

## AUBURN COUNCIL

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JRPP Report

To the Joint Regional Planning Panel

**43 Church Street, LIDCOMBE**

**DA-201/2011/A      GF:ML**

### SUMMARY

<b>Applicant</b>	City Projects & Development Pty Limited
<b>Owner</b>	Sen Yuan Investment Pty Ltd
<b>Application No.</b>	DA-201/2011/A
<b>Description of Land</b>	Lot 101 DP 853968, 43 Church Street, LIDCOMBE
<b>Description of Original DA:</b>	Demolition of existing buildings and associated structures, tree removal and construction of 10 storey residential flat building comprising 67 units over 3 levels of basement parking
<b>Description of Modification:</b>	Section 96(2) application to modify residential flat building including deletion of top floor, redesign of Level 9 and amending apartment layout and external appearance & materials
<b>Site Area</b>	1779.00m <sup>2</sup>
<b>Zoning</b>	Zone B4 - Mixed Use
<b>Disclosure of political donations and gifts</b>	Nil disclosure
<b>Issues</b>	Façade treatment Privacy Minor variation to SEPP 65

### Recommendation

1. That Section 96(2) Application No. 201/2011/A to modify residential flat building including deletion of top floor, redesign of Level 9 and amending apartment layout and external appearance and materials on land at 43 Church Street, LIDCOMBE be approved as follows:

- A. Amend the description of the proposal to read as follows:

“Demolition of existing buildings and associated structures, tree removal and construction of **9** storey residential flat building comprising **69** units over 3 levels of basement parking”

**[Description of the proposal amended by Section 96 modification DA-201/2011/A]**

- B. Amend the following conditions to read as follows:

1. **Approved Plans**

The development is to be carried out in accordance with the approved stamped plans as numbered below:

<i>Plan Number</i>	<i>Prepared By</i>	<i>Revision No.</i>	<i>Dated</i>
<b>12_092 S96_A012 – Site Plan</b>	<b>Smith &amp; Tzannes</b>	<b>D</b>	<b>27/5/2013</b>

12_092 S96-A-100 – Basement B4	Smith & Tzannes	D	27/5/2013
12_092 S96-A-101 – Basement B3	Smith & Tzannes	D	27/5/2013
12_092 S96-A-102 – Basement B2 (as amended in red)	Smith & Tzannes	D	27/5/2013
12_092 S96-A-103 – Basement B1 (as amended in red)	Smith & Tzannes	D	27/5/2013
12_092 S96-A-104 – Level 1 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-105 – Level 2 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-106 – Level 3 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-107 – Level 4 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-108 – Level 5 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-109 – Level 6 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-110 – Level 7 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-111 – Level 8 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-112 – Level 9 Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-113 – Roof Plan	Smith & Tzannes	D	27/5/2013
12_092 S96-A-200 – North Elevation	Smith & Tzannes	D	27/5/2013
12_092 S96-A-201 – South Elevation	Smith & Tzannes	D	27/5/2013
12_092 S96-A-202 – East Elevation	Smith & Tzannes	D	27/5/2013
12_092 S96-A-203 – West Elevation	Smith & Tzannes	D	27/5/2013
12_092 S96-A-300 – Section A	Smith & Tzannes	D	27/5/2013
12_092 S96-A-301 – Section B	Smith & Tzannes	A	10/12/2012
12_092 S96-A-302 – Section C	Smith & Tzannes	A	10/12/2012
12_092 S96-A-303 – Section D	Smith & Tzannes	A	10/12/2012
12_092 S96-A-903 – Materials Board	Smith & Tzannes	-	24/5/2013
DA35 – A/C Screening details	Jaime Kleinert Architects P/L	06	24/10/2011
LA01 – Landscape Plan	Aspect Studios	B	March 2012
LA02 – Landscape Plan	Aspects Studios	B	March 2012
H00, to H09 – Hydraulic Services Plan	JHA Consulting Engineers	C, D, E & F	27/03/2012

H10 – Hydraulic Services Plan	JHA Consulting Engineers	D	14/12/2011
H11 – Hydraulic Services Plan	JHA Consulting Engineers	C	24/10/2011
<b>20130187.1/2405A/R0/GW – Acoustic Report</b>	<b>Acoustic Logic</b>	<b>0</b>	<b>24/5/2013</b>
Phase 1 Contamination Report No: E24415Krpt1.1	Environmental Investigation Services	-	December 2011
Addendum to Phase 1 Contamination Report No. E24415Klet1.2	Environmental Investigation Services		19 January 2012
<b>Basix Certificate No. 460679M</b>	<b>NSW Planning &amp; Infrastructure</b>	-	<b>14 December 2013</b>

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason:- to confirm and clarify the terms of Council's approval.

**[Condition 1 amended by Section 96 modification DA-201/2011/A]**

**3. Auburn DCP 2007: Section 94 Development Contributions**

Development Contributions are payable in accordance with Auburn Council Council's Section 94 Development Contribution Plan 2007, which has been prepared under Section 94 of the Environmental Planning and Assessment Act 1979, as amended.

The amounts payable will be adjusted in accordance with the section titled Review of Contribution rates and are generally indexed on a quarterly basis by the Consumer Price Index CPI (all Groups Sydney) unless otherwise stated in the plan.

Contributions will be adjusted at the payment date in accordance with the plan and payment is to be made prior to the issue of a Construction Certificate.

Council's Development Contribution Plan 2007 is available for inspection at Council's Customer Services Centre, Civic Place, 1 Susan Street, Auburn or on line at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

A sum of \$ **329,348.78** is to be paid to Council for the purpose of LGA Wide plans being the provision of open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking and Council's administration of the development contributions framework.

The above sum is broken down to the following items:

<b>Item</b>	<b>Amount</b>
Community Facilities	<b>\$81,218.82</b>
Public Domain	<b>\$179,630.92</b>
Accessibility and Traffic	<b>\$49,508.98</b>
Administration	<b>\$18,990.06</b>

<b>TOTAL</b>	<b>\$329,348.78</b>
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Reason: to provide open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking and Council's administration of the development contributions framework.

**[Condition 3 amended by Section 96 modification DA-201/2011/A]**

46. **Car parking to Comply with Approved Details**

The area set aside for the parking of vehicles, and so delineated on the plan prepared by **Smith & Tzannes Architects** and endorsed plan Drawing No **12\_092 S96-A-100 to 102 (issue D) dated 27/5/2013** (shall not be used for any other purpose).

Reason:- to ensure the car parking area is not used for purposes other than the parking of cars associated with the use.

**[Condition 46 amended by Section 96 modification DA-201/2011/A]**

47. **Number of Car Parking Spaces**

A **minimum 83** off-street car parking spaces are to be provided to the development. The spaces are to have minimum dimensions of 5.5 m x 2.4 m and be suitably sealed, marked, drained and freely accessible at all times.

Carparking spaces are not to be enclosed by any device, such as a wire or mesh cage, walls or other similar fixtures unless there is a minimum clear internal width of 3 metres. Carparking spaces shall not be enclosed without the prior consent of council.

Reason:- to ensure there is sufficient car parking for the development and to comply with Auburn Parking & Loading DCP.

**[Condition 47 amended by Section 96 modification DA-201/2011/A]**

48. **Car Parking Allocation within Development**

A plan shall be provided as part of the Construction Certificate documentation indicating the location of car parking spaces and their allocation to individual units within the development. In this regard, the number of spaces to be provided to each building is as follows:

- a) Minimum **69** Residential parking spaces
- b) Minimum **14** Visitor parking spaces

Reason:- to ensure sufficient car parking spaces are provided for the intended use of units.

**[Condition 48 amended by Section 96 modification DA-201/2011/A]**

62. **Compliance with Submitted Acoustic Report**

All noise control measures specified in the Environmental noise acoustic assessment prepared by Acoustic Logic Consultancy dated **dated 24 May 2013 (report 20130187.1/2405A/R0/GW)**, shall be installed prior to the issuing of the

occupation certificate. All noise reduction measures specified in the acoustic report shall be complied with at all times during the operation of the premises.

Reason:- to protect the amenity of intended occupants and the surrounding land uses.

**[Condition 62 amended by Section 96 modification DA-201/2011/A]**

63. **Acoustic Certification**

Within three months of the premises being occupied, and acoustic report prepared by a suitably qualified person, is to be submitted to Council demonstrating that the noise emitted from the premises complies with the criteria contained in the Environmental noise acoustic assessment prepared by Acoustic Logic Consultancy **dated 24 May 2013 (report 20130187.1/2405A/R0/GW)**. Where the criteria are not met the acoustic report is to include recommendation of noise control measures that are to be implemented to ensure compliance with the criteria.

Reason:- to protect the amenity of intended occupants and the surrounding land uses.

**[Condition 63 amended by Section 96 modification DA-201/2011/A]**

## History

The Joint Regional Planning Panel (JRPP), at its meeting of 10 May 2012 resolved to grant approval to Development Application DA-201/2011 for Demolition of existing buildings and associated structures, tree removal and construction of 10 storey residential flat building comprising 67 units over 3 levels of basement parking subject to conditions including the following:-

### 1. Approved Plans

The development is to be carried out in accordance with the approved stamped plans as numbered below:

<b><i>Plan Number</i></b>	<b><i>Prepared By</i></b>	<b><i>Revision No.</i></b>	<b><i>Dated</i></b>
DA04 – Basement Level 1B Mezzanine	Jaime Kleinert Architects P/L	09	12/3/2012
DA05 – Basement Level 1A	Jaime Kleinert Architects P/L	09	12/3/2012
DA06 – Basement Level 2	Jaime Kleinert Architects P/L	09	12/3/2012
DA07 – Basement Level 3	Jaime Kleinert Architects P/L	09	12/3/2012
DA08 – Level 1 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA09 – Level 2 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA10 – Level 3 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA11 – Level 4 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA12 – Level 5 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA13 – Level 6 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA14 – Level 7 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA15 – Level 8 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA16 – Level 9 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA17 – Level 10 Floor Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA18 – Roof Plan	Jaime Kleinert Architects P/L	09	12/3/2012
DA19 – South Elevation	Jaime Kleinert Architects P/L	09	12/3/2012
DA20 – West Elevation	Jaime Kleinert Architects P/L	09	12/3/2012
DA21 – North Elevation	Jaime Kleinert Architects P/L	09	12/3/2012
DA22 – East Elevation	Jaime Kleinert Architects P/L	09	12/3/2012
DA23 – Section A-A	Jaime Kleinert Architects P/L	09	12/3/2012

DA24 – Section B-B	Jaime Kleinert Architects P/L	09	12/3/2012
DA25 – Section C-C	Jaime Kleinert Architects P/L	09	12/3/2012
DA26 – Section D-D	Jaime Kleinert Architects P/L	09	12/3/2012
DA28 – Materials Board	Jaime Kleinert Architects P/L	09	12/3/2012
DA35 – A/C Screening details	Jaime Kleinert Architects P/L	06	24/10/2011
LA01 – Landscape Plan	Aspect Studios	B	March 2012
LA02 – Landscape Plan	Aspects Studios	B	March 2012
H00, to H09 – Hydraulic Services Plan	JHA Consulting Engineers	C, D, E & F	27/03/2012
H10 – Hydraulic Services Plan	JHA Consulting Engineers	D	14/12/2011
H11 – Hydraulic Services Plan	JHA Consulting Engineers	C	24/10/2011
20110234.1/0609A/R3/RL – Acoustic Report	Acoustic Logic	3	06/09/2011
Phase 1 Contamination Report No: E24415Krpt1.1	Environmental Investigation Services	-	December 2011
Addendum to Phase 1 Contamination Report No. E24415Klet1.2	Environmental Investigation Services		19 January 2012
Basix Certificate No. 405052M_02	NSW Planning	-	23 March 2012

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason:- to confirm and clarify the terms of Council's approval.

### 3. **Auburn DCP 2007: Section 94 Development Contributions**

Development Contributions are payable in accordance with Auburn Council Council's Section 94 Development Contribution Plan 2007, which has been prepared under Section 94 of the Environmental Planning and Assessment Act 1979, as amended.

The amounts payable will be adjusted in accordance with the section titled Review of Contribution rates and are generally indexed on a quarterly basis by the Consumer Price Index CPI (all Groups Sydney) unless otherwise stated in the plan.

Contributions will be adjusted at the payment date in accordance with the plan and payment is to be made prior to the issue of a Construction Certificate.

Council's Development Contribution Plan 2007 is available for inspection at Council's Customer Services Centre, Civic Place, 1 Susan Street, Auburn or on line at [www.auburn.nsw.gov.au](http://www.auburn.nsw.gov.au).

A sum of \$ **324,292.83** is to be paid to Council for the purpose of LGA Wide plans being the provision of open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking and Council's administration of the development contributions framework.

The above sum is broken down to the following items:

<b>Item</b>	<b><i>Amount</i></b>
Community Facilities	\$799,71.17
Public Domain	\$176,871.68
Accessibility and Traffic	\$48,747.95
Administration	\$18,702.03
<b>TOTAL</b>	<b>\$324,292.83</b>

Reason: to provide open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking and Council's administration of the development contributions framework.

46. **Car parking to Comply with Approved Details**

The area set aside for the parking of vehicles, and so delineated on the plan prepared by Jaime Kleinert Architects and endorsed plan Drawing No DA05 to DA07 dated 12/3/2012 (shall not be used for any other purpose).

Reason:- to ensure the car parking area is not used for purposes other than the parking of cars associated with the use.

47. **Number of Car Parking Spaces**

A total of 85 off-street car parking spaces are to be provided to the development. The spaces are to have minimum dimensions of 5.5 m x 2.4 m and be suitably sealed, marked, drained and freely accessible at all times.

Carparking spaces are not to be enclosed by any device, such as a wire or mesh cage, walls or other similar fixtures unless there is a minimum clear internal width of 3 metres. Carparking spaces shall not be enclosed without the prior consent of council.

Reason:- to ensure there is sufficient car parking for the development and to comply with Auburn Parking & Loading DCP.

48. **Car Parking Allocation within Development**

A plan shall be provided as part of the Construction Certificate documentation indicating the location of car parking spaces and their allocation to individual units within the development. In this regard, the number of spaces to be provided to each building is as follows:

- a) Minimum 71 Residential parking spaces
- b) Minimum 14 Visitor parking spaces

Reason:- to ensure sufficient car parking spaces are provided for the intended use of units.

62. **Compliance with Submitted Acoustic Report**

All noise control measures specified in the Environmental noise acoustic assessment prepared by Acoustic Logic Consultancy dated 6 September 2011 (report 20110234.1/0609A/R3/RL), shall be installed prior to the issuing of the occupation certificate. All noise reduction measures specified in the acoustic report shall be complied with at all times during the operation of the premises.



Reason:- to protect the amenity of intended occupants and the surrounding land uses.

### 63. **Acoustic Certification**

Within three months of the premises being occupied, and acoustic report prepared by a suitably qualified person, is to be submitted to Council demonstrating that the noise emitted from the premises complies with the criteria contained in the Environmental noise acoustic assessment prepared by Acoustic Logic Consultancy dated 6 September 2011 (report 20110234.1/0609A/R3/RL). Where the criteria are not met the acoustic report is to include recommendation of noise control measures that are to be implemented to ensure compliance with the criteria.

Reason:- to protect the amenity of intended occupants and the surrounding land uses.

### **Site and Locality Description**

The subject site is identified as Lot 101 DP 853968 and is known as 43 Church Street, Lidcombe. The site is located on the northern side of Church Street between intersections with John Street to the west and Swete Street to the east. The site is situated diagonally opposite the entrance to the Lidcombe Railway Station. The site is irregularly shaped with a site area of approximately 1779sqm. The site has a street frontage of approximately 47.4m to Church Street and a rear boundary of approximately 47.2m and a depth ranging between 37.01m on the western boundary to 41.5m on the eastern boundary. The site is relatively flat with a gentle slope from the front to the rear boundary.

The site is located on the north-eastern boundary of Lidcombe Town Centre and currently devoid of any structure as existing structures on site have been demolished in preparation for construction works.

To the immediate east of the site is a two storey brick building used as a boarding house. This building is located in the R4 – High density residential zone and is to be isolated as a result of the proposed development (*site isolation has been addressed during the assessment of the original application*). The site adjoining the isolated site is a recently completed 3 storey residential flat building over basement carparking.

To the immediate north and west is St Joachim's Catholic Primary School being a heritage item listed as item no. 139 under Schedule 5 of Auburn Local Environmental Plan 2010. The buildings are of one and two storey heights. There is a grassed area within the west side street setback and the remainder open space adjoining the site is hard paved playground.

To the south of the site across Church Street are sets of railway lines with the entrance to Lidcombe railway station approximately 100m to the west of the subject site.

The site is identified on the maps below.



### Description of Proposed Development

Council has received a development application under the provisions of Section 96(2) of the Environmental Planning and Assessment Act, 1979 to modify the subject development consent as follows:-

- Reduction in the overall height of the building (from 10 storey to 9 storey);
- Increase the total number of units from 67 to 69;
- Redesign of level 9 layout;

- Redesign of internal layout of units and revised unit mix;
- Increase on-site parking from 85 spaces to 90 spaces;
- Provision of second lift access; and
- Changes to the external appearance of the building

Impacts of the proposed modification in relation to number of units, height, amenity, unit mix and car parking number are further discussed later under the relevant sections in the body of the report.

The proposed modification will require the modification of the description of the development and the amendment of all the conditions stated earlier in the report.

With regard to the amendment to the description of the proposal, this is to be carried out to reflect the amended total number of units within the development.

Condition 1 – Approved Plans – No objection is raised to the modification as it sought to reflect the amended plans, Basix Certificate, Acoustic Report etc under consideration. The condition as amended is reproduced under the “recommendation” section of this report.

Condition 3 – Section 94 Contributions - The consent notice requires modification to reflect the revised totals of units and associated contributions payments. The condition as amended is reproduced under the “Recommendation” section of the report.

Condition 46 - Car Parking to comply with Approved details - No objection is raised to the modification to reflect the updated area set aside for car parking including plan details. The condition as amended is reproduced under the “Recommendation” section of the report.

Condition 47 - Number of Car Parking Spaces - No objection is raised to the modification to reflect the updated car parking spaces provided. The condition as amended is reproduced under the “Recommendation” section of the report.

Condition 48 – Car Parking Allocation within Development – No objection is raised to the modification to reflect the updated parking spaces provided as well as ensure the required number of visitor car parking spaces are provided within the development.

Condition 62 – Compliance with Submitted Acoustic Report – No objection is raised to the modification to reflect the details of the amended Acoustic Report provided. The condition as amended is reproduced under the “Recommendation” section of the report.

Condition 63 – Acoustic Certification – No objection is raised to the modification to reflect the details of the amended Acoustic Report provided. The condition as amended is reproduced under the “Recommendation” section of the report.

#### *Height of the building & façade changes*

A 10 storey building with a height of 32.4m was originally approved. The overall height was marginally 0.4m over the prescribed height for the site and was considered acceptable as a result of the angular roof design which gives the building a distinctive architectural roof feature. The subject S96 modification sought to remove the top floor and reduce the overall height of the building to 9 storeys with overall height of 31.8m (as well as reduce the “effective height” of the building to 24.9m).

The applicant contends that by removing the top floor and reducing the effective height of the building to less than 25m, a significant construction cost is to be saved by not having to provide sprinklers and pressurised fire stairs to the building as required by the Building Code of Australia.

With regards to façade changes, it is noted that the original approval consists of a clearly defined base, centre core and top element that is stepped back from the centre core and designed as a roof box element. The proposed changes to the façade results in the provision of alternating panels of windows and walls on the façade with a sculptural ‘floating roof’ which provides an element that is fitting to the prominent position and the gateway to the B4-Mixed Use zone. “The floating and irregular form provide interest to the skyline and create a reflection of the undulating topography in that location”. The colours used for the proposal are simple contrasting colours that are complementary to the alternating panels of windows and walls. The colours increase in strength at the base of the building providing a visual base and scale element that provides a contextual relationship to the height of the adjoining development.

Overall, the applicant has indicated that the reduction in height will result in reduced impacts on adjoining neighbours and the inclusion on an additional lift within the building improves amenity to the intended occupants

#### *Overlooking from rear windows*

Concern was raised that the proposed amendment to the northern façade of the building (*introduction of full height windows & 2 new living room windows on each floor*) may result in additional overlooking impact on the playground of the adjoining school.

The applicant contends that the proposed changes will reduce the potential, or result in no additional overlooking impact compared with the approved design. The windows as originally approved were set with a sill height at 1m and head height at 1.7m, they were wide and narrow providing a panoramic view to the school. The proposed windows are recessed into the façade of the building (by a depth of 0.7m) and are floor to ceiling height, but narrow.

The proposed windows by its design restrict views to the school by narrowing the view angle – by way of recess and narrow width. In the proposed amendment you would need to stand at the window to view into the school, whereas in the original approval the view of the school could be seen from the whole width of the associated room.

New windows introduced to the living rooms of units 2.04 & 2.06 (and those in the same position/configuration on the floors above) are narrow and have limited view angles. It is noted that the width of the affected unit balconies have been reduced to make ways for the new windows.

### **Referrals**

#### *Internal Referrals*

##### Development Engineer

The Section 96(2) modification application was referred to Council’s Development Engineer for comment who has raised no objections to the proposed development subject to modification to the conditions of consent if the proposal is recommended for approval.

##### Building Surveyor

The Section 96(2) modification application was referred to Council’s Building Surveyor for comment who has raised no objections to the proposed development subject to compliance with conditions of consent already in place on the original consent DA-201/2011.

##### Environmental Health Officer

The Section 96(2) modification application was referred to Council's Environmental Health Officer for comment who has raised no objections to the proposed development subject to modification to the conditions of consent if the proposal is to be recommended for approval.

### *External Referrals*

#### RailCorp

The Section 96(2) modification was referred by letter dated 16 January 2013 to Railcorp in accordance with the requirements of Clause 86 of State Environmental Planning Policy (Infrastructure) 2007. Railcorp requested for additional information, which was sent by letter dated 22 May 2013.

Railcorp has provided by letter dated 6 June 2013 General Terms of Approval which is the same as the original General Terms of Approval (GTA). The GAT therefore do not need to be changed as a result of the modification proposed.

### **Assessment**

Section 96(2) of the Environmental Planning and Assessment Act 1979 allows Council to modify a development consent if:-

- (a) **it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)**

While it is proposed to increase the total number of units within the development, the increase has been achieved via minor amendment to the unit mix, unit layouts and reconfiguration of the last two floors of the original approval.

The increase in the number of units has not been achieved as a result of increasing building height or reduction in the amount of communal open space available to the development. Therefore, in terms of the external built form, the modifications make minor alteration to the approved built form and can be considered to be substantially the same development.

The proposed modifications do not alter the overall proposal with regard to the use of the building. Council can therefore be satisfied that the proposal is substantially the same as originally approved. Accordingly, the modifications are considered acceptable in respect of Section 96(2) of the Act.

- (b) **it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirements of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent**

All relevant public authorities have been consulted as per the "External Referrals" heading of the report. Full details are provided under the "External Referrals" heading of the report. Accordingly the proposal is considered acceptable in this regard.

- (c) **it has notified the application in accordance with:**
- (i) **the regulations, if the regulations so require, or**
  - (ii) **a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent**

- (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

In accordance with Council's Notification of Development Proposals Development Control Plan, adjoining and nearby property owners and occupiers were advised of the proposed modification and were invited to comment. The proposal was also advertised in the Auburn Review on 22 January 2013 and a site notice erected at the site. During this period, no submissions commenting on the proposal were received.

### **Other Considerations**

In determining an application for modification of consent, Council must also take into consideration relevant matters referred to in Section 79C(1). These matters have been considered in the assessment of the Section 96 Application. Following is a discussion of matters arising in relation to section 79C(1) relevant to the proposed modification.

### **The provisions of any Environmental Planning Instruments (EP& A Act s79C(1)(a)(i))**

#### State Environmental Planning Policies

#### **State Environmental Planning Policy No. 55 – Remediation of Land**

The requirement for Council to be satisfied of clause 7 of SEPP No. 55 that the site is suitable or can be made suitable to accommodate the proposed development was considered in the original development. It was the conclusion of the previous report that the site can be made suitable for its intended use and conditions were imposed accordingly. There is nothing in this section 96(2) modification which will alter Council's previous conclusions regarding the suitability of the site to accommodate the proposed residential flat building and accordingly the development is considered acceptable with regard to the provisions of SEPP No. 55.

#### **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

As the proposal relates to modifying an approved residential flat building, amended BASIX certificates have been submitted to accompany the Section 96(2) application. It is recommended that Condition 1 be modified to reflect the submitted BASIX certificates to ensure that the construction of the new building is in accordance with all specified BASIX commitments. The modified development is considered acceptable in respect of the relevant requirements of SEPP (BASIX) 2004.

#### **State Environmental Planning Policy (Infrastructure) 2007**

The development application was referred to RailCorp in accordance with the requirements of "Clause 86 - Excavation in, above or adjacent to rail corridors" of State Environmental Planning Policy (Infrastructure) 2007. Clause 86(3) required the concurrence of RailCorp to be obtained prior to granting any consent to development to which clause 86 applies. See details provided earlier under the "External Referrals" heading of the report.

#### **State Environmental Planning Policy Number 65 - Design Quality of Residential Flat Development**

The relevant provisions and design quality principles of Part 2 of SEPP 65 have been considered in the assessment of the development application within the following table:

Requirement	Yes	No	N/A	Comment
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Requirement	Yes	No	N/A	Comment
<p><u>Principle 3: Built form</u></p> <p><i>Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed built form responds appropriately to the site constraints and results in a development that is suitably sited so to ensure adequate building setbacks and privacy to adjoining primary school. The proportions and presentation of the building is contemporary and the façade/roof elements create visual interest within the streetscape. The built form is articulated into a clearly defined base with wide pedestrian access, the centre core and top element in the form of a sculptural floating roof.</p>
<p><u>Principle 4: Density</u></p> <p><i>Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).</i></p> <p><i>Appropriate densities are sustainable and consistent with the existing density in an area, or in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is an area designated for mixed use development including residential flat building and is located in Lidcombe Town Centre.</p> <p>The development will contribute 69 apartments in mid rise building forms that will contribute to the redevelopment of the area. No objection is raised to the development in relation to density objectives.</p>
<p><u>Principle 5: Resource, energy and water efficiency</u></p> <p><i>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.</i></p> <p><i>Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>An amended BASIX Certificates have been submitted with the modified development application.</p>
<p><u>Principle 6: Landscape</u></p> <p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.</i></p> <p><i>Landscape design buildings on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat vales. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.</i></p> <p><i>Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbour's amenity, and provide for practical establishment and long term management.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed modifications will not alter the size of the approved landscape area. The Section 96(2) modification is considered acceptable in this regard.</p>



Requirement	Yes	No	N/A	Comment
<p><u>Principle 7: Amenity</u>  <i>Good design provides amenity through the physical, spatial and environmental quality of a development.</i>  <i>Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal as modified will deliver sufficient amenity to residents of the building. The proposal achieves compliance with the Residential Flat Design Code in this regard which contains many amenity controls.</p> <p>However there are a number of units in the development that are problematic with respect to daylight / sunlight access, ventilation and aspect.</p> <p>Overall, based on the outcome of the BASIX assessment residential amenity is considered satisfactory.</p>
<p><u>Principal 8: Safety and security</u>  <i>Good design optimises safety and security, both internal to the development and for the public domain.</i>  <i>This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Passive surveillance of public and communal open space is maximised through orientation of units.</p> <p>The position and orientation of the various building elements allow balconies and habitable rooms of apartments to overlook the streets. The design also permits passive surveillance of the common courtyard areas.</p> <p>Lift foyers and basement car parking will be appropriately secured with security card access and intercom access for visitors.</p>
<p><u>Principal 9: Social dimensions</u>  <i>Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.</i>  <i>New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood, or in the case of precincts undergoing transition, provide for the desired future community.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal provides an adequate mix of 1 and 2 bed apartments as well as providing a significant number of adaptable units. The development is considered to be acceptable in this regard.</p>
<p><u>Principle 10: Aesthetics</u>  <i>Quality aesthetics reflect the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development.</i>  <i>Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The residential flat building has an attractive contemporary appearance and utilises building elements that provide individuality to the development without compromising the streetscape or detracting from the appearance of existing surrounding development. The finishes and treatment to the building provide an appropriate response to the existing and likely future character of the locality.</p>
<p>Clause 30 Determination of DAs  <i>After receipt of a DA, the advice of the relevant design review panel (if any) is to be obtained concerning the design quality of the residential flat development.</i>  <i>In determining a DA, the following is to be considered:</i></p> <ul style="list-style-type: none"> <li><i>The advice of the design review panel (if any);</i></li> <li><i>The design quality of the residential flat development when evaluated in accordance with the design quality principles;</i></li> </ul> <p><i>The publication "Residential Flat Design Code" – Department of Planning, September 2002.</i></p>	<input type="checkbox"/>   <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/>   <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Auburn City Council does not employ a formal design review panel.</p> <p>The design quality principles are considered above and the Residential Flat Design Code is considered in the assessment table immediately below.</p>

### Residential Flat Design Code

Requirement	Yes	No	N/A	Comment
Part 1 - Local Context				
Building Type				
<ul style="list-style-type: none"><li>Residential Flat Building.</li><li>Terrace.</li><li>Townhouse.</li><li>Mixed-use development.</li><li>Hybrid.</li></ul>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	The proposed development consists of a residential flat building. This is unaltered in the Section 96(2) proposal.
Subdivision and Amalgamation				
Objectives				
<ul style="list-style-type: none"><li>Subdivision/amalgamation pattern arising from the development site suitable given surrounding local context and future desired context.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A subdivision of the site into smaller lots is not proposed. No strata subdivision of the proposal is proposed.
<ul style="list-style-type: none"><li>Isolated or disadvantaged sites avoided.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This matter has been addressed in the assessment of the original application.
Building Height				
Objectives				
<ul style="list-style-type: none"><li>To ensure future development responds to the desired scale and character of the street and local area.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building heights are found to be satisfactory and compliant with the Auburn Local Environmental Plan requirements.
<ul style="list-style-type: none"><li>To allow reasonable daylight access to all developments and the public domain.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is achieved where possible.
Building Depth				
Objectives				
<ul style="list-style-type: none"><li>To ensure that the bulk of the development is in scale with the existing or desired future context.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No objection is raised regarding the general bulk and scale of the development.  25 (36%) of the 69 units are dual aspect apartments.
<ul style="list-style-type: none"><li>To provide adequate amenity for building occupants in terms of sun access and natural ventilation.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>To provide for dual aspect apartments.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Controls				
<ul style="list-style-type: none"><li>The maximum internal plan depth of a building should be 18 metres from glass line to glass line.</li></ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The building depth for the building varies but reaches up to 24m from glass line to glass line. Based on the design the proposed depth is not considered excessive. A variation is supported in this regard as it is not considered to adversely affect the residential amenity of the affected units.
<ul style="list-style-type: none"><li>Freestanding buildings (the big house or tower building types) may have greater depth than 18 metres only if they still achieve satisfactory daylight and natural ventilation.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notwithstanding the building depth, the residential building achieves satisfactory daylight and natural ventilation given the orientation of the site.
<ul style="list-style-type: none"><li>Slim buildings facilitate dual aspect apartments, daylight access and natural ventilation.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dual aspect apartments have been included within the development. In this regard, there are 25 dual aspect units which represent 36% of the total number of units.
<ul style="list-style-type: none"><li>In general an apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory day lighting and natural ventilation are to be achieved.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refer to detailed discussion regarding light and ventilation later in the report.
Building Separation				

Requirement	Yes	No	N/A	Comment
<u>Objectives</u>				
<ul style="list-style-type: none"><li>• To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building scale is appropriate to the desired future character of the area. Good separation is provided between the building and the adjoining uses including the adjoining school.
<ul style="list-style-type: none"><li>• To provide visual and acoustic privacy for existing and new residents.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• To control overshadowing of adjacent properties and private or shared open space.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>Controls</u>				
<ul style="list-style-type: none"><li>• For buildings over three storeys, building separation should increase in proportion to building height:<ul style="list-style-type: none"><li>◦ Up to 4 storeys/12 metres:<ul style="list-style-type: none"><li>▪ 12m between habitable rooms/balconies</li><li>▪ 9m between habitable rooms/balconies and non habitable rooms</li><li>▪ 6m between non habitable rooms</li></ul></li><li>◦ 5-8 storeys/up to 25 metres:<ul style="list-style-type: none"><li>▪ 18m between habitable rooms/balconies</li><li>▪ 13m between habitable rooms/balconies and non habitable rooms</li><li>▪ 9m between non habitable rooms</li></ul></li><li>◦ 9 storeys and above/over 25 metres:<ul style="list-style-type: none"><li>▪ 24m between habitable rooms/balconies</li><li>▪ 18m between habitable rooms/balconies and non habitable rooms</li><li>▪ 12m between non habitable rooms</li></ul></li></ul></li><li>• Allow zero separation in appropriate contexts, such as in urban areas between street wall building types (party walls)</li><li>• Where a building step back creates a terrace, the building separation distance for the floor below applies.</li><li>• Coordinate building separation controls with side and rear setback controls – in a suburban area where a strong rhythm has been established between buildings, smaller building separations may be appropriate.</li><li>• Coordinate building separation controls with controls for daylight access, visual privacy and acoustic privacy.</li><li>• Protect the privacy of neighbours who share a building entry and whose apartments face each other by designing internal courtyards with greater building separation</li></ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All existing adjoining development comprises single/double storey primary school buildings to the north and west of the site and a two storey boarding house building to the east of the site.  <

Requirement	Yes	No	N/A	Comment
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To establish the desired spatial proportions of the street and define the street edge.</li> <li>• To create a clear threshold by providing a transition between public and private space.</li> <li>• To assist in achieving good visual privacy to apartments from the street.</li> <li>• To create good quality entry spaces to lobbies, foyers or individual dwelling entrances.</li> <li>• To allow an outlook to and surveillance of the street.</li> <li>• To allow for street landscape character.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The proposal generally meets the objectives of the street setbacks.</p>
<u>Controls</u> <ul style="list-style-type: none"> <li>• Minimise overshadowing of the street and/or other buildings.</li> <li>• In general no part of a building or above ground structure may encroach into a setback zone - exceptions are underground parking structures no more than 1.2 metres above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.</li> </ul>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<p>Given the orientation of the site and the proposed design outcomes of the site, some overshadowing of streets is inevitable and unavoidable.</p> <p>There are no unacceptable encroachments into setback zones. The development is acceptable in this regard.</p>
<b>Side &amp; Rear Setbacks</b>				
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.</li> <li>• To retain or create a rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form.</li> </ul> <u>Objectives – Rear Setbacks</u> <ul style="list-style-type: none"> <li>• To maintain deep soil zones to maximise natural site drainage and protect the water table.</li> <li>• To maximise the opportunity to retain and reinforce mature vegetation.</li> <li>• To optimise the use of land at the rear and surveillance of the street at the front.</li> <li>• To maximise building separation to provide visual and acoustic privacy.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>Appropriate setbacks are achieved in accordance with the Local centres and Residential Flat Buildings DCPs.</p>
<u>Controls</u> <ul style="list-style-type: none"> <li>• Where setbacks are limited by lot size and adjacent buildings, 'step in' the plan on deep building to provide internal courtyards and to limit the length of walls facing boundaries.</li> <li>• In general no part of a building or above ground structure may encroach into a setback zone – exceptions are underground parking structures no more than 1.2 metres above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>Appropriate setbacks are achieved in accordance with the Local centres and Residential Flat Buildings DCPs.</p> <p>There are no unacceptable encroachments into setback zones. The development is acceptable in this regard.</p>
<b>Floor Space Ratio</b>				

Requirement	Yes	No	N/A	Comment
<b>Objectives</b>				
<ul style="list-style-type: none"><li>• To ensure that development is in keeping with the optimum capacity of the site and the local area.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed modification is considered to be generally consistent with the density requirements imposed by Councils Local environmental Plan 2010.
<ul style="list-style-type: none"><li>• To define allowable development density for generic building types.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• To provide opportunities for modulation and depth of external walls within the allowable FSR.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• To promote thin cross section buildings, which maximise daylight access and natural ventilation.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal includes a number of dual aspect units which achieve solar access and natural ventilation requirements. Compliance with specific solar access and dual aspect unit controls is considered later in the report.
<ul style="list-style-type: none"><li>• To allow generous habitable balconies.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitably sized balconies are provided for all units
<b>Part 02 Site Design</b>				
<b>Site Analysis</b>				
<ul style="list-style-type: none"><li>• Site analysis should include plan and section drawings of the existing features of the site, at the same scale as the site and landscape plan, together with appropriate written material.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The required information was submitted in the original development application and considered acceptable.
<ul style="list-style-type: none"><li>• A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the application.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Deep Soil Zones</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"><li>• To assist with management of the water table.</li><li>• To assist with management of water quality.</li><li>• To improve the amenity of developments through the retention and/or planting of large and medium size trees.</li></ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The landscape plan as originally approved is satisfactory and shows an adequate planting regime for the site.
<b>Design Practice</b>				
<ul style="list-style-type: none"><li>• Optimise the provision of consolidated deep soil zones within a site by the design of basement and sub basement car parking so as not to fully cover the site; and the use of front and side setbacks.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed modification provides approximately 269sqm of deep soil zone which equates to 15% of the site being deep soil zone (this is as originally approved). The non compliance was supported then given that the development site is within Lidcombe Town Centre. A requirement for minimum 25% deep soil zone may not be practical in this instance without significantly compromising on the development potential of the site.
<ul style="list-style-type: none"><li>• Optimise the extent of deep soil zones beyond the site boundaries by locating them with the deep soil zones of adjacent properties.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• Promote landscape health by supporting for a rich variety of vegetation type and size.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• Increase the permeability of paved areas by limiting the area of paving and/or using impervious materials.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• A minimum of 25% of the open space area of a site should be a deep soil zone.</li></ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Fences and Walls</b>				

Requirement	Yes	No	N/A	Comment
<u>Objectives</u>				
• To define the edges between public and private land.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Fences and Walls objectives as suitable barriers between the public and private areas are proposed in the form of low level walls and landscaping.
• To define the boundaries between areas within the development having different functions or owners.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To provide privacy and security.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To contribute positively to the public domain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>Design Practice</u>				
• Respond to the identified architectural character for the street and/or the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development provides low level boundary walls behind a landscape buffer to ground floor apartments to clearly delineate between public and private spaces.
• Clearly delineate the private and public domain without compromising safety and security by designing fences and walls which provide privacy and security while not eliminating views, outlook, light and air; and limiting the length and height of retaining walls along street frontages.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• Contribute to the amenity, beauty and useability of private and communal open spaces by incorporating benches and seats; planter boxes; pergolas and trellises; BBQs; water features; composting boxes and worm farms.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed fencing will provide visual privacy to apartments whilst also creating casual surveillance of public areas.  The communal open space at the rear of the property is enhanced via the provision of pavers, landscaping, bench seats and BBQ area.
• Retain and enhance the amenity of the public domain by avoiding the use of continuous blank walls at street level; and using planting to soften the edges of any raised terraces to the street, such as over sub basement car parking and reduce their apparent scale.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• Select durable materials which are easily cleaned and graffiti resistant.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>Landscape Design</u>				
<u>Objectives</u>				
• To add value to residents' quality of life within the development in the forms of privacy, outlook and views.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The landscape plan as originally approved is satisfactory and shows an adequate planting regime for the site.
• To provide habitat for native indigenous plants and animals.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To improve stormwater quality and reduce quantity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To improve the microclimate and solar performance within the development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To improve urban air quality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To contribute to biodiversity.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	







Requirement	Yes	No	N/A	Comment
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To optimise solar access to residential apartments within the development and adjacent development.</li> <li>• To contribute positively to desired streetscape character.</li> <li>• To support landscape design of consolidated open space areas.</li> <li>• To protect the amenity of existing development.</li> <li>• To improve the amenity of existing development.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The orientation of the buildings is not being modified under this Section 96(2) proposal</p>
<u>Design Practice</u> <ul style="list-style-type: none"> <li>• Plan the site to optimise solar access by: positioning and orienting buildings to maximise north facing walls (within 30° east and 20° west of north) where possible; and providing adequate building separation within the development and to adjacent buildings.</li> <li>• Select building types or layouts which respond to the streetscape while optimising solar access. Where streets are to be edged and defined by buildings: align buildings to the street on east-west streets; and use courtyards, L-shaped configurations and increased setbacks to northern side boundaries on north-south streets.</li> <li>• Optimise solar access to living spaces and associated private open spaces by orienting them to the north.</li> <li>• Detail building elements to modify environmental conditions as required to maximise sun access in winter and sun shading in summer.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The general layout is considered to be the most appropriate with regard to the general positioning of the site and the surrounding developments.</p>
<u>Planting on Structures</u>				
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.</li> <li>• To encourage the establishment and healthy growth of trees in urban areas.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The landscape plan as originally approved is satisfactory and shows an adequate planting regime for the site.</p>
<u>Design Practice</u> <ul style="list-style-type: none"> <li>• Design for optimum conditions for plant growth by: providing soil depth, soil volume and soil area appropriate to the size of the plants to be established; providing appropriate soil conditions and irrigation methods, providing appropriate drainage.</li> <li>• Design planters to support the appropriate soil depth and plant selection by: ensuring planter proportions accommodate the largest volume of soil possible; and providing square or rectangular planting areas rather than long narrow linear areas. Minimum soil depths will vary depending on the size of the plant however soil depths greater than 1.5 metres are unlikely to have any benefits for tree growth.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	

Requirement	Yes	No	N/A	Comment
<ul style="list-style-type: none"><li>• Increase minimum soil depths in accordance with: the mix of plants in a planter; the level of landscape management; anchorage requirements of large and medium trees; soil type and quality.</li><li>• Minimum standards:<ul style="list-style-type: none"><li>○ Large trees such as figs (canopy diameter of up to 16 metres at maturity):<ul style="list-style-type: none"><li>▪ Minimum soil volume 150cum;</li><li>▪ Minimum soil depth 1.3 metres;</li><li>▪ Minimum soil area 10 metres by 10 metres.</li></ul></li><li>○ Medium trees (canopy diameter of up to 8 metres at maturity):<ul style="list-style-type: none"><li>▪ Minimum soil volume 35cum;</li><li>▪ Minimum soil depth 1 metre;</li></ul></li><li>▪ Approximate soil area 6 metres by 6 metres.</li><li>○ Small trees (canopy diameter of up to 4 metres at maturity):<ul style="list-style-type: none"><li>▪ Minimum soil volume 9cum;</li><li>▪ Minimum soil depth 800mm;</li><li>▪ Approximate soil area 3.5 metres by 3.5 metres.</li></ul></li><li>○ Shrubs:<ul style="list-style-type: none"><li>▪ Minimum soil depths 500-600mm</li></ul></li><li>○ Ground cover:<ul style="list-style-type: none"><li>▪ Minimum soil depths 300-450mm</li></ul></li><li>○ Turf:<ul style="list-style-type: none"><li>▪ Minimum soil depth 100-300mm</li></ul></li><li>▪ Any subsurface drainage requirements are in addition to the minimum soil depths.</li></ul></li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Stormwater Management</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"><li>• To minimise the impacts of residential flat development and associated infrastructure on the health and amenity of natural waterways.</li><li>• To preserve existing topographic and natural features including waterways and wetlands.</li><li>• To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No changes proposed to the stormwater drainage plan as originally approved.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Design Practice</b>				
<ul style="list-style-type: none"><li>• Reduce the volume impact of stormwater on infrastructure by retaining it on site.</li><li>• Optimise deep soil zones. All development must address the potential for deep soil zones.</li><li>• On dense urban sites where there is no potential for deep soil zones to contribute to stormwater management, seek alternative solutions.</li><li>• Protect stormwater quality by providing for stormwater filters, traps or basins for hard surfaces, treatment of stormwater collected in sediment traps on soils containing dispersive clays.</li><li>• Reduce the need for expensive sediment trapping techniques by controlling erosion.</li><li>• Consider using grey water for site irrigation.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Safety</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"><li>• To ensure residential flat developments are safe and secure for residents and visitors.</li><li>• To contribute to the safety of the public domain.</li></ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	The modified development is considered to be consistent with the Safety objectives as secure access to communal entry to the building and as casual surveillance of the public domain from living and open space areas is to be provided.
<b>Design Practice</b>				
<ul style="list-style-type: none"><li>• Reinforce the development boundary to strengthen the distinction between public and</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The public and private spaces can be easily identified. This arrangement has

Requirement	Yes	No	N/A	Comment
private space. This can be actual or symbolic and may include: employing a level change at the site and/or building threshold; signage; entry awnings; fences; walls and gates; change of material in paving between the street and the development.				not been altered under this Section 96(2) modification.
<ul style="list-style-type: none"> <li>Optimise the visibility, functionality and safety of building entrances by: orienting entrances towards the public street; providing clear lines of sight between entrance foyers and the street; providing direct entry to ground level apartments from the street rather than through a common foyer; direct and well lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Communal building entry is to be orientated to the street. Suitable level of visibility is provided within the development. Convenient access ways via lifts link the car park and the development above.
<ul style="list-style-type: none"> <li>Improve the opportunities for casual surveillance by: orienting living areas with views over public or communal open spaces where possible; using bay windows and balconies which protrude beyond the main façade and enable a wider angle of vision to the street; using corner windows which provide oblique views of the street; providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fencing and balustrades to private open space areas are to consist of transparent elements to ensure an appropriate level of casual surveillance of public areas is achieved.
<ul style="list-style-type: none"> <li>Minimise opportunities for concealment by: avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor car parking, along corridors and walkways; providing well lit routes throughout the development; providing appropriate levels of illumination for all common areas; providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Opportunities for concealment or the creation of blind alcoves have been minimised in this development.
<ul style="list-style-type: none"> <li>Control access to the development by: making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings; separating the residential component of a development's car parking from any other building use and controlling car park access from public and common areas; providing direct access from car parks to apartment lobbies for residents; providing separate access for residents in mixed-use buildings; providing an audio or video intercom system at the entry or in the lobby for visitors to communicate with residents, providing key card access for residents.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The position and orientation of the various building elements allow balconies and habitable rooms of apartments to overlook the public domain which permits passive surveillance of neighbouring buildings and the Primary School. Secure access doors/gates are to be provided to lift lobbies, car parking and communal courtyards.
<ul style="list-style-type: none"> <li>Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An assessment of the proposal in relation to Council's Policy on Crime Prevention Through Environmental Design 2006 was undertaken under the original application. The modified proposal has not altered the development with regard to this policy and is accordingly acceptable in this instance.
<b>Visual Privacy</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>To provide reasonable levels of visual privacy externally and internally during the day and night.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified development is considered to be consistent with the Visual Privacy Objectives as outlook of open space is maximised where possible, without creating adverse impacts.
<ul style="list-style-type: none"> <li>To maximise outlook and views from principal rooms and private open space without compromising visual privacy.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Requirement	Yes	No	N/A	Comment
<b>Design Practice</b> <ul style="list-style-type: none"><li>• Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by providing adequate building separation, employing appropriate rear and side setbacks, utilise the site layout to increase building separation.</li><li>• Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to apartments by: balconies to screen other balconies and any ground level private open space; separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms; changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space.</li><li>• Use detailed site and building design elements to increase privacy without compromising access to light and air.</li></ul>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div>The development provides generally good building separation throughout the site.</div> <div>Generally, for much of the development, building separation, location of windows and private open spaces and the use of privacy screening are satisfactory.</div>
<b>Building Entry</b>				
<b>Objectives</b> <ul style="list-style-type: none"><li>• To create entrances which provide a desirable residential identity for the development.</li><li>• To orient the visitor.</li><li>• To contribute positively to the streetscape and building facade design.</li></ul>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div>The residential building entrance is not being modified under this Section 96(2) application. The development is generally in accordance with the building entry objectives.</div>
<b>Design Practice</b> <ul style="list-style-type: none"><li>• Improve the presentation of the development to the street by: locating entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network; designing the entry as a clearly identifiable element of the building in the street; utilising multiple entries where it is desirable to activate the street edge or reinforce a rhythm of entries along a street.</li><li>• Provide as direct a physical and visual connection as possible between the street and the entry.</li></ul>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div>A single communal entry is to be provided, which integrate with the public domain through the provision of distinct paving and landscaping.</div> <div>Entry foyer is spacious, feature glazing for clear sight lines and will be secured with resident-access locked doors. The entry foyers also allow equitable access to the building.</div>
<ul style="list-style-type: none"><li>• Achieve clear lines of transition between the public street, the shared private circulation spaces and the apartment unit.</li><li>• Ensure equal access for all.</li><li>• Provide safe and secure access.</li><li>• Provide separate entries from the street for pedestrians and cars; different uses and ground floor apartments.</li><li>• Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces.</li><li>• Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street.</li></ul>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div></div> <div></div> <div></div> <div></div> <div></div> <div>Mailbox location proposed close to the entry foyer.</div>
<b>Parking</b>				

Requirement	Yes	No	N/A	Comment
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport - public transport, bicycling and walking.</li> <li>• To provide adequate car parking for the building's users and visitors depending on building type and proximity to public transport.</li> <li>• To integrate the location and design of car parking with the design of the site and the building.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified development is considered to be consistent with the Parking objectives as suitable number of resident and visitor car, and bicycle spaces are provided within the underground levels which do not impact upon the aesthetic design of the building.
<b>Design Practice</b> <ul style="list-style-type: none"> <li>• Determine the appropriate car parking spaces in relation to the development's proximity to public transport, shopping and recreational facilities; the density of the development and the local area; the site's ability to accommodate car parking.</li> <li>• Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant.</li> <li>• Give preference to underground parking wherever possible. Design considerations include: retaining and optimising the consolidated areas of deep soil zones; facilitating natural ventilation to basement and sub basement car parking areas; integrating ventilation grills or screening devices of car park openings into the façade design and landscape design; providing safe and secure access for building users, including direct access to residential apartments where possible; provide a logical and efficient structural grid.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Following a car parking count, it is identified that 89 car parking spaces are provided in this development. Of that, there are 75 parking spaces for residents and 14 parking spaces for visitors including 8 spaces designated as disabled spaces. (1 parking spaces labelled 13 on Basement B2 plan is to be deleted as it does not comply with the relevant Australian Standard)</p> <p>All of the parking provided is located within the basement levels. Parking levels have appropriate ventilation intakes, secure access and direct and convenient access to the building via lift.</p>
<ul style="list-style-type: none"> <li>• Where aboveground enclosed parking cannot be avoided ensure the design of the development mitigates any negative impact on streetscape and street amenity by avoiding exposed parking on the street frontage; hiding car parking behind the building façade – where wall openings occur, ensure they are integrated into the overall façade scale, proportions and detail; wrapping the car parks with other uses.</li> <li>• Minimise the impact of on grade parking by: locating parking on the side or rear of the lot away from the primary street frontage; screening cars from view of streets and buildings; allowing for safe and direct access to building entry points; incorporating parking into the landscape design of the site.</li> <li>• Provide bicycle parking which is easily accessible from ground level and from apartments.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bicycle storage spaces are provided within the basement parking level and are suitably accessible.
<b>Pedestrian Access</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain.</li> <li>• To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their apartments and use communal areas via minimum grade ramps, paths, access ways or lifts.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entry is provided to access cores of all the building elements.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



Requirement	Yes	No	N/A	Comment
<u>Design Practice</u>				
<ul style="list-style-type: none"> <li>• Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	One vehicular access way is provided from Church Street.
<ul style="list-style-type: none"> <li>• Ensure adequate separation distances between vehicular entries and street intersections.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Optimise the opportunities for active street frontages and streetscape design by: making vehicle access points as narrow as possible; limit the number of vehicle access ways to a minimum; locating car park entry and access from secondary streets and lanes.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The driveway width is not excessive and is not in near vicinity from any intersections.
<ul style="list-style-type: none"> <li>• Improve the appearance of car parking and service vehicle entries by: screening garbage collection, loading and servicing areas visually away from the street; setback or recess car park entries from the main façade line; avoid 'black holes' in the façade by providing security doors to car park entries; where doors are not provided, ensure that the visible interior of the car park is incorporated into the façade design and materials selection and that building services – pipes and ducts – are concealed; return the façade material into the car park entry recess for the extent visible from the street as a minimum.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Service areas such as garbage storage (within specific rooms) and loading spaces are contained within the basement level and not visible from public areas. Garbage to be collected from the basement level.
<ul style="list-style-type: none"> <li>• Generally limit the width of driveways to a maximum of 6 metres.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Driveway on Church Street is 6m wide.
<ul style="list-style-type: none"> <li>• Locate vehicle entries away from main pedestrian entries and on secondary frontages.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Part 03 Building Design</b>				
<u>Apartment Layout</u>				
<u>Objectives</u>				
<ul style="list-style-type: none"> <li>• To ensure the spatial arrangement of apartments is functional and well organised.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The modified development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized to permit a satisfactory furniture layout to occur.
<ul style="list-style-type: none"> <li>• To ensure that apartment layouts provide high standards of residential amenity.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• To maximise the environmental performance of apartments.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• To accommodate a variety of household activities and occupants' needs.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>Design Practice</u>				
<ul style="list-style-type: none"> <li>• Determine appropriate sizes in relation to: geographic location and market demands; the spatial configuration of an apartments; affordability.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible.
<ul style="list-style-type: none"> <li>• Ensure apartment layouts are resilient over time by accommodating a variety of furniture arrangements; providing for a range of activities and privacy levels between different spaces within the apartment; utilising flexible room sizes and proportions or open plans; ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Design apartment layouts which respond to the natural and built environments and optimise site opportunities by: providing private open space in the form of a balcony, terrace, courtyard or garden for every apartment; orienting main living areas toward the primary outlook and aspect and away from neighbouring noise sources or windows.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Locating main living spaces adjacent to main private open space; locating habitable rooms, and where possible kitchens and bathrooms, on the external face of buildings; maximising opportunities to facilitate natural ventilation and to</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The living area of each unit is connected to the balcony.

Requirement	Yes	No	N/A	Comment
<p>capitalise on natural daylight by providing corner apartments, cross-over/cross-through apartments; split-level/maisonette apartments, shallow/single aspect apartments.</p> <ul style="list-style-type: none"> <li>• Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space.</li> <li>• Include adequate storage space in apartment</li> <li>• Ensure apartment layouts and dimensions facilitate furniture removal and placement.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The kitchens do not form part of the major circulation space of any apartment.
<ul style="list-style-type: none"> <li>• Single aspect apartments should be limited in depth to 8 metres from a window.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	All the units have storage space within their confines in addition to kitchen cupboards and wardrobes.
<ul style="list-style-type: none"> <li>• The back of a kitchen should be no more than 8 metres from a window.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Of the 44 single aspect apartments within the development, 27 or 61% are more than 8m deep and are generally up to 10m deep. It is noted however that the habitable rooms of the affected apartments are less than 8m deep. The worst affected areas are often service areas such as entries and passageways or enclosed room such as bathrooms and laundries which would not receive any natural lighting. Therefore, as the general residential amenity of apartments is not duly affected by the non-compliance, a variation is considered acceptable.
<ul style="list-style-type: none"> <li>• The width of cross-over/cross-through apartments over 15 metres deep should be 4 metres or greater.</li> <li>• Buildings not meeting the minimum standards must demonstrate how satisfactory day lighting and natural ventilation can be achieved, particularly for habitable rooms.</li> </ul>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	All kitchens within the building are located no more than 8m from a window.  No cross through apartments proposed in the modified proposal.
<ul style="list-style-type: none"> <li>• If Council chooses to standardise apartment sizes, a range of sizes that do not exclude affordable housing should be used. As a guide, the Affordable Housing Service suggest minimum apartment sizes: 1 bed = 50sqm, 2 bed = 70sqm, 3 bed = 95sqm.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A good range of apartments are provided. No minimum sizes non compliances are noted.
<b>Apartment Mix</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>• To provide a diversity of apartment types, which cater for different household requirements now and in the future.</li> <li>• To maintain equitable access to new housing by cultural and socio-economic groups.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	The proposed development is considered to be consistent with the Apartment Mix objectives as an acceptable mixture of 1 and 2 bedroom apartments are proposed which will cater for a range of household requirements.



<b>Requirement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment</b>
<b>Design Practice</b> <ul style="list-style-type: none"> <li>• Provide a variety of apartment types particularly in large apartment buildings. Variety may not be possible in smaller buildings (up to 6 units).</li> <li>• Refine the appropriate mix for a location by considering population trends in the future as well as present market demands; noting the apartment's location in relation to public transport, public facilities, employment areas, schools, universities and retail centres.</li> <li>• <b>Locate a mix of 1 and 3 bed apartments on the ground level where accessibility is more easily achieved.</b></li> <li>• Optimise the number of accessible and adaptable units to cater for a wider range of occupants.</li> <li>• Investigate the possibility of flexible apartment configurations which support change in the future.</li> </ul>	<input checked="" type="checkbox"/>      <input checked="" type="checkbox"/>	<input type="checkbox"/>      <input type="checkbox"/>	<input type="checkbox"/>      <input type="checkbox"/>	<p>The development has the following bedroom mix:-</p> <p>1 bedroom apartments - 17 units (25%) 2 bedroom apartments – 52 units (75%)</p> <p><b>Ground floor level contains a mixture of 1 and 2 bed apartment types. No objection raised in this instance.</b></p> <p>There are 8 adaptable units to be provided in the development.</p>
<b>Balconies</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To provide all apartments with private open space.</li> <li>• To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents.</li> <li>• To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings.</li> <li>• To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.</li> </ul>	<input checked="" type="checkbox"/>      <input checked="" type="checkbox"/>	<input type="checkbox"/>      <input type="checkbox"/>	<input type="checkbox"/>      <input type="checkbox"/>	<p>Every unit/apartment within the development has some form of functional outdoor space. In this regard the Section 96(2) modification is acceptable.</p>
<b>Design Practice</b> <ul style="list-style-type: none"> <li>• Where other private open space is not provided, provide at least one primary balcony.</li> <li>• Primary balconies should be: located adjacent to the main living areas, such as living room, dining room or kitchen to extend the dwelling living space; sufficiently large and well proportioned to be functional and promote indoor/outdoor living – a dining table and 2 chairs (small apartment) and 4 chairs (larger apartment) should fit on the majority of balconies in the development.</li> <li>• Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice: in larger apartments; adjacent to bedrooms; for clothes drying, site balconies off laundries or bathrooms and they should be screened from the public domain.</li> <li>• Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies by: locating balconies which predominantly face north, east or west to provide solar access; utilising sun screens, pergolas, shutters ad operable walls to control sunlight and wind; providing balconies with operable screens, Juliet balconies or operable walls in special locations where noise or high windows prohibit other solutions; choose cantilevered balconies, partly cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; ensuring balconies are not so deep that they prevent sunlight entering the apartment below.</li> </ul>	<input checked="" type="checkbox"/>      <input checked="" type="checkbox"/>      <input type="checkbox"/>      <input checked="" type="checkbox"/>	<input type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>	<input type="checkbox"/>      <input checked="" type="checkbox"/>      <input type="checkbox"/>	<p>All apartments have at least one balcony. Access is provided directly from living areas.</p> <p>Private open spaces are provided in the form of terrace and balconies for the ground floor units as the building dictates.</p>

Requirement	Yes	No	N/A	Comment
<ul style="list-style-type: none"> <li>• Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy.</li> <li>• Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.</li> <li>• Consider supplying a tap and gas point on primary balconies.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A mix of transparent and solid balustrades is proposed through-out to maximise solar access and casual surveillance.</p> <p>Non compliances occur however where non compliances occur, balconies are still capable of a limited amount of outdoor furniture. It is noted that all apartments are provided with a primary balcony of at least 2m in depth.</p>
<ul style="list-style-type: none"> <li>• Provide primary balconies for all apartments with a minimum depth of 2 metres (2 chairs) and 2.4 metres (4 chairs).</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Developments which seek to vary from the minimum standards must demonstrate that negative impacts from the context – noise, wind, cannot be satisfactorily ameliorated with design solutions.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Ceiling Heights</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>• To increase the sense of space in apartments and provide well proportioned rooms.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The amended development is considered to be consistent with the Ceiling Heights objectives as suitable ceiling heights are provided for the residential nature of apartments.</p>
<ul style="list-style-type: none"> <li>• To promote the penetration of daylight into the depths of the apartment.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• To contribute to flexibility of use.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• To achieve quality interior spaces while considering the external building form requirements.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Design Practice</b>				
<ul style="list-style-type: none"> <li>• Design better quality spaces in apartments by using ceilings to define a spatial hierarchy between areas of an apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads; enable better proportioned rooms; maximise heights in habitable rooms by stacking wet areas from floor to floor; promote the use of ceiling fans for cooling/heating distribution.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The apartments in the building shall generally have floor to ceiling heights of 2.7m. This is considered acceptable for solar access and general residential amenity.</p>
<ul style="list-style-type: none"> <li>• Facilitate better access to natural light by using ceiling heights which enable the effectiveness of light shelves in enhancing daylight distribution into deep interiors; promote the use of taller windows, highlight windows and fan lights. This is particularly important for apartments with limited light access such as ground floor apartments and apartments with deep floor plans.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Design ceiling heights which promote building flexibility over time for a range of other uses, including retail or commercial, where appropriate.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The building does not consist of any double height apartments and additional heights for future changes of use are not necessary as the building is for residential use only.</p>
<ul style="list-style-type: none"> <li>• Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Count double height spaces with mezzanines as two storeys.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Cross check ceiling heights with building height controls to ensure compatibility of dimensions, especially where multiple uses are proposed.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Minimum dimensions from finished floor level to finished ceiling level:</li> </ul>				

Requirement	Yes	No	N/A	Comment
<ul style="list-style-type: none"><li>o Mixed use buildings: 3.3 metres minimum for ground floor retail/commercial and for first floor residential, retail or commercial.</li></ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a mixed use development
<ul style="list-style-type: none"><li>o For RFBs in mixed use areas 3.3 metres minimum for ground floor;</li></ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minimum height of 3.3m provided for 4 of the 5 units on the ground floor. Unit 1.05 is provided with a height of 2.7m to accommodate the ramp and head height for proposed garbage truck to the basement area. Given the residential use of the unit there is no objection raised to this non-compliance. (This is as originally approved).
<ul style="list-style-type: none"><li>o For RFBs or other residential floors in mixed use buildings: 2.7 metres minimum for all habitable rooms on all floors, 2.4 metres preferred minimum for non-habitable rooms but no less than 2.25 metres;</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>o 2 storey units: 2.4 metres for second storey if 50% or more of the apartments has 2.7 metres minimum ceiling heights;</li><li>o 2 storey units with a 2 storey void space: 2.4 metres minimum;</li><li>o Attic spaces: 1.5 metres minimum wall height at edge of room with a 30<sup>0</sup> minimum ceiling slope.</li><li>• Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive satisfactory daylight.</li></ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The floor to ceiling heights proposed are considered satisfactory.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Flexibility				
Objectives				
<ul style="list-style-type: none"><li>• To encourage housing designs which meet the broadest range of the occupants' needs as possible.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Flexibility objectives as layouts promote changes to furniture arrangement and a suitable number can be adapted to the changing needs of residents.
<ul style="list-style-type: none"><li>• To promote 'long life loose fit' buildings, which can accommodate whole or partial changes of use.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• To encourage adaptive reuse.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• To save the embodied energy expended in building demolition.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Design Practice				
<ul style="list-style-type: none"><li>• Provide robust building configurations, which utilise multiple entries and circulation cores, especially in larger buildings over 15 metres long by: thin building cross sections, which are suitable for residential or commercial uses; a mix of apartment types; higher ceilings in particular on the ground floor and first floor; separate entries for the ground floor level and the upper levels; sliding and/or moveable wall systems.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Apartment layout provides for basic changes to internal configuration. The building is serviced by 2 lift and has accessible apartments
<ul style="list-style-type: none"><li>• Provide apartment layouts which accommodate the changing use of rooms.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Apartment layout provides for basic changes to internal configuration.
<ul style="list-style-type: none"><li>• Utilise structural systems which support a degree of future change in building use or configuration.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"><li>• Promote accessibility and adaptability by ensuring: the number of accessible and visitable apartments is optimised; and adequate pedestrian mobility and access is provided.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Accessible and visitable apartments are promoted. There are 69 units in the development. Of that figure, 8 or 10% are to be designated as "Adaptable units". In this regard the proposal is considered to be satisfactory.
Ground Floor Apartments				

Requirement	Yes	No	N/A	Comment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To contribute to the desired streetscape of an area and to create active safe streets.</li> <li>To increase the housing and lifestyle choices available in apartment buildings.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be consistent with the "Ground Floor Apartment Objectives" as a range of ground-floor apartments are proposed which contribute to an active streetscape.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Design Practice</b> <ul style="list-style-type: none"> <li>Design front gardens or terraces which contribute to the spatial and visual structure of the street while maintaining adequate privacy for apartment occupants.</li> <li>Ensure adequate privacy and safety of ground floor units located in urban areas with no street setbacks by: stepping up the ground floor level from the level of the footpath a maximum of 1.2 metres; designing balustrades and establishing window sill heights to minimise site lines into apartments, particularly in areas with no street setbacks; determining appropriateness of individual entries; ensuring safety bars or screens are integrated into the overall elevation design and detailing.</li> <li>Promoting house choice by: providing private gardens, which are directly accessible from the main living spaces of the apartment and support a variety of activities; maximising the number of accessible and visitable apartments on the ground floor; supporting a change or partial change in use, such as a home office accessible from the street or a corner shop.</li> <li>Increase opportunities for solar access in ground floor units, particularly in denser areas by: providing higher ceilings and taller windows; choosing trees and shrubs which provide solar access in winter and shade in summer.</li> <li>Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units.</li> <li>Provide ground floor apartments with access to private open space, preferably as a terrace or garden.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The ground-floor apartments are setback from the boundary with adjoining street. The setback area is utilised for private terrace/landscape area screened by fencing which provides sufficient visual privacy.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is available to ground floor units.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Internal Circulation</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>To create safe and pleasant spaces for the circulation of people and their personal possessions.</li> <li>To facilitate quality apartment layouts, such as dual aspect apartments.</li> <li>To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.</li> <li>To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Internal Circulation objectives as spacious access hallway and apartments are provided around the lift cores.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Design Practice</b> <ul style="list-style-type: none"> <li>Increase amenity and safety in circulation spaces by: providing generous corridor widths and ceiling heights particularly in lobbies, outside lifts and apartment entry doors; providing appropriate levels of lighting, including the use of natural daylight where possible; minimising corridor lengths to give short, clear sight lines; avoiding tight corners; providing legible signage noting apartment numbers, common areas and general directional finding; providing adequate ventilation.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Corridor, foyer and hallway widths are sufficiently lit, articulated and dimensioned to promote safety and movement of residents and their belongings.

<b>Requirement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment</b>
<ul style="list-style-type: none"> <li>• Support better apartment building layouts by designing buildings with multiple cores which: increase the number of entries along a street; increase the number of vertical circulation points; give more articulation to the façade; limiting the number of units off a circulation core on a single level.</li> <li>• Articulate longer corridors by: utilising a series of foyer areas and/or providing windows along or at the end of a corridor.</li> <li>• Minimise maintenance and maintain durability by using robust materials in common circulation areas.</li> <li>• Where units are arranged off a double loaded corridor, the number of units accessible from a single core/corridor should be limited to 8 - exceptions for: adaptive reuse buildings; where developments can demonstrate the achievement of the desired streetscape character and entry response; where developments can demonstrate a high level of amenity for common lobbies, corridors and units.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Two lifts access core is provided to service the building.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A maximum of 8 apartments are arranged from each access corridor.
<b>Mixed Use</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To support a mix of uses that complement and reinforce the character, economics and function of the local area.</li> <li>• Choose a compatible mix of uses.</li> <li>• Consider building depth and form in relation to each use's requirements for servicing and amenity.</li> <li>• Design legible circulation systems, which ensure the safety of users by: isolating commercial service requirements such as loading docks from residential access, servicing needs and primary outlook; locating clearly demarcated residential entries directly from the public street; clearly distinguishing commercial and residential entries and vertical access points; providing security entries to all entrances into private areas, including car parks and internal courtyards; providing safe pedestrian routes through the site, where required.</li> <li>• Ensure the building positively contributes to the public domain and streetscape by: fronting onto major streets with active uses; avoiding the use of blank walls at the ground level.</li> <li>• Address acoustic requirements for each use by: separate residential uses, where possible, from ground floor retail or leisure uses by utilising an intermediate quiet-use barrier, such as offices; design for acoustic privacy from the beginning of the project to ensure that future services, such as air conditioning, do not cause acoustic problems later.</li> <li>• Recognising the ownership/lease patterns and separating requirements for purposes of BCA.</li> </ul>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	The Mixed Use objectives are not applicable to the proposed development as exclusive residential use is proposed.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Storage</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To provide adequate storage for everyday household items within easy access of the apartment.</li> <li>• To provide storage for sporting, leisure, fitness and hobby equipment.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	Storage is provided within each unit in the form of built in wardrobes, kitchen cupboards and in some units dedicated separate storage cupboards.

Requirement	Yes	No	N/A	Comment
<b>Design Practice</b>				
<ul style="list-style-type: none"> <li>• Locate storage conveniently for apartments including: at least 50% of the required storage within each apartment and accessible from either the hall or living area - best provided as cupboards accessible from entries and hallways and/or under internal stairs; dedicated storage rooms on each floor within the development, which can be leased by residents as required; providing dedicated and/or leasable storage in internal or basement car parks.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Apartments are to have varying levels of storage areas. However, the storage space per unit varies.
<ul style="list-style-type: none"> <li>• Provide storage which is suitable for the needs of residents in the local area and able to accommodate larger items such as sporting equipment and bicycles.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Most units have dedicated storage space within the apartment in addition to kitchen cupboards and wardrobes.
<ul style="list-style-type: none"> <li>• Ensure that storage separated from apartments is secure for individual use.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Designated bicycle parking areas are provided within the basement levels.
<ul style="list-style-type: none"> <li>• Where basement storage is provided: ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations; exclude it from FSR calculations.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• In addition to kitchen cupboards and wardrobes, provide accessible storage facilities at the following rates:               <ul style="list-style-type: none"> <li>○ Studio = 6cum;</li> <li>○ 1 bed = 6cum;</li> <li>○ 2 bed = 8cum;</li> <li>○ 3+ bed = 10cum.</li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Satisfactory storage areas are provided to satisfy the DCP requirements as detailed on the submitted plans.
<b>Acoustic Amenity</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>• To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Acoustic Amenity objectives as acoustic intrusion is minimised through building separation and the grouping of like-use rooms in apartments together.

<b>Requirement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment</b>
<b>Design Practice</b>				
<ul style="list-style-type: none"> <li>Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Suitable building separation is provided to allow private open space areas to be located away from each other.
<ul style="list-style-type: none"> <li>Arrange apartments within a development to minimise noise transition between flats by: locating busy, noisy areas next to each other and quieter areas next to other quieter areas (kitchen near kitchen, bedroom near bedroom); using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas; minimising the amount of party walls with other apartments.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Like-use areas of apartments are grouped to avoid acoustic disturbance of neighbouring apartments where possible, i.e. bedrooms adjoin bedrooms and living areas adjoin living areas.
<ul style="list-style-type: none"> <li>Design the internal apartment layout to separate noisier from quieter spaces by: grouping uses within an apartment – bedrooms with bedrooms and service areas like kitchen, bathroom, and laundry together.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Where possible, noisier areas such as bathrooms and laundries are distanced from bedrooms.
<ul style="list-style-type: none"> <li>Resolve conflicts between noise, outlook and views by using design measures including: double glazing, operable screened balconies; continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An amended Acoustic Report provided with the application, prepared by Acoustic Logic, rev. 0 dated 24 May 2013 (ref: 20130187.1/2405A/R0/GW) provided Acoustic criteria and recommended construction methods/materials/treatments to be used to meet the criteria for the site especially as they relate to potential noise from the adjoining Primary School and rail corridor.
<ul style="list-style-type: none"> <li>Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Daylight Access</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas allows for daylight infiltration.
<ul style="list-style-type: none"> <li>To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To provide residents with the ability to adjust the quantity of daylight to suit their needs.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Design Practice</b>				
<ul style="list-style-type: none"> <li>Plan the site so that new residential flat development is oriented to optimise northern aspect.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are many units facing north, east or west that receives an adequate amount of solar penetration from March through to September. However there are a number of units facing south that do not receive solar penetration.
<ul style="list-style-type: none"> <li>Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The rear communal open space within the development is north facing and will provide shade in summer whilst allowing solar penetration in winter.
<ul style="list-style-type: none"> <li>Optimise the number of apartments receiving daylight access to habitable rooms and principal windows: ensure daylight access to habitable rooms and private open space, particularly in winter; use skylights, clerestory windows and fanlights to supplement daylight access; promote two storey and mezzanine, ground floor apartments or locations where daylight is limited to facilitate daylight access to living rooms and private open spaces; limit the depth of single aspect apartments; ensure single aspect , single storey apartments have a northerly or easterly aspect; locate living areas to the north and service</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Apartment living areas and certain bedrooms are provided with openings to outdoor space to maximise access to daylight and where possible, north-facing openings, living areas and private open spaces are optimised.

Requirement	Yes	No	N/A	Comment
<p>areas to the south and west of development; limit the number of south facing apartments and increase their window area; use light shelves to reflect light into deeper apartments.</p> <ul style="list-style-type: none"> <li>• Design for shading and glare control, particularly in summer: using shading devices such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting; optimising the number of north facing living spaces; providing external horizontal shading to north facing windows; providing vertical shading to east or west windows; using high performance glass but minimising external glare off windows (avoid reflective films, use a glass reflectance below 20%, consider reduced tint glass).</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Overhanging balconies and louvers are proposed to provide shading to private open spaces. A roof element is provided for the top floors to provide shading to portions of the top floor balconies of the building.
<ul style="list-style-type: none"> <li>• Limit the use of light wells as a source of daylight by prohibiting their use as the primary source of daylight in habitable rooms.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None proposed for the development
<ul style="list-style-type: none"> <li>• Where light wells are used: relate light well dimensions to building separation; conceal building services and provide appropriate detail and materials to visible walls; ensure light wells are fully open to the sky; allow exceptions for adaptive reuse buildings, if satisfactory performance is demonstrated.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter. In dense urban areas, a minimum of 2 hours may be acceptable.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant provided shadow diagram that shows that 43 units or 62% of the units having living areas and private open space areas achieving the minimum 3 hours solar access. Another 8 units or (12%) of the units will have minimum 2 hour of solar access taking the total number to 51 units or 74% of the units. The proposal achieves the requirement and is considered acceptable.
<ul style="list-style-type: none"> <li>• Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are 8 single aspect south facing units, which is 12% for the development. This is partly due to the orientation of the site. A variation is considered acceptable given that the proposal performs satisfactorily in terms of solar access and supporting documentation demonstrates that the thermal performance of these apartments is such that residential amenity will not be unduly affected. (the original approval had 9 single aspect south facing units representing 13.4%)
<ul style="list-style-type: none"> <li>• Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibits the achievement of these standards and how energy efficiency is addressed.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Natural Ventilation</i>				



Requirement	Yes	No	N/A	Comment
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.</li> <li>• To provide natural ventilation in non-habitable rooms, where possible.</li> <li>• To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation. The BASIX commitments dictate energy consumption requirements.
<u>Design Practice</u> <ul style="list-style-type: none"> <li>• Plan the site to promote and guide natural breezes by: determining prevailing breezes and orient buildings to maximise use, where possible; locating vegetation to direct breezes and cool air as it flows across the site and by selecting planting or trees that do not inhibit air flow.</li> <li>• Utilise the building layout and section to increase the potential for natural ventilation.</li> <li>• Design the internal apartment layout to promote natural ventilation by: minimising interruptions in air flow through an apartment; grouping rooms with similar usage together.</li> <li>• Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout.</li> <li>• Coordinate design for natural ventilation with passive solar design techniques.</li> <li>• Explore innovative technologies to naturally ventilate internal building areas or rooms.</li> <li>• <b>Building depths which support natural ventilation typically range from 10-18 metres.</b></li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building and apartment layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.
<ul style="list-style-type: none"> <li>• 60% of residential units should be naturally cross ventilated.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building depth for the building varies but reaches up to 24m from glass line to glass line. Based on the design the proposed depth is not considered excessive. A variation is supported in this regard as it is not considered to adversely affect the residential amenity of the affected units. (it is noted that the original was approved with a building depth of 23m)</p> <p>Up to 43 units or 62% of apartments in the development have openings in two or more external walls of different orientation</p>
<ul style="list-style-type: none"> <li>• 25% of kitchens within a development should have access to natural ventilation.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All kitchens within the development are considered to be naturally ventilated as they are part of the open plan living areas.
<ul style="list-style-type: none"> <li>• Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved particularly in relation to habitable rooms.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The non compliances identified in this section can be considered minor in this instance and generally supportable.
<u>Awnings and Signage</u>				
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To provide shelter for public streets.</li> <li>• To ensure signage is in keeping with desired streetscape character and with the development in scale, detail and overall design</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Awnings and Signage Objectives are not applicable to the development as no awnings over the public domain or any signage are proposed.

Requirement	Yes	No	N/A	Comment
<u>Design Practice</u>				
<u>Awnings</u> <ul style="list-style-type: none"><li>• Encourage pedestrian activity on streets by providing awnings to retail strips, where appropriate, which: give continuous cover in areas which have a desired pattern of continuous awnings; complement the height, depth and form of the desired character or existing pattern of awnings; provide sufficient protection for sun and rain.</li><li>• Contribute to the legibility of the residential flat development and amenity of the public domain by locating local awnings over building entries.</li><li>• Enhance safety for pedestrians by providing under-awning lighting.</li></ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No awnings over the public domain are proposed. In this instance, where the proposal is for a wholly residential use and where pedestrian traffic is to be limited, no awnings are considered necessary.
<u>Signage</u> <ul style="list-style-type: none"><li>• Councils should prepare guidelines for signage based on the desired character and scale of the local area.</li><li>• Integrate signage with the design of the development by responding to scale, proportions and architectural detailing.</li><li>• Provide clear and legible way finding for residents and visitors.</li></ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>Facades</u>				
<u>Objectives</u> <ul style="list-style-type: none"><li>• To promote high architectural quality in residential flat buildings.</li><li>• To ensure that new developments have facades which define and enhance the public domain and desired street character.</li><li>• To ensure that building elements are integrated into the overall building form and façade design.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Facade objectives as elevations of high architectural design quality which include modulation and articulation are proposed.
<u>Design Practice</u> <ul style="list-style-type: none"><li>• Consider the relationship between the whole building form and the façade and/or building elements.</li><li>• Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character.</li><li>• Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the façade orientation.</li><li>• Express important corners by giving visual prominence to parts of the façade.</li><li>• Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.</li><li>• Coordinate security grills/screens, ventilation louvres and car park entry doors with the overall façade design.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>Roof Design</u>				
<u>Objectives</u> <ul style="list-style-type: none"><li>• To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings.</li><li>• To integrate the design of the roof into the overall façade, building composition and desired contextual response.</li><li>• To increase the longevity of the building through weather protection.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Roof Design objectives.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Requirement	Yes	No	N/A	Comment
<u>Design Practice</u> <ul style="list-style-type: none"> <li>• Relate roof design to the desired built form.</li> <li>• Design the roof to relate to the size and scale of the building, the building elevations and three dimensional building form. This includes the design of any parapet or terminating elements and the selection of roof materials.</li> <li>• Design roofs to respond to the orientation of the site.</li> <li>• Minimise the visual intrusiveness of service elements (lift overruns, service plants, chimneys, vent stacks, telecommunication infrastructure, gutters, downpipes, and signage) by integrating them into the design of the roof.</li> <li>• Support the use of roofs for quality open space in denser urban areas by: providing space and appropriate building systems to support the desired landscape design; incorporating shade structures and wind screens to encourage open space use; ensuring open space is accessible.</li> <li>• Facilitate the use or future use of the roof for sustainable functions e.g. rainwater tanks, photovoltaics, water features.</li> <li>• Where habitable space is provided within the roof optimise residential amenity in the form or attics or penthouse apartments.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed building is to have a 'sculptural floating' roof which will add visual interest to the overall appearance of the building.</p>
<u>Energy Efficiency</u>				
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To reduce the necessity for mechanical heating and cooling.</li> <li>• To reduce reliance on fossil fuels.</li> <li>• To minimise greenhouse gas emissions.</li> <li>• To support and promote renewable energy initiatives.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>An amended BASIX certificate has been submitted. Proposal is acceptable in this regard.</p>
<u>Design Practice</u> Requirements superseded by BASIX.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The various BASIX Certificates for the buildings show that the development as a whole achieves the Pass Mark for energy and water conservation.</p>
<u>Maintenance</u>				
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To ensure long life and ease of maintenance for the development.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The amended development is considered to be consistent with the Maintenance objectives as relevant conditions shall be included in any consent to ensure the site is suitably maintained.</p>
<u>Design Practice</u> <ul style="list-style-type: none"> <li>• Design windows to enable cleaning from inside the building, where possible.</li> <li>• Select manually operated systems in preference to mechanical systems.</li> <li>• Incorporate and integrate building maintenance systems into the design of the building form, roof and façade.</li> <li>• Select durable materials, which are easily cleaned and are graffiti resistant.</li> <li>• Select appropriate landscape elements and vegetation and provide appropriate irrigation systems.</li> <li>• For developments with communal open space, provide a garden maintenance and storage area, which is efficient and convenient to use and is connected to water and drainage.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<u>Waste Management</u>				
<u>Objectives</u> <ul style="list-style-type: none"> <li>• To avoid the generation of waste through design, material selection and building practices.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>This issue was addressed in the assessment of the original application.</p>

Requirement	Yes	No	N/A	Comment
<ul style="list-style-type: none"> <li>• To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development.</li> <li>• To encourage waste minimisation, including source separation, reuse and recycling.</li> <li>• To ensure efficient storage and collection of waste and quality design of facilities.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Design Practice</b> <ul style="list-style-type: none"> <li>• Incorporate existing built elements into new work, where possible.</li> <li>• Recycle and reuse demolished materials, where possible.</li> <li>• Specify building materials that can be reused and recycled at the end of their life.</li> <li>• Integrate waste management processes into all stages of the project, including the design stage.</li> <li>• Support waste management during the design stage by: specifying modestly for the project needs; reducing waste by utilising the standard product/component sizes of materials to be used; incorporating durability, adaptability and ease of future service upgrades.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	As per the original approval, suitable waste management facilities are proposed throughout the building and will be managed by an appointed caretaker.
<ul style="list-style-type: none"> <li>• Prepare a waste management plan for green and putrescible waste, garbage, glass, containers and paper.</li> <li>• Locate storage areas for rubbish bins away from the front of the development where they have a significant negative impact on the streetscape, on the visual presentation of the building entry and on the amenity of residents, building users and pedestrians.</li> <li>• Provide every dwelling with a waste cupboard or temporary storage area of sufficient size to hold a single day's waste and to enable source separation.</li> <li>• Incorporate on-site composting, where possible, in self contained composting units on balconies or as part of the shared site facilities.</li> <li>• Supply waste management plans as part of the DA submission.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Water Conservation</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>• To reduce mains consumption of potable water.</li> <li>• To reduce the quantity of urban stormwater runoff.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Water Conservation objectives.
<b>Design Practice</b>				
<ul style="list-style-type: none"> <li>• Requirements superseded by BASIX.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The design practice requirements are superseded by commitments listed in the accompanying BASIX Certificate.

### Regional Environmental Plans

#### **Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

The site is located within the area within the Sydney Harbour Catchment and SREP (Sydney Harbour Catchment) 2005 is applicable to the development application. The Section 96(2) application raises no issues as to consistency with the requirements and objectives of the REP.

### Local Environmental Plans

#### **Auburn Local Environmental Plan 2010**

The relevant objectives and provisions of Auburn LEP 2010 have been considered in the following assessment table:

Clause	Yes	No	N/A	Comment
<b>Part 1 Preliminary</b>				
<b>1.2 Aims of Plan</b>				
(1) This Plan aims to make local environmental planning provisions for land in Auburn in accordance with the relevant standard environmental planning instrument under section 33A of the Act.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended proposal complies with the stipulated development standards of the ALEP 2010.
(2) The particular aims of this Plan are as follows:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to establish an acceptable benchmark of future development in the immediate area.
(a) to establish planning standards that are clear, specific and flexible in their application,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is not considered to be inappropriate for the area. The development complies and will establish the future desired character for its immediate area.
(b) to foster integrated, sustainable development that contributes to Auburn's environmental, social and physical well-being,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) to protect areas from inappropriate development,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(d) to minimise risk to the community by restricting development in sensitive areas,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) to integrate principles of ecologically sustainable development into land use controls,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal has incorporated ESD principles with features such as passive design and BASIX. The development is acceptable in this regard.
(f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) to facilitate economic growth and employment opportunities within Auburn,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Being a residential development the proposal will also create employment opportunities.
(h) to identify and conserve the natural, built and cultural heritage,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(i) to provide recreational land, community facilities and land for public purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is within the vicinity of identified heritage items.
<b>1.8 Repeal of other local planning instruments applying to land</b>				
(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted
<b>Note.</b> The following local environmental plans are repealed under this provision: <i>Auburn Local Environmental Plan 2000</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other and cease to apply to the land to which this Plan applies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>1.9 Application of SEPPs and REPs</b>				
(1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



[illegible]



Clause	Yes	No	N/A	Comment
(b) a minor realignment of boundaries that does not create: (i) <i>additional lots or the opportunity for additional dwellings, or</i> (ii) <i>lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,</i> (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings, (d) rectifying an encroachment on a lot, (e) creating a public reserve, (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets. <b>Note.</b> If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	
<b>2.6 AA Demolition requires consent</b> The demolition of a building or work may be carried out only with consent. <b>Note.</b> If the demolition of a building or work is identified in <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> as exempt development, the Act enables it to be carried out without consent.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The demolition component of the development was considered in the assessment of the original application..
<b>Zone B4 Mixed Use</b>  <b>1 Objectives of zone</b> <ul style="list-style-type: none"> <li>To provide a mixture of compatible land uses.</li> <li>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</li> <li>To encourage high density residential development.</li> <li>To encourage appropriate businesses which contribute to economic growth.</li> <li>To achieve an accessible, attractive and safe public domain.</li> </ul> <b>2 Permitted without consent</b> Nil	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	The amended proposal is considered to be compatible with the objectives of the zone.  The site enjoys close proximity to the core Lidcombe town centre and associated public transport links.  The residential building development is high density in accordance with the zone.  Wholly residential development proposed.  The proposal is considered to provide an attractive public domain interface through the use of high quality materials and accessible entry.  All proposed development requires consent from Council.



Clause	Yes	No	N/A	Comment
Map in relation to that land.				
(3A) Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is not for a single dwelling.
(3B) Despite subclause (3), if a lot is a battle-axe lot or other lot with an access handle and is on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone IN1 General Industrial and Zone IN2 Light Industrial, the minimum lot size excludes the area of the access handle.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3C) Despite subclauses (3)–(3B), the minimum lot size for development on land within the Former Lidcombe Hospital Site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of:				
(a) dwelling houses:				
(i) 350 square metres, or				
(ii) if a garage will be accessed from the rear of the property - 290 square metres, or	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
(iii) if the dwelling house will be on a zero lot line - 270 square metres,				
(b) semi-detached dwellings - 270 square metres,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) multi dwelling housing - 170 square metres for each dwelling,	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
(d) attached dwellings - 170 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.3 Height of buildings</b>				
(1) The objectives of this clause are as follows:				The amended proposal is considered to be consistent with the building height objective.
(a) to establish a maximum building height to enable appropriate development density to be achieved, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) to ensure that the height of buildings is compatible with the character of the locality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A maximum height of 31.8m is proposed to the top of the highest roof whereas a maximum height of 32m is specified for the site.
(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:				
(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development not on Parramatta Road Precinct.

Clause	Yes	No	N/A	Comment
(b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development not on land within zone B6 – Enterprise Corridor.

Clause	Yes	No	N/A	Comment
<b>4.4 Floor space ratio</b>				
(1) The objectives of this clause are as follows:				
(a) To establish a maximum floor space ratio to enable appropriate development density to be achieved, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A floor space ratio of 3.4:1 is specified for the site.
(b) To ensure that development intensity reflects its locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development will establish the desired future density of the B4 – Mixed use zone.
(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal's floor space ratio is 3.39:1 which is less than the maximum allowable floor space ratio limit of 3.4 : 1. The development is acceptable in this regard.
(2A) Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on land other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as follows:				
(a) for sites less than 1,300 square metres—0.75:1,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a multi dwelling development.
(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) for sites that are 1,800 square metres or greater—0.85:1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2B) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows:				
(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not within Zone – B6 Enterprise Corridor.
(b) 3:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows:				
(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) 2:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.5 Calculation of floor space ratio and site area</b>				
<b>(1) Objectives</b>				
The objectives of this clause are as follows:				
(a) to define <i>floor space ratio</i> ,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted

Clause	Yes	No	N/A	Comment
<p>(b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:</p> <p>(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and</p> <p>(ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and</p> <p>(iii) require community land and public places to be dealt with separately.</p>				
<p><b>(2) Definition of “floor space ratio”</b></p> <p>The <b>floor space ratio</b> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.</p>				
<p><b>(3) Site area</b></p> <p>In determining the site area of proposed development for the purpose of applying a floor space ratio, the <b>site area</b> is taken to be:</p> <p>(a) if the proposed development is to be carried out on only one lot, the area of that lot, or</p> <p>(b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.</p> <p>In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.</p>				
<p><b>(4) Exclusions from site area</b></p> <p>The following land must be excluded from the site area:</p> <p>(a) land on which the proposed development is prohibited, whether under this Plan or any other law,</p> <p>(b) community land or a public place (except as provided by subclause (7)).</p>				
<p><b>(5) Strata subdivisions</b></p> <p>The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.</p>				
<p><b>(6) Only significant development to be included</b></p> <p>The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out</p>				

Clause	Yes	No	N/A	Comment
<p>unless the proposed development includes significant development on that additional lot.</p> <p><b>(7) Certain public land to be separately considered</b></p> <p>For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No public land incorporated into the proposal.
<p><b>(8) Existing buildings</b></p> <p>The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All above ground floors of the proposal are factored into the floor space ratio calculation.
<p><b>(9) Covenants to prevent “double dipping”</b></p> <p>When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site consists of 1 lot.
<p><b>(10) Covenants affect consolidated sites</b></p> <p>If:</p> <p>(a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and</p> <p>(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,</p> <p>the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No consolidation covenant is being applied in this instance.
<p><b>(11) Definition</b></p> <p>In this clause, <i>public place</i> has the same meaning as it has in the <i>Local Government Act 1993</i>.</p>				
<p><b>4.6 Exceptions to development standards</b></p> <p>(1) The objectives of this clause are:</p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The applicant has not applied for any exceptions to development standards in accordance with this clause.

Clause	Yes	No	N/A	Comment
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:				
(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) that there are sufficient environmental planning grounds to justify contravening the development standard.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Consent must not be granted for development that contravenes a development standard unless:				
(a) the consent authority is satisfied that:				
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the concurrence of the Director-General has been obtained.				
(5) In deciding whether to grant concurrence, the Director-General must consider:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the public benefit of maintaining the development standard, and				
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) Not applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



Clause	Yes	No	N/A	Comment
(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) This clause does not allow consent to be granted for development that would contravene any of the following:				
(a) a development standard for complying development,				
(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies or for the land on which such a building is situated,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) clause 5.4.				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Part 5 Miscellaneous provisions</b>				
<b>5.6 Architectural roof features</b>				
(1) The objectives of this clause are:				
(a) To ensure that any decorative roof element does not detract from the architectural design of the building, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A sculptural "floating roof" is proposed to the built form of the building to add visual interest to the development.
(b) To ensure that prominent architectural roof features are contained within the height limit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The roof feature is contained within the prescribed height limit.
(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted to any such development unless the consent authority is satisfied that:				
(a) the architectural roof feature:				
(i) comprises a decorative element on the uppermost portion of a building, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The roof features perform a decorative element on the uppermost portion of the building.
(ii) is not an advertising structure, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The roof features are not an advertising structure and not likely to be used as one given that the building is for residential use only.
(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The roof features do not include floor space and are not reasonably capable of modification to include floor space area.
(iv) will cause minimal overshadowing, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The roof features does not in itself result in additional shadow affectation

Clause	Yes	No	N/A	Comment
(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The roof features will fully contain the lift overrun.  on adjoining properties.
<b>5.10 Heritage conservation</b> <b>Note.</b> Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5. <b>(1) Objectives</b> The objectives of this clause are:  (a) to conserve the environmental heritage of Auburn, and  (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and  (c) to conserve archaeological sites, and  (d) to conserve places of Aboriginal heritage significance. <b>(2) Requirement for consent</b> Development consent is required for any of the following:  (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,  (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,  (c) altering a heritage item that is a building by making structural changes to its interior,  (d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,  (e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,  (f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,  (g) subdividing land on which a heritage item is located or that is within a heritage conservation area.				<p>1) St Joachims School – item #139;                  2) Lidcombe Fire Station – item # 132; and                  3) Hotel Lidcombe – item # 131</p> <p>A heritage impact assessment report prepared by Andrew Starr and Associates, Heritage Consultants dated April 2011 was submitted with the original application. The report indicated that the Lidcombe Fire Station and Hotel Lidcombe are far enough away from the subject site to only have minimal effect on their heritage significance. The report also indicated that the proposed development does have some impact on the school but this impact does not affect the heritage significance of the school buildings.</p> <p>The report concludes that “<i>The heritage impact on nearby heritage items is not significant. Principal views of all nearby heritage items are not obscured by the proposed development. A building of ten storeys fits within the changing context of this business zone. There are no heritage issues that conflict with the development on the site.</i>”</p> <p>The conclusions of the original Heritage report is not likely to change as a result of the proposed amendment given that the building envelop remains substantially unchanged except for the reduction in overall height – Principal views of all nearby heritage items are not obscured by the amended proposal.</p>

Clause	Yes	No	N/A	Comment
<p><b>(3) When consent not required</b></p> <p>However, consent under this clause is not required if:</p> <p>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:</p> <p>(i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and</p> <p>(ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development:</p> <p>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p> <p><b>Note.</b> For land known as Rookwood Cemetery zoned SP1 Cemetery, development consent from, and notification to, the consent authority is not required under this plan for the further use of an existing grave site or crypt within a graveyard that is a heritage item, provided the heritage significance of the item is not adversely affected.</p>				
<p><b>(4) Effect on heritage significance</b></p> <p>The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>(5) Heritage impact assessment</b></p> <p>The consent authority <i>may</i>, before granting consent to any development on land:</p> <p>(a) on which a heritage item is situated, or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
(b) within a heritage conservation area, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) within the vicinity of land referred to in paragraph (a) or (b),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.				
<b>(6) Heritage conservation management plans</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.				
<b>(7) Archaeological sites</b>				
The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) notify the Heritage Council of its intention to grant consent, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(8) Places of Aboriginal heritage significance</b>				
The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:				
(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(9) Demolition of item of State significance</b>				
The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) notify the Heritage Council about the application, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.				
<b>(10) Conservation incentives</b>				
The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) the conservation of the heritage item is facilitated by the granting of consent, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.				
<b>Part 6 Additional local provisions</b>				
<b>6.1 Acid sulfate soils</b>				
(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site lies over Class 5 Acid Sulfate Soils and does not lie within 500 metres of an adjacent altered classification soil.
(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.				Class 5 soils are general acceptable to undertake significant excavation without the need for further studies or management plans to manage Acid Sulfate issues during construction. The development is acceptable in this regard.
<b>Class of land</b> <b>Works</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1 Any works.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2 Works below the natural ground surface. Works by which the watertable is likely to be lowered.				
3 Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
4 Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5 Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:				
(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) minor work,				



Clause	Yes	No	N/A	Comment
(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate noise, construction and traffic control conditions included in the original consent.
(e) the source of any fill material and the destination of any excavated material,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(f) the likelihood of disturbing relics,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is not identified as a potential archaeological site.
(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no waterways or environmentally sensitive areas in vicinity of the site.
<b>Note.</b> The <i>National Parks and Wildlife Act 1974</i> , particularly section 86, deals with disturbing or excavating land and Aboriginal objects.				



Clause	Yes	No	N/A	Comment
<b>6.3 Flood planning</b>				
(1) The objectives of this clause are:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is not identified as being flood prone as per the maps in the ALEP 2010. This clause is not applicable to the development.
(a) to minimise the flood risk to life and property associated with the use of land,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) to avoid significant adverse impacts on flood behaviour and the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) This clause applies to:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) land that is shown as "Flood planning area" on the Flood Planning Map, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) other land at or below the flood planning level.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) is compatible with the flood hazard of the land, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) incorporates appropriate measures to manage risk to life from flood, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's <i>Floodplain Development Manual</i> published in 2005, unless it is otherwise defined in this clause.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) In this clause:  <b>flood planning level</b> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.  <b>Flood Planning Map</b> means the Auburn Local Environmental Plan 2010 Flood Planning Map.				
<b>6.4 Foreshore building line</b>				
(1) The objective of this				

Clause	Yes	No	N/A	Comment
clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is not affected by a foreshore building line.
(2) This clause applies to land identified as below the foreshore building line on the Foreshore Building Line Map.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted for development on land in the foreshore area except for the following purposes:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) the development will contribute to achieving the objectives for the zone in which the land is located, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the development is not likely to cause environmental harm such as:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(i) pollution or siltation of the waterway, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) an adverse effect on drainage patterns, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) opportunities to provide continuous public access	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause	Yes	No	N/A	Comment
along the foreshore and to the waterway will not be compromised, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and				
(h) sea level rise or change of flooding patterns as a result of climate change have been considered.				
<b>6.5 Essential Services</b>				
(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:				
(a) the supply of water,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The listed services are currently available to the site.
(b) the supply of electricity,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) the disposal and management of sewage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate conditions imposed in the original consent requiring that all services be augmented as necessary in accordance with service provider requirements.
(d) stormwater drainage or on-site conservation,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) suitable road access.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.				

#### The provisions of any Draft Environmental Planning Instruments (EP& A Act s79C(1)(a)(ii))

The proposed development is not affected by any relevant Draft Environmental Planning Instruments.

#### The provisions of any Development Control Plans (EP& A Act s79C(1)(a)(iii))

ADCP 2010 – Local Centres

The relevant objectives and requirements of the DCP 2010 Local Centres have been considered in the following assessment table:

Requirement	Yes	No	N/A	Comments
2.0 Built Form				
Objectives				
a. To provide richness of detail and architectural interest, especially to visually prominent parts of buildings such as lower storeys and street facades.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended design is considered to be a high quality design of contemporary appearance and consistent with the desired future character of the zone and locality.
b. To ensure that the form, scale, design and nature of development enhances the streetscape and visual quality of commercial areas within the Auburn local government area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To ensure that the built form and density of a new development respects the scale, density and desired future character of the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The design complies with the ALEP 2010 building FSR and building height controls.
d. To ensure development appropriately supports the centres hierarchy within the Auburn local government area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.1 Number of storeys				
Performance criteria				
P1 To ensure an acceptable level of amenity and future flexibility is provided for new commercial and residential developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to provide an acceptable level of amenity for the intended occupants.
Development controls				
D1 The minimum finished floor level (FFL) to finished ceiling level(FCL) shall be as follows:				Minimum height of 3.3m provided for 4 of the 5 units on the ground floor. Unit 1.05 is provided with a height of 2.7m to accommodate the ramp and head height for proposed garbage truck to the basement area. Given the residential use of the unit, there is no objection raised to this non-compliance. (this is as originally approved)
• 3300mm for ground level (regardless of the type of development);	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
• 3300 for all commercial/retail levels; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• 2700mm for all residential levels above ground floor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2 Articulation and proportion				
Performance criteria				
P1 The bulk, scale and intensity of development is consistent with the scale of surrounding existing and planned developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The bulk and scale of the development is considered appropriate with regard to the future desired character of the area and zone objectives.
P2 Existing horizontal or vertical rhythms in a streetscape are complemented by new facades. Visual interest in a building is achieved by: articulation of facade into horizontal divisions of base, middle and top; balcony and fenestration details; and proportion, spacing and modelling of the surface through detail and relief.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The built form is articulated into a clearly defined base with wide pedestrian access, the centre core and top element in the form of a sculptural floating roof. The development is considered to respond well in this regard.
Surrounding development comprises of				

<b>P3</b> New facades complement the predominant horizontal and vertical proportions in the street and are compatible with surrounding buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	commercial, educational and mixed use developments.
<b>Development controls</b>				
<b>D1</b> Buildings shall incorporate:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed design possesses these elements.
<ul style="list-style-type: none"> <li>balanced horizontal and vertical proportions and well spaced and proportioned windows;</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed design possesses these elements.
<ul style="list-style-type: none"> <li>a clearly defined base, middle and top;</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed design possesses these elements. The building is modulated with the provision of recesses in the front facade of the building.
<ul style="list-style-type: none"> <li>modulation and texture; and</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The ground floor is of an appropriate scale.
<ul style="list-style-type: none"> <li>architectural features which give human scale at street level such as entrances and porticos.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no blank walls proposed at the street level facade. The public domain interface is considered to provide an appropriate level of visual interest.
<b>D2</b> The maximum width of blank walls for building exteriors along key retail streets shall be 5m or 20% of the street frontage, whichever is the lesser.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D3</b> Articulation of the building exterior shall be achieved through recesses in the horizontal and vertical plane, adequate contrasts in materials, design features and the use of awnings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D4</b> Features such as windows and doors shall be in proportion with the scale and size of the new building and any adjoining buildings which contribute positively to the streetscape.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All windows and doors are considered to possess appropriate proportions.
<b>D5</b> Street awnings which appear as horizontal elements along the façade of the building shall be provided as part of all new development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No street awning proposed.
<b>2.3 Materials</b>				
<b>Performance criteria</b>				
<b>P1</b> Materials enhance the quality and character of the business precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended materials are considered to be of high quality and contemporary appearance. The development is acceptable in this regard.
<b>Development controls</b>				
<b>D1</b> New buildings shall incorporate a mix of solid (i.e. masonry concrete) and glazed materials, consistent with the character of buildings in the locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D2</b> Building materials and finishes complement the finishes predominating in the area. Different materials, colours or textures may be used to emphasise certain features of the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facade contains a mix of masonry concrete and glazing materials appropriate to the residential use of the building.
<b>D3</b> Building facades at street level along primary streets and public places consist of a minimum of 80% for windows/glazed areas and building and tenancy entries.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is more appropriate where commercial tenancies are proposed on ground floor.
<b>D4</b> Visible light reflectivity from building materials used on the facades of new buildings shall not exceed 20%.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate condition imposed in the original consent in this regards.
<b>2.4 Roofs</b>				
<b>Performance criteria</b>				

<p><b>P1</b> Roof design is integrated into the overall building design.</p> <p><b>Development controls</b></p> <p><b>D1</b> Design of the roof shall achieve the following:</p> <ul style="list-style-type: none"> <li>•concealment of lift overruns and service plants;</li> <li>•presentation of an interesting skyline;</li> <li>•enhancing views from adjoining developments and public places; and</li> <li>•complementing the scale of the building.</li> </ul> <p><b>D2</b> Roof forms shall not be designed to add to the perceived height and bulk of the building.</p> <p><b>D3</b> Where outdoor recreation areas are proposed on flat roofs, shade structures and wind screens shall be provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The roof design does not materially affect views from adjoining developments and/or public spaces.</p> <p>The roof overruns are not visible from the street.</p> <p>Visually interesting roof form proposed and is considered appropriate in this instance.</p> <p>The roof design is not considered to add to the perceived bulk and scale of the building.</p> <p>No outdoor open space is proposed upon the roof.</p>
<p><b>2.5 Balconies</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Balconies contribute positively to the amenity of residents and the visual quality of the local centre.</p> <p><b>Development controls</b></p> <p><b>D1</b> Balustrades and balconies shall be constructed from a balance of solid and transparent material to allow for views from the interior.</p> <p><b>D2</b> Balconies and terraces shall be oriented to overlook public spaces.</p> <p><b>D3</b> The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall not have exposed pipes and utilities.</p> <p><b>D4</b> Screens, louvers or similar devices shall be provided to balconies so as to visually screen any drying of laundry.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The facade and balconies present to the street in a coordinated balance of glass and masonry.</p> <p>Balustrades consist of partly transparent materials to allow for views into public spaces.</p> <p>Appropriate condition imposed in the original consent in this regards.</p>
<p><b>2.6 Interface with schools, places of public worship, and public precincts</b></p> <p><b>Development controls</b></p> <p><b>D1</b> Where a site adjoins a school, place of public worship or public open space:</p> <ul style="list-style-type: none"> <li>• This interface shall be identified in the site analysis plan and reflected in building design;</li> <li>• Building design incorporates an appropriate transition in scale and character along the site boundary(s);</li> <li>• Building design presents an appropriately detailed facade and landscaping in the context of the</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>St Joachims Catholic School is located to the north (rear) and west (side) of the subject development site. The development has undertaken reasonable measures to appropriately site the building to minimise the impacts of the development on the school. The resultant 10 metre wide landscaping will also enable the associated deep soil area be capable of supporting large trees (proposed on the landscaping plan)</p>

adjoining land use.				
<b>D2</b> The potential for overlooking of playing areas of schools shall be minimised by siting, orientation or screening.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is considered to be acceptable in this regard.
<b>D3</b> Fencing along boundaries shared with public open space shall have a minimum transparency of 50%.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development does not directly adjoin public open space.
<b>D4</b> Sight lines from adjacent development to public open space shall be maintained and/or enhanced. Direct, secure private access to public open space is encouraged, where possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.0 Streetscape and Urban form</b>				
<b>Objectives</b>				
a. To ensure development integrates well with the locality and respects the streetscape, built form and character of the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development in itself is not considered to be inappropriate for the area in terms of streetscape and built form.
b. To encourage innovative development which is both functional and attractive in its context.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.1 Streetscape</b>				
<b>Performance criteria</b>				
<b>P1</b> New and infill development respects the integrity of the existing streetscape and is sympathetic in terms of scale, form, height, shopfront character, parapet, verandah design, and colours and materials, in a manner which interprets the traditional architecture, albeit in modern forms and materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building as proposed is considered to be an appropriate design given the zoning and use.
<b>P2</b> New development conserves and enhances the existing character of the street with particular reference to architectural themes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development site is located at the north-eastern end of the Lidcombe Town Centre and if constructed will attenuate the boundary of the Town Centre.
<b>Development controls</b>				
<b>D1</b> Applicants shall demonstrate how new development addresses the streetscape and surrounding built environment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D2</b> Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no signs proposed for this development.
<b>3.2 Setbacks</b>				
<b>Performance criteria</b>				
<b>P1</b> The setback of new buildings is consistent with the setback of adjoining buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed setbacks considered appropriate and consistent with the setback requirements.
<b>P2</b> The built edge of development at the street frontage contributes to a sense of enclosure and scale within the centre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>P3</b> The design of landmark or gateway buildings on corner and junction sites recognises the importance of these sites as dominant elements in the streetscape.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is not located on a corner.
<b>P4</b> The design of infill buildings reinforces continuity, symmetry and unity in the streetscape.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is not infill development.
<b>Development controls</b>				

<p><b>D1</b> New development or additions to existing development shall adopt the following front setbacks:</p> <ul style="list-style-type: none"> <li>• Nil setbacks for the first two storeys, particularly if adjoining buildings are on a nil setback. This reinforces the existing continuity of the streetscape.</li> <li>• Where new buildings are more than two storeys in height, the levels above the first two storeys are set back by stepping the upper levels and/or roof.</li> </ul>	<input type="checkbox"/>   <input type="checkbox"/>	<input type="checkbox"/>  <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>   <input type="checkbox"/>	<p>No commercial tenancies are proposed within the development.</p>   <p>The building is variously setback between 3m and 7.5m on all levels with the roof recessed with a setback of 11.8m. The development is considered acceptable in this regard given the wholly residential use of the building. (it is noted that the original building was setback 4m for the first 8 storeys and 7.5m for the last two storeys)</p>
<p><b>D2</b> Corner sites shall reinforce the street corner, incorporate strong architectural elements and adhere to a nil setback for the lower two storeys.</p>				<p>Not a corner site.</p>
<p><b>D3</b> Where business development is located adjacent to existing residential properties, new development shall be set back from side boundaries as follows:</p> <ul style="list-style-type: none"> <li>• External walls – 900mm for single storey development.</li> <li>• External walls – 1500mm for two storeys.</li> </ul> <p>Depending on performance and other criteria, side setbacks may be required to be increased in order to minimise potential impacts on adjoining properties in terms of solar amenity, views, privacy and overshadowing.</p>	<input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input type="checkbox"/>	<p>Minimum 3000mm setback provided from external walls</p>
<b>4.0 Mixed Use Developments</b>				
<b>Objectives</b>				
<p>a. To encourage sustainable development by permitting services and employment-generating uses in conjunction with residential uses.</p> <p>b. To provide affordable residential development within close proximity to transport, employment and services.</p> <p>c. To enhance the vitality and safety of commercial centres by encouraging further residential development.</p> <p>d. To achieve a lively and active street frontage by encouraging the integration of appropriate retail and commercial uses with urban housing.</p>	<input type="checkbox"/>   <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>   <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<p>Development not a mixed use development.</p>
<b>4.1 Building design Performance criteria</b>				
<p><b>P1</b> Mixed use developments are designed to architecturally express the different functions of the building while sympathetically integrating into the local centre streetscape.</p> <p><b>Development controls</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Not a mixed use development.</p>



<b>D1</b> The architecture of ground level uses shall reflect the commercial/retail function of the centre.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D2</b> Buildings shall achieve a quality living environment that sympathetically integrates into the character of the commercial precinct.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D3</b> Commercial and retail servicing, loading and parking facilities shall be separated from residential access and servicing and parking.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.2 Active street frontages</b> <b>Performance criteria</b> <b>P1</b> Street activity is enhanced by:  <ul style="list-style-type: none"> <li>the concentration of retail outlets and restaurants at street level; and</li> <li>the number of entrances at street level.</li> </ul> <b>Development controls</b> <b>D1</b> Retail outlets and restaurants are located at the street frontage on the ground level. <b>D2</b> A separate and defined entry shall be provided for each use within a mixed use development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a mixed use development.
<b>4.3 Amenity</b> <b>Performance criteria</b> <b>P1</b> The amenity provided for residents of a mixed use development is similar to that expected in residential zones in terms of visual and acoustic privacy, solar amenity and views. <b>Development controls</b> <b>D1</b> The internal environment of dwellings within mixed use developments in the vicinity of major arterial roads or railway lines shall provide an appropriate level of amenity for privacy, solar access and views.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development provides for an appropriate level of amenity for the residential use. See the SEPP 65 assessment section of the report.
<b>4.4 Residential flat building component of mixed use developments</b> Applicants shall consult the Residential Flat Buildings Part of this DCP for the design requirements for the residential flat building component of a mixed use development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is located in near vicinity of railway corridor. The amended Acoustic Report provided with the application, prepared by Acoustic Logic, rev. 0 dated 24 May 2013 (ref: 20130187.1/2405A/R0/GW) provided Acoustic criteria and recommended construction methods/materials/treatments to be used to meet the criteria for the site especially as they relate to potential noise from the adjoining Primary School and rail corridor.
<b>5.0 Privacy and Security</b> <b>Objectives</b> a. To provide personal and property security for residents and visitors and enhance perceptions of community safety. b. To enhance the architectural character of buildings at night, improve safety and enliven the town centre at night.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Assessment provided later in addition to the SEPP 65 assessment undertaken.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to promote safety and security in the local area and allows for passive surveillance in the locality.

<b>Performance criteria</b>					
<b>P1</b>	Private open spaces and living areas of adjacent dwellings are protected from overlooking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development has provided numerous privacy features to ensure adjoining development (existing and future) is not adversely impact upon.
<b>P2</b>	Site layout and design of buildings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Development controls</b>					
<b>D1</b>	Views onto adjoining private open space shall be obscured by: <ul style="list-style-type: none"><li>• Screening with a maximum area of 25% openings is permanently fixed and made of durable materials; or</li><li>•</li><li>• Incorporating planter boxes into walls or balustrades to increase visual separation between areas. Existing dense vegetation or new planting may be used as a secondary measure to further improve privacy.</li></ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sufficient building separation provided to minimise visual and acoustic overlooking onto adjoining private open spaces.
<b>D2</b>	Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D3</b>	Shared pedestrian entries to buildings shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is acceptable in this regard.
<b>D4</b>	Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D5</b>	Development shall be consistent with Council's Policy on Crime Prevention Through Environmental Design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5.1 Lighting</b>					
<b>Performance criteria</b>					
<b>P1</b>	Lighting is provided to highlight the architectural features of a building and enhance the identity and safety of the public domain but does not floodlight the facade.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate condition imposed with regards to lighting in the original consent.
<b>P2</b>	The use of integrated lighting systems in retail shops is both functional and decorative.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>P3</b>	Lighting is sufficient for its purpose and used to make bold design statements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>P4</b>	Lighting does not interfere with amenity of residents or safety of motorists.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Development controls</b>					
<b>D1</b>	Lighting design shall be integrated with the interior design of a retail/commercial premise. The use of low voltage track lighting, recesses spotlighting and designer light fittings is encouraged.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D2</b>	Lighting systems shall incorporate specific display lighting to reinforce	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

merchandise and provide a contrast against the street lighting generally.				
<b>D3</b> Surface mounted fluorescent fixtures shall not be considered in any part of the retail areas of the premises.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D4</b> The light source shall be selected to provide the desired light effect; however, fitting and methods shall be chosen produce the highest energy efficiency.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D5</b> Lighting shall not interfere with the amenity of residents or affect the safety of motorists.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D6</b> Excessive lighting shall not be permitted. Light spill onto the street into the public domain shall be minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5.2 Shutters and grilles</b>				
<b>Performance criteria</b>				
<b>P1</b> Security shutters, grilles and screens allow the viewing of shopfront windows and light to spill out onto the footpath.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No shutters are noted as being proposed for the development.
<b>P2</b> Shutters, grilles and screens are to be made from durable, graffiti-resistant materials and compatible with the building style.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Development controls</b>				
<b>D1</b> Windows and doors of existing shopfronts shall not be filled in with solid materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D2</b> Security shutters, grilles and screens shall:				
•be at least 70% visually permeable (transparent);	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
•not encroach or project over Council's footpaths; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
•be made from durable, graffiti-resistant materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D3</b> Solid, external roller shutters shall not be permitted.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>5.3 Noise</b>				
<b>Performance criteria</b>				
<b>P1</b> New commercial developments within major arterial roads or railway lines are designed to mitigate noise and vibration impacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a commercial development however an amended Acoustic report has been submitted with the application in relation to potential rail noise.
<b>P2</b> Commercial uses in the local centres must minimise noise impacts on adjoining residential areas caused by loading/unloading, late night operations, use of plant and equipment and entertainment activities.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Development controls</b>				
<b>D1</b> New commercial development (whether part of a mixed use development or not) shall comply with the provisions of the relevant acts, regulations, environmental planning instruments, Australian Standards and guidelines produced by the NSW Department of Environment, Climate Change and Water, the NSW Roads				



				residential development. The development is considered acceptable with regard to the Parking and Loading section of the DCP.
<b>6.2 Creation of new streets and laneways</b> <b>Performance criteria</b> <b>P1</b> All new proposed roads are designed to convey the primary function of the street, including: <ul style="list-style-type: none"> <li>• Safe and efficient movement of vehicles and pedestrians;</li> <li>• Provision for parked vehicles and landscaping, where appropriate;</li> <li>• Location, construction and maintenance of public utilities; and</li> <li>• Movement of service and delivery vehicles.</li> </ul> <b>Development controls</b> <b>D1</b> On some sites, new streets may be able to be introduced. Where a new street shall be created, the street shall be built to Council's standards, Road Design Specification D1 and relevant Quality Assurance requirements while having regards to the circumstances of each proposal. Consideration will be given to maintaining consistency and compatibility with the design of existing roads in the locality. <b>D2</b> Development adjoining a new laneway shall contribute to an attractive streetscape and presents a well designed and proportioned facade and incorporates windows, balconies, doorways and landscaping, where possible. <b>D3</b> New public laneways created within large blocks shall maximise pedestrian and vehicle connections within local centres. <b>D4</b> A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an additional width of 2.5m is required per vehicle per side. <b>D5</b> New streets shall be dedicated to Council. The area of any land dedicated to Council shall be included in the site area for the purpose of calculating the floor space ratio.				No new streets or laneways are being proposed under this development application. This section of the DCP is not applicable.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>7.0 Landscaping</b>				
<b>Objectives</b> a. To create attractive buildings, public spaces and walkways. b. To improve visual quality and contribute to a more positive local centre experience. c. To reduce impacts on climate change at the local level and improve the natural environmental features and local ecology of the local centre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No change proposed to the approved landscaping for the site.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<b>Performance criteria</b>				
<b>P1</b>	Landscaping forms an integral part of the overall design concept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>P2</b>	Landscape reinforces the architectural character of the street and positively contributes to maintaining a consistent and memorable character.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>P3</b>	Landscaped areas are used to soften the impact of buildings and car parking areas as well as for screening purposes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>P4</b>	Landscaped areas are provided for passive and recreational use of workers.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No commercial tenancies proposed.				
<b>Development controls</b>				
<b>D1</b>	Development shall incorporate landscaping in the form of planter boxes to soften the upper level of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>D2</b>	At grade car parking areas, particularly large areas, shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large carparks.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No at grade car parking proposed.				
<b>D3</b>	In open parking areas, one (1) shade tree per ten (10) spaces shall be planted within the parking area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D4</b>	Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D5</b>	Paving and other hard surfaces shall be consistent with architectural elements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>7.1 Street trees</b>				
<b>D1</b>	Street trees shall be planted at a rate of one (1) tree per lineal metre of street frontage, even in cases where a site has more than one street frontage, excluding frontage to laneways.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No street trees proposed on the public domain. It is however noted that some trees are proposed to be planted within the frontage of the site.				
<b>D2</b>	Street tree planning shall be consistent with Council's Street Tree Masterplan or relevant Public Domain Plan or Infrastructure Manual.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D3</b>	Significant existing street trees shall be conserved and, where possible, additional street trees shall be planted to ensure that the existing streetscape is maintained and enhanced.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No significant existing tree observed on site.				
<b>D4</b>	Where street trees and the provision of awnings are required, cut-outs shall be included in the awning design to accommodate existing and future street trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D5</b>	Driveways and services shall be located to preserve significant trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D6</b>	At the time of planting, street trees shall have a minimum container size of 200 litres and a minimum height of 3.5m, subject to species availability.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D7</b>	Planter boxes (or similar) surrounding trees in the footpath shall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

be 1.2m x 1.2m, filled with approved gravel and located 200mm from the back of the kerb line.				
<b>8.0 Energy Efficiency and Water Conservation</b>				
<b>Objectives</b>				
a. To achieve energy efficient commercial and retail developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Amended BASIX Certificates have been submitted with the application to address thermal comfort and energy efficiency for the residential development. The development is acceptable in this regards.
b. To encourage site planning and building design which optimises site conditions to achieve energy efficiency.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To minimise overshadowing of the public domain including streets and open space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	With regard to overshadowing of the public domain, the building has been appropriately sited however if the building was sited in a way to minimise the overshadowing of the street, this would result in an unacceptable design outcome and increased overshadowing impact on adjoining uses. Accordingly the buildings overshadowing of the street and public domain is considered acceptable in this instance.
d. To give greater protection to the natural environment by reducing greenhouse gas emissions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To encourage the installation of energy efficient and water conserving appliances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To reduce the consumption of non-renewable energy sources for the purposes of heating, water, lighting and temperature control.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To minimise potable water mains demand of non residential development by implementing water efficiency measures.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>8.1 Energy efficiency</b>				
<b>Performance criteria</b>				
<b>P1</b> Internal building layouts are designed to minimise use of fossil fuel for heating and cooling and to encourage use of renewable energy in their running. Building materials and insulation assist thermal performance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building internal layout is generally considered acceptable. The building will be made out of appropriate masonry materials with suitable thermal massing properties.
<b>Development controls</b>				
<b>D1</b> Any hot water heaters to be installed, as far as practicable, shall be solar and, to the extent that this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse Score.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is as per the BASIX certificate requirements.
<b>D2</b> The practicability of all external lighting and common areas (e.g. undercover car parking) being lit utilising renewable energy resources generated on site shall be investigated. Larger developments (buildings exceeding 400m <sup>2</sup> in area) shall investigate the viability of utilising renewable energy resources for all lighting on site. A statement shall be included with the development application addressing these requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>8.2 Water conservation</b>				
<b>Performance criteria</b>				
<b>P1</b> Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BASIX Certificate submitted addresses water conservation for the residential development.
<b>Development controls</b>				
<b>D1</b> New developments shall connect to recycle water if serviced by a dual	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.</p> <p><b>D2</b> Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.</p> <p><b>D3</b> Development shall install all water using fixtures that meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>8.3 Stormwater drainage</b> Applicants shall consult the Stormwater Drainage Part of this DCP for requirements for stormwater management.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amendment proposed does not include changes to the approved stormwater drainage plans.
<p><b>8.4 Rainwater tanks</b> <b>Performance criteria</b> <b>P1</b> Adequate measures are incorporated into new development to encourage the collection and reuse of stormwater and reduce stormwater runoff.</p> <p><b>Development controls</b> <b>D1</b> Rainwater tanks shall be installed as part of all new development in accordance with the following:</p> <ul style="list-style-type: none"> <li>• The rainwater tank shall comply with the relevant Australian Standards;</li> <li>• The rainwater tank shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject and surrounding development;</li> <li>• Rainwater tanks shall be permitted in basements provided that the tank meets applicable Australian Standards;</li> <li>• The suitability of any type of rainwater tanks erected within the setback area of development shall be assessed on an individual case by case basis. Rainwater tanks shall not be located within the front setback; and</li> <li>• The overflow from rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The applicant is required to provide rainwater tank within the development in accordance with BASIX requirement.
<p><b>8.5 Ventilation</b> <b>Performance criteria</b> <b>P1</b> Natural ventilation is incorporated into the building design.</p> <p><b>Development controls</b> <b>D1</b> The siting, orientation, use of openings and built form of the development shall maximise opportunities for natural cross</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per the SEPP 65 section of the report, the building is 62% naturally cross-ventilated. The development is acceptable in this regard.



	ventilation for the purposes of cooling and fresh air during summer and to avoid unfavourable winter winds.				
<b>8.6 Solar amenity</b>					
<b>Performance criteria</b>					
<b>P1</b>	New buildings are designed to protect solar amenity for the public domain and residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The solar access to the development and surrounding existing buildings complies with the requirements listed below. See also the SEPP 65 Assessment for the solar access discussion.
<b>Development controls</b>					
<b>D1</b>	Shadow diagrams shall accompany development applications for buildings which demonstrate that the proposal will not reduce sunlight to less than 3 hours between 9.00 am and 3.00 pm on 21 June for:				Given the orientation of the building all surrounding building will receive sufficient solar access during the morning, daytime or afternoon.
	• public places or open space;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	• 50% of private open space areas;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no adjoining public places.
	• 40% of school playground areas; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	• windows of adjoining residences.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D2</b>	Lighter colours in building materials and exterior treatments shall be used on the western facades of buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>9.0 Ancillary Site Facilities</b>					
<b>9.1 Provision for goods and mail deliveries</b>					
<b>Performance criteria</b>					
<b>P1</b>	New development incorporates adequate provision in its design for the delivery of goods and mail to both business and residential occupants.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Deliveries to the site can be made via the proposed loading bay.
<b>Development controls</b>					
<b>D1</b>	Provision shall be made on-site for courier car parking spaces in a convenient and appropriately signposted location, preferably with access off the principal street frontage, for developments incorporating greater than 3,000m <sup>2</sup> of gross leasable floor area devoted to commercial premises.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No commercial tenancies proposed.
<b>D2</b>	Provision of mailboxes for residential units shall be incorporated within the foyer area of the entrance to the residential component of the mixed use developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No objection raised to proposed location of mailboxes.
<b>10.0 Other Relevant Controls</b>					
<b>10.1 Waste</b>					
<b>D1</b>	Applicants shall consult the Waste Part of this DCP for requirements for disposal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An acceptable waste management plan dealing with the demolition, construction and on-going waste management was submitted with the original application. The development is acceptable in this regard.
<b>10.2 Access and amenity</b>					
<b>D1</b>	Applicants shall consult the relevant provisions within the Access and Mobility Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>11.0 Public Domain</b>					
<b>Objectives</b>					
a.	To ensure private development contributes to a safe, attractive and useable urban environment within the local centres of the Auburn local government area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development does not specifically propose significant public domain works (beyond Council's requirement for footpath re-construction) – this remains as originally approved.
b.	To ensure the public domain forms an integrated part of the urban	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>fabric of commercial centres.</p> <p>c. To encourage both night and day pedestrian activity in the commercial centres.</p> <p>d. To ensure private development contributes to a positive pedestrian environment.</p> <p>e. To encourage public art in new development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Development controls</b></p>				
<p><b>D1</b> Any works within the public domain or which present to the public domain shall be consistent with Council's Public Domain Manual and/or the Town Centre Infrastructure Manual and Council's Policy on Crime Prevention Through Environmental Design.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>D2</b> New buildings shall contribute to the public domain through the provision of awnings, sheltered building entries, verandahs and canopies, safe pedestrian linkages to car parks, landscaping, and open space, where appropriate.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Note:</b> Refer to the relevant Public Domain Plan and Council's Public Art Policy.</p>				
<p><b>12.0 Subdivision</b></p>				
<p><b>Objectives</b></p>				
<p>a. To ensure development sites are of a reasonable size to efficiently accommodate architecturally proportioned buildings and adequate car parking, loading facilities, etc.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No subdivision or consolidation is required as the subject development site is of sufficient size and dimensions to accommodate the proposed development.
<p>b. To provide lots which are of sufficient size to satisfy user requirements and to facilitate development of the land while having regard to site opportunities and constraints.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Council's preferred option would be for the amalgamation of the adjoining site to the east known as 45 Church Street into the development. As this is not feasible in this instance, there is no objection raised.(Site isolation addressed in the assessment of the original application).
<p><b>12.1 Size and dimensions</b></p>				
<p><b>Performance criteria</b></p>				
<p><b>P1</b> The size and dimension of proposed lots contribute to the orderly development of the commercial centres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As above. It is noted that the total site area is approximately 1779qm.
<p><b>Development controls</b></p>				
<p><b>D1</b> Proposed lots shall be of sufficient area and dimension to allow a high standard of architectural design, the appropriate siting of buildings and the provision of required car parking, loading facilities, access and landscaping.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>12.2 Utility services</b></p>				
<p><b>Performance criteria</b></p>				
<p><b>P1</b> All essential public utility services are provided to the development to the satisfaction of relevant authorities.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate condition imposed in the original consent in this regards.
<p><b>Development controls</b></p>				
<p><b>D1</b> The applicant shall demonstrate that each proposed allotment can be connected to appropriate utility services including water, sewerage,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>power and telecommunications and (where available) gas. This may include advice from the relevant service authority or a suitably qualified consultant as to the availability and capacity of services.</p> <p><b>D2</b> Common trenching for gas, electricity and telecommunications shall be provided in accordance with agreements between the relevant servicing authorities in NSW.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>14.0 Lidcombe Town Centre</b>				
<p><b>14.1 Development to which this section applies</b></p> <p>This section applies to the Lidcombe Town Centre which is zoned B4 Mixed Use, RE1 Public Recreation and RE2 Private Recreation under the <i>Auburn LEP 2010</i>. Refer to Figure 9. Where there are inconsistencies between the controls contained within this Section and other controls within this DCP, these controls prevail to the extent of the inconsistency. Several sites within the Lidcombe Town Centre have been identified as having the greatest potential for intensification with commercial, residential and mixed use development, as shown in Figure 10. Each site has an inherent capacity to contribute to the transformation of the urban form into one which will generate more activity and lead the development of the town centre. The development controls for these sites apply in addition to the development controls presented in previous sections of this Part.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject site lies at the north-eastern boundary of Figure 9 and within Mary Street South (No.3) key sites of the Lidcombe Town Centre identified in Figure 10.
<p><b>14.2 Site 1 – Dooleys Objectives</b></p> <p>a. To ensure architectural design recognises:</p> <ul style="list-style-type: none"> <li>the strategic significance of the site within the Lidcombe Town Centre; and</li> <li>the visual prominence of the site from public areas including the train station and the approach towards the site from the northern end of John Street.</li> </ul> <p>b. To reinforce John Street as the main street of the northern area of the Lidcombe Town Centre.</p> <p>c. To ensure development is sensitive in scale and character to the heritage item within the site.</p> <p>d. To provide an appropriate transition to the residential area to the north of the site.</p> <p>e. To improve pedestrian access and circulation within the town centre.</p> <p><b>Development controls</b></p> <p><b>D1</b> Building separation distances shall be determined by having regard to the <i>State Environmental Planning No. 65 – Design Quality of Residential Flat Development</i> and accompanying Residential Flat Design Code.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable to subject site.



<p>Street.</p> <p>C. To encourage development that is sensitive in scale and character to the heritage items within the site.</p> <p>d. To enhance the public domain and increase accessibility to public open space.</p> <p><b>Development controls</b></p> <p><b>D1</b> Public open space shall be provided at the intersection of John and Mary Streets, or within close proximity to this intersection.</p> <p><b>D2</b> Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre. The linkages shall enable connection between Church Street and Mary Street.</p> <p><b>D1</b> Outdoor dining is encouraged along John Street and Church Street.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>This requirement is not applicable to the subject site.</p> <p>The subject site is abutted by a school to the north and north-west so that a linkage to Mary Street is not achievable unless the school site was to be redeveloped at a future date.</p> <p>Residential only development proposed.</p>
<p><b>14.5 Site 4 – Tooheys Lane Objectives</b></p> <p>a. To encourage a mix of uses within the retail core.</p> <p>b. To reinforce Joseph Street as the main street of the southern area of the Lidcombe Town Centre.</p> <p>c. To improve the amenity and safety of Tooheys Lane.</p> <p>d. To ensure development is sensitive in scale and character to the heritage item within the site.</p> <p>e. To improve access to the Lidcombe Town Centre by the upgrading and widening of Tooheys Lane.</p> <p><b>Development controls</b></p> <p><b>D1</b> Outdoor dining shall be encouraged along Joseph Street and Bridge Street.</p> <p><b>D2</b> The preferred primary access to the site shall be provided via Bridge Street. Consultation with Council shall be undertaken to investigate opportunities to integrate the upgrading and widening of Tooheys Lane as part of the site's redevelopment.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Not applicable to subject site.</p>
<p><b>14.6 Site 5 – Bridge Street Objectives</b></p> <p>a. To encourage a mix of commercial, entertainment and residential uses in the retail core.</p> <p>b. To continue the main street character of Joseph Street and connect to the existing retail shops area on the southern end of the Lidcombe Town Centre.</p> <p>c. To encourage development that responds to the heritage significance of Remembrance Park.</p> <p>d. To improve pedestrian access and circulation within the town centre.</p> <p><b>Development controls</b></p> <p><b>D1</b> Building separation distances shall be determined by having regard to the</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Not applicable to subject site.</p>

<p><i>State Environmental Planning No. 65 – Design Quality of Residential Flat Development</i> and accompanying Residential Flat Design Code.</p> <p><b>D2</b> On the Olympic Drive frontage, development shall be designed to:</p> <ul style="list-style-type: none"> <li>•address Olympic Drive; and</li> <li>•provide an appropriately landscaped setback with a minimum depth of 6m. A double row of street trees shall be planted along the property boundary.</li> </ul> <p><b>D3</b> Preferred primary access to the site shall be provided via Vaughan Street with a secondary access via Bridge Street.</p> <p><b>D5</b> Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre. The linkages shall enable connection between Vaughan Street and Bridge Street and Olympic drive and Bridge Street.</p> <p><b>D4</b> New development shall maintain and enhance pedestrian linkages and view corridors to Remembrance Park. Outdoor dining shall be encouraged along Joseph Street and Bridge Street.</p>				
<p><b>14.7 Site 6 – Railway Street Objectives</b></p> <p>a. To encourage a mix of uses within the retail core.</p> <p>b. To reinforce Joseph Street as the main street of the southern area of the Lidcombe Town Centre.</p> <p>c. To ensure architectural design recognises the strategic significance of the site within the Lidcombe Town Centre and the visual prominence of the site from public areas, particularly the Lidcombe train station.</p> <p>d. To ensure development is sensitive in scale and character to the heritage items within the site.</p> <p>e. To improve pedestrian access and circulation within the town centre.</p> <p>f. To improve the amenity and safety of Taylor Street.</p> <p><b>Development controls</b></p> <p><b>D1</b> The lane between Taylor Street and Railway Street shall be retained to provide access to parking and loading areas and for waste removal.</p> <p><b>D2</b> Outdoor dining shall be encouraged along Joseph Street and Railway Street. Through-site linkages shall be provided for pedestrians within the site to improve circulation and access to the town centre and Remembrance Park. The linkages shall enable connection between the lane and Joseph Street and/or the lane and Railway Street.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Not applicable to subject site.</p>

## ADCP 2010 Residential Flat Buildings

The relevant objectives and requirements of the ADCP 2010 Residential Flat Buildings have been considered in the following assessment table:

Requirement	Yes	No	N/A	Comments
<b>1.0 Introduction</b>				
<b>1.1 Development to which this Part applies</b>  This part applies to residential flat building development. It does not apply to Newington and Wentworth Point (formerly Homebush Bay West) areas. Please refer to the Newington Parts of this DCP or the Wentworth Point DCPs listed in Section 1.6 of the Introduction Part of this DCP.				The development site is not located in the Wentworth Point locality.
<b>1.2 Purpose of this Part</b>  The purpose of this Part is to ensure residential flat buildings: <ul style="list-style-type: none"> <li>are pleasant to live in and create enjoyable urban places;</li> <li>maintain a high level of amenity;</li> <li>contribute to the overall street locality;</li> <li>minimise the impact on the environment; and</li> <li>optimise use of the land.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The development is considered to be generally in compliance with this part.
<b>2.0 Built Form</b>				
<ul style="list-style-type: none"> <li><b>Objectives</b></li> <li>To ensure that all development contributes to the improvement of the character of the locality in which it is located.</li> <li>To ensure that development is sensitive to the landscape setting and environmental conditions of the locality.</li> <li>To ensure that the appearance of development is of high visual quality and enhances and addresses the street.</li> <li>To ensure that the proposed development protects the amenity of adjoining and adjacent properties.</li> <li>To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and locality.</li> <li>To ensure that development relates well to surrounding developments.</li> <li>To ensure that development maximises sustainable living.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The amended development is consistent with the built form objectives as it results in an articulated, balanced development which improves the existing streetscape, provides ample deep soil zone and landscaping, is consistent with the form and scale of like developments in the near vicinity and achieves the required energy efficiency ratings.
<b>2.1 Site area</b>				

<p><b>Performance criteria</b></p> <p><b>P1</b> The site area of a proposed development is of sufficient size to accommodate residential flat buildings.</p> <p><b>Development controls</b></p> <p><b>D1</b> A residential flat building development shall have a minimum site area of 1000m<sup>2</sup> and an average minimum width of 24m.</p> <p><b>D2</b> Where lots are deep and have narrow street frontages the capacity for maximising residential development is limited. Two or more sites may need to be amalgamated to provide a combined site with sufficient width for good building design.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development site is considered to be of acceptable size and dimensions with a site area of approximately 1779sqm and frontage of 47.2m. The development is acceptable in this regard.
<p><b>2.2 Site coverage</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Adequate areas for landscaping, open space and spatial separation is provided between buildings.</p> <p><b>Development controls</b></p> <p><b>D1</b> The built upon area shall not exceed 50% of the total site area.</p> <p><b>D2</b> The non-built upon area shall be landscaped and consolidated into one communal open space and a series of courtyards.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The built upon area will exceed 50% of the site (approximately 71%). Notwithstanding this, the development will provide for a significant landscaped area, deep soil / communal outdoor space of approximately 530sqm or 29% of the site area whilst still providing for basement garage and access driveway. The development is acceptable in this regard. (this is as originally approved)
<p><b>2.3 Building envelope</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings:</p> <ul style="list-style-type: none"> <li>addresses both streets on corner sites;</li> <li>align with the street and/or proposed new streets;</li> <li>are located across the site; and</li> <li>form an L shape or a T shape where there is a wing at the</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is consistent with the objectives of the zone and compatible with the desired future character of the area in accordance with the zone objectives.</p> <p>The proposal aligns with the street and is not located on a corner allotment nor requires a laneway to meet its service needs.</p> <p>No rear wing proposed.</p>



rear.				
<p><b>Note:</b> The development control diagrams in section 10.0 illustrate building envelope controls.</p> <p><b>Development controls</b></p> <p>Council may consider a site specific building envelope for certain sites, including:</p> <ul style="list-style-type: none"> <li>■ corner sites;</li> <li>■ double frontage sites;</li> <li>■ sites facing parks;</li> <li>■ sites adjoining higher density zones; and</li> <li>■ isolated sites.</li> </ul>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<p>A site specific building envelope is not considered to be necessary in this instance.</p>
<p><b>2.4 Setbacks</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Impact on the streetscape is minimised by creating a sense of openness, providing opportunities for landscaping and semi-private areas, and providing visual continuity and building pattern.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The setbacks are considered to be appropriate in this instance.</p>
<p><b>Development controls</b></p> <p><b>2.4.1 Front setback</b></p> <p><b>D1</b> The minimum front setback shall be between 4 to 6m (except for residential flat development in the B1, B2 and B4 zones).</p> <p><b>D2</b> Where a site has frontage to a lane, the minimum setback shall be 2m, however, this will vary depending on the width of the lane.</p> <p><b>D3</b> Where a new building is located on a corner, the main frontage shall be determined on the existing streetscape patterns. Where the elevation is determined as the 'secondary' frontage, the setback may be reduced to 3m except where it relates to a primary frontage on that street.</p> <p><b>D4</b> Setbacks from the street shall ensure that the distance between the front of one building to the front of the building on the</p>	<input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	<p>The subject site is located within the B4- Mixed use zone. However being a residential only development, a staggered setback of between 3m to 7.5m is provided and is considered acceptable.</p> <p>Not a corner site.</p> <p>The development achieves compliance with this requirement and provides a building separation of greater than 10m from the building across Church Street.</p>

<p><b>D5</b></p>	<p>opposite side of the street is a minimum of 10m for three (3) storey buildings. For example, 2m front setbacks and a 6m wide laneway where that laneway is a shareway. Where a footpath is to be incorporated a greater setback shall be required.</p> <p>All walls shall be articulated by bay windows, verandahs, balconies and/or blade walls. Such articulation elements may be forward of the required building line up to 600mm.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The front facade of the development is considered to be well articulated with the incorporation of recesses in horizontal and vertical planes and contrasting material with fenestration treatments to create a varied facade.</p>
<p><b>2.4.2 Side setback</b></p>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A minimum setback of 3m is proposed on the western and eastern side boundaries.</p> <p>Building depth has been discussed earlier in the report under SEPP 65.</p>
<p><b>D1</b></p>	<p>Where the external walls have no windows or only windows to bathrooms/laundries, these shall be setback at least 3m from a side boundary. Where there are windows in the wall to living rooms the setback from the side boundary shall be at least 3m.</p>				
<p><b>D2</b></p>	<p>Eaves may extend a distance of 700mm from the wall.</p>				
<p><b>D3</b></p>	<p>If the depth of the building is greater than 12m, a courtyard space that is at least 3m from the side boundary and a minimum 3m deep shall be included on the side wall, generally mid-way along the length of the wall.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<p><b>2.4.3 Rear setback</b></p>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>10m rear setback is provided.</p>
<p><b>D1</b></p>	<p>Rear setbacks shall be a minimum of 10m.</p>				
<p><b>D2</b></p>	<p>Where there is a frontage to a street and a rear laneway the setback to the rear laneway shall be a minimum of 2m.</p>				
<p><b>D3</b></p>	<p>Where a building is an L or T shape with the windows facing side courtyards the rear setback shall be a minimum of 2m.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>2.4.4 Haslam's creek setback</b></p>					

<p><b>D1</b> A minimum 10m setback from the top of the creek bank of Haslam's Creek and its tributaries shall be required. Refer to the Stormwater Drainage Part of this DCP for additional controls.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development site is not in near vicinity of Haslam's Creek.
<p><b>2.4.5 Setbacks at Olympic Drive, Lidcombe</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Sites with frontage to Olympic Drive, Lidcombe, address this road and provide an appropriately landscaped setback.</p> <p><b>P2</b> East-west streets maintain view corridors to Wyatt Park.</p> <p><b>Development controls</b></p> <p><b>D1</b> For sites with frontage to Olympic Drive, buildings shall be designed to address Olympic Drive and provide a setback of 6m.</p> <p><b>D2</b> The setback area and verge shall be landscaped and planted with a double row of street trees.</p> <p><b>D3</b> The setback to east-west streets shall be generally 4 to 6m and ensure view corridors to Wyatt Park are maintained.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is not located on Olympic Drive. This section of the DCP is not applicable.
<p><b>2.5 Building depth</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> A high level of amenity is provided for residents.</p> <p><b>Development controls</b></p> <p><b>D1</b> The maximum depth of a residential flat building shall be 18m excluding balconies.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is considered to deliver an appropriate level of amenity to the residents of the building.</p> <p><b>As discussed under compliance table for SEPP 65, a variation is proposed with the building depth reaching up to 24m in some areas. Notwithstanding this, the building would provide an appropriate level of amenity for future residents and this minor standard variation is considered worthy of support in this instance. Refer also to SEPP 65 discussions above in this matter.</b></p>
<p><b>2.6 Number of storeys</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The number of storeys is achievable within the</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is

<p>maximum building height in <i>Auburn LEP 2010</i>.</p> <p><b>Development controls</b></p> <p><b>D1</b> Residential flat buildings shall be a maximum four (4) storeys above ground level (existing), except where basement car parking allows for natural ventilation up to less than 1m above ground level.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>consistent with this requirement and provides for a building height consistent with the requirements under the ALEP 2010.</p> <p>The Auburn Local Centres DCP which stipulates maximum height of 8 storeys and the Auburn Local Environmental Plan 2010 which stipulates maximum height of 32m prevails over the RFB height control. In this instance, and as discussed earlier in the report, a 9 storey (31.8m high) building is compliant.</p>
<p><b>2.7 Floor to ceiling heights</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Floor to ceiling heights provide well proportioned rooms and spaces to allow for light and ventilation into the built form.</p> <p><b>Development controls</b></p> <p><b>D1</b> The minimum floor to ceiling height shall be 2.7m. This does not apply to mezzanines.</p> <p><b>D2</b> Where there is a mezzanine configuration, the floor to ceiling height may be varied.</p> <p><b>D3</b> When located near business areas, a floor to ceiling height of 3 to 3.3m for the ground and first floor shall be provided.</p> <p><b>D4</b> When located within business areas, a floor to ceiling height of 3.3m for the ground and first floor shall be provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No mezzanine residential space proposed.</p> <p>The development provides minimum 3300mm floor to ceiling height to 4 of the 5 units on the ground floor. The adaptable unit is provided with a 2.7m floor to ceiling height. This is necessitated as a result of the need to accommodate clearance for the vehicle ramp. Given the residential use of the unit, there is no objection raised to this non-compliance. The first floor will be 2.7 metres however the 2.7 proposed for the first floor is considered acceptable given the residential only use of the floor. The development is acceptable in this regard (this is as originally approved).</p>
<p><b>2.8 Floor to ceiling heights</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Window heights allow for light penetration into rooms and well proportioned elevations.</p> <p><b>Development controls</b></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No objections to windows head height as proposed.</p>

D1	The head height of windows and the proportion of windows shall relate to the floor to ceiling heights of the dwelling.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D2	For storeys with a floor to ceiling height of 2.7 metres, the minimum head height of windows shall be 2.4 metres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D3	For storeys with a floor to ceiling height of 3 metres, the minimum head height of windows shall be 2.7 metres.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2.9 Heritage</b>					
<b>Performance criteria</b>					
P1	Development does not adversely affect the heritage significance of heritage items and heritage groups and archaeological sites as well as their settings, distinctive streetscape, landscape and architectural styles.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The land is not listed as being a heritage item or part of a heritage group or being an archaeological site. The site is however within the vicinity of known heritage items being:</p> <p>1) St Joachims School – item #139;  2) Lidcombe Fire Station – item # 132;  and  3) Hotel Lidcombe – item # 131</p> <p>A heritage impact assessment report prepared by Andrew Starr and Associates, Heritage Consultants dated April 2011 was submitted with the original application. The report indicated that the Lidcombe Fire Station and Hotel Lidcombe are far enough away from the subject site to only have minimal effect on their heritage significance. The report also indicated that the proposed development does have some impact on the school but this impact does not affect the heritage significance of the school buildings.</p> <p>The report concludes that “<i>The heritage impact on nearby heritage items is not significant. Principal views of all nearby heritage items are not obscured by the proposed development. A building of ten storeys fits within the changing context of this business zone. There are no heritage issues that conflict with the development on the site.</i>”</p> <p>The conclusions of the original Heritage report is not likely to change as a result of the proposed amendment given that the building envelop remains substantially unchanged except for the reduction in overall height – Principal views of all nearby heritage items are not obscured by the amended proposal.</p>
<b>Development controls</b>					
D1	All development adjacent to and/or adjoining a heritage item shall be:				
	• responsive in terms of the curtilage and design;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	• accompanied by a Heritage Impact Statement; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	• respectful of the building's heritage significance in terms of the form, massing, roof shapes, pitch, height and setbacks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<b>2.10 Building design</b>					
<b>Performance criteria</b>					
<b>P1</b>	Building design, detailing and finishes provide an appropriate scale to the street and add visual interest.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No objection is raised to the materials and colour scheme of the proposal which is considered to be of high quality and will make a positive contribution to the streetscape.
<b>Development controls</b>					
<b>2.10.1 Materials</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D1</b>	All developments shall be constructed from durable, quality materials. As a guide, preference shall be given to bricks that are smooth faced and in mid to dark tones.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2.10.2 Building articulation</b>					
<b>D1</b>	Windows and doors in all facades shall be provided in a balanced manner and respond to the orientation and internal uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal offers an articulated facade with distinct horizontal and vertical elements.
<b>D2</b>	Dwelling entrances shall create a sense of individuality and act as a transitional space between private and communal spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	At ground level the residential entrance lobby is internally accessed and integrated with the public domain through the provision of distinct paving and landscaping. The development is considered acceptable in this regard.
<b>D3</b>	Elevations shall provide for variation and depth rather than relying on front façade treatment only. Varied massing projections and recesses shall be used to create a sense of articulation and depth.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The facade provides recessed elements on every facade of the building.
<b>2.10.3 Roof form</b>					
<b>D1</b>	Roof forms shall be designed in a way that the total form does not add to height and bulk of the building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The roof form has been described as a sculptural 'floating roof'. The development is considered to respond well in this regard.
<b>2.10.4 Balustrades and balconies</b>					
<b>D1</b>	Balustrades and balconies shall allow for views from the interior. Accordingly, balustrades shall be partly transparent and partly solid.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Partly transparent and partly solid balustrades proposed.
<b>D2</b>	The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall avoid having exposed pipes and utilities.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate condition included in the original consent to ensure compliance with this clause.



	<ul style="list-style-type: none"> <li>■ considering population trends in the future as well as present market demands; and</li> <li>■ noting the apartment's location in relation to public transport, public facilities, employment areas, schools and universities and retail centres.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development has the benefit of being within close proximity to public transport.
<b>D3</b>	A mix of one (1) and three (3) bedroom apartments shall be located on the ground level where accessibility is more easily achieved for disabled, elderly people or families with children.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 and 2 bedroom apartments are located on the ground floor including an adaptable apartment. The development is acceptable in this regard.
<b>D4</b>	The number of accessible and adaptable apartments to cater for a wider range of occupants shall be optimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building is fully visitable due to the lift access. The development has 8 units identified as being adaptable.
<b>D5</b>	The possibility of flexible apartment configurations, which support future change to optimise the building layout and to provide northern sunlight access for all apartments, shall be considered.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D6</b>	Robust building configurations which utilise multiple entries and circulation cores shall be provided especially in larger buildings over 15m long.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 lift cores are proposed for the development. The development is acceptable in this regard.
<b>D7</b>	Apartment layouts which accommodate the changing use of rooms shall be provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unit floor sizes are considered to be of sufficient size to provide flexible furniture layouts.
	Design solutions may include: <ul style="list-style-type: none"> <li>■ windows in all habitable rooms and to the maximum number of non-habitable rooms;</li> <li>■ adequate room sizes or open-plan apartments, which provide a variety of furniture layout opportunities; and</li> <li>■ dual master bedroom apartments, which</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



<p>can support two independent adults living together or a live/work situation.</p> <p><b>D8</b> Structural systems that support a degree of future change in building use or configuration shall be used. Design solutions may include:</p> <ul style="list-style-type: none"> <li>■ a structural grid, which accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building;</li> <li>■ the alignment of structural walls, columns and services cores between floor levels;</li> <li>■ the minimisation of internal structural walls;</li> <li>■ higher floor to ceiling dimensions on the ground floor and possibly the first floor; and</li> <li>■ knock-out panels between apartments to allow two adjacent apartments to be amalgamated.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.0 Open space and landscaping</b>				
<p><b>Objectives</b></p> <p>a. To provide sufficient and accessible open space for the recreation needs of the likely residents of the proposed dwelling.</p> <p>b. To provide private open areas that relate well to the living areas of dwellings.</p> <p>c. To enhance the appearance and amenity of residential flat buildings through integrated landscape design.</p> <p>d. To provide for the preservation of existing trees and other natural features on the site, where appropriate.</p> <p>e. To provide low maintenance communal open space areas.</p>	<input checked="" type="checkbox"/>          <input checked="" type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>          <input checked="" type="checkbox"/>	<p>The development proposal is considered to be consistent with the open space and landscaping objectives.</p>

f.	To provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g.	To conserve and enhance street tree planting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.1 Development requirements</b>	<p>A landscape plan shall be submitted with all development applications for residential flat buildings.</p> <p>The landscape plan should specify landscape themes, vegetation (location and species), paving and lighting that provide a safe, attractive and functional environment for residents, integrates the development with the neighbourhood and contributes to energy efficiency and water management.</p> <p>A landscape plan prepared by a professionally qualified landscape architect or designer shall be submitted with the development application which shows:</p> <ul style="list-style-type: none"> <li>■ proposed site contours and reduced levels at embankments, retaining walls and other critical locations;</li> <li>■ existing vegetation and the proposed planting and landscaping (including proposed species);</li> <li>■ general arrangement of hard landscaping elements on and adjoining the site;</li> <li>■ location of communal facilities;</li> <li>■ proposed lighting arrangements;</li> <li>■ proposed maintenance and irrigation systems; and</li> <li>■ proposed street tree planting.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A suitable landscaping plan which details species, quantity required, height and spread, planting depth detail, etc was submitted with the original application and considered satisfactory.
<b>3.2 Landscaping</b>	<p><b>Performance criteria</b></p> <p><b>P1</b> Paving may be used to:</p> <ul style="list-style-type: none"> <li>■ ensure access for people with limited mobility;</li> <li>■ add visual interest and variety;</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



<b>3.4 Landscape setting</b>				
<b>Performance criteria</b>				
<b>P1</b>	Development does not unreasonably intrude upon the natural landscape, particularly on visually prominent sites or sites which contribute to the public domain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>P2</b>	Residential flat buildings are adequately designed to reduce the bulk and scale of the development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>P3</b>	Landscaping assists with the integration of the site into the streetscape.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Development controls</b>				
<b>D1</b>	Development on steeply sloping sites shall be stepped to minimise cut and fill.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D2</b>	Existing significant trees shall be retained within the development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D3</b>	Applicants shall demonstrate that the development will not impact adversely upon any adjoining public reserve or bushland.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D4</b>	Residential flat buildings shall address and align with any public open space and/or bushland on their boundary.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D5</b>	All podium areas and communal open space areas, which are planted, shall be provided with a water efficient irrigation system.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>3.5 Private open space</b>				
<b>Performance criteria</b>				
<b>P1</b>	Private open space is clearly defined and screened for private use.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>P2</b>	Private open space: <ul style="list-style-type: none"> <li>takes advantage of available outlooks or views and natural features of the site;</li> <li>reduces adverse impacts of adjacent buildings on privacy</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>
		<p>The amended development is considered to be consistent with the private open space performance criteria as all apartments are provided with suitably sized private open spaces which integrate with the overall architectural form of the building and provide casual overlooking of communal and public areas.</p>		

	and overshadowing; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> <li>■ resolves surveillance, privacy and security issues when private open space abuts public open space.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Development controls</b>					
<b>D1</b>	Private open space shall be provided for each dwelling in the form of a balcony, roof terrace or, for dwellings on the ground floor, a courtyard.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All apartments have at least one balcony. Access is provided directly from living areas and where possible, secondary access is provided from primary bedrooms.
<b>D2</b>	Dwellings on the ground floor shall be provided with a courtyard that has a minimum area of 9m <sup>2</sup> and a minimum dimension of 2.5m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All ground floor units comply with this requirement.
<b>D3</b>	Dwellings located above ground level shall be provided with a balcony or roof terrace that has a minimum area of 8m <sup>2</sup> and a minimum dimension of 2m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All apartments have a minimum balcony depth of 2m and have a total area that exceeds 8sqm.
<b>D4</b>	Balconies may be semi enclosed with louvres and screens.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D5</b>	Private open space shall have convenient access from the main living area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D6</b>	Part of the private open space shall be capable of serving as an extension of the dwelling for relaxation, dining, recreation, entertainment and children's play.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D7</b>	Additional small, screened service balconies may be provided for external clothes drying areas and storage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D8</b>	Private open space and balconies shall take advantage of mid to long distance views where privacy impacts will not arise.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.6 Communal open space</b>					
<b>Performance criteria</b>					
<b>P1</b>	The site layout provides communal open spaces which:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A communal open space and deep soil zone of 429sqm or 24% of the site is proposed for the development. The

<ul style="list-style-type: none"> <li>■ contribute to the character of the development;</li> <li>■ provide for a range of uses and activities;</li> <li>■ allows cost-effective maintenance; and</li> <li>■ contributes to stormwater management.</li> </ul> <p><b>Development controls</b></p> <p><b>D1</b> Communal open space shall be useable, have a northern aspect and contain a reasonable proportion of unbuilt upon (landscaped) area and paved recreation area.</p> <p><b>D2</b> The communal open space area shall have minimum dimensions of 10m.</p>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>width of the deep soil zone allows for the planting of medium to large trees.</p> <p>The outdoor space provided at the northern (rear) boundary of the building provides:</p> <ul style="list-style-type: none"> <li>quality outdoor space for the residents,</li> <li>BBQ area</li> <li>Tangible improvement to the immediate microclimate and air quality of the site</li> <li>Provides an opportunity to contribute to biodiversity.</li> </ul> <p>The communal open space is contained within the 10m rear building setback and one of the dimensions is less than 10m. The development is acceptable in this regard given space allows for ample planting and passive/active recreation. (this is as originally approved).</p>
<p><b>3.7 Protection of existing trees</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Major existing trees are retained where practicable through appropriate siting of buildings, access driveways and parking areas and appropriate landscaping.</p> <p><b>Development controls</b></p> <p><b>D1</b> Building structures or disturbance to existing ground levels shall not be within the drip line of existing significant trees to be retained.</p> <p><b>Note:</b> For additional requirements, applicants shall refer to the Tree Preservation Part of this DCP.</p>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<p>No significant trees located within the subject site.</p>
<p><b>3.8 Biodiversity</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Existing and native flora at canopy and understorey levels is preserved and protected.</p> <p><b>P2</b> Plantings are a mix of native and exotic water-wise plant</p>	<input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input type="checkbox"/>	<p>An appropriate mix of species is</p>

species.				proposed in the approved landscaping design.
<b>Development controls</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D1</b> The planting of indigenous species shall be encouraged.				
<b>3.9 Street trees</b>				
<b>Performance criteria</b>				
<b>P1</b> Existing street landscaping is maintained and where possible enhanced.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No street trees exist on the front verge.
<b>Development controls</b>				
<b>D1</b> Driveways and services shall be located to preserve existing significant trees.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D2</b> Additional street trees shall be planted at an average spacing of 1 per 10 lineal metres of street frontage.  <b>Note:</b> Where a site has more than one street frontage, street tree planting shall be applied to all street frontages, excluding frontage to laneways.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Planting of street trees are not required in this instance. It is noted that the approved landscape plan required some trees to be planted within the front elevation of the site.
<b>4.0 Access and car parking</b>				
<b>Objectives</b>				
<b>5.1 Access and car parking requirements</b>				
<b>Note:</b> Applicants shall consult the Parking and Loading Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building as amended provides sufficient onsite parking to service the need of the development in accordance with the needs of the Parking and Loading section of the DCP.
<b>5.2 Basements</b>				
<b>Performance criteria</b>				
<b>P1</b> Basements allow for areas of deep soil planting.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal allows for a deep soil zone separate to the basement as proposed.
<b>Development controls</b>				
<b>D1</b> Where possible, basement walls shall be located directly under building walls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D2</b> A dilapidation report shall be prepared for all development that is adjacent to sites which build to the boundary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appropriate condition included in the original approval in this regards.
<b>D3</b> Basement walls not located on the side boundary shall have minimum setback of 1.2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>from the side boundary to allow planting.</p> <p><b>D4</b> Basement walls visible above ground level shall be appropriately finished (such as face brickwork and/or render) and appear as part of the building.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>5.0 Privacy and security</b>				
<p><b>Objectives</b></p> <p>a. To ensure the siting and design of buildings provide visual and acoustic privacy for residents and neighbours in their dwellings and private open spaces.</p> <p>b. To provide personal and property security for residents and visitors and enhance perceptions of community safety.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is considered to promote safety and security in the local area by increasing the opportunity for passive surveillance in the locality via balconies coming off living rooms.</p>
<p><b>5.1 Privacy</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Private open spaces and living areas of adjacent dwellings are protected from overlooking.</p> <p><b>Development controls</b></p> <p><b>D1</b> Buildings shall be designed to form large external courtyards with a minimum distance of 10 to 12m between opposite windows of habitable rooms.</p> <p><b>D2</b> Windows to living rooms and main bedrooms shall be oriented to the street and to the rear, or to the side when buildings form an 'L' or 'T' shape.</p> <p><b>D3</b> Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.</p> <p><b>D4</b> Views onto adjoining private open space shall be obscured by:</p> <ul style="list-style-type: none"> <li>■ Screening that has a maximum area of 25% openings, shall be permanently fixed and made</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development has provided numerous privacy features to ensure adjoining development (existing and future) is not adversely impacted upon including proposed shrubs/trees planting on the sides and rear elevations.</p> <p>Sufficient building separation provided to minimise visual and acoustic impact on adjoining private open spaces.</p> <p>The development is acceptable in this regard.</p> <p>Privacy screens, windows treatment and in some cases solid walls are proposed to the edges of balconies to minimise overlooking impacts.</p>



<p>of durable materials; or</p> <p>■ Existing dense vegetation or new planting.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>5.2 Noise</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The transmission of noise between adjoining properties is minimised.</p> <p><b>P2</b> New dwellings are protected from existing and likely future noise sources from adjoining residential properties and other high noise sources (such as busy roads, railway corridors and industries) and the transmission of intrusive noise to adjoining residential properties is minimised.</p> <p><b>Development controls</b></p> <p><b>D1</b> For acoustic privacy, buildings shall:</p> <p>■ be designed to locate noise sensitive rooms and private open space away from the noise source or by use of solid barriers where dwellings are close to high noise sources;</p> <p>■ minimise transmission of sound through the building structure and in particular protect sleeping areas from noise intrusion; and</p> <p>■ all shared floors and walls between dwellings to be constructed in accordance with noise transmission and insulation requirements of the BCA.</p> <p><b>Note:</b> For development within or adjacent to a rail corridor, or major road corridor with an annual average daily traffic volume of more than 40,000 vehicles, applicants must consult <i>State Environmental Planning Policy (Infrastructure) 2007</i> and the NSW Department of Planning's Development Near</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>The development is located in near vicinity of railway corridor. An amended Acoustic Report prepared by Acoustic Logic, rev. 0 dated 24 May 2013 (ref: 20130187.1/2405A/R0/GW) provided Acoustic criteria and recommended construction methods/materials/treatments to be used to meet the criteria for the site especially as they relate to potential noise from the adjoining Primary School and rail corridor.</p>

Rail Corridors and Busy Roads – Interim Guidelines, 2008.				
<b>5.3 Security</b>				
<b>Performance criteria</b>				
<b>P1</b>	Site layout and design of the dwellings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>Note:</b> Consideration shall also be given to Council's Policy on Crime Prevention Through Environmental Design (CPTED).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Development controls</b>				
<b>D1</b>	Shared pedestrian entries to buildings shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>D2</b>	Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>D3</b>	Ground floor apartments may have individual entries from the street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D4</b>	Residential flat buildings adjoining a park or public open space shall be treated like a front entrance/garden for the length of the park. Refer to Figure 4 - Park frontage in section 10.0.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5.4 Fences</b>				
<b>Performance controls</b>				
<b>P1</b>	Front fences and walls maintain the streetscape character and are consistent with the scale of development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Development controls</b>				
<b>D1</b>	The front and side dividing fences, where located within the front yard area, shall not exceed 1.2m as measured above existing ground level and shall be a minimum of 50% transparent. Front and side dividing fences where located within the front yard area shall not be constructed of solid pre-coated metal type materials such as	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A crime safety report was submitted with the original application stating that the development had been designed in accordance with the CPTED principles.				
Shared residential entry lobby on the ground floor are lockable.				
Casual surveillance to the street will be possible from the balconies and windows of the residential units.				
Shared pedestrian entry from Church Street proposed. No objection raised.				
Appropriate condition included in original consent with regards to fencing.				

Colorbond™ or similar.					
<b>D2</b>	All fences forward of the building alignment shall be treated in a similar way.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D3</b>	Solid pre-coated metal fences shall be discouraged and shall not be located forward of the front building line.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D4</b>	Front fences shall satisfy the acoustic abatement criteria and be provided with a landscaped area on the street side of the fence.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D5</b>	Fences located on side or rear boundaries of the premises, behind the main building line shall not exceed a maximum height of 1.8m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6.0 Solar amenity and stormwater reuse</b>					
<b>Objectives</b>					
a.	To minimise overshadowing of adjoining residences and to achieve energy efficient housing in a passive solar design that provides residents with year round comfort and reduces energy consumption.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The siting of the building is such that surrounding buildings and private open space will receive adequate solar access.</p> <p>The development incorporates a suite of energy efficiency and water conservation measure and detailed in the submitted plans and BASIX certificate. The measures include:</p> <ul style="list-style-type: none"> <li>• Energy efficient lighting</li> <li>• Water saving fixtures</li> <li>• Appropriate floor and wall insulation measures</li> <li>• Use of shading devices over windows</li> <li>• Installed appliances to meet minimum efficiency targets</li> <li>• Gas boosted solar hot water collectors</li> <li>• Water reuse system</li> </ul>
b.	To create comfortable living environments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c.	To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d.	To reduce the consumption of non-renewable energy sources for the purposes heating water, lighting and temperature control.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e.	To encourage installation of energy efficient appliances that minimise green house gas generation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6.1 Solar amenity</b>					
<b>Performance criteria</b>					
<b>P1</b>	Buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The siting of the building is such that surrounding buildings and private open space will receive adequate solar access either in the morning, daytime or afternoon depending on its positioning

	decreased.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	relative to the building.
<b>P2</b>	Buildings and private open space allow for the penetration of winter sun to ensure reasonable access to sunlight or daylight for living spaces within buildings and open space around buildings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible. The primary communal outdoor space is located on the northern side of the building.
<b>Development controls</b>					
<b>D1</b>	Solar collectors proposed as part of a new development shall have unimpeded solar access between 9:00am to 3:00pm on June 21.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	Solar collectors existing on the adjoining properties shall not have their solar access impeded between 9:00am to 3:00pm on June 21.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No solar collectors are noted however any that may be proposed or installed will be able to receive at least three hours of solar access a day on all or a portion of their rooves in accordance with this control. The development is acceptable in this regard.
	Where adjoining properties do not have any solar collectors, a minimum of 3m <sup>2</sup> of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 9:00am to 3:00pm on June 21.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<b>Note:</b> Where the proposed development is located on an adjacent northern boundary this may not be possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D2</b>	Buildings shall be designed to ensure sunlight to at least 50% of the principal area of ground level private open space of adjoining properties for at least 3 hours between 9:00am and 3:00pm on June 21.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The siting of the building is such that surrounding buildings and private open space will receive adequate solar access either in the morning, daytime or afternoon depending on its positioning relative to the building.
<b>D3</b>	If the principal area of ground level private open space of adjoining properties does not currently receive at least this amount of sunlight, then the new building shall not further reduce solar access.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D4</b>	Habitable living room windows shall be located to face an outdoor space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All living rooms and balconies in the proposal are orientated towards the street, rear or sides of the site for maximum outlook and minimal privacy intrusion into adjoining sites.
<b>D5</b>	North-facing windows to living areas of	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	neighbouring dwellings shall not have sunlight reduced to less than 3 hours between 9:00am and 3:00pm on June 21 over a portion of their surface.				
<b>D6</b>	Where the proposed residential flat building is on an adjacent northern boundary or located within an area undergoing transition, compliance with D1, D2, D3 and D4 development controls may not be achievable.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D7</b>	Internal living areas and external recreation areas shall have a north orientation for the majority of units in the development, where possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This has been achieved.
<b>D8</b>	The western walls of the residential flat building shall be appropriately shaded.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6.2</b>	<b>Ventilation</b>				
	<b>Performance criteria</b>				
<b>P1</b>	The design of development is to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amended development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation.
	<b>Development controls</b>				
<b>D1</b>	Rooms with high fixed ventilation openings such as bathrooms and laundries shall be situated on the southern side to act as buffers to insulate the building from winter winds.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The building and unit layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.
<b>D2</b>	Apartments shall be designed to consider ventilation and dual aspect. This can be achieved with cross over apartments, cross through apartments, corner apartments and two (2) storey apartments. Single aspect apartments shall be kept to a minimum except for those that are north facing. Single aspect apartments shall be limited in depth to 8m from a window.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	43 of the units or 62% has access to two or more wall orientation and can be considered to be naturally ventilated.  Generally single aspect apartments are minimised in depth especially with regards to their living areas.
<b>D3</b>	Where possible residential				



	facilities are effectively integrated into the development and are unobtrusive.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	basement levels of the site and accessed via the driveway.
b.	To ensure site facilities are adequate, accessible to all residents and easy to maintain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c.	To cater for the efficient use of public utilities including water supply, sewerage, power, telecommunications and gas services and for the delivery of postal and other services.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A loading bay for garbage truck is provided at the basement level.
<b>7.1</b>	<b>Clothes washing and drying</b>				
	<b>Performance criteria</b>				
<b>P1</b>	Adequate open-air clothes drying facilities which are easily accessible to all residents and screened, are provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Each unit has a laundry facility.
	<b>Development controls</b>				
<b>D1</b>	Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D2</b>	Open air clothes drying facilities shall be provided in a sunny, ventilated and convenient location which is adequately screened from streets and other public places, where possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>7.2</b>	<b>Storage</b>				
	<b>Performance criteria</b>				
<b>P1</b>	Dwellings are provided with adequate storage areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storage is provided within each unit in the form of built in wardrobes, kitchen cupboards and in most cases dedicated separate storage cupboards.
	<b>Development controls</b>				
<b>D1</b>	Storage space of 8m <sup>3</sup> per dwelling shall be provided. This space may form part of a garage or be a lockable unit at the side of the garage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Additional storage is proposed to be provided for all units on the basement levels.
<b>D2</b>	Storage space shall not impinge on the minimum area to be provided for parking spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>7.3</b>	<b>Utility services</b>				
	<b>Performance criteria</b>				
<b>P1</b>	All proposed allotments are connected to	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is currently suitably serviced. However appropriate condition was

<p>appropriate public utility services including water, sewerage, power and telecommunications, in an orderly, efficient and economic manner.</p> <p><b>Development controls</b></p> <p><b>D1</b> Where possible, services shall be underground.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>included in the original consent to ensure that any augmentation required were carried out.</p>
<p><b>7.4 Other site facilities</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Dwellings are supported by necessary utilities and services.</p> <p><b>Development controls</b></p> <p><b>D1</b> A single TV/antenna shall be provided for each building.</p> <p><b>D2</b> A mailbox structure that meets the relevant Australia Postal Service requirements shall be provided, located centrally and close to the major street entry to the site. All letterboxes shall be lockable.</p> <p><b>D3</b> Individual letterboxes can be provided where ground floor residential flat building units have direct access to the street.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Appropriate condition included in the original consent in this regards.</p> <p>Mailboxes located close to the shared pedestrian entry.</p>
<p><b>7.5 Waste disposal</b></p> <p>Applicants shall refer to the requirements held in the Waste Part of this DCP.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>An acceptable waste management plan dealing with the demolition, construction and ongoing waste phase of the development was submitted with the original application. The development is acceptable in this regard.</p>
<b>8.0 Subdivision</b>				
<p><b>Objectives</b></p> <p>a. To ensure that subdivision and new development is sympathetic to the landscape setting and established character of the locality.</p> <p>b. To provide allotments of sufficient size to satisfy user requirements and to facilitate development of the land at a density permissible within the zoning of the land having regard to site opportunities and constraints.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No subdivision or consolidation is proposed.</p> <p>The subject development site is of sufficient size and dimensions to accommodate the proposed development.</p>
<p><b>8.1 Lot amalgamation</b></p> <p><b>Performance criteria</b></p>				



<p><b>P1</b> Lot amalgamations within development sites are undertaken to ensure better forms of housing development and design.</p> <p><b>Development controls</b></p> <p><b>D1</b> Development sites involving more than one lot shall be consolidated.</p> <p><b>D2</b> Plans of Consolidation shall be submitted to, and registered with, the office of the NSW Land and Property Management Authority. Proof of registration shall be produced prior to release of the Occupation Certificate.</p> <p><b>D3</b> Adjoining parcels of land not included in the development site shall be capable of being economically developed.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>8.2 Subdivision</b></p> <p><b>Development controls</b></p> <p><b>D1</b> The community title or strata title subdivision of a residential flat building shall be in accordance with the approved development application plans, particularly in regard to the allocation of private open space, communal open space and car parking spaces.</p> <p><b>D2</b> Proposed allotments, which contain existing buildings and development, shall comply with site coverage and other controls contained within this Part.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>A plan has been provided with the original application which outlined potential development envelopes on adjoining site to the east which will become isolated as a result of this proposal.</p> <p>The applicant has not nominated to undertake a strata or community title subdivision of the development.</p>
<p><b>8.3 Creation of new streets</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> On some sites, where appropriate, new streets are introduced.</p> <p><b>P2</b> New proposed roads are designed to convey the primary residential functions of the street including:</p> <ul style="list-style-type: none"> <li>■ safe and efficient movement of vehicles and</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No new streets are being proposed as part of the development. This clause is not applicable to the proposal.</p>

	pedestrians;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ provision for parked vehicles;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ provision of landscaping;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ location, construction and maintenance of public utilities; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ movement of service and delivery vehicles.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Development controls					
D1	Where a new street is to be created, the street shall be built to Council's standards and quality assurance requirements having regard to the circumstances of each proposal. Consideration shall be given to maintaining consistency and compatibility with the design of existing roads in the locality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D2	A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an additional width of 2.5m is required per vehicle per side. For specific information detailing Council's road design specifications, refer to Table 1 – Development Standards for Road Widths in section 10.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
D3	For larger self-contained new residential areas, specific road design requirements shall be considered for site specific development controls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9.0 Adaptable housing					
Objectives					
a.	To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is fully accessible from the basement levels via lift to residential levels above and from the street via the shared pedestrian entry to residential levels.
b.	To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.1	Development requirements application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Note: Evidence of compliance with the		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



<div>necessary;</div> <div><div><div><div></div><div>providing easy to reach controls, taps, basins, sinks, cupboards, shelves, windows, fixtures and doors;</div></div><div><div></div><div>internal staircase designs for adaptable housing units that ensure a staircase inclinator can be installed at any time in the future; and</div></div><div><div></div><div>providing a disabled car space for each dwelling designated as adaptable.</div></div></div></div> <div><div>Note:</div><div>In the design of residential flat buildings, applicants shall consider the Access and Mobility Part of this DCP.</div></div>	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div>Each adaptable unit is provided with a disabled parking space.</div>														
<div><div>D1</div><div>All development proposals with five or more housing units shall be capable of being adapted (Class C) under AS 4299. The minimum number of adaptable housing units is set out below.</div></div> <div><div>Number of dwellings</div><div>Number of adaptable units</div></div> <table><tr><th>Number of dwellings</th><th>Number of units</th></tr><tr><td>5-10</td><td>1</td></tr><tr><td>11-20</td><td>2</td></tr><tr><td>21 – 30</td><td>3</td></tr><tr><td>31- 40</td><td>4</td></tr><tr><td>41 - 50</td><td>5</td></tr><tr><td>Over 50</td><td>6</td></tr></table> <div><div>(Plus 10% of additional dwellings beyond 60, rounded up to the nearest whole number)</div><div><div>Note:</div><div>Adaptable Housing Class C incorporates all essential features listed in Appendix A – Schedule of Features for Adaptable Housing in AS 4299.</div></div></div>	Number of dwellings	Number of units	5-10	1	11-20	2	21 – 30	3	31- 40	4	41 - 50	5	Over 50	6	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div>The development proposes 69 units with 8 units identified as being adaptable. This represent 10% of the units and therefore compliant with this clause.</div>
Number of dwellings	Number of units																	
5-10	1																	
11-20	2																	
21 – 30	3																	
31- 40	4																	
41 - 50	5																	
Over 50	6																	
<div><div>9.3 Lifts</div><div>Development controls</div><div><div><div>D1</div><div>Lifts are encouraged to be installed in four (4) storey residential flat buildings where adaptable housing units shall be required.</div></div><div><div>D2</div><div>Where the development does not provide any lifts and includes adaptable housing units, the</div></div></div></div>	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div> <div><div><div></div></div></div>	<div>The development proposed two lift core within the building. The development is acceptable in this regard.</div>														

adaptable housing units shall be located within the ground floor of the development.				
<b>9.4 Physical barriers</b> <ul style="list-style-type: none"> <li><b>Development controls</b> <ul style="list-style-type: none"> <li><b>D1</b> Physical barriers, obstacles, steps and steep gradients within the development site shall be avoided.</li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is fully accessible from the pedestrian footpath to ground floor lobby and lift to basement levels and residential floors.

### **ADCP 2010 – Parking and Loading**

The relevant requirements and objectives of the Parking and Loading DCP have been considered in the assessment of the modified application. The Section 96(2) application raises no issues as to consistency with the requirements and objective of the DCP. 89 car parking spaces (including 8 disabled spaces) are provided (1 parking spaces labelled 13 on Basement B2 plan is to be deleted as it does not comply with the relevant Australian Standard), whereas 83 spaces are required. Garbage is to be collected within the basement level and Council's development engineer has raised no objection to the turning circles within the basement. The proposed modifications will therefore not alter Council's conclusions regarding the proposal and its compliance with the relevant provisions of the Parking and Loading DCP assessed under the original application.

### **Section 94 Contributions Plan**

Condition 3 of the original development consent requires the payment of contributions in accordance with Council's Section 94 Contributions Plan. As the application proposes modifications to the unit mix and addition of 2 new units, the amended proposal requires re calculation of the contributions to be paid prior to the issue of the Construction Certificate.

The calculation is based on amended unit mix dimensions of 17 x 1 bedroom units and 52 x 2 bedroom units. As at 6 June 2013, the total fee payable is \$329,348.78 This figure is subject to indexation as per the relevant plans.

### **Disclosure of Political Donations and Gifts**

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

### **The provisions of the Regulations (EP& A Act s79C(1)(a)(iv))**

The proposed development raises no concerns as to the relevant matters arising from the EP& A Regulations 2000.

### **The Likely Environmental, Social or Economic Impacts (EP& A Act s79C(1)(b))**

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

### **The suitability of the site for the development (EP&A Act s79C(1)(c))**

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard to its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

### **Submissions made in accordance with the Act or Regulation (EP&A Act s79C(1)(d))**

Advertised (newspaper) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 14 days between 22 January 2013 and 5 February 2013. The proposal was also advertised in the Auburn Review newspaper of 22 January 2013. The notification generated no submissions in respect of the proposal

### **The public interest (EP& A Act s79C(1)(e))**

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

### **Conclusion**

The Section 96(2) modification has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979.

The proposed development is appropriately located within a locality earmarked for mixed use development however some variations (as detailed above) in relation to State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development; Local Centres Development Control Plan and Residential Flat Building Development Control Plan are sought.

Having regard to the assessment of the proposal from a merit perspective, Council may be satisfied that the modification has been responsibly designed and provides for acceptable levels of amenity for future residents. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of Council's planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

For these reasons, it is considered that the proposal is satisfactory having regard to the provisions of Sections 79C(1) and 96(2) of the Environmental Planning and Assessment Act 1979, and the modification is recommended for approval to the Joint Regional Planning Panel.