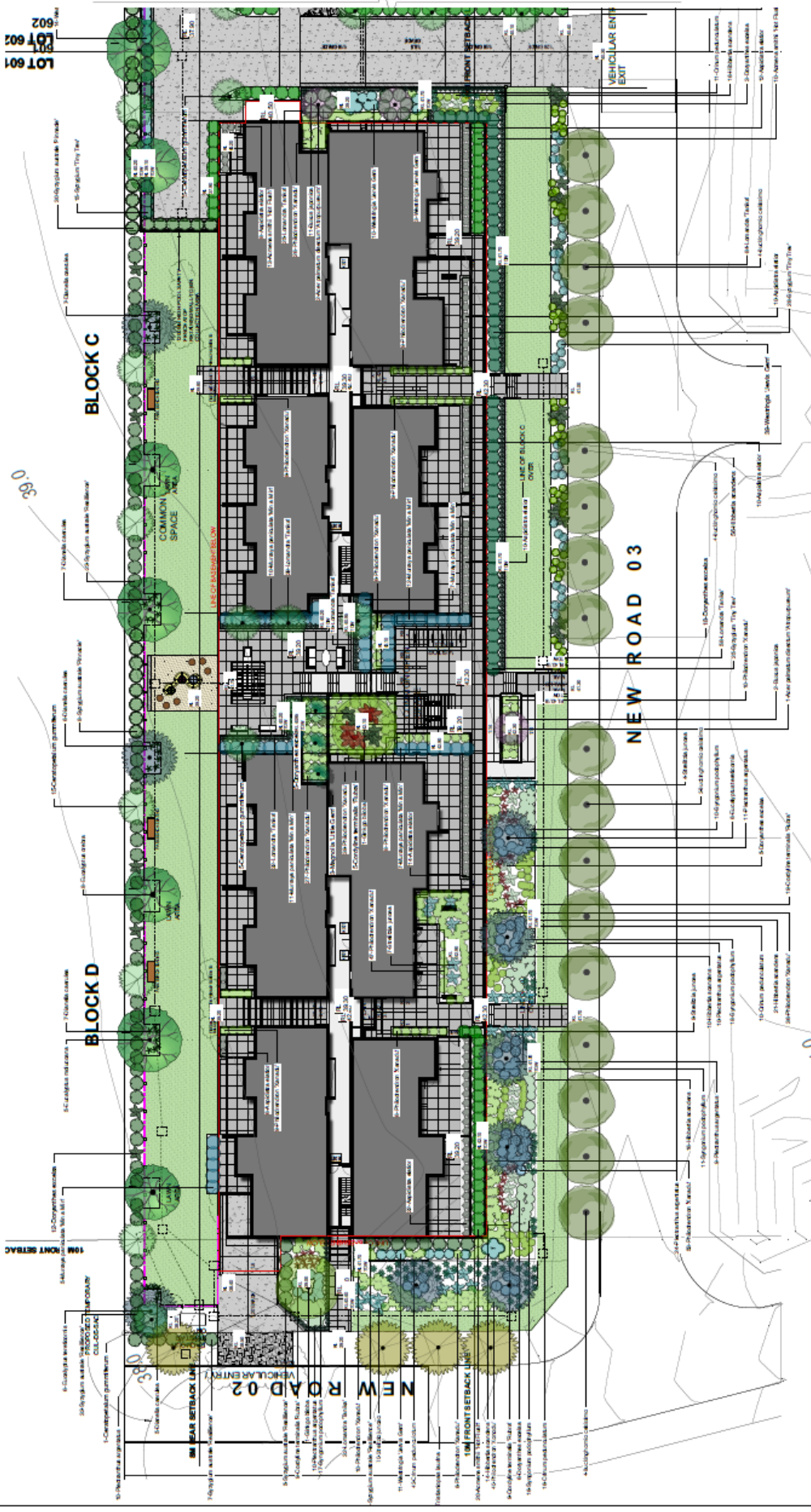
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 Telefon +41 (0) 44 253 1313 | Fax +41 (0) 44 253 1314
 E-Mail info@architex.ch
 Web www.architex.ch

DEVELOPMENT APPLICATION

Project	PROPOSED RESIDENTIAL APARTMENTS - R4 ZONE		
Project Address	Lot 105, 13 Red Gables Road + 99/96, Jergaster Road, Box Hill		
Client	Mr. J. Coppello		
Title	Site Details		
Drawn By	PRG	Scale 1:50	Checked
Date	24/05/24	Drawing No.	24 F

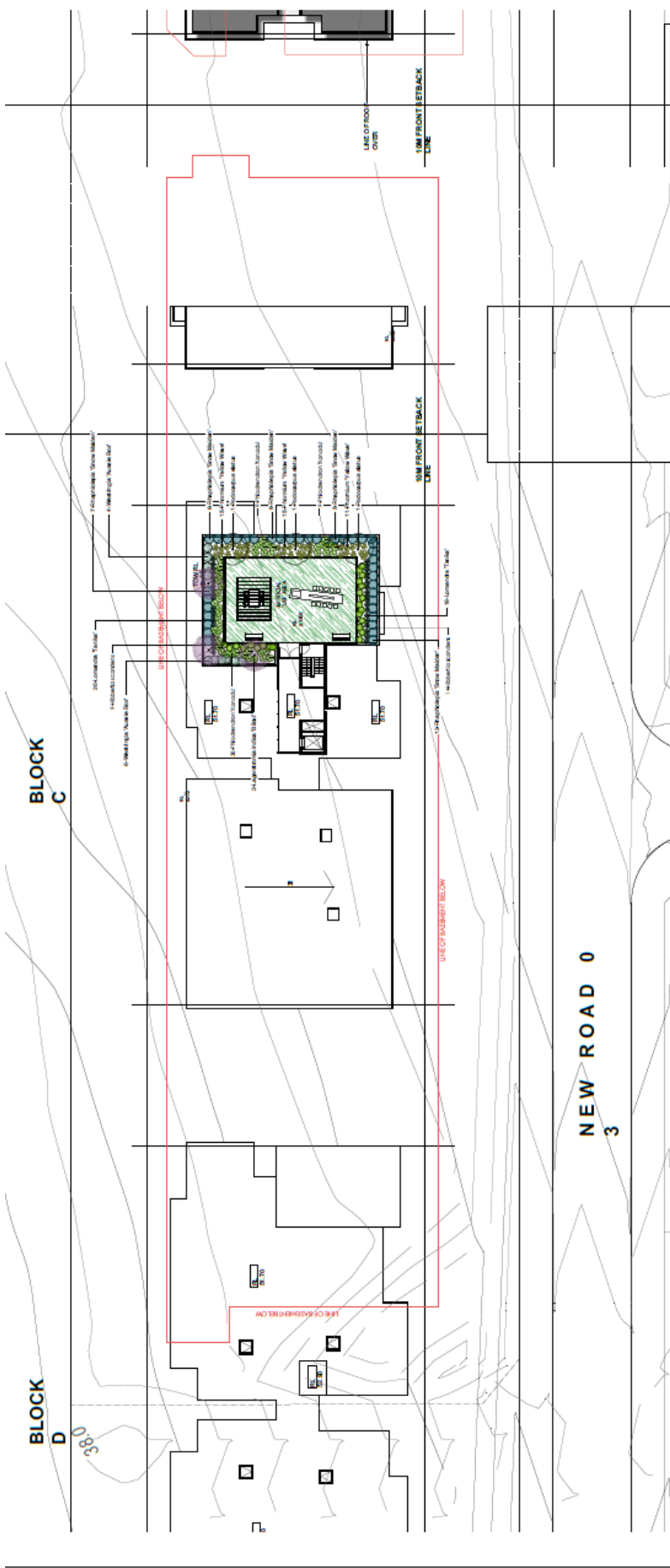
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DATE	SCALE	REVISION	C	ARCHIT	L02	OF 5
PROJECT	LEVEL 132, LOT 601 - PLANTING PLAN	SCALE	1:200	ARCHIT	L02	OF 5
CLIENT	13 Red Gables Rd & 9/9a/9b Jasper Rd, Box Hill	SCALE	1:200	ARCHIT	L02	OF 5
DESIGNER	A Total Concept Landscape Architects	SCALE	1:200	ARCHIT	L02	OF 5
DRAWN BY	M. J. Caspale	SCALE	1:200	ARCHIT	L02	OF 5
CHECKED BY	M. J. Caspale	SCALE	1:200	ARCHIT	L02	OF 5



Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5	Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5	Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5	Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5	Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5	Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5	Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5	Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5	Project Name: Level 4, Lot 602 - Planting Plan Client: Proposed Residential Apartments Architect: Architect Scale: 1:200 Revision: C Sheet: OF 5
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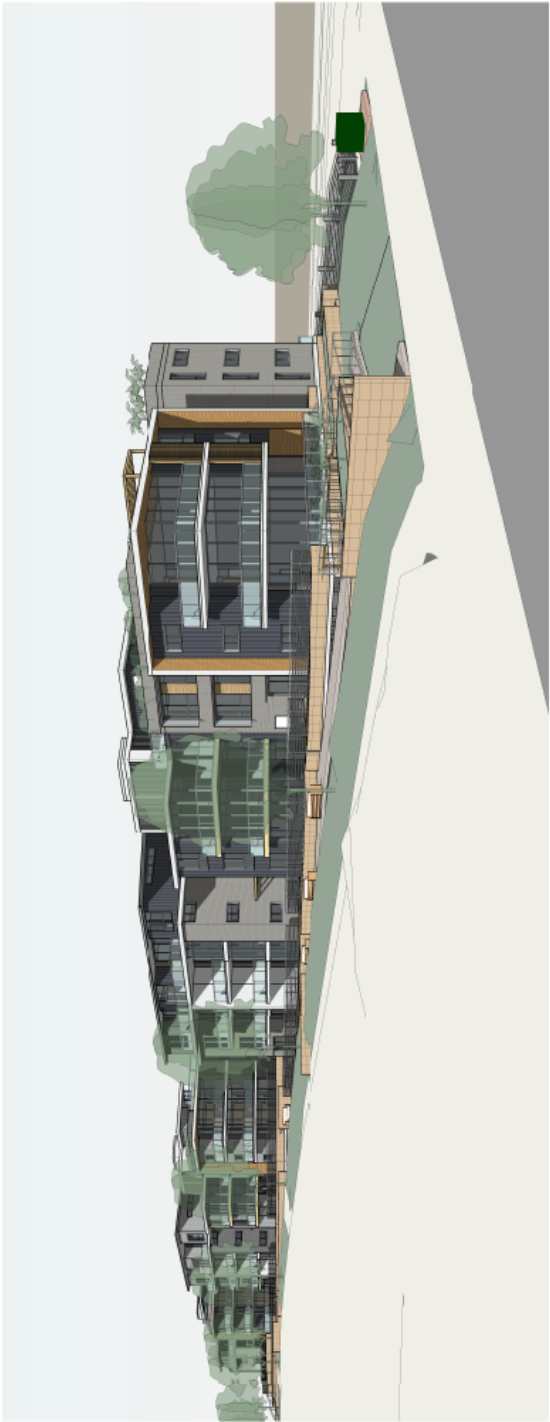


1. All drawings and the material by which they are constructed shall be the property of the Architect.	2. The Architect shall not be responsible for the construction of the project.	3. The Architect shall not be responsible for the construction of the project.	4. The Architect shall not be responsible for the construction of the project.	5. The Architect shall not be responsible for the construction of the project.	6. The Architect shall not be responsible for the construction of the project.	7. The Architect shall not be responsible for the construction of the project.	8. The Architect shall not be responsible for the construction of the project.	9. The Architect shall not be responsible for the construction of the project.	10. The Architect shall not be responsible for the construction of the project.
11. The Architect shall not be responsible for the construction of the project.	12. The Architect shall not be responsible for the construction of the project.	13. The Architect shall not be responsible for the construction of the project.	14. The Architect shall not be responsible for the construction of the project.	15. The Architect shall not be responsible for the construction of the project.	16. The Architect shall not be responsible for the construction of the project.	17. The Architect shall not be responsible for the construction of the project.	18. The Architect shall not be responsible for the construction of the project.	19. The Architect shall not be responsible for the construction of the project.	20. The Architect shall not be responsible for the construction of the project.

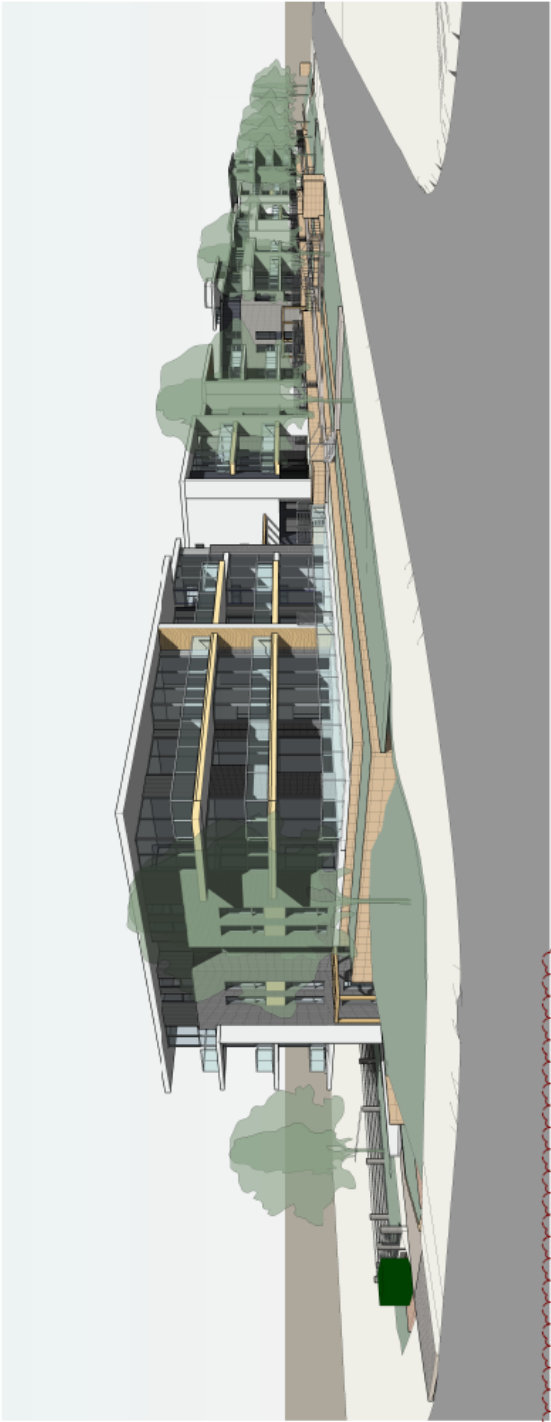
ATTACHMENT 11 – BUILDING HEIGHT PLANE DIAGRAM



ATTACHMENT 12 – PERSPECTIVES



① Lot 105a - View from Red Gables Road



② Lot 105b - View from Cnr. New Roads 02 + 03

DEVELOPMENT APPLICATION

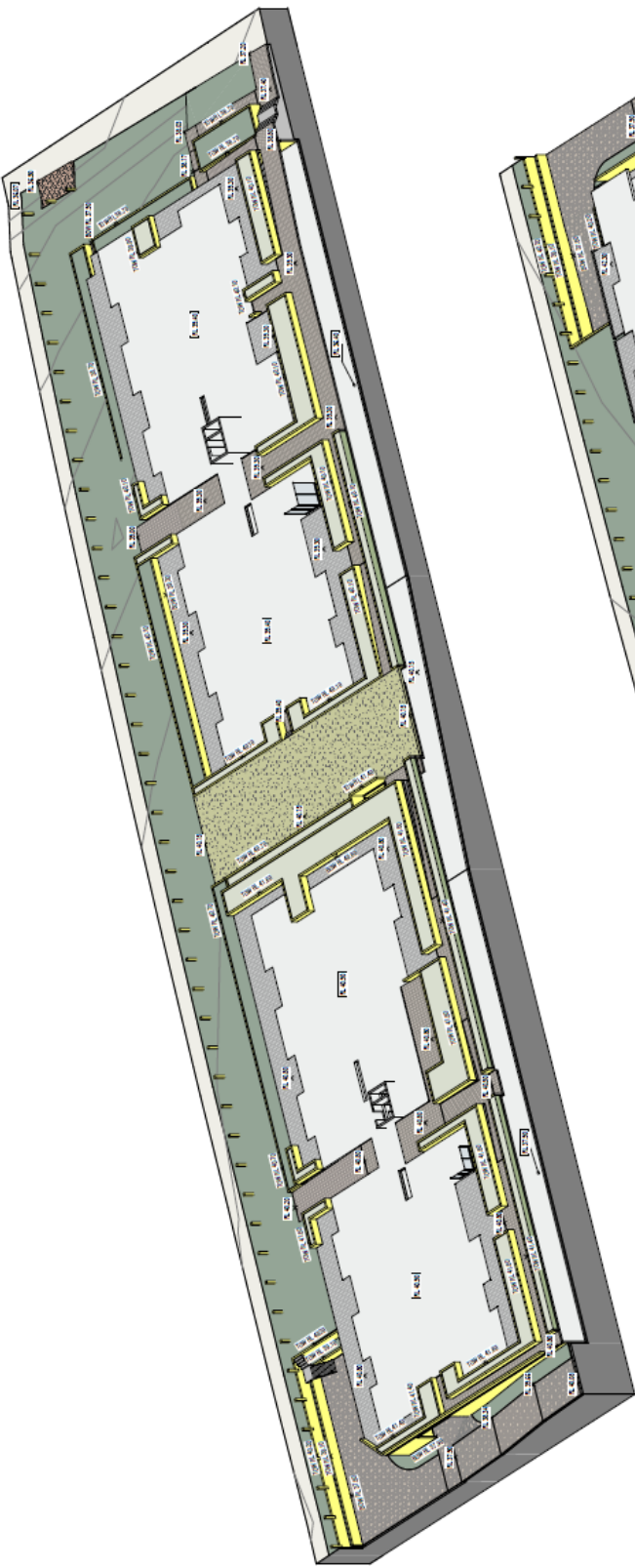
Project	PROPOSED RESIDENTIAL APARTMENTS - R4 ZONE
Project Address	Lot 105, 13 Red Gables Road + 955-955 Jerrard Road, East Hill
Owner	Mr. J. Cappello
Title	Perspective Views
Sheet No.	2454
Sheet Count	37
Scale	F

architex

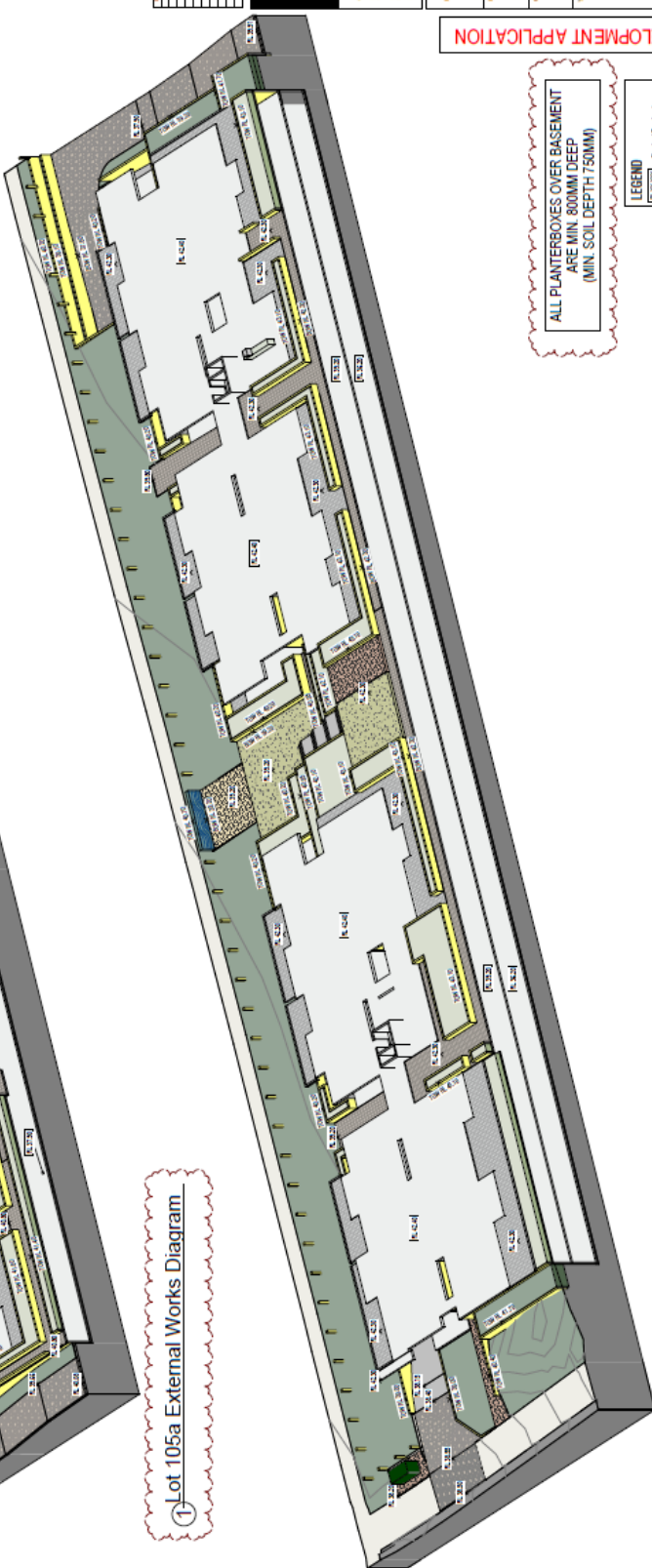
1000 Hwy 101, Suite 100
Vancouver, BC V6P 6E1
Tel: 604.275.1111
Fax: 604.275.1112
www.architex.ca

Sheet No.	2454
Sheet Count	37
Scale	F

ATTACHMENT 13 – EXTERNAL WORKS DIAGRAM



① Lot 105a External Works Diagram



② Lot 105b External Works Diagram

DEVELOPMENT APPLICATION

ALL PLANTERBOXES OVER BASEMENT ARE MIN. 800MM DEEP (MIN. SOIL DEPTH 750MM)

LEGEND			
[Symbol]	Standard Plant Land		
[Symbol]	Plant Land		
[Symbol]	Plant Land		
[Symbol]	Plant Land		

REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR DEVELOPMENT APPLICATION
2	ISSUED FOR DEVELOPMENT APPLICATION
3	ISSUED FOR DEVELOPMENT APPLICATION
4	ISSUED FOR DEVELOPMENT APPLICATION
5	ISSUED FOR DEVELOPMENT APPLICATION
6	ISSUED FOR DEVELOPMENT APPLICATION
7	ISSUED FOR DEVELOPMENT APPLICATION
8	ISSUED FOR DEVELOPMENT APPLICATION
9	ISSUED FOR DEVELOPMENT APPLICATION
10	ISSUED FOR DEVELOPMENT APPLICATION

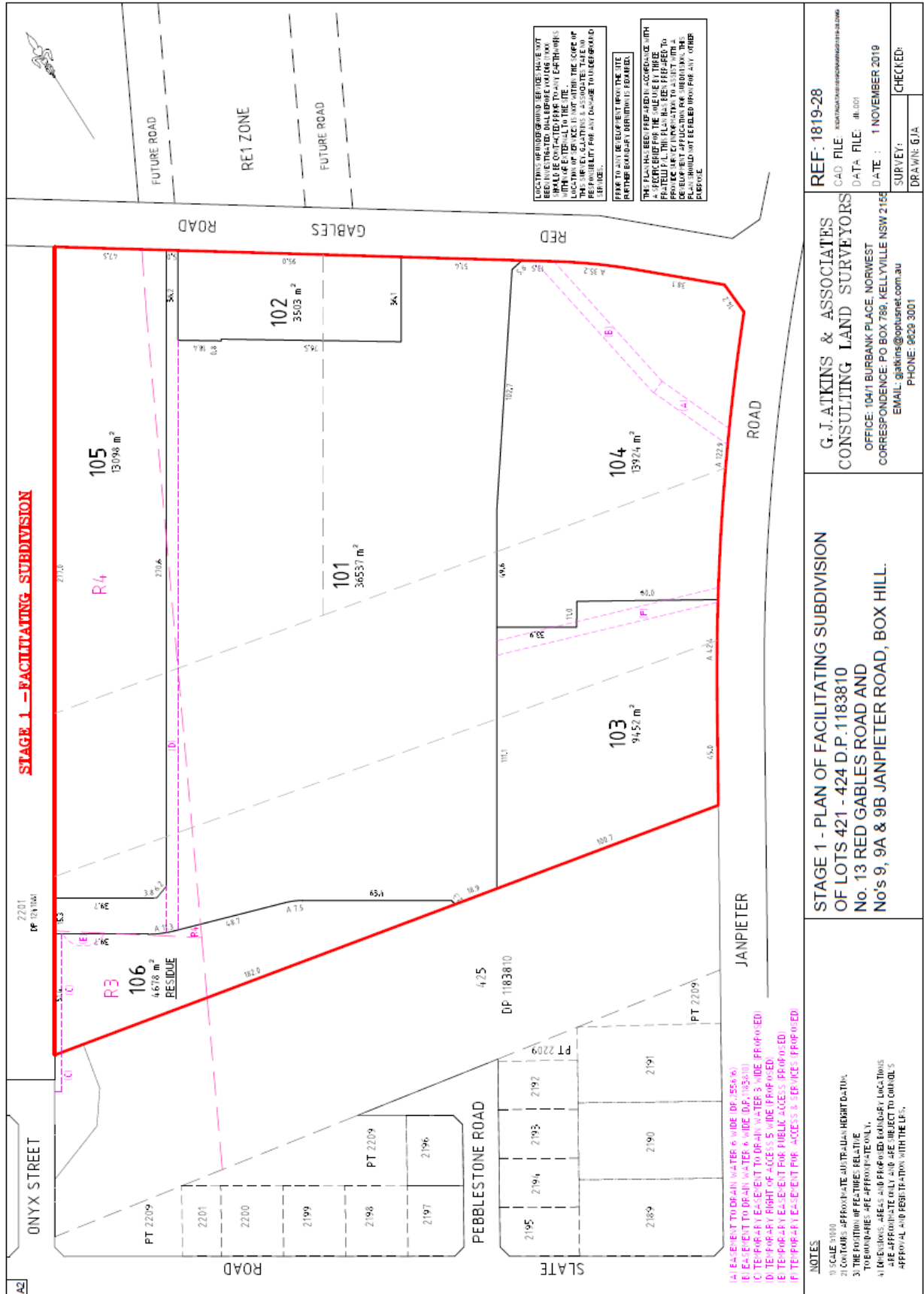
architex
ARCHITECTS
101/102, 113-114, Collins Road -
950/951, Janyard Road, Box Hill
VIC 3083
Phone: 03 9487 1111
Fax: 03 9487 1112
Email: info@architex.com.au
www.architex.com.au

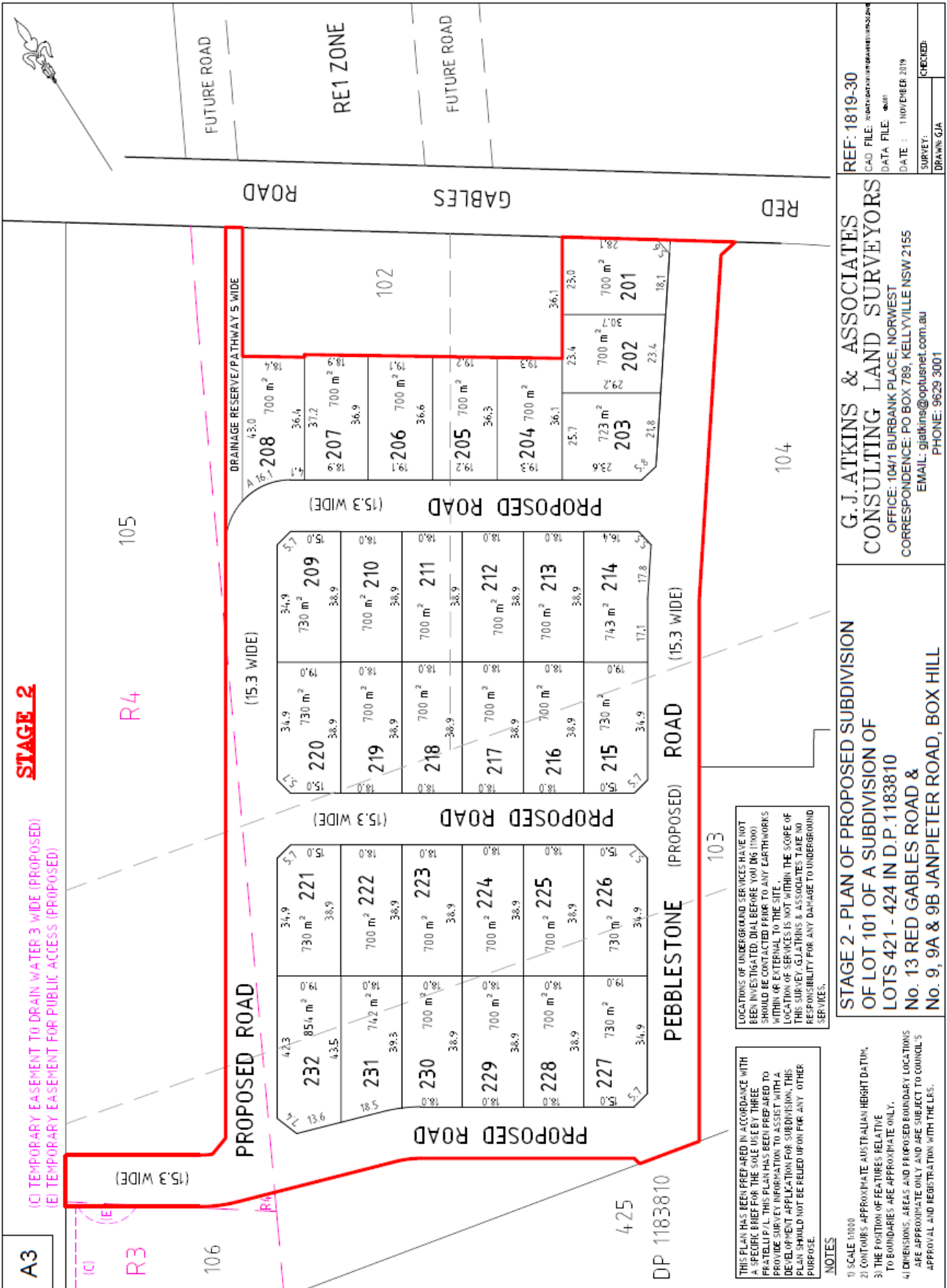
Project	PROPOSED RESIDENTIAL APARTMENTS - PALONE
Client	Mr. J. Cappello
Site	101/102, 113-114, Collins Road - 950/951, Janyard Road, Box Hill
Scale	1:100
Sheet	F
Drawn By	2454
Checked By	46

The site plan illustrates the layout of Lot 601 and Lot 602. Lot 601 is divided into four blocks (A, B, C, D) with building envelopes indicated by dashed lines. Lot 602 is a larger lot with a building envelope indicated by a dashed line. The plan shows the intersection of New Road 02, New Road 03, and New Road 04. A 'LINE OF ZONING CHANGE' is marked between Lot 601 and Lot 602. A 'LINE OF BLOCK A BUILDING ENVELOPE' is also shown. The plan includes a north arrow, a scale bar (0 to 100 feet), and a title block with the following information:

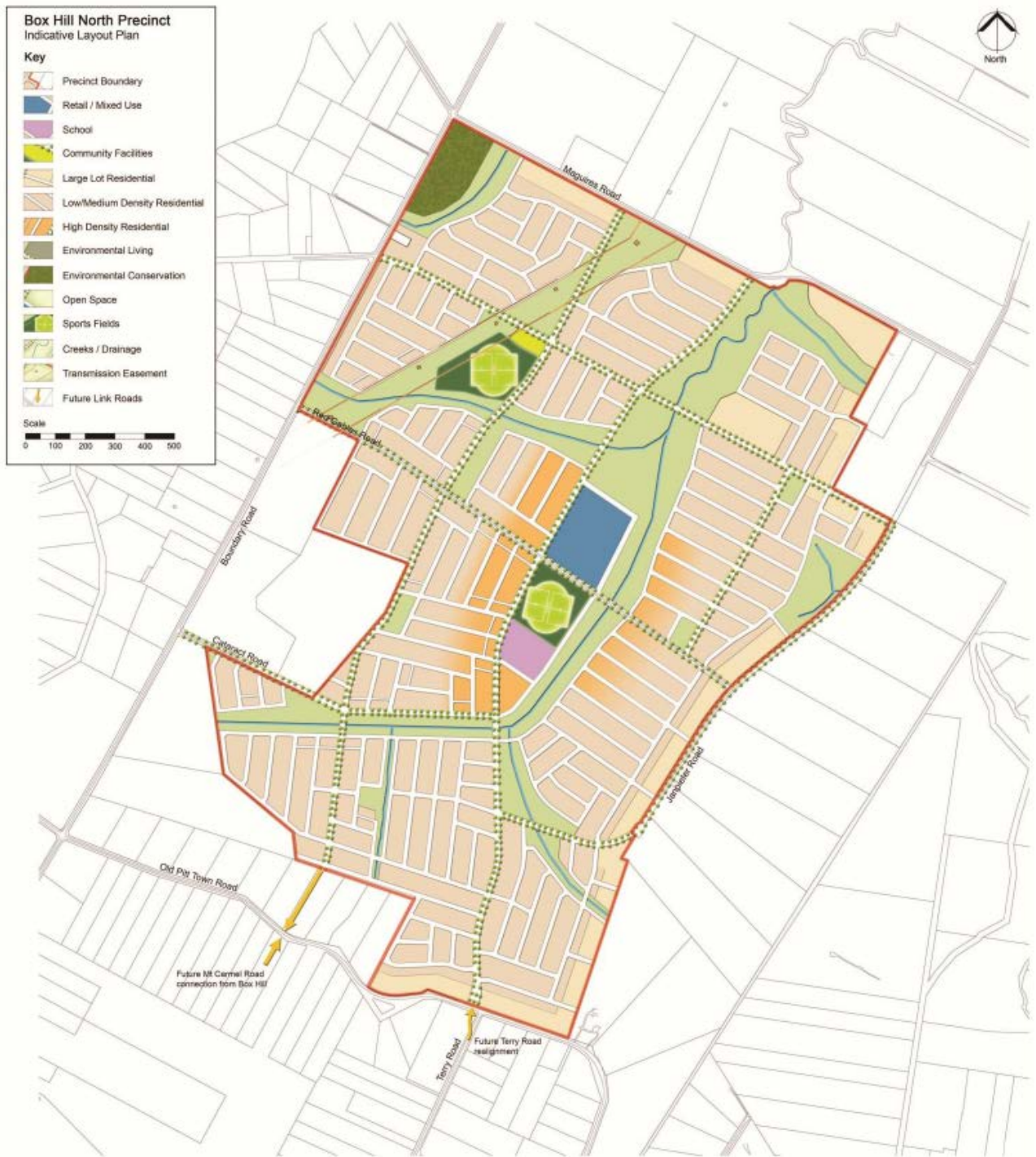
architex	
PROPOSED RESIDENTIAL APARTMENTS - R4 ZONE	
Project Address: Lot 105, 13 Red Gables Road + 9949th Jernister Road, Box Hill	
Client: Mr. J. Cappello	
Title: LEP Zoning Diagram	
Drawn by: P. J. 2454	Checked by: E. 003a
Date: 24/5/20	Scale: 1:1000

ATTACHMENT 15 – PROPOSED PLAN OF SUBDIVISION FOR DA 799/2020/ZB (STAGES 1 & 2)





ATTACHMENT 16 – BOX HILL NORTH DCP INDICATIVE LAYOUT PLAN (ILP)



ATTACHMENT 17 – POTENTIAL FUTURE LAYOUT PLAN FOR NEIGHBOURING SITE TO WEST OF SUBJECT SITE

